

Rezoning land at Bracken House, No. 331 Macquarie Street Dubbo

Proposal Title : **Rezoning land at Bracken House, No. 331 Macquarie Street Dubbo**

Proposal Summary : **Rezoning 4000m² of land from E3 Environmental Management to R2 Low Density Residential being Part Lot 12 DP 1100130 Macquarie St Dubbo**

PP Number : **PP_2013_DUBBO_001_00** Dop File No : **13/05415**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.5 Rural Lands**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.3 Flood Prone Land**
- 6.3 Site Specific Provisions**

Additional Information :

- 1) That the proposal be supported**
- 2) Consultation is required with the Office of Environment and Heritage**
- 3) Consultation with the community being undertaken for a minimum of 14 days.**
- 4) That the related Lot Size Map - (LSZ_008A) be amended to indicate a lot size of 600m² for the land the subject of this Planning Proposal**
- 5) That delegation for the subsequent plan making process be returned to Dubbo City Council in this case.**
- 6) The Director-General (or nominated Officer) can be satisfied that the inconsistencies with section 117 Directions 1.5 Rural Lands, 2.1 Environmental Protection, 4.3 Flood Prone Land have been demonstrated to be of minor significance in this case.**

Supporting Reasons : **The RPA has indicated that the proposed change in zoning for the 4000m² of land as specified will have minimal environmental impacts and is consistent with adjoining zoning and development.**

The Proposal is a spot rezoning that is consistent with an endorsed strategy and adjoining development. The flooding impacts have been demonstrated to be of minor significance.

Future development on the land will need to comply with the Floodplain Development Manual and Council's existing development controls relating to flood prone land.

Panel Recommendation

Recommendation Date : **04-Apr-2013**

Gateway Recommendation : **Passed with Conditions**

Panel Recommendation : **The Planning Proposal should proceed subject to the following conditions:**

- 1. Council is to amend the lot size of the subject land at Macquarie Street, Dubbo to 600sqm, consistent with adjoining land zoned R2 Low Density Residential. Council is to amend the planning proposal to reflect this approach prior to undertaking public exhibition and provide existing and proposed lot size maps for public exhibition purposes.**

2. Prior to undertaking public exhibition, Council is to amend the project timeline within the planning proposal to reflect the 9 month timeframe allocated for completing the LEP. The project timeline is to include all relevant information consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals.
3. Council should ensure that maps accompanying the planning proposal are at an appropriate scale and clearly identify the subject site.
4. Council is to place the Flood Impact Assessment prepared by Cardno Pty Ltd (2012) including a flood evacuation plan on public exhibition with the planning proposal.
5. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012) and must be made publicly available for a minimum of 14 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).
6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Office of Environment and Heritage
 - NSW State Emergency Services (regarding flood evacuation routes)

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
8. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Gateway Determination

Decision Date :	Gateway Determination :	Passed with Conditions
Decision made by :		
Exhibition period :	14 Days	LEP Timeframe : 9 Month
Gateway Determination :	The Planning Proposal should proceed subject to the following conditions:	
	1. Council is to amend the lot size of the subject land at Macquarie Street, Dubbo to 600sqm, consistent with adjoining land zoned R2 Low Density Residential. Council is to amend the planning proposal to reflect this approach prior to undertaking public exhibition and provide existing and proposed lot size maps for public exhibition purposes. 2. Prior to undertaking public exhibition, Council is to amend the project timeline within the planning proposal to reflect the 9 month timeframe allocated for completing the LEP. The project timeline is to include all relevant information consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. 3. Council should ensure that maps accompanying the planning proposal are at an appropriate scale and clearly identify the subject site. 4. Council is to place the Flood Impact Assessment prepared by Cardno Pty Ltd (2012)	

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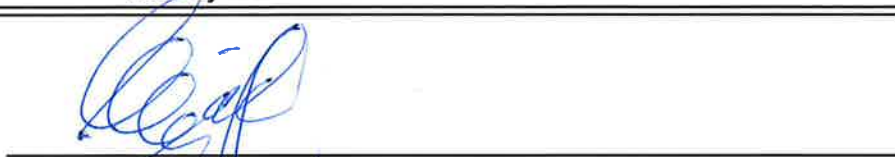
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8. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

9.4.13.