

COUNCIL ASSESSMENT REPORT
WESTERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSWES--270 - D24-507
PROPOSAL	Split level three storey registered club and associated sports field, tennis courts, maintenance shed, driveway and carparking (199 parking spaces), and associated internal and external works
ADDRESS	Lot 102 DP 1301426, 180 Boundary Road Dubbo
APPLICANT	The Planning Hub
OWNER	Dubbo RSL Memorial Club Ltd
DA LODGEMENT DATE	11 November 2024
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Schedule 6, Clause 2 of the Planning Systems SEPP: General development over \$30 million
CIV	\$38,910,410.00 (excluding GST)
KEY SEPP/LEP	<ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 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 35 days ending 16 December 2024, during which time adjoining and adjacent property owners were notified in writing of the proposed development Council received no submissions during the exhibition period

DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> • Statement of Environmental Effects: Prepared by The Planning Hub • Architectural Plans: Prepared by Curtin Architects • Design Intent Statement – Electrical Services: Prepared by JHA Consulting Engineers • Civil Plans: Prepared by JN Responsive Engineers • Landscaping Plans: Prepared by AREA Landscape Design Consultants • Hydraulic Services: Prepared by Harris Page & Associates • Preliminary Energy Efficiency Evaluation: Prepared by Partners Energy • Noise Assessment: Prepared by Muller Acoustic Consulting • Construction Noise Assessment: Prepared by Muller Acoustic Consulting • Biodiversity Assessment Report: Prepared by AREA Landscape Design Consultants • Social Impact Assessment: Prepared by HillPDA Consulting • Traffic Impact and Parking Assessment: Prepared by JN Responsive Engineering • Operational Waste Management Plan: Prepared by Elephants Foot Consulting • Groundwater and Salinity Study: Prepared by Envirowest Consulting • Site Contamination Investigation: Prepared by Envirowest Consulting • Geotechnical Desktop Study: Prepared by Macquarie Geotechnical • Aboriginal Heritage Due Diligence Assessment Report: Prepared by OzArk Environment & Heritage • Design Statement: Prepared by Curtin Architects • Building Code of Australia Report: Prepared by Jensen Hughes • Access Report: Prepared by ABE Consulting • Remediation Overview: Prepared by Envirowest Consulting • Bushfire Assessment Report: Prepared by Building Code & Bushfire Hazard Solutions
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes
SCHEDULED MEETING DATE	27 May 2025
ASSESSMENT STATUS	Assessment Complete - to WRPP for determination
PREPARED BY	Bo Moshage – Senior Planner
DATE OF REPORT	2 May 2025

EXECUTIVE SUMMARY

Consent is sought for a split level three storey registered club and associated sports field, maintenance shed, driveway and car parking including under-croft car parking, tennis courts and associated internal and external works.

The development site is known as Lot 102 DP 1301426, 180 Boundary Road Dubbo ('the site') and is within an area identified for future residential development, forming part of the existing residential estate to the west known as Keswick Estate and the wider South-East Dubbo Urban Release Residential Area (URA).

The site has an area of 3.287Ha, bounded by Boundary Road to the south, Henty Drive to the East, and residue land of the Keswick estate to the north and west.

The site zoned R2 - Low Density Residential under Clause 2.2 of the Dubbo Local Environmental Plan 2022 ('LEP 2022').

The principal planning controls relevant to the proposal include *State Environmental Planning Policy (Planning Systems) 2021*, *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *State Environmental Planning Policy (Transport and Infrastructure) 2021*, *State Environmental Planning Policy (Resilience and Hazards) 2021*, *State Environmental Planning Policy (Sustainable Buildings) 2022*, the *Dubbo Local Environmental Plan 2022* ('LEP 2022'), and the *Dubbo Development Control Plan 2013* ('DCP'). The proposal is consistent with various provisions of the planning controls.

There were no concurrence requirements from agencies for the proposal and the application is not Integrated Development under Section 4.46 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). A referral to Essential Energy under *State Environmental Planning Policy (Transport and Infrastructure) 2021* was sent and raised no objections.

The application was placed on public exhibition from 20 November 2024 to 16 December 2024. No submissions were received.

The application is referred to the Western Region Planning Panel ('WRPP') as the development is '*regionally significant development*', pursuant to Schedule 6, Clause 2 of *State Environmental Planning Policy (State and Regional Development) 2011*: General development with a capital investment over \$30 million.

A briefing was held with the Panel on 28 January 2025 where key issues were discussed, including zoning and permissibility, site location and constraints. Social impacts, landscaping, and noise impacts were also raised.

The key issues associated with the proposal included:

- Permissibility
- Road Access and Car Parking
- Geotechnical Considerations
- Contamination
- Stormwater Management
- Safety and Security
- Noise – Construction
- Landscaping, Built Form and Urban Design

These issues have appropriately been dealt with and have been discussed in detail under the Likely Impacts of Development section of this report.

Following consideration of the evaluation matters under Section 4.15(1) 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, D24-507 be approved subject to the conditions of consent contained at **Attachment A** of this report.

1. THE SITE AND LOCALITY

1.1 The Locality

The site is located in the Local Governmental Area (LGA) of Dubbo, 4.2km to the southeast of the Dubbo Central Business District and 1.6km from the Orana Mall shopping centre. The site has frontage to Boundary Road to the south and Henty Drive to the east. For a locality map of the site see **Figure 1**.



Figure 1: Locality Plan

1.2 The Site

The site is vacant and has a previous use for agricultural purposes. It is rectangular shaped with a total area of 3.287ha (30,287m²), sloping to the east from 294mAHD to 284mAHD. It has road frontage to both Boundary Road and Henty Drive. A site plan is provided in **Figure 2**.



Figure 2: Site Plan

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal is for a registered club and outdoor recreation facility comprising:

- A split level three storey recreational club building with lower ground floor change facilities linked to the playing field;
- A multi-use sports field sized to accommodate local cricket and football matches as well as day/evening training activities;
- An elevated tennis court structure comprising two tennis courts, constructed over an undercroft parking area;
- Large terrace areas for general member and family recreational use as well as viewing accommodation for sports activities;
- Open landscaped lawn areas for passive and active outdoor recreation.
- Parking for 188 cars; and
- An independent workshop/storage shed for ongoing field, parking, landscape and Club maintenance.

It is proposed that hours of operation will be Sunday to Thursday, 10 am to 10 pm and Friday and Saturday 10 am to 12 midnight.

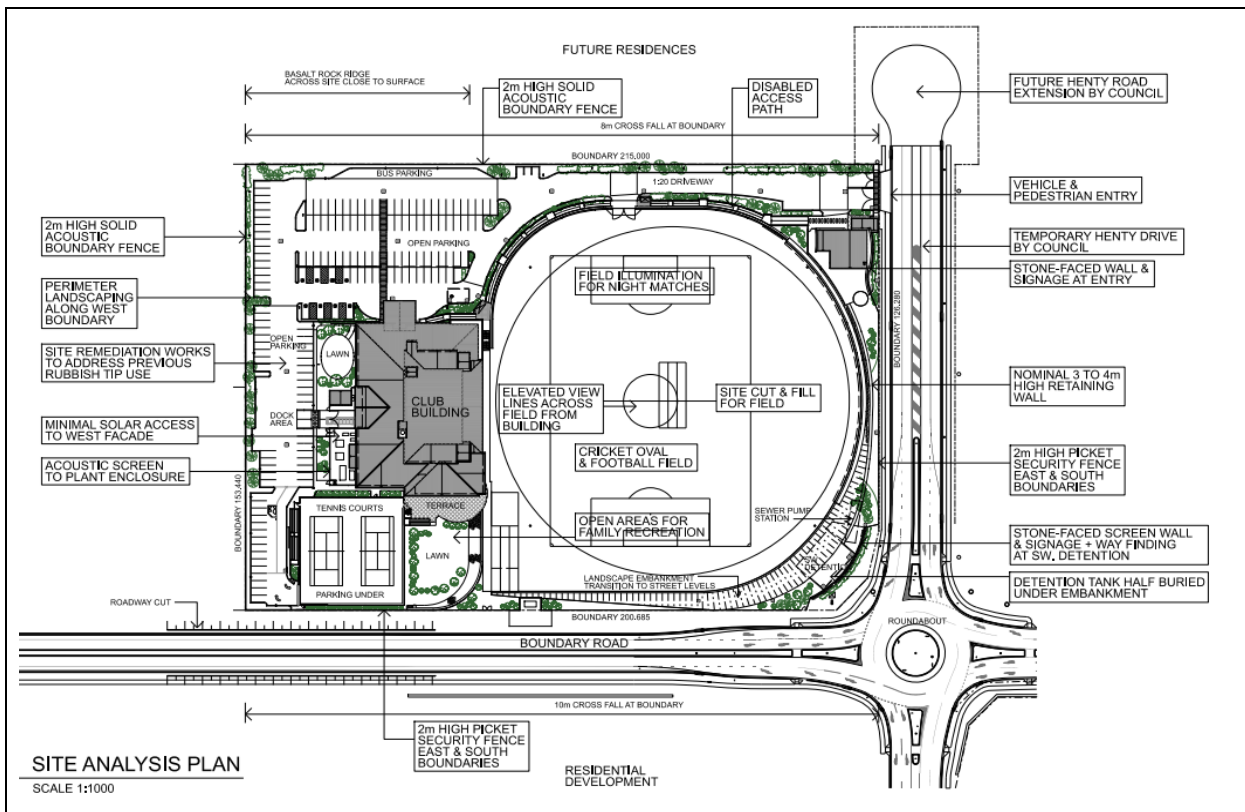


Figure 3: Overall Site Plan

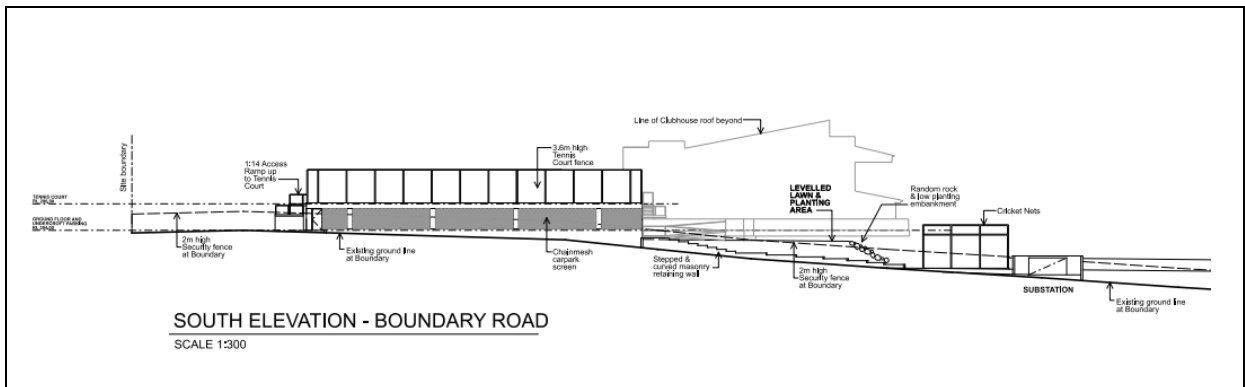


Figure 4: South Elevation – Boundary Road

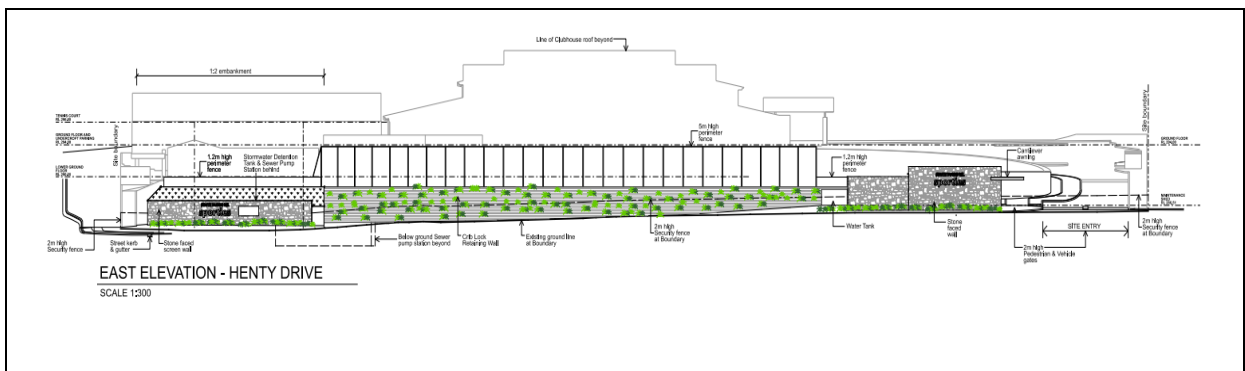


Figure 5: East Elevation – Henty Drive

Table 1: Development Data

Control	Proposal
Site area	3.287ha
Gross Floor Area	637m ² - Lower Level 1,811.4m ² - Ground Level 666.8m ² - Upper Level
Max Height	11.65m - Natural Ground Level 15.60m - Excavated Ground Level
Clause 4.6 Requests	No
Sports Facilities (Major) Seating	193
Car Parking	188

Development perspectives, site landscaping plan and the schedule of external finished supporting the proposed development are included in the **Attachment B**.

2.2 Background

A pre-lodgement meeting was held prior to the lodgement of the applicant on 6 December 2022 where various issues were discussed. A summary of the key issues outlined below:

Contamination	Contamination and Chapter 4 of SEPP (Resilience and Hazards) 2021 to be considered with this Application. A Preliminary Contamination Investigation (Envirowest Consulting July 2020) was submitted with the Planning Proposal and subdivision consent. This Investigation concluded that it was expected the site could be made suitable for the intended use, but would require further investigations, remediation works and validation of suitability (commercial and public recreation use). This would require site sampling to be submitted with the DA.
Traffic Study	Traffic study would be required to demonstrate the local road network has the capacity to accommodate additional traffic generated by this development.
Aboriginal Heritage	Aboriginal archaeology not addressed at subdivision stage. Council notes four (4) known sites in proximity of the development area. Due diligence report to address Aboriginal archaeology.
Flora and Fauna Impacts	Flora and fauna impact to be addressed, particularly with regards to the Biodiversity Conservation Act. If greater than 2,500m ² of native vegetation (including native grasses) to be cleared, a BDAR may be required.
Acoustic Study	Operational details to be provided outlining how noise would be controlled and impacts on neighbouring residential property would be minimised.
Social Impact Assessment	Social Impact Statement would be required.
Erosion and Sediment Control	Noting proposed earthworks, an Erosion and Sediment Control Plan would be required.
Drainage Plan	Stormwater management to be addressed through submission of a concept drainage plan.

External Lighting	Details of external lighting to be provided, specifically light towers associated with the sports field. If the development generates 1 million lumens or more, referral to the Siding Spring Observatory required. Generally, all outdoor lighting to be shielded and point downwards to minimise light pollution.
Vulnerable Groundwater	Land mapped as having vulnerable groundwater. Specifically consider impacts of irrigation on the sports field and whether this may impact the water table.
Merit Assessment - DCP	An assessment against the controls contained within the commercial development chapter of the Dubbo DCP 2013.
Waste Management	Waste management to be addressed, including type of waste, how/where stored, and how to be collected/disposed. Note, the development will be a trade waste generator.
Landscaping	Landscape details to be provided on plans. Consideration has been given to commercial chapter of the DCP in the preparation of the Landscape Plans.
Carparking Requirements	The car parking provision has been set out in the Traffic Impact and Parking Assessment.
Signage	Details of signage to be provided, including analysis against Schedule 5 of SEPP Industry and Employment 2022.
BCA Compliance	A BCA Report assesses the current design proposal against the Deemed to satisfy provisions of BCA 2022.
Accessibility	Access for disabled provisions to and within the premises has been considered and integrated into the architectural plans.
Kitchen Layout	Kitchen considered a commercial kitchen, and would be a trade waste Generator. Full details of compliance with food safety standards can be provided at the Construction Certificate stage.
Water Connections	Two (2) water connections to the property required. One (1) is to be specifically for fire services, and the other for water supply.

The development application was lodged on 11 November 2024. A chronology of the Development Application since lodgement is outlined below including the Panel's involvement (briefings, deferrals etc) with the application:

Table 2: Chronology of the DA

Date	Event
11 November 2024	DA lodged
15 November 2024	DA referred to external agencies
20 November 2024	Exhibition of the application
28 January 2025	Panel briefing
3 February 2025	Request for Further Information (RFI) from Council to applicant seeking clarification regarding: <ul style="list-style-type: none"> • Bushfire • Infrastructure • Noise • Air Pollution and Vibrations • Geotechnical Considerations • Landscaping • External Walls

7 March 2025	Applicant responds to RFI
7 March 2025	Council's Environmental Systems Planner seeks clarification around methodology used in the Construction Noise Assessment Report
12 March 2025	Updated Construction Noise Assessment Report submitted.
3 April 2025	Meeting with Applicant to discuss mitigation recommendations for noise and vibration.
15 April 2025	Applicant responds to noise and vibration matters.

2.3 Site History

Planning Proposal

A Planning Proposal was submitted in 2020 to amend the (then) Dubbo Local Environmental Plan 2011 over the development site. The Planning Proposal sought the addition of two permitted uses in the form of recreational facilities (outdoor) and Registered Club.

The need for the Planning Proposal was set out as follows:

“The intent of the subject Planning Proposal is to provide a registered club and recreational facilities in close proximity to the South-East Dubbo Urban Release Residential Area which is currently under development. The proposal is deemed to have strategic merit in that it will provide community uses and infrastructure use in a future residential area that will positively contribute to the economy and liveability of the neighbourhood. The proposal aims to provide a community use and facilities that can ensure the area can develop its own neighbourhood identity.”

The Planning Proposal for the additional permitted uses of a Recreation Facilities (outdoor) and Registered Club was gazetted as Amendment 26 to the Dubbo LEP 2011 on 15 October 2021 as APU Item 10. This subsequently become APU Item 13 under the Dubbo Regional LEP 2022 being the consolidation of Dubbo LEP 2011 and the Wellington LEP 2012.

Development Application

On 26 February 2021, Council approved a two (2) subdivision within the Keswick Estate, Dubbo under D20-502. A summary of both proposed lots is outlined below:

Proposed Lot No.	Area:
1012	130.8ha
1013	3.287ha

Lot 1013 is the development site and was subsequently registered as Lot 102 on 29 May 2024. For visual reference of the approved subdivision see **Figure 6**.

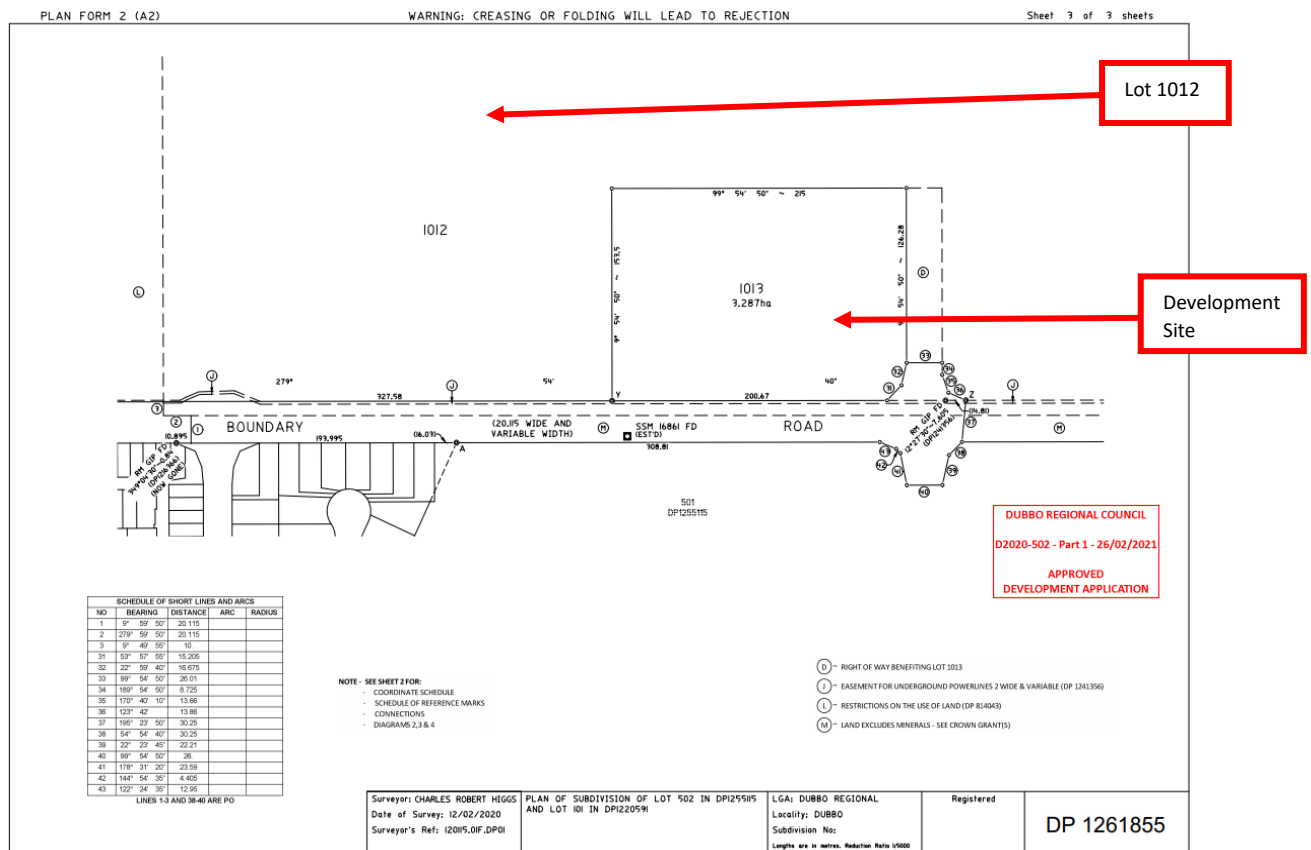


Figure 6: Approved subdivision plan.

When subdivided, both allotments were considered 'residue' allotments, as no proposed land use was identified. Notwithstanding this, Lot 1013 was conditioned with minimal services (water, sewer, electricity) and access through the extension of Boundary Road while no requirement for services was attached to Lot 1012.

As a 'residue' allotment, the issue of contamination for Lot 1013 (development site registered as Lot 102) was not finalised through the subdivision, as no land use was proposed with the subdivision and there was no change in the land use.

While this is an unusual circumstance, a condition of consent was included placing a s88D restriction on the title advising any future purchaser of Lot 1013 (now Lot 102) that further Contamination Investigation may be require remediation and validation of the subject site.

This investigation has been submitted with this application and concluded that it is expected the site could be made suitable for the intended use, but would require further investigations, remediation works and validation of suitability (commercial and public recreation use) and is discussed in detail in the assessment report.

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.*

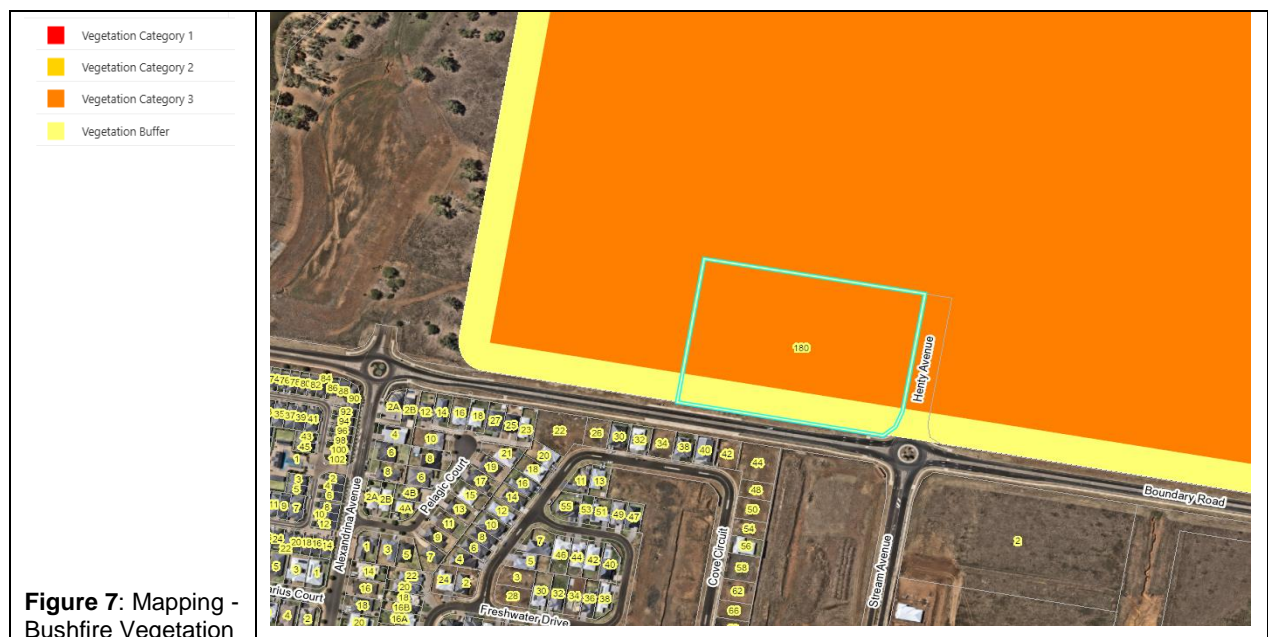
These matters are further considered below.

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 4.14 - Consultation and development consent—certain bush fire prone land

As the land is identified as Category 3 Vegetation and vegetation buffer (**Figure 7**), the site is considered bushfire prone in accordance with Section 4.14 of the *Environmental Planning and Assessment Act 1979*. Development consent cannot be granted unless the proposal satisfies the relevant specifications and requirements of Planning for Bush Fire Protection - 2019 (PBP).



The application of PBP requires satisfactory demonstration of the aim and objectives and the following bushfire protection measures (BPMs):

- Asset Protection Zones
- Building construction, siting & design
- Property Access
- Water supply & utilities
- Emergency Management arrangements
- Landscaping

As the proposal relates to 'public assembly building', the proposal must comply with the bushfire protection measures detailed within Chapter 8 'Other Development' of PBP.

Public assembly buildings are not defined as Special Fire Protection Purpose (SFPP) by the Rural Fires Regulation 2022, however in accordance with Section 8.3.11 'Public assembly buildings' of PBP, as the subject building has a floor area of >500m² the development does trigger SFPP requirements and will be treated 'technically' as SFPP due to the evacuation challenges presented by large numbers of occupants.

As outlined in Planning Circular - Development on Bush Fire Prone Land (PS 21-010), to determine whether a development proposal meets the requirements of PBP 2019, a consent authority can either undertake their own assessment or rely on a certificate provided from a qualified consultant in bush fire risk assessment.

In relation to bushfire management, the applicant has submitted a Bushfire Assessment Report, prepared by Bushfire Building Code & Bushfire Hazard Solutions. This report recommends a range of bushfire protection measures due to grassland fire threat, with appropriate conditions regarding such attached to the consent.

The following recommendations are provided as the minimum necessary for compliance with PBP and Australian Standard 3959 'Construction of buildings in bushfire-prone areas. Additional recommendations are provided to supplement these requirements as follows:

Asset Protection Zones

At the commencement of construction and in perpetuity all grounds within the subject property shall be maintained as an Asset Protection Zone (Inner Protection Area) in accordance with Appendix 4 'Asset Protection Zone Standards' of PBP and the NSW RFS publication Standards for Asset Protection Zones'.

Any future landscaping around the building is to comply with the provisions of Appendix 4 of *Planning for Bush Fire Protection* 2019.

Construction

That the proposed new building works shall comply with sections 3 and 5 (BAL 12.5) of Australian Standard 3959 'Construction of buildings in bushfire-prone areas' – 2018.

That all new construction shall comply section 7.5 of *Planning for Bushfire Protection* 2019.

Emergency management

That a Bushfire Emergency Management Plan be prepared consistent with the NSW Rural Fire Service Guidelines for developing a Bush Fire Emergency Management and Evacuation Plan.

Water

That the hydrant system is to comply with the requirements detailed in Table 6.8c of *Planning for Bush Fire Protection* 2019, specifically:

- fire hydrant spacing, design and sizing comply with the relevant clauses of AS 2419.1:2021;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2021;
- all above-ground water service pipes external to the building are metal, including and up to any taps; and
- fire hose reels are constructed in accordance with AS/NZS 1221:1997 Fire hose reels, and installed in accordance with the relevant clauses of AS 2441:2005 Installation of fire hose reels.

Condition accordingly that prior to an Occupation Certificate being issued, a Validation Report addressing the recommendations of the Bushfire Assessment Report, prepared by Building Code & Bushfire Hazard Solutions dated 24 February 2025, be submitted to the principal certifying authority.

3.2 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 (Planning Systems) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Dubbo Regional Local Environmental Plan 2022
- Dubbo Development Control Plan 2013

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
SEPP (Planning Systems) 2021	Chapter 2: State and Regional Development <ul style="list-style-type: none"> • Clause 2.19(1) declares the proposal regionally significant development pursuant to Clause 2 of Schedule 6 	Yes
SEPP (Resilience & Hazards) 2021	Chapter 4: Remediation of Land <ul style="list-style-type: none"> • Clause 4.6 - Contamination considered in the Contamination Report and the proposal is satisfactory subject to conditions 	Yes
SEPP (Transport and Infrastructure) 2021	<ul style="list-style-type: none"> • Clause 2.48 (Determination of development applications—other development) – electricity transmission - the proposal is satisfactory subject to conditions 	Yes
SEPP (Biodiversity and Conservation) 2021	Chapter 2: Clearing of vegetation in non-rural areas <ul style="list-style-type: none"> • Clause 2.8 - clearing authorised as permitted without development consent 	
Dubbo Regional Local Environmental Plan 2022	<ul style="list-style-type: none"> • Clause 1.2 - Aims of Plan • Clause 1.4 - Definition • Clause 1.9 - Suspension of covenants, agreements and instruments • Clause 2.2 - Zoning of land to which Plan applies • Clause 2.3 - Permissibility and zone objectives • Clause 5.10 - Heritage conservation • Clause 5.14 - Siding Spring Observatory - Maintain dark sky • Clause 7.2 - Earthworks • Clause 7.5 - Groundwater vulnerability • Schedule 1 Additional Permitted Uses 	Yes

Dubbo Development Control Plan 2013	<ul style="list-style-type: none"> • Chapter 2.2 - Commercial Development and Subdivision • Chapter 3.1 - Access and Mobility • Chapter 3.2 - Economic Impact • Chapter 3.3 - Social Impact • Chapter 3.5 - Parking 	Yes
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State Environmental Planning Policy (Planning Systems) 2021

Clause 2.19 of the SEPP establishes the requirements for determination of regionally significant development. In accordance with Schedule 6 (Clause 2), the proposed development is regionally significant development as it is General Development over \$30 million. The proposed development has a CIV of \$38,910,410.00 (excluding GST), and the consent authority for the development will be the Western Regional Planning Panel. The proposal is consistent with this Policy.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Clause 4.6 of the SEPP requires that the consent Authority consider if the land subject to a Development Application is contaminated, and if contaminated, if it is then suitable for the intended use, or if remediation is required.

The Site Contamination Investigation prepared by Envirowest Consulting found that dumping of rubbish and waste materials has been occurring on the site since at least to 1980. The consultants also postulate that the site has been used as a landfill/waste disposal area. The stockpiles and waste piles were inspected, building materials were identified with one area of asbestos contamination observed. No other visible evidence of contamination was observed.

Site investigation and sampling across the site was undertaken, with 66 test pits excavated. Of these the following sites were observed to contain contaminated or potentially contaminated material:

- D35 – elevated levels of PAH (carcinogenic, potentially sourced from bitumen)
- S7 – elevated levels of Arsenic, Cadmium, Nickel or Zinc
- S10 – elevated levels of Arsenic, Cadmium, Nickel or Zinc
- S12 – elevated levels of Arsenic, Cadmium, Nickel or Zinc

In response to the findings of the Remediation Overview a detailed Remediation Action Plan (RAP) has been prepared and submitted to Council. The RAP was assessed by Council's Environmental Systems Planner as appropriately addressing remediation of identified contamination and the recommended actions considered appropriate.

To ensure compliance with the Protection of the Environment operations (Waste) Regulations, condition accordingly that prior to issue of any Construction Certificate, a validation report detailing compliance with the recommendations arising from the Remediation Overview prepared by Envirowest Consulting dated 16 September 2024, to be submitted to the principal certifying authority.

Standard condition is also recommended in case any additional contaminated, scheduled, hazardous or asbestos material unexpected finds are discovered.

SEPP (Transport and Infrastructure) 2021

Chapter 2- Infrastructure

The application was referred to Essential Energy in accordance with Clause 2.48 for which they responded in correspondence uploaded to the NSW Planning Portal, raising no objection to the proposed development. The requirements specified by Essential Energy will be included on the development consent as a notation, as Council is unable to enforce such requirements.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas


The proposal seeks consent for removal of vegetation under the provisions of Clause 2.8: *Clearing permitted without development consent*. As the vegetation is not covered by a DCP, it can be cleared without the need to obtain a permit as long as the vegetation is not a heritage item or located in a heritage conservation area, and is not an Aboriginal object or located in an Aboriginal place of heritage significance.

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').

Part 1 Preliminary	Comply
Clause 1.2 Aims of the Plan	
The proposed development is not contrary to the relevant aims of the Plan.	Yes
Clause 1.4 Definitions	
The proposed development is defined as: Recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major). Register club means a club that holds a club licence under the Liquor Act 2007.	Yes
Clause 1.9 - Suspension of covenants, agreements and instruments	
A restriction as to user on the title of Lot 102 (the development site) approved under D20-502 requires that ... (1) No development is permitted on the land unless a Contamination Investigation has been completed addressing the issues raised in the previously completed Preliminary Contamination Study prepared by Envirowest Consulting dated 29 July 2020, noting the further Contamination Investigation may be require remediation and validation of the subject site (2) No direct vehicular access, including any temporary construction access, is permitted between the burdened lot and Boundary Road. A Remediation Action Plan (RAP) has been prepared in support of the proposed development and submitted to Council addressing remediation of identified contamination.	Yes

No direct vehicular access onto Boundary Road is proposed.	
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Clause 2.2 Zoning of land to which Plan applies	
The subject site is zoned R2 - Low Density Residential.	
	Yes
Clause 2.3 Zone objectives and Land Use Table	
The proposed development is permissible with consent as an 'Additional Permitted Use' (APU) identified as Item 13 of Schedule 1 of the LEP.	Yes
Part 5 Miscellaneous provisions	
Clause 5.10 Heritage conservation	
<u>European Heritage</u>	Yes
There are no heritage items located on site or listed heritage items located in the vicinity of the development site.	
<u>Aboriginal Heritage</u>	Yes
Noting Aboriginal archaeology was not addressed at subdivision stage, an Aboriginal Due Diligence Assessment Report prepared by Ozark Environment and Heritage has been prepared for the site.	
This assessment found " <i>the site to be heavily disturbed, not a part of, or exhibiting proximity to, landscape features likely to indicate the presence of Aboriginal artefacts</i> " and concluded " <i>that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites.</i> "	
Standard condition recommended regarding any Aboriginal archaeological material being discovered during construction works.	
Clause 5.14 Siding Spring Observatory – maintaining dark sky	
The objective of this Clause is to protect observing conditions at the Siding Spring Observatory by promoting lighting practices that minimise light pollution. In relation to Subclause (2) and Subclause (7), a design intent statement for the proposed development has been provided by JHA Consulting Engineers to manage light pollution.	Yes
Condition accordingly that prior to an Occupation Certificate being issued, a Validation Report addressing the recommendations of the Design Intent Statement - Electrical Services, prepared by JHA Consulting Engineers dated 3 March 2023, be submitted to the principal certifying authority.	
Part 7 Additional local provisions	
Clause 7.2 Earthworks	
The proposed development will require earthworks to be undertaken upon the site. Erosion and sediment control measures are required before any earthworks commence in which a	Yes

condition to this effect will be included on the consent.

Clause 7.5 Groundwater vulnerability	
<p>The site is partially mapped on the Natural Resource – Groundwater Vulnerability map.</p> <p>It is considered unlikely the proposed development will result in groundwater contamination. It is also considered unlikely that the proposed development will result in an adverse impact on groundwater dependent ecosystems or have a cumulative impact on groundwater.</p> <p>Sediment and erosion control measures to be installed prior to the commencement of construction and to remain in place until the works are complete.</p>	 <p>Yes</p>
Schedule 1 Additional Permitted Uses	
<p>13 Use of certain land at Boundary Road, Dubbo</p> <p>1) This clause applies to part of Lot 500, DP 1260295, Boundary Road, Dubbo, identified as “13” on the Additional Permitted Uses Map.</p> <p>2) Development for the following purposes is permitted with development consent—</p> <ul style="list-style-type: none"> (a) recreation facilities (outdoor), (b) registered clubs. 	 <p>Yes</p>

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

3.3 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, that are relevant to the proposal.

3.4 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)

An assessment is made of the relevant chapters and sections of this DCP. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

Chapter 2.2 Commercial Development and Subdivision		Comply
Element 1: Set-backs		
<p>There is no non-commercial development in the immediate area with no established setback applicable to the site. Notwithstanding this, the bulk of the building frontage is setback behind the proposed cricket/football field.</p> <p>Along the southern (Boundary Road) elevation, it is proposed to setback the tennis court 1.5 metres. With the landscaping measures proposed, this is considered justified and to be residential in scale.</p> <p>Entries are readily apparent, and the design has incorporated various features to maximise the visual interest of the development both from the street and internally, including stepped/modulated front elevations; articulation and variations in building materials, colours and roof profiles and also through the provision of considered landscaping.</p>		Justified
Element 2 Building design		
<p>The proposed building is designed with regard to the site and makes a positive contribution to the locality, with a distinctive roof form alongside modulated facades and a variety of window treatments.</p> <p>The height, bulk and scale of the proposal is acceptable for the location and surrounding locality. The proposal includes a mix of external materials that are coordinated to provide visual interest whilst sympathetic to the surroundings. External building materials are neutral colours.</p> <p>The proposal has implemented the Crime Prevention Through Environmental Design principles to ensure a safe environment for the public, workers, visitors, residence and guests at site.</p>		Yes
Element 3 Landscaping		
<p>Given the commercial application of the proposed development, limited onsite landscaping opportunities are available. Notwithstanding this, an amended landscaping plan has been provided as a means of improving the public domain to provide landscaped amenity to the proposed development.</p> <p>The landscape design along the Boundary Road frontage, forward of the tennis courts, has been amended to provide a stepped masonry planter bed that incorporates stepped planting of Creeping boobialla. In addition, stainless steel cable trellis is proposed which will be embellished with an evergreen climber (Star Jasmine), to soften and screen the expanse of hardstand. The landscape zone forward of the carparking spaces along the south-western front boundary has also been amended to incorporate Creeping boobialla.</p> <p>Landscape islands are now proposed within the carpark incorporating 12 x Flowering Plum trees, with a 25L pot size and 4m height for shade. It is noted that to accommodate the landscape islands, the total number of car parking spaces has been reduced by 11, however, the development still provides a surplus of four (4) car parking spaces over the minimum DCP requirement</p> <p>Overall, there is a good variety of plantings are proposed to enhance the appearance of the developed site and will consist of a mixture of new trees, shrubs and groundcovers.</p> <p>The proposed landscaping will not impact existing infrastructure or the solar access to adjoining properties.</p>		Yes
Element 4 Vehicular access and parking		
<p>The proposed development provides adequate and convenient parking for guests and service vehicles, with safe access, which will avoid parking difficulties in both the development and the neighbourhood and will result in no significant impact on the streetscape.</p>		Yes

<p>Onsite loading and unloading has been provided, with no parking proposed forward of the building line proposed. All vehicles will enter and exit the site in a forward direction via Henty Drive.</p> <p>Condition accordingly that ingress and egress points, suitably signposted directional signposting and line marking to be provided.</p> <p>Carparking provisions are discussed in detail under Chapter 3.5 – Car parking.</p>	
Element 5 Fencing and security	
<p>A 2-metre-high acoustic barrier fencing is proposed around the northern and western site boundaries, managing both visual and acoustic impacts. This non-compliance is deemed permissible given it relates to an acoustic barrier that will manage (future) resident amenity for development surrounding the site, which is zoned for low-density residential development.</p> <p>A 2-metre high open style security fence will be provided along the eastern and southern property boundaries that front public roads. This is considered suitable in providing adequate security, while also maintaining visual amenity.</p> <p>Condition accordingly that the proposed access gateway(s) associated with any perimeter security fencing to be 'set-back' at the proposed entry and exit location(s), such that at a bare minimum, a long rigid bus, 14.5m in length is able to 'stand clear' and be totally contained within the subject land's allotment boundaries.</p>	Justified
Element 6 Design for access and mobility	
<p>Accessible and continuous paths are provided to and from the building and accessible car park areas. Facilities such as accessible car parking spaces and accessible toilet facilities at each level are provided in accordance with AS 1428. See Chapter 3.1 Access and Mobility for details.</p>	Yes
Element 7 Waste management	
<p>This issue has not been addressed in the Statement of Environmental Effects however it can be adequately addressed prior to the release of a Construction certificate as a component of the Construction Environmental Management Plan (CEMP).</p> <p>To ensure the amenity of the locality is protected during construction, condition accordingly that prior to the release of any Construction Certificate a Construction Environmental Management Plan (CEMP) be submitted to and endorsed by Council's Manager Building and Development Services.</p> <p>The supporting Operational Waste Management Plan (OWMP) refers to the NSW EPA's Better practice guide for resource recovery in Commercial and Industrial Facilities 2012 in determining total number of bins required.</p> <p>A private waste collection contractor will be engaged to service the proposed development and recycling bins per an agreed schedule.</p> <p>Condition accordingly that garbage bins used to store garbage in the bin rooms to be collected by private waste collection contractors as needed to prevent any nuisances or threats to public health.</p>	Yes
Element 8 Soil, water quality and noise management	
<p>The site will require erosion and sediment control throughout the subdivision construction phase. The erosion and sediment control will be required to be maintained throughout the duration of the works.</p> <p>The impact of noise on surrounding development will be evident during construction of the development and ongoing operation of the commercial aspects of the development.</p> <p>Council's Environmental Systems Planner notes that noise pollution and vibration impact</p>	Yes

<p>issues are the primary environmental concerns relating to this project given the very close proximity of dwellings to the project site.</p> <p>At the time of writing, four (4) occupied residences are within 40 metres of the southern site boundary. Additional housing is expected within the same distance from the site boundary in the near future as the Southlakes estate continues to develop.</p> <p>The development site contains a shallow soil cap over basalt at depths varying from 0.1 metres to 1.7 metres. The basalt present is part of the basalt flow which is being quarried by Holcim and Regional Hardrock Quarries to the east of the development site.</p> <p>This basalt flow caused considerable delays to construction of infrastructure through Keswick Estate to the north and this may require significant and long-lasting rock drilling or use of other impactful techniques to allow construction of the proposed development.</p> <p>The supporting Construction Noise and Vibration Report provides for two (2) x 30 tonne excavators operating as rock-hammers being capable of the required excavation for 8-10 weeks.</p> <p>Applying the precautionary principle, the highest level of noise mitigation actions suggested (Level 2) would be recommended for the excavation phase of the project, with noise ranges (+5%) from 66.9 dB to 55.6 dB at 40 Cove Circuit and from 65 to 55.65 dB at 38, 40 and 42 Cove Circuit. Therefore, condition accordingly that no more than two (2) x 30 tonne rock-hammers working on site at any time.</p> <p>The report indicates that structural impacts are unlikely but that impacts to human health would be experienced out to a calculated distance of 73 metres from the source of vibration (in this instance the rock-hammers). Given that currently four (4) houses sit approximately 40 metres from the source, noise and vibration impacts from construction are possible and should therefore be avoided or mitigated if unavoidable.</p> <p>Condition accordingly that prior to the release of any Construction Certificate a Construction Noise and Vibration Management Plan (CNVMP) compliant with EPA and RMS guidelines be submitted to and endorsed by Council's Manager Building and Development Services. This Plan will detail the community consultation to be undertaken, noise and vibration monitoring, implementation of noise and vibration mitigation measures to minimise noise, and to limit the impact on nearby residents.</p> <p>The CNVMP is to detail alternative mitigation actions in the event that monitored noise or vibration exceeds expectations and is to comply with all attached and relevant conditions.</p> <p>The proposed noise from ongoing operation of the development has been assessed through a supporting acoustic report as capable of complying with all relevant acoustic criteria through means of standard acoustic treatment and management and a condition to be included requiring compliance with the submitted acoustic report through conditions and notations.</p>	
<p>Element 9 Signage and Advertising</p>	
<p>The signage detailed on the plans are indicative only and will be subject to future applications.</p> <p>The following condition will be attached to the consent:</p> <p><i>"A separate application for any proposed onsite advertising/signage not approved with this consent shall be submitted to Council if such signage does not comply with Part 2, Division 2 of State Environmental Planning Policy (Exempt and Complying Development Codes), 2008."</i></p>	<p>Yes</p>
<p>Element 10: Services</p>	
<p>The subject land is serviced with the following Council civil engineering infrastructure assets:-</p>	<p>Yes</p>

<ul style="list-style-type: none"> • A 150mm diameter town water supply reticulation main located along Henty Drive and Boundary Road. • A 150mm sewer main is located along Henty Drive with a sewer junction located at the south-eastern side of the subject lot. • Stormwater from the proposed development will be discharging from the existing stormwater pit located at the northwestern corner of the intersection of Boundary Road and Henty Drive. • Access to the proposed RSL Club will be from Henty Drive, which is a bitumen sealed road with vertical kerb and gutter. <p>The supporting Traffic Impact and Parking Assessment was reviewed by Council's Development Engineering Team Leader as appropriately addressing traffic and transport issues, with the following conditions recommended:</p> <ul style="list-style-type: none"> • A 1.5m wide concrete footpath is to be provided along the entire frontage of the development and associated line markings and signages. • No parking along Boundary Road and Henty Drive for the full frontage of the development. • Signages and line marking externally and internally. 	
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Chapter 3.1 Access and Mobility

The Access Report has been prepared with the application and demonstrates that the development can comply with the relevant requirements.

Set down areas are located adjacent to the entrance which have accessible, well lit and sign posted continuous paths of travel within the development.

Kerb ramps will be provided where required, which along with entrance doors, will provide unimpeded access. Accessible bathrooms and facilities are also provided.

Chapter 3.2 Economic Impact

An Economic Impact Assessment is required as the development is located outside a commercial zone. However, the subject proposal formed part of a Planning Proposal considered by Council as an amendment to the LEP permitting Recreation Facilities (outdoor) and Registered Club as Additional Permitted Uses (APU) on 15 October 2021. As such, an Economic Impact Assessment is not required.

Chapter 3.3 Social Impact

A Social Impact Assessment has been provided as part of proposed development, with consideration given to:

- The scale, complexity, timeframe and nature of the proposal;
- Social issues likely to be relevant to the proposal; and
- The degree of significance of the identified issues.

The proposed Registered Club, playing field and associated works will bring with it a number of important benefits for the local and wider community as outlined below.

- Provide additional facilities and services to increase communal interaction throughout the area;
- Provide short-term economic benefits through construction expenditure and employment; and

- Provide long-term economic benefits through employment at the Registered Club.

However, there are some concerns surrounding the potential negative social impacts associated with impacts of the proposed development on the amenity of the surrounding area and the introduction of a new licensed premises with gaming machines into an area that has higher levels of disadvantage and a higher representation of at-risk groups. A tailored Plan of Management will be prepared to minimise the risk of antisocial behaviour at the site and ensure that ongoing operations at the site appropriately managed and monitored.

In relation to this, condition accordingly that prior to an Occupation Certificate being issued, a Validation Report addressing the recommendations of the Social Impact Assessment: prepared by HillPDA Consulting, dated April 2023, shall be submitted to the principal certifying authority.

Overall, it is considered that the negative impacts of the proposed development are expected to be successfully managed with the implementation of appropriate mitigation and management measures.

Chapter 3.5 Parking

Use	Rate	Actual	Requirement
Registered clubs	1/5m ²	700m ²	140
Recreation facilities (major)	1/10 seats	193	19.3
Function Centre	1/10 seats	175	17.5
Tennis courts	3/court	2	6
Total			182.8 (say 183) spaces

Based on the application to provide 188 spaces on site, the minimum DCP requirements as noted in the above table are not exceeded.

Contributions

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

- 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
- Amended s.94 Contributions Plan - Roads, Traffic Management & Car Parking - 2016

In the event the application is approved, the following Contributions totalling **\$2,505,953.70** would be payable:

- Water Headworks – \$332,313.42
- Sewer Headworks – \$459,585.38
- Open Space and Recreation Facilities – Nil
- Urban Stormwater Drainage – \$241,594.50
- Urban Roads Contribution – \$1,472,460.50

Appropriate conditions will be included in the conditions of development consent which will require the payment of these contributions prior to the issue of the Occupation Certificate.

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

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

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

Clause 61 to 68 of the Regulation contains matters that must be taken into consideration by a consent authority in determining a Development Application.

In relation to the above:

- The Dark Sky Planning Guideline is considered in relation to the development.

This provision has been considered in this report and addressed in the draft conditions.

The remaining clauses are not applicable to the proposed development.

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

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

Context and Setting

The architectural design complements a modern facility, with the height, bulk and scale of the proposal acceptable for the location and surrounding locality. The proposal includes a mix of external materials that are coordinated to provide visual interest whilst sympathetic to the surroundings. External building materials are neutral colours.

Access and Traffic

The surrounding road network is considered to have sufficient capacity to cater for the traffic movements generated by this development.

The Traffic Impact Assessment submitted with this application provides an assessment of the existing traffic movements experienced at the site and the anticipated traffic movements at completion of the development.

Appropriate conditions have been included to restrict access to appropriately sized vehicles, including that a long rigid bus, 14.5m in length, is able to 'stand clear' when accessing the site, and no parking along Boundary Road and Henty Drive for the full frontage of the development.

Public Domain

It is considered the proposed development will not have any detrimental impact on the public domain. The site is located adjacent to the Southlakes Urban Release Area and through the considerations of the Planning Proposal which permitted on this site the uses of a Recreation Facilities (outdoor) and Registered Club on 15 October 2021, it is considered that the proposed development enhances the public domain through architectural design, landscaping and recreational facilities.

Utilities

The site would be connected to all utility services (water, sewer, stormwater and electricity).

Flora and Fauna

Two (2) native trees were identified on the site, along with a small area of native grassland. The total area of native vegetation on the site is 0.19ha, all of which will be cleared to facilitate the proposed development.

Clearing of native vegetation for development is allowable below defined thresholds which are calculated on the basis of the minimum lot size which applies to a block of land. In this case the minimum lot size for Lot 102, DP 1301426, is 600m², allowing for clearing of up to 0.25ha before entry to the Biodiversity Offset Scheme is required.

Additionally, the site is not listed on the Biodiversity Values Map and no issues of Serious and Irreversible Impact (SII) to threatened native species are anticipated. As a result, this proposal does not trigger entry into the Biodiversity Offset Scheme, therefore no conditions are required.

Noise and Vibration

The proposed operations of the development will not result in any long term or ongoing adverse impacts relating to noise and vibration. However, some noise and vibration may be experienced during construction

Condition accordingly that prior to the release of any Construction Certificate a Construction Noise and Vibration Management Plan (CNVMP) compliant with EPA and RMS guidelines be submitted to and endorsed by Council's Manager Building and Development Services. This Plan will detail the community consultation to be undertaken, noise and vibration monitoring, implementation of noise and vibration mitigation measures to minimise noise and to limit the impact on nearby residents.

On-going management of acoustics will be required to ensure no adverse impact on adjoining or nearby sensitive receivers. Condition accordingly that the activities carried out on site shall not constitute a nuisance in relation to noise, as specified under the Protection of the Environment Operations Act 1997.

Natural hazards

With the updated Bushfire Prone Maps in the Dubbo Local Government Area, the subject site is now identified as bush fire prone land Vegetation Category 3. In relation to this, condition accordingly that prior to an Occupation Certificate being issued, a Validation Report addressing the recommendations of the Bushfire Assessment Report, prepared by Building Code & Bushfire Hazard Solutions dated 24 February 2025, shall be submitted to the principal certifying authority.

Safety, Security and Crime Prevention

An assessment of the four (4) Crime Prevention Through Environmental Design (CPTED) principles has been undertaken in supporting Statement of Environmental Effects (SoEE). The assessment found that subject to implementation of adopted principles and recommendations with respect to surveillance, access control, territorial reinforcement and space management, the proposed building and development is considered acceptable in the context of crime and safety.

Condition application that the recommendations contained in the supporting Statement of Environmental Effects (SoEE) relating to safety, security and crime prevention to be implemented prior to commencement of operations.

Social Impact

The proposed development provides a high-quality sporting facility for the benefits of the Dubbo community and the greater region. The combination of CPTED principles employed in the design of the development and the enhanced opportunities for social interaction result in a positive outcome for the development of the site.

Energy Efficiency

The building is subject to Section J: Energy Efficiency performance requirements of the National Construction Code (NCC).

In this regard class 6 and 9b areas would be regarded as a 'conditioned space' and be subject to Section J. A 'conditioned space' is defined as:

"Conditioned space, for the purposes of Volume One, means a space within a building, including a ceiling or under-floor supply air plenum or return air plenum, where the environment is likely, by the intended use of the space, to have its temperature controlled by air-conditioning."

"Air-conditioning, for the purposes of Section J of Volume One, means a service that actively cools or heats the air within a space, but does not include a service that directly

- (a) cools or heats cold or hot rooms; or
- (b) maintains specialised conditions for equipment or processes, where this is the main purpose of the service."

Full building details demonstrating compliance with Section J will be required with the Construction Certificate.

Landscaping

Landscaping of sealed carparking areas in Dubbo is an important consideration which helps to reduce the harsh effect often created by large, open asphalt or concrete areas. In addition, the need for depth of landscaping to be provided to screen the development generally is required, including in particular the impacts of the proposed tennis courts along Boundary Road.

Amended Landscape Plans have been prepared that enhance the aesthetic quality of the proposed development, with the following changes made:

- The landscaping along Boundary Road frontage, forward of the tennis courts, has been amended to provide a stepped masonry planter bed that incorporates stepped planting of Creeping boobialla. In addition, stainless steel cable trellis is proposed which will be embellished with an evergreen climber (Star Jasmine), to soften and screen the expanse of hardstand. The landscape zone forward of the carparking spaces along the south-western front boundary has also been amended to incorporate Creeping boobialla.
- Landscape islands are now proposed within the carpark incorporating 12 x Flowering Plum trees, with a 25L pot size and 4m height for shade. It is noted that to accommodate the landscape islands, the total number of car parking spaces has been

reduced by 11, however, the development still provides a surplus of five (5) car parking spaces over the minimum DCP requirement (see DCP calculations in this report).

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

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

- The development proposal is permissible with the consent of Council as an Additional Permitted Use (APU), considered and approved by Council as an amendment to the LEP on 15 October 2021;
- The site constraints, including bushfire, noise and vibrations, traffic and access, stormwater and landscaping can be managed through conditions;
- The development would be provided with access to all required service infrastructure; and
- The development would have an overall positive social and economic impact on the city and region through the provision of register club and associated sporting facilities.

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

The Development Application was placed on exhibition for a period of twenty-seven (27) days ending 16 December 2024, during which time adjoining property owners were notified in writing of the proposed development. A notice was also placed in the local paper (Daily Liberal) on 27 November 2021.

Council received no submissions during the exhibition period.

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

On balance, the proposed development is also considered to be in the public interest as in addition to being consistent with the relevant planning controls, it will provide improved facilities to the public in the form of licence facilities in addition to greater opportunity for sport participation and development in regional areas of NSW.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence (external)

The development application has been referred to the following agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in **Table 4**.

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 4: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Referral/Consultation Agencies			
Essential Energy (Electricity supply authority)	CI 2.48 -SEPP (Transport and Infrastructure) 2021 Development near electrical infrastructure	No objection to the proposed development. The requirements specified by Essential Energy in correspondence uploaded to the NSW Planning Portal on 21 November 2024 will be included on the development consent as notations, as Council is unable to enforce such requirements.	Yes

4.2 Council Referrals (internal)

The development application has been referred to various Council officers for technical review as outlined **Table 5**.

Table 5: Consideration of Council Referrals

Officer	Comments	Resolved
Stormwater	Council's Design Engineer - Infrastructure Strategy and Design reviewed the submitted stormwater concept plan and considered that there were no objections subject to conditions.	Yes
Traffic	Council's Traffic Engineer - Infrastructure Strategy and Design has reviewed the Traffic Impact Assessment in relation to traffic generation. These issues are considered in more detail in the Key Issues section of this report, with appropriate conditions included.	Yes
Building	Council's Building Services Team Leader has reviewed the proposal and considered that there were no objections subject to conditions.	Yes
Environmental Systems Planner	The proposed operations of the development will not result in any long term or ongoing adverse impacts relating to noise and vibration. However, some noise and vibration may be experienced during construction Condition accordingly that prior to the release of any Construction Certificate a Construction Noise and Vibration Management Plan (CNVMP) compliant with EPA and RMS guidelines to be submitted to and endorsed by Council's Manager Building and Development Services.	Yes
Waste Management	Standard condition recommended that all solid waste from construction and operation of the proposed development shall be assessed, classified and disposed of in accordance with the NSW Environment Protection Authority's Waste Classification Guidelines. Whilst recycling and reuse are preferable to landfill disposal, all disposal options (including recycling and reuse) must be undertaken with lawful authority as required under the Protection of the Environment Operations Act, 1997.	Yes
Trade Waste	It appears that the proposed development may be a generator of liquid trade waste discharge into Council's sewer. Council's Infrastructure Division, being responsible for Trade Waste Approvals and control of such discharges into its	Yes

	sewer, will need to determine the adequacy of the proposal and any required pre-treatment.	
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4.3 Community Consultation

The proposal was notified in accordance with the Council's Community Participation Plan from 20 November 2024 to 16 December 2024. The notification included the following:

- Notified in Daily Liberal on: 27 November 2024; and
- Notification letters sent to the thirty-four (34) adjoining and adjacent properties.

The Council received no 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:

- Bushfire;
- Noise and Vibration;
- Social Impact;
- Traffic and Access; and
- Landscaping.

These issues have been resolved as discussed in the Likely Impacts of Development section of this report and through recommended conditions of consent as outlined in **Attachment A**.

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 proposed development is not considered likely to have any significant negative impacts upon the environment or upon the amenity of the locality.

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.

It is considered that the key issues as outlined 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 D24/507 for Registered club and sporting field at Lot 102 DP 1301426, 180 Boundary 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: Development perspectives, site landscaping plan and the schedule of external finished