

DATE OF DETERMINATION	5 November 2021
DATE OF PANEL DECISION	4 November 2021
PANEL MEMBERS	Garry Fielding (Chair), Susan Budd, Graham Brown, Josie Howard, Lindsay Mathieson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 7 October 2021.

MATTER DETERMINED

PPSWES-90 – Dubbo – DA21-319 at 1 Judy Jakins Drive Dubbo for an Emergency Services Facility (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

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

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application principally for the reasons outlined in the council assessment report. In this regard the panel notes that:

- The proposed development is permissible with consent in the SP2 Infrastructure Zone applying to the site.
- The proposed development is not inconsistent with the Dubbo City Regional Airport Masterplan adopted by the council in 2015.
- The design of the proposed development is appropriate for this prominent regional gateway site located at entrance to the airport, with its presentation able to be further enhanced by appropriate public art work addressing both street frontages, as discussed with the proponent prior to the panel's determination meeting.
- In preference to a Deferred Commencement Consent condition regarding further contamination investigation, it was agreed that this was more appropriately addressed through an operational condition.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report, but with the deletion of the Deferred Commencement Consent condition that required further contamination investigation, with the essence of the condition being imposed as an operational condition as follows:

- *Prior to construction works commencing additional soil testing of the existing stockpiles on the site, and areas below the stockpiles shall be undertaken as recommended by the Douglas Partners Report on Detailed Site Investigation (Contamination) March 2021, and a supplementary Detailed Site Investigation report submitted to Council. All recommended works shall be undertaken and a Site Audit Statement prepared by an accredited Site*






Auditor submitted to Council prior to commencement of construction works, with a clear statement confirming that the site is suitable for its intended use.

In addition, it was agreed between the proponent, council and the panel that it would be appropriate for the following Advisory Note regarding public art to be included in the Notice of Determination of the DA:

- In consideration of the prominence of the site as a regional gateway and entrance to the airport, the Panel notes that the applicant has agreed to collaborate with council to incorporate suitable public art into the proposed development's interface with the site's public domain. Notwithstanding, the security and privacy of the facility remain of primary importance to the applicant and shall be a relevant matter for consideration in any future discussions.*

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Susan Budd
 Graham Brown	 Josie Howard
 Lindsay Mathison	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-90 – Dubbo – DA21-319
2	PROPOSED DEVELOPMENT	Emergency Services Facility (Police Training Facility)
3	STREET ADDRESS	Lot 2 DP 1267927, 1 Judy Jakins Drive DUBBO
4	APPLICANT/OWNER	NSW Police Property Group /Dubbo Regional Council
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy 55 –Remediation of Land ○ State Environmental Planning Policy 64 – Advertising and Signage ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ Dubbo Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Dubbo Development Control Plan 2015 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 7 October 2021 • Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 26 October 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Susan Budd, Graham Brown, Josie Howard, Lindsay Mathieson ○ <u>Council assessment staff</u>: Shaun Reynolds ○ <u>Applicant representatives</u>: Rosie Sutcliffe, Leanne Mitchell, Michael Rattery, Ashleigh Ryan ○ <u>Panel Secretariat</u>: Amanda Moylan, Kim Holt
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report