

MATTERS FOR CONSIDERATION UNDER SECTION 4.15

Environmental Planning & Assessment Act 1979 (as amended)

Development Application No	DA7 / 2026
Details of Proposal	Redevelopment of Coonabarabran Memorial Swimming Pool – Concept DA
Owner	Warrumbungle Shire Council
Applicant	Todd Dunn
Property Description	Swimming Pool/26 Edwards Street COONABARABRAN 2357 Lot: 212 DP: 753378
Zoning	RE1
Proposed Zoning	N/A
Local Environmental Plan	Warrumbungle LEP 2013
Vehicle Access	Existing access from Edwards Street, no changes proposed.
Assessing Officer	Mark Hitchenson – Contract Town Planner
Date of Inspection	
Site History	The site has a long history of recreational use.
Key Issues	The proposal is a Concept DA with no physical works proposed. The Concept Plans are consistent with the Master Plan for the site approved by Council. The development is Regionally Significant Development requiring determination by the Western Region Planning Panel.
Secondary Assessing Officer	Darren Devenish – Building Certifier

INTEGRATED DEVELOPMENT:

Fisheries Management Act 1994	No	Heritage Act 1977	No
Mine Subsidence Compensation Act 1961	No	National Parks & Wildlife Act 1974	No
Protection of the Environment Operations Act 1997	No	Roads Act 1993	No
Rural Fires Act 1997	No	Water Management Act 2000	No

PUBLIC CONSULTATION

Notification Requirements under DCP 2015 & Statutory (Integrated/Designated/ Advertised)

Notification – Adjoining landowners	Not applicable	
Newspaper Advertisement	Not applicable	
Exhibition/Notification dates	From: 28 April 2026	To: 15 May 2026
Submissions received 0	Issues: Nil	
	Planners comments: Nil	

AGENCY / INTERNAL REFERRALS

Agency Name	NIL
Internal Referrals	
Building Certifier: Referral sent on 21 May 2026. Comments received 25 May 2026. <u>Conditions</u> - All 10a Building works constructed be required will to be in accordance the NCC-BCA 2022 Volume Two Class 1 and Class 10 Buildings - All Class 2 – 9 works constructed will be required to be in accordance to the NCC-BCA 2022 Volume One Class 2 to 9 Class Buildings. - Structurally engineered plans will be required for the construction of any concrete slab components compliant to NCC-BCA 2022 and AS 2870. - Section J report requirements will be required to be listed on the plans	

- The lighting to comply with the Development Standards for land near Siding Spring Observatory.
- A detailed access report to be supplied with the requirements to be shown on the plan that include; paths of travel, access to buildings, accessible toilets, parking and any further requirements
- A geotechnical report to be supplied to show the class of soil classification in the different parts of the lots as demolition of buildings will impact the reports requirements.
- The canteen fitout to be in accordance to SEPP (Exempt and complying development Codes) 2008 cl 2.52.

Environmental Compliance Officer: Referral sent on 21 May 2026. Comments received ??.

Comments:

Contaminated Lands: The lot is not located on Councils contaminated lands register or up until 09/04/2026 the EPA's List of Notified Sites. The property file does not indicate any previous use that is likely to contaminate the land.

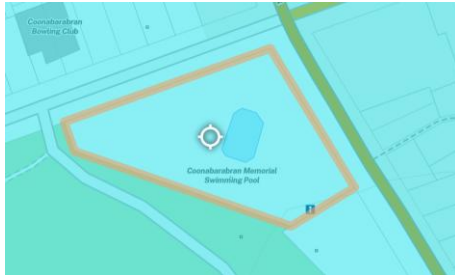
State Environmental Planning Policy (Biodiversity and Conservation) 2021: Koala Habitat - is not applicable, the land is zoned RS and no koalas have been sighted on the lot, but there have been Koala sightings within 10 km of the lot.

State Environmental Planning Policy (Primary Production) 2021: Not applicable the land is not zoned RU1 Primary Production,

State Environmental Planning Policy (Resilience and Hazards) 2021: Not applicable, not a coastal or Hazardous Development.

Terrestrial Biodiversity: The Site is not identified as being affected by Terrestrial Biodiversity under the WLEP2013.

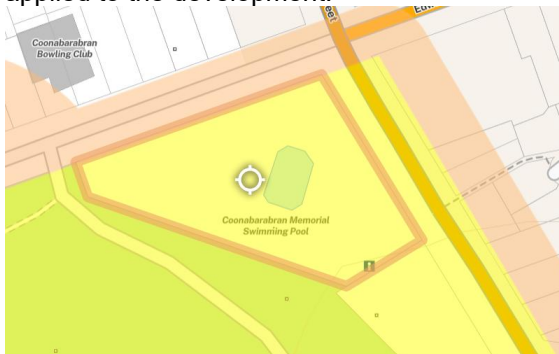
Groundwater: The site is identified as groundwater vulnerable under the WLEP2013.



Riparian and Watercourse: The site is not identified as being affected by riparian land or watercourses under the WLEP2013.

Biodiversity Values Map and Threshold Tool: The lot is not located within the Biodiversity values mapping.

Bushfire: The lot is located within the bushfire prone land. Bushfire Land provisions need to be applied to the development.



Native Flora/Fauna: There are registered sighting of flora or fauna on file for the lot, the development must ensure that any species found onsite are protected and noted.



AHIMS: A search of the AHIMS Web Services shows no aboriginal sites or places are registered in or near the location with a 50m buffer.

Tree Removal: The Statement of Environmental Effects states there are no trees are to be removed with the proposal for the construction of a new shed.

Conditions

Tree Removal: No trees are to be removed or trimmed without prior written Council consent.

Reason: To ensure native or heritage listed trees are not harmed, damaged or destroyed.

Warrumbungle Water: Referral sent on 21 May 2026. Comments received 18 June 2026.

Comments:

- The memo provided by Fuse consulting satisfies the RFI and I have determined no infrastructure upgrades to water mains to supply the facility with water are required.
- There are existing water and sewer connections to the facility, it is anticipated that these will be reutilised.

Conditions:

- The applicant is to prepare and submit a liquid trade waste approval to Council to discharge wastewater generated from the development to Council's sewer.
- There are two Council sewer mains within the lot of the proposed development. Any proposed structures are to be located outside of the zone of influence of the sewer main.

AN ENVIRONMENTAL HEALTH AND BUILDING SURVEYOR MUST COMPLETE THE FOLLOWING MATTERS FOR CONSIDERATION

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;

Construction (Does it comply with NCC & relevant standards?): Not applicable, Concept DA only.

Waste (How is sewer / storm water to be deposited on site?): Not applicable, Concept DA only.

Energy (Is BASIX Certificate supplied?): Not applicable.

Noise and vibration (Hours of construction, condition of consent): Not applicable, Concept DA only.

Water (Water Services including tanks): Not applicable, Concept DA only.

Soils (Are soils suitable?): Not applicable, Concept DA only.

Utilities (Are utility services available?): Utility services available to site.

Consistency of Concept Plans with Approved Master Plan: As shown below, the Concept Plans are entirely consistent with the Master Plan for the site approved by Council.

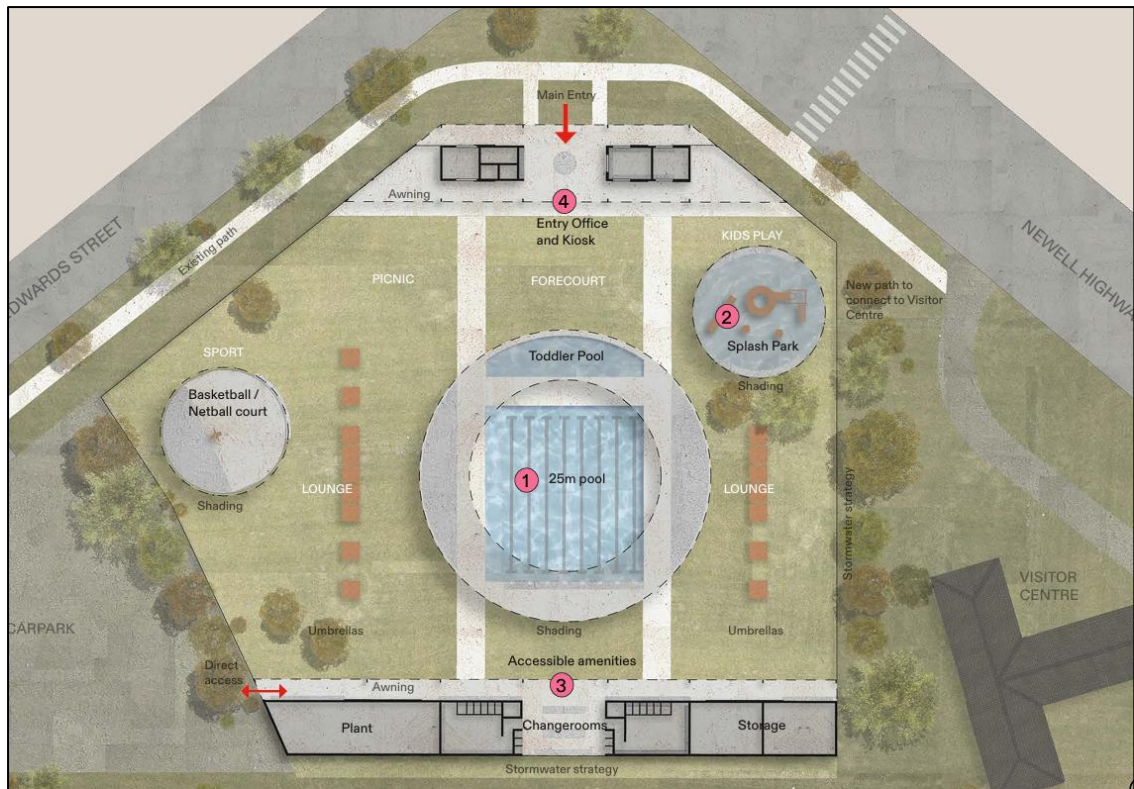


Figure 1: Approved Master Plan for the site.

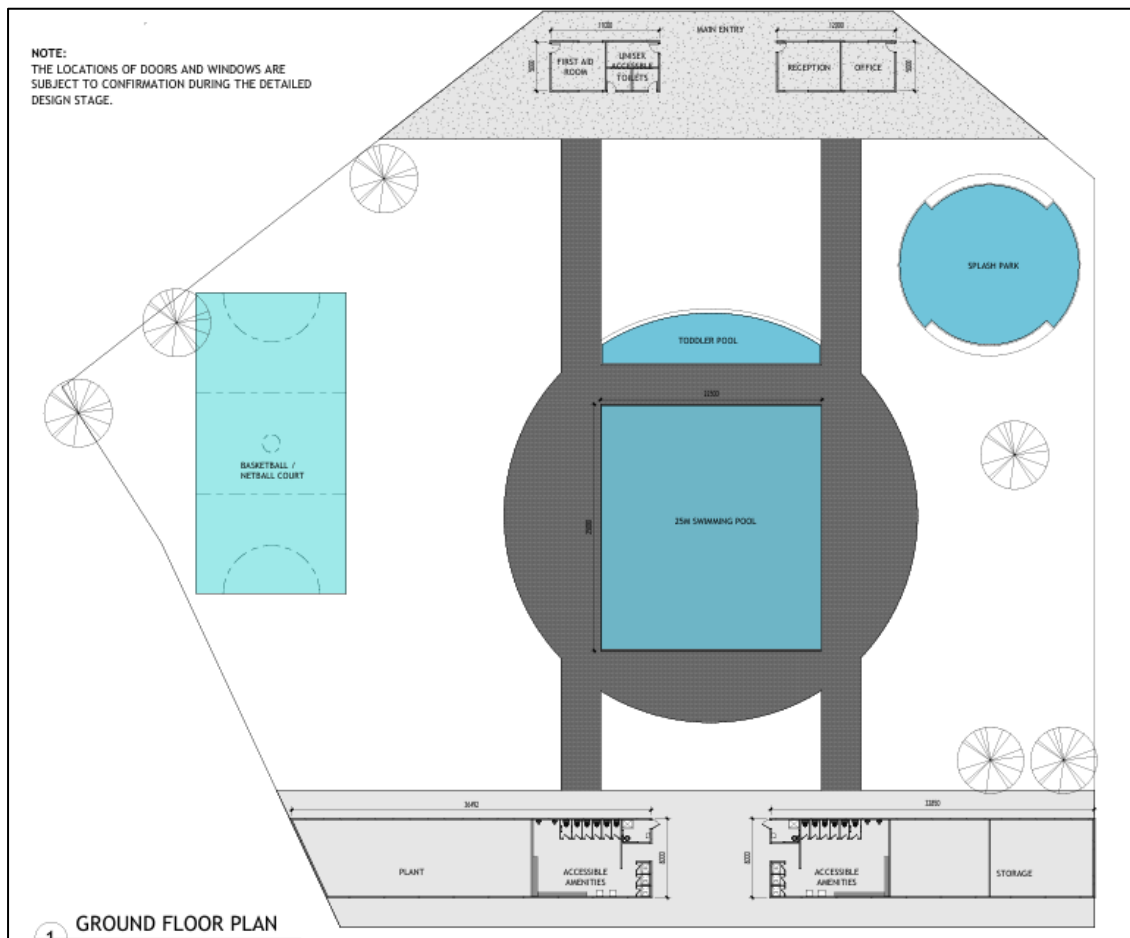


Figure 2: Proposed Concept Plans.

The provisions of any matters prescribed by the EP & A Regulations that apply to the land to which the development application relates;

Clause 61 – Additional matter that consent authority must consider:

1. In determining a development application for the demolition of a building, the consent authority must consider the Australian Standard AS 2601—2001: *The Demolition of Structures*.

Comment: Not applicable, Concept DA only.

2. In determining a development application for the carrying out of development on land that is subject to a subdivision order under the Act, Schedule 7, the consent authority must consider—

a. the subdivision order, and

b. any development plan prepared for the land by a relevant authority under that Schedule.

Comment: Not applicable.

3. In determining a development application for development on the following land, the consent authority must consider the *Dark Sky Planning Guideline*—

a. land in the local government area of Coonamble, Gilgandra or Warrumbungle Shire or in the part of the local government area of Dubbo Regional that was formerly in the City of Dubbo,

b. land less than 200 kilometres from the Siding Spring Observatory, if the development is—

i. State significant development, or

ii. designated development, or

iii. development specified in *State Environmental Planning Policy (Planning Systems) 2021*, Schedule 6.

Comment: The lot is located within Warrumbungle Shire Council. As a Concept DA only, no conditions are required. Based on the information provided it is unlikely that the proposed development would have a negative impact on the Siding Springs Observatory, subject to conditions regarding outdoor lighting. A new development application will be required for the works associated with the pool redevelopment and that application will need to fully consider potential impacts on the Observatory.

4. In determining a development application for development for the purposes of a manor house or multi dwelling housing (terraces), the consent authority must consider the *Low Rise Housing Diversity Design Guide for Development Applications* published by the Department in July 2020.

Comment: Not applicable.

5. Subsection (4) applies only if the consent authority is satisfied there is not a development control plan that adequately addresses the development.

Comment: Not applicable.

Clause 62 - Fire Safety Considerations (rebuilding/altering/enlarging/extending existing building and change of use of an existing building):

Comment: Not applicable, Concept DA only.

THE REMAINING MATTERS OF CONSIDERATION ARE TO BE COMPLETED BY THE PRIMARY ASSESSING OFFICER

The provisions of any environmental planning instrument;

State environmental planning policies:

State Environmental Planning Policy (Biodiversity and Conservation) 2021: Chapter 4

Comment: Chapter 4 of this SEPP applies as the land is over 1ha in size. The subject land is mostly cleared of vegetation. Vegetation is limited to maintained turf and scattered ornamental and shade trees around the pool perimeter and along fence lines. It is expected that two (2) small, non-significant trees located near the proposed change rooms/plant area are proposed for removal to accommodate the new building. While a search of the NSW Government's Bionet has found 12 records of koala sightings within 5kms of the subject land, the site contains no koala feed tree species

and is therefore not considered potential or core koala habitat. Council can therefore grant consent to the development application without further assessment.

State Environmental Planning Policy (Sustainable Buildings) 2022: Chapter 3

Comment: Not applicable, Concept DA only. However, Chapter 3 of this SEPP will apply to a future development application proposing the construction of buildings on the site.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Not applicable

State Environmental Planning Policy (Housing) 2021: Not applicable

State Environmental Planning Policy (Industry and Employment) 2021: Not applicable

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development: Not applicable

State Environmental Planning Policy (Planning Systems) 2021: Chapter 2, Part 2.4

Comment: The proposal is regionally significant development pursuant to Section 2.19(1) as it satisfies the criteria in Clause 3 of Schedule 6 of the Planning Systems SEPP as the proposal is Council related development over \$5 million. Accordingly, the Western Regional Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

State Environmental Planning Policy (Precincts - Regional) 2021: Not applicable

State Environmental Planning Policy (Primary Production) 2021: Not applicable

State Environmental Planning Policy (Resilience and Hazards) 2021: Chapter 4

Comment: The land is recreation land. There is no known information that suggests the land may have been previously used for potentially contaminating activities according to Council records. No contaminated land is registered on councils' records. No further investigations required.

State Environmental Planning Policy (Resources and Energy) 2021: Not applicable

State Environmental Planning Policy (Transport and Infrastructure) 2021: Chapter 2

Comment: Clause 2.119 applies to development that has a frontage to a classified road. The site has frontage to the Newell Highway which is a classified road, however direct vehicular access is available from Edwards Street with the access point approximately 110m from the intersection with the Newell Highway. The proposal is considered to be consistent with clause 2.119 as the proposal is unlikely to significantly increase traffic that would impact on the safety and efficiency of the Newell Highway. The proposed use is not sensitive to traffic noise or emissions.

Clause 2.122 relates to traffic generating development. The proposed development does not meet the thresholds for traffic generating development in Schedule 7 of State Environmental Planning Policy (Planning Systems) 2021

Local environmental plans:

Warrumbungle Local Environmental Plan 2013 applies as follows:

Clause 1.2 Aims of Plan.

Comment: Satisfies the plan objectives.

Clause 1.9 Covenants.

Comment: No known covenants on the land.

Clause 2.6 Subdivision consent requirements

Comment: Not applicable.

Clause 2.7 Demolition.

Comment: Not applicable, Concept DA only.

Land Use Table

Comment on permissibility of use: The use is defined as Recreation Facility (Outdoor) which is permitted with consent in the RE1 Public Recreation zone.

Zone Objectives:

Comment: The proposal relates to the redevelopment of an existing swimming pool on land zoned for recreation purposes and is therefore consistent with the zone objectives.

Clause 4.1 Minimum Lot Size.

Comment: Not applicable.

Clause 4.1AA Minimum subdivision lot size for community title scheme

Comment: Not applicable.

Clause 4.1A Minimum subdivision lot size for strata plan schemes in Zone RU1

Comment: Not applicable.

Clause 4.2A Erection dual occupancy and dwellings in Zone RU1

Comment: Not applicable.

Clause 4.2B Erection rural workers dwellings in Zone RU1

Comment: Not applicable.

Clause 4.6 Exceptions to development standards

Comment: Not applicable.

Clause 5.3 Development near zone boundaries

Comment: Not applicable.

Clause 5.4 Controls relating to miscellaneous permissible uses (home business, home industries, farm stays, secondary dwellings etc)

Comment: Not applicable.

Clause 5.8 Conversion of fire alarms

Comment: Not applicable.

Clause 5.10 Heritage conservation.

Comment: The site does not contain a heritage item and is not in a heritage conservation area. There are no heritage items in the vicinity of the site.

5.13 Eco tourist facilities

Comment: Not applicable.

5.14 Siding Spring Observatory – Maintaining Dark Sky

Comment: The development is outside the 18km distance from the observatory. Subclauses 7,8 & 9 apply, however as the application is a Concept DA only, with no works proposed, no conditions are required. Based on the information provided it is unlikely that the proposed development would have a negative impact on the Siding Springs Observatory, subject to conditions regarding outdoor lighting. A new development application will be required for the works associated with the pool redevelopment and that application will need to fully consider potential impacts on the Observatory.

Clause 5.21 Flood Planning.

Comment: Not applicable. The lot is not identified as being flood prone land as per the WLEP2013.

Clause 6.1 Earthworks

Comment: Not applicable. No earthworks are proposed as the application is a Concept DA only. Based on the information provided, earthworks to be undertaken for the pool redevelopment will be unlikely to negatively impact the site or surrounding lands. A new development application will be required for the works associated with the pool redevelopment and that application will need to fully consider potential impacts associated with earthworks.

Clause 6.3 Terrestrial Biodiversity

Comment: Not applicable. The site is not identified as being affected by Terrestrial biodiversity under the WLEP2013.

Clause 6.4 Groundwater Vulnerability

Comment: Located within the Groundwater vulnerability area however as the application is a Concept DA only, no detailed assessment is required. Based on the information provided it is unlikely that the proposed development would have a negative impact on the groundwater. A new development application will be required for the works associated with the pool redevelopment and that application will need to fully consider potential groundwater impacts.

Clause 6.5 Riparian Land and Watercourse

Comment: Not applicable. The site is not identified as being affected by riparian land or watercourses under the WLEP2013.

Clause 6.6 Essential Services

Comment: Essential services are available to the land.

Clause 6.7 Location of Sex Services Premises

Comment: Not applicable.

Any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority;

Draft State environmental planning policies: None known of.

Draft local environmental plans: No planning proposal affects the development.

Any development control plan;

Development control plan 2015 applies as follows:

Chapter 3 Notification Procedures complied:

Comment: Notification was undertaken with no submissions received.

Chapter 5 Other Development Controls:

Objectives

- Car parking is to be provided on-site which will cater for the increased demand brought about by the development of the site
- Adequate car parking for people with disabilities
- The provision of car parking which is functional, safe and attractive
- Functional loading and unloading facilities are provided to cater for the development of the site
- The construction of car parking areas, service areas and associated areas to be in accordance with good engineering practice

Comments: Proposal meets the objectives.

Access & Parking-

Comment: No change is proposed to existing access or parking arrangements.

Bushfire Prone Land

Comment: The subject land is not mapped as bushfire prone.

Agritourism

Comment: Not applicable.

Temporary occupation of a building during erection dwelling-

Comment: Not applicable.

Installation of manufactured home, moveable dwelling or associated structure-

Comment: Not applicable.

Contaminated land-

Comment: The land is recreation land. There is no known information that suggests the land may have been previously used for potentially contaminating activities according to Council records. No contaminated land is registered on councils' records. No further investigations required.

Outdoor advertising signage-

Comment: Not applicable.

Heritage conservation-

Comment: The site does not contain a heritage item and is not in a heritage conservation area. No heritage items are located in the vicinity of the site.

Flood prone land-

Comment: The lot is not identified as being flood prone land as per the WLEP2013.

Sex services premises (brothels)-

Comment: Not applicable.

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social & economic impacts in the locality;

Context and setting: The development is for the redevelopment of the existing Coonabarabran Memorial Swimming Pool and no change of use is proposed. The site adjoins the Coonabarabran Showground and a Visitors Centre, with a Bowling Club, Service Station and a motel located in close proximity. The proposal is considered to be compatible with surrounding land uses.

Access, transport and traffic: No change is proposed to existing access or parking arrangements.

Public domain: There will be no impact on the public domain external to the subject land.

Heritage: The site does not contain a heritage item and is not in a heritage conservation area. No heritage items are located in the vicinity of the site.

Other land resources: No known impact on other land resources.

Flora and fauna (7 part test from Biodiversity Conservation Act 2016 required?) Vegetation is limited to maintained turf and scattered ornamental and shade trees around the pool perimeter and along fence lines. It is expected that two (2) small, non-significant trees located near the proposed change rooms/plant area are proposed for removal to accommodate the new building. The proposal will have no significant impact on flora or fauna.

Natural hazards: The subject land is not bushfire prone or flood prone.

Technological hazards: No known technological hazards.

Safety, security and crime prevention: Not applicable, Concept DA only. Safety, security and crime prevention measures should be considered as part of a future development application for construction of the pool redevelopment.

Social impact in the locality: The redevelopment of the Coonabarabran Memorial Swimming Pool will have positive social impacts.

Economic impact in the locality: The redevelopment of the Coonabarabran Memorial Swimming Pool will generate economic activity through construction and operational jobs.

Site design and internal design: The concept plans are consistent with the Master Plan for the site approved by Council.

Cumulative impacts: No known cumulative impacts.

The suitability of the site for the development;

Does the proposal fit in the locality? Yes, the development is compatible with adjoining development. The proposal is not a change of use, but a redevelopment of the existing Coonabarabran Memorial Swimming Pool. It is a sensitively designed development with a similar footprint over the property as the existing development.

Are the site attributes conducive to development? Yes, the development has been designed to minimise environmental impacts.

Submissions made in accordance with this Act or the regulations;

Public submissions: None received.

Submissions from public authorities: None received.

The public interest;

Federal, State and Local government interests and community interests: No Federal, State or Local Government interests. Community interests will be protected through conditions imposed on the consent.

DEVELOPMENT SERVICES REPORT ON DEVELOPMENT APPLICATION NO. 7/2026
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PROPERTY DESCRIPTION: 26 Edwards Street COONABARABRAN 2357 Lot: 212 DP: 753378

PROPOSAL: **Redevelopment of Coonabarabran Memorial Pool – Concept DA only**

ZONE: **RE1**

ARE SECTION 94A LEVY CONTRIBUTIONS PAYABLE No

Contributions are not applicable to development associated with Council Recreation Facilities.

CONCLUSION: The development is permitted in the zone with Councils consent. There are no planning or environmental issues with the proposal. It is considered that the proposed development could be operated, subject to a further development consent being obtained, within acceptable environmental limits, and that it would provide economic benefits to the local community.

RECOMMENDATION: Conditional approval is recommended.

The staff responsible for the preparation of the report, recommendation or advice to any person with delegated authority to deal with the application, have no pecuniary or conflict of interest to disclose in respect of the application.

Mark Hitchenson

Assessing Officer
Mark Hitchenson
Contract Town Planner

07.09.26

Date

Delegated Authority
Leeanne Ryan
Director, Development Services

Date

ATTACHMENT A – CONDITIONS OF THE CERTIFICATE

This consent is subject to the following conditions:

PART A – GENERAL CONDITIONS

CONDITION				REASON
Concept DA – Further Development Consent Required 1. This development consent is for a Concept Approval only. A further development consent and a Construction Certificate will be required for the carrying out of the works. A future development application must be consistent with the drawings referenced below which have been endorsed with Council's approval stamp, except where amended by the following conditions of development consent.				To ensure all parties are aware of the approved plans and supporting documentation that applies to the development
Title:	Drawn by:	Dated:	Received by Council:	
Site Plan	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Ground Floor Plan	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Site 3D View	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Accessible Amenities and Storage	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Stormwater Plan	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Office & Reception	Warrumbungle Shire Council	12.02.2026	06.04.2026	
First Aid Room and Toilets	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Accessible Amenities and Plant	Warrumbungle Shire Council	12.02.2026	06.04.2026	
Statement of Environmental Effects	Todd Dunn	05.11.2025	06.04.2026	
Geotechnical Investigation Report	Barnson	07.04.2025	06.11.2025	
Requirements for Further Development Application and Construction Certificate 2. Building Matters (Conditions to be included on further development application) All 10a Building works will be required to be constructed in accordance with the NCC-BCA 2022 Volume Two Class 1 and Class 10 Buildings				To ensure a further development application and construction certificate address all relevant matters.

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- All Class 2 – 9 works will be required to be constructed in accordance to the NCC-BCA 2022 Volume One Class 2 to 9 Class Buildings.
 - Structurally engineered plans will be required for the construction of any concrete slab components compliant to NCC-BCA 2022 and AS 2870.
 - Section J report requirements will be required to be listed on the plans
 - The lighting to comply with the Development Standards for land near Siding Spring Observatory.
 - A detailed access report to be supplied with the requirements to be shown on the plan that include; paths of travel, access to buildings, accessible toilets, parking and any further requirements
 - A geotechnical report to be supplied to show the class of soil classification in the different parts of the lots as demolition of buildings will impact the reports requirements.
 - The canteen fitout to be in accordance to SEPP (Exempt and complying development Codes) 2008 cl 2.52.
 - A Construction Environment Management Plan will be required to be prepared prior to the issue of a Construction Certificate.

3. Town Planning Matters (Submission requirements for further development application)

- A Statement of Environmental Effects (SoEE) must be submitted with the development application addressing all relevant planning instruments and planning issues.
- Detailed plans of the proposed development are to be submitted with the development application, including, but not limited to a Site Plan, Floor Plans, Elevations, Sections, an Erosion and Sediment Control Plan and a Stormwater Management Plan
- Waste Management Plan.
- Traffic and Parking Impact Assessment.
- Crime Risk Assessment.

4. Water and Sewer Matters

- The applicant is to prepare and submit a liquid trade waste approval to Council to discharge wastewater generated from the development to Council's sewer.
 - There are two Council sewer mains within the lot of the proposed development. Any proposed structures are to be located outside of the zone of influence of the sewer main.
-