

PLANNING PROPOSAL
PROPOSED REZONING OF RU1 LAND TO R5
LAND



PREPARED FOR:
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The preparation of this report has been in accordance with the project brief provided by the client and has relied upon the information, data and results provided or collected from the sources and under the conditions outlined in the report.

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Executive Summary

The intention of this Planning Proposal (PP) is to provide large lot residential housing in a rural setting alongside minimising the conflict between land uses. In particular, providing additional blocks to the larger lot rural residential market, whilst meeting minimum lot size requirements.

This PP affects the *Land Zoning Map – Sheet LZN_008* and the *Minimum Lot Size Map – Sheet LSZ_008* of the *Dubbo Local Environmental Plan 2011* (DLEP). In particular, this PP affects one (1) allotment of land, located in a rural setting to the south of Dubbo bounded by Benolong Road to the east and Hyandra Creek to the south.

This PP seeks to rezone part of the existing RU1 – Primary Production land to R5 – Large Lot Residential land, as shown upon supporting plans **115013_02B_TP02 prepared by Geolyse Pty Ltd**. Furthermore, this PP seeks to amend the minimum lot sizes for the land affected by the amended rezoning. The minimum lot size for the rezoned land would change from 800ha to 8ha, as shown on **115013_03B_TP02 prepared by Geolyse Pty Ltd**.

The selected land parcel has been chosen to create an additional two (2) large lot residential parcels of land that would feature an existing dwelling on each lot and also adjoins existing R5 zoned land.

Due to the minor nature of the proposal, approval of the planning amendments is sought from the Director-General of the Department of Planning as part of the Gateway Determination.

Details of the proposal's compliance with all applicable strategic, regional, and local planning instruments, state environmental planning policies, and ministerial directions are contained in the body of this report.

This PP has been prepared in accordance with the NSW Department of Planning's (DoP) advisory documents '*A Guide to Preparing Local Environmental Plans*' and '*A Guide to Preparing Planning Proposals*'.

ABBREVIATIONS

Abbreviation	Full Name
PP	Planning Proposal
DoP	NSW Department of Planning
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
SEPP	State Environmental Planning Policy
LEP	Local Environmental Plan
EPA	Environmental Protection Authority
RMS	Roads and Maritime Services
UPA	United Protestants Association
AHD	Australian Height Datum
LGA	Local Government Authority

Background

1.1 INTRODUCTION

Geolyse Pty Ltd has been commissioned by the applicant (Mr Ian Taylor) to prepare a Planning Proposal (PP) to support a proposed amendment to the *Dubbo Local Environmental Plan 2011*. The PP is lodged in relation to one (1) parcel of land, located in a rural setting to the south of Dubbo bounded by Benolong Road to the east and Hyandra Creek to the south, with the site being formally known as Lot 2 in DP 22685.

This PP affects the *Land Zoning Map – Sheet LZN_008* and the *Minimum Lot Size Map – Sheet LSZ_008* of the *Dubbo Local Environmental Plan 2011* (DLEP).

The proposal is considered to be of a minor nature and in this respect approval is sought from the Director-General of the Department of Planning as part of the Gateway Determination.

Details of the proposal's compliance with relevant strategic, regional, and local planning instruments, state environmental planning policies, and ministerial directions are contained in the following sections.

1.2 SCOPE OF REPORT

This PP has been prepared in accordance with the NSW Department of Planning's (DoP) advisory documents '*A Guide to Preparing Local Environmental Plans*' and '*A Guide to Preparing Planning Proposals*'. The latter document requires the PP to be provided in five (5) parts, those being;

- *Part 1* – A statement of the objectives or intended outcomes of the proposed LEP;
- *Part 2* – An explanation of the provisions that are to be included in the proposed LEP;
- *Part 3* – The justification for those objectives, outcomes, and provisions and the process for their implementation;
- *Part 4* – Mapping; and
- *Part 5* – Details of the community consultation that is to be undertaken on the Planning Proposal.

It is noted that Part 4 would be confirmed following a Gateway Determination of this Planning Proposal by the DoP.

1.3 STRUCTURE

This PP is provided in the following structure;

- **Section 2** provides an overview of the subject site; the development intent; and development constraints;
- **Section 3** provides a statement of the objective and explanation of provisions of the PP;
- **Section 4** provides justification regarding the need for the PP; outlines its relationship to strategic planning strategies; and overviews the environmental, economic, and social impacts of the proposal;
- **Section 5** provides the proposed mapping amendments relating to the Planning Proposal area; and
- **Section 6** details how community consultation is to be undertaken with respect to the PP.

Overview

2.1 THE SUBJECT SITE

2.1.1 SITE DESCRIPTION AND LOCATION

This Planning Proposal (PP) affects one (1) parcel of land, located to the south of Dubbo, approximately 15 kilometres from the Central Business District (CBD). The site is bounded by Benolong Road to the east and Hyandra Creek to the south. This parcel of land is formally known as Lot 2 in DP 22685 at 32R Benolong Road, and has a total area of 270 Ha.

The site is located within a rural setting and has a historical use of agriculture, primarily the grazing of cattle. Furthermore, there are two (2) existing, established dwellings located in the north eastern corner of the site and various rural sheds.

Figure 1 provides an aerial view of the subject site and locality.



Figure 1: Aerial view of the subject site and locality

(Source: www.maps.six.nsw.gov.au)

2.2 DEVELOPMENT INTENT

The intent of this PP is to provide large lot residential housing in a rural setting alongside minimising the conflict between land uses. In particular, providing additional blocks to the larger lot rural residential market, whilst meeting minimum lot size requirements.

2.2.1 EXISTING LAND ZONING

The existing Land Zoning Map – Sheet LZN_008 describes a predominant land zoning of RU1 – Primary Production. This being the case, there is also a somewhat even spread of both RU4 - Primary Production Small Lots and R5 – Large Lot Residential throughout this area. The RU4 zoned land is predominantly located adjoining or adjacent to the river corridor.

Figure 2 below details the extent of the land zoning within this area.

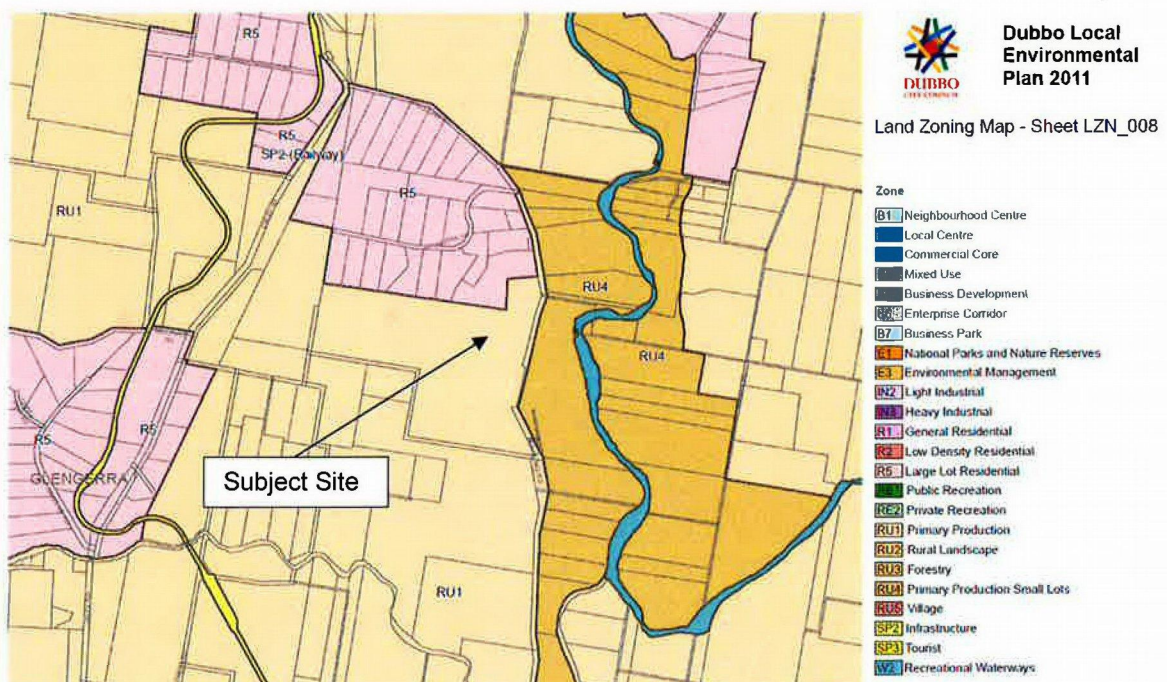


Figure 2: DLEP 2011 Zoning Map LZN_008 extract

(Source: www.legislation.nsw.gov.au)

2.2.2 EXISTING MINIMUM LOT SIZE RESTRICTIONS

Upon viewing the existing Minimum Lot Size Map – Sheet LSZ_008 it is clearly evident that the predominant minimum lot size for the RU1 zoned land is that of 800ha, with the RU4 zoned land featuring a minimum lot size of 20ha accompanied by a minimum lot size of 8ha for the R5 zoned land.

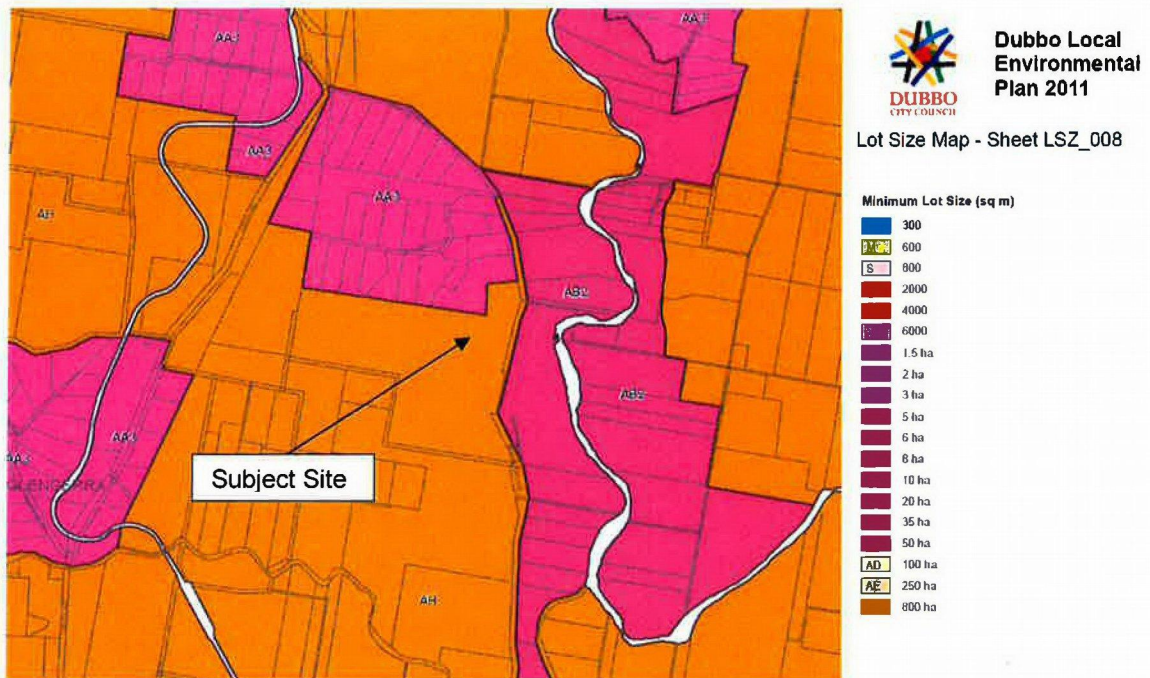


Figure 3: DLEP Minimum Lot Size Map LSZ_008 extract

(Source: www.legislation.nsw.gov.au)

2.2.3 PROPOSED LAND ZONING

The intention of the rezoning is to provide a more practical and functional use of the subject portion of land. The subject portion proposed to be rezoned from RU1 land to R5 land, as represented by Figure 4 below, is to minimise conflict between land uses in this zone and on adjoining land.

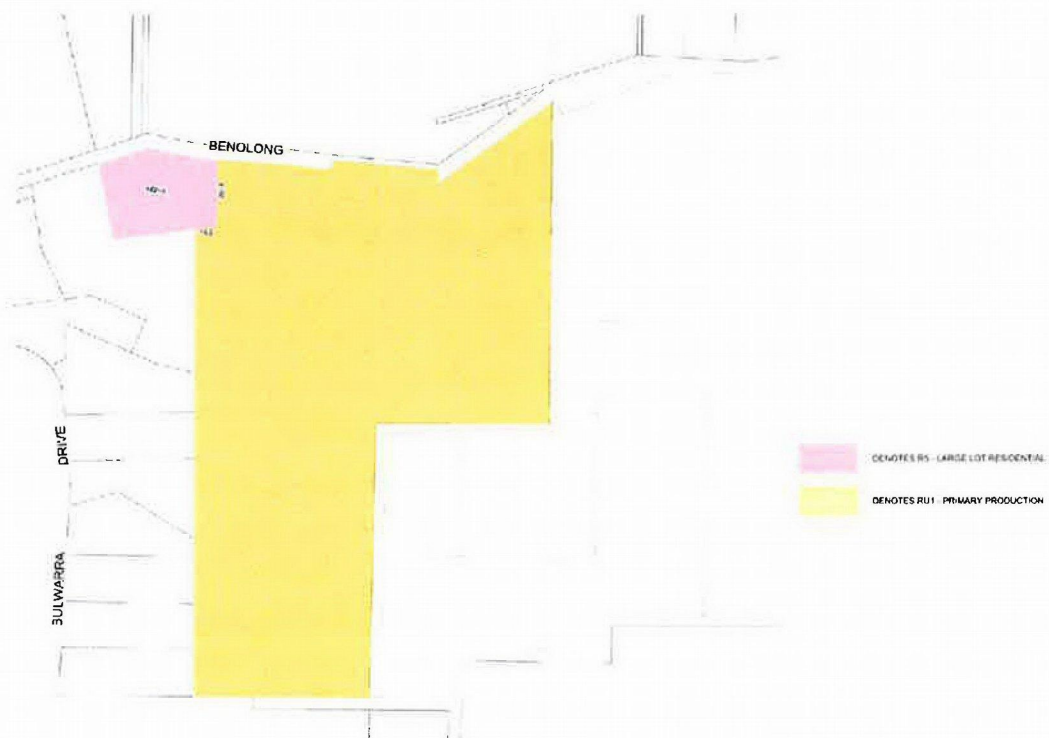


Figure 4: Proposed Zoning Plan extract

(Geolyse Pty Ltd 115013_02A_TP01)

The selected portion of land has been chosen to be rezoned to R5 land because this section of land, to the north and west is adjoined by R5 zoned land. Furthermore, this specific section of the subject site

features two existing dwellings, which are considered to have been constructed prior to formal planning regulations and requirements. It would seem appropriate that this area of land, featuring two dwellings would be more suited to being zoned as R5 Large Lot Residential land.

2.2.4 PROPOSED MINIMUM LOT SIZE REQUIREMENTS

In accordance with the Land Zoning Map LZN_008 and Lot Size Map LSZ_008 of the *Dubbo Local Environmental Plan 2011*, the identified RU1 – primary production land is accompanied by a minimum applicable lot size of 800ha and the identified R5 – Large Lot Residential land is accompanied by a minimum lot size of 8ha.

Figure 5 below shows the proposed minimum lot size amendments within the subject locality.

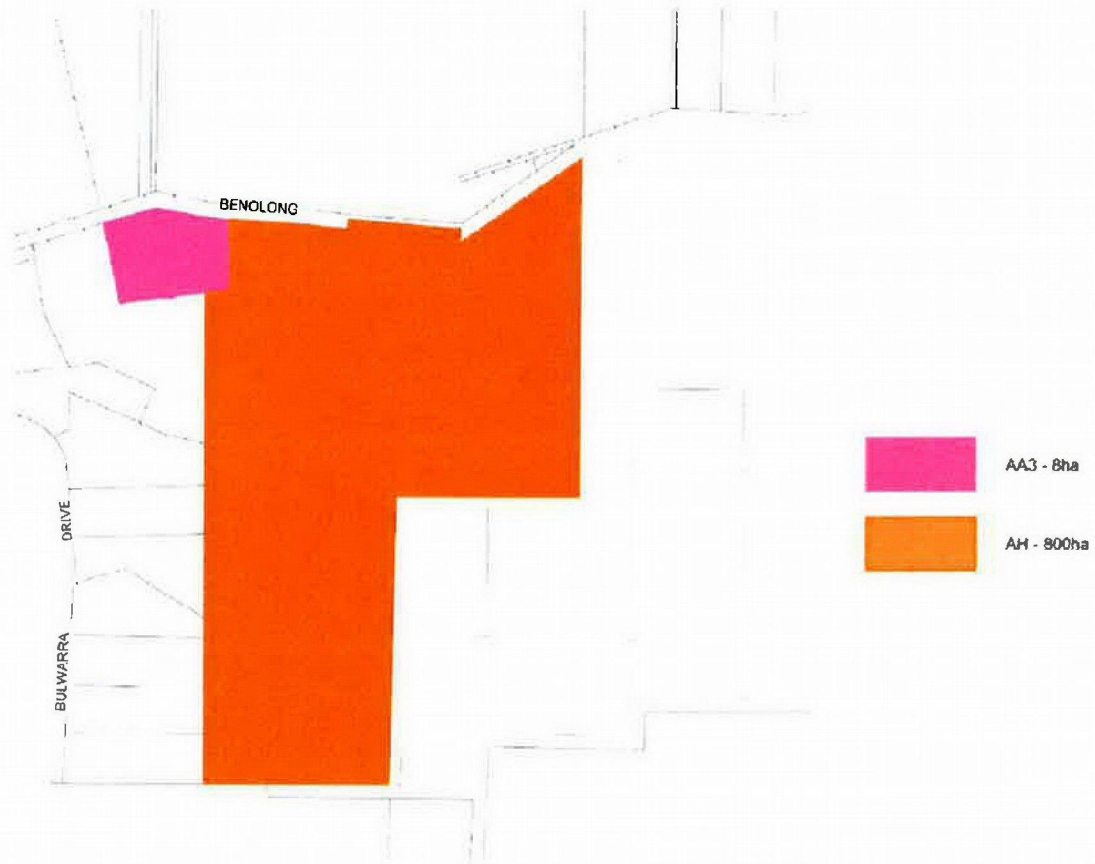


Figure 5: Proposed Minimum Lot Plan extract

(Geolyse Pty Ltd 115013_03B_TP02)

The R5 land in this area features a minimum lot size of 8ha for which a dwelling house may be lawfully erected. Given that this section of land features two existing dwellings, it is considered appropriate to rezone 16ha of RU1 zoned land to R5 zoned land. This will allow for the future subdivision of this rezoned land to create two (2) 8ha lots, which would meet the minimum lot size in the area and would feature a lawful dwelling on each future allotment.

In this regard an amendment to the above mentioned Land Zoning and Lot Size provisions of the DLEP would be required in order for the future development of these sites to be permissible and compliant.

2.2.5 PROPOSED DEVELOPMENT OBJECTIVES

The subject allotment that forms part of the PP, and the proposed rezoned land are to be developed and maintained generally in accordance with the following objectives:

- Maintain the existing rural land and its history of agricultural land uses.
- Maintain the residential portion of land historically utilised for residential purposes.
- Allow future subdivision of land for residential and agricultural purposes.

The rezoning of the land involves no material change to the existing development of the subject site.

2.2.6 SERVICES

The subject portion of land to be rezoned is connected to all accessible utility services. The subject site is currently located outside of Dubbo City Council's reticulated water and sewerage system. The site would continue to be serviced by existing on-site water and sewerage disposal systems generally consistent with the arrangements of adjoining properties.

Electricity and telecommunications services from the adjoining street network would also be maintained for connection to the site.

2.3 ENVIRONMENTAL CONSIDERATION

2.3.1 TOPOGRAPHY AND SOILS

The subject site features gradual slopes with areas that are cleared and maintained for agricultural grazing purposes. A stock dam is located within the western portion of the lot, located along an existing natural drainage line. Reference is made to **Figure 6**.

The land subject to this PP is located within the Talbragar Valley Subregion of the Brigalow Belt South Bioregion. Soils within this region, according to Morgan and Terry (1992) are:

'Thin stony loams and texture contrast soils over most of the landscape with deeper sands and brown earths on valley floors'.

This soil type is consistent with being able to sustain both residential development and agricultural land uses.



Figure 6: Topographic view of the site

(Source: www.maps.six.nsw.gov.au)

2.3.2 FLORA AND FAUNA

In accordance with the Natural Resource – Biodiversity Map NRB_008 of the *Dubbo Local Environmental Plan 2011*, the subject site features moderate to high biodiversity characteristics. It is however witnessed that the subject site and immediate surrounding locality is largely cleared of trees and reflects its agricultural use.

A number of scattered trees with some regrowth vegetation are located upon the site. However due to the agricultural nature of the site and their relatively small size and isolation from large portions of other vegetation, it is unlikely that these areas would be a significant habitat for any threatened species of flora or fauna.

2.3.3 BUSHFIRE

Reference is made to Dubbo City Council's Bushfire Prone Land Map which indicates the level of fire risk for properties. In accordance with this Map, the subject allotment is not identified as being located on bush fire prone land.

2.3.4 FLOODING

It is considered the subject site is not located on the *Dubbo Local Environmental Plan 2011* (DLEP) Flood Planning Maps, and as such the subject allotment is not identified as being located on flood prone land.

2.3.5 CONTAMINATION

The subject allotment has historically been utilised for agricultural purposes, primarily the grazing of cattle. Table 1 of the *Managing Contaminated Land Planning Guidelines* (Guideline) states that agricultural activities may cause contamination. However, *Appendix A* of the Guideline 'Industries and Chemicals Used' states that the associated chemicals with this use are fertilisers, insecticides, fungicides and herbicides. Given the primary agricultural use for the site has been the grazing of cattle, it is highly unlikely that any of the above mentioned forms of chemicals have been utilised on the site.

Furthermore, the subject area on this allotment that is specifically relevant to this PP has always been utilised for residential purposes. It is therefore considered to be even more unlikely that the subject site has any form of contamination.

2.4 SOCIAL AND CULTURAL CONSIDERATION

2.4.1 ABORIGINAL ARCHAEOLOGY

A search of the Aboriginal Heritage Information Management System (AHIMS) has revealed that no Aboriginal sites have been recorded in or near the subject site, nor have any Aboriginal places been declared in or near the subject site.

The result of the AHIMS search is attached at **Appendix A**.

2.4.2 EUROPEAN HERITAGE

Schedule 5 – Environmental Heritage of the *Dubbo Local Environmental Plan 2011* does not identify any items of local heritage significance on the site. Likewise, the State Heritage Register does not identify any items of state heritage significance on the site.

Intent and Provisions

3.1 OBJECTIVE

The intention of this Planning Proposal (PP) is to provide large lot residential housing in a rural setting alongside minimising the conflict between land uses. In particular, providing additional blocks to the larger lot rural residential market, whilst meeting minimum lot size requirements.

3.2 EXPLANATION OF PROVISIONS

The PP affects *Land Zoning Map – Sheet LZN_008* and *Minimum Lot Size Map – Sheet LSZ_008* of the *Dubbo Local Environmental Plan 2011*.

This PP seeks to rezone a minor part of the existing RU1 – Primary Production land to R5 – Large Lot Residential land located in a semi-rural area, south of Dubbo, as shown upon supporting plans **115013_02B_TP02 prepared by Geolyse Pty Ltd.**

The PP also seeks to amend the minimum lot size for the land affected by the amended rezoning, as being the R5 zoned land to comprise a minimum lot size of 8 ha, as shown upon supporting plans **115013_03B_TP02 prepared by Geolyse Pty Ltd.**

Justification

The overarching principles that guide the preparation of PP's are:

- The level of justification should be proportionate to the impact the PP would have;
- It is not necessary to address a question if it is not considered relevant to the PP; and
- The level of justification should be sufficient to allow a Gateway determination to be made with confidence that the LEP can be finalised within the timeframe proposed.

The following justification addresses each relevant question applicable to the PP to ensure confidence can be given to the Gateway determination.

4.1 NEED FOR THE PLANNING PROPOSAL

4.1.1 RESULT OF ANY STRATEGIC STUDY OR REPORT

The PP is not a result of a strategic study or report but to minimise the conflict between land uses and to address an existing rural residential situation. Furthermore, to also add stock to the already established large lot residential blocks adjoining the subject site.

Having regard to the existing situation on the site, with two residential dwellings on the subject area to be rezoned, and taking into account the adjoining R5 Large Lot Residential land adjoin this area, it is considered this area needs to be rezoned. This would alleviate conflicting land uses, as well as allowing for the future subdivision of the rezoned area to create two 8 hectare large lot residential blocks.

4.1.2 BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES, OR IS THERE A BETTER WAY?

There are two existing residential dwellings located on the subject site. This area must be rezoned to R5 Large Lot Residential to allow for future subdivision of this land to allow for two permissible allotments, with each featuring a residential dwelling. Furthermore, the area to be rezoned must be large enough to allow minimum allotment sizes to be met.

The submission of a PP for the rezoning of land and amend the minimum lot size requirements represents the best method of achieving the desired outcome.

4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1 CONSISTENT WITH THE OBJECTIVES AND ACTIONS OF THE APPLICABLE REGIONAL OR SUB-REGIONAL STRATEGY

There are no overriding Regional or Sub-regional strategies that directly relate to the site and its residential development within the Dubbo LGA or Central West Region.

4.2.2 CONSISTENT WITH COUNCIL'S LOCAL STRATEGY OR OTHER LOCAL STRATEGIC PLAN

Macquarie District Development Strategy 1995

The land forming the subject of this PP is situated within the Macquarie District, and as such the *Macquarie District Development Strategy 1995*, applies. The Strategy forms the basis of the *Dubbo Rural Areas Development Strategy*. The following sections of the strategy are key for the justification of the PP and reflect its consistency with the provisions of settlement, whilst not impacting upon the issues and controls relating to extensive and intensive agriculture.

1. *Extensive Agriculture*
2. *Intensive Agriculture*
7. *Settlement*

The subject parcel of land has a total area of 270 Ha, with the PP rezoning only 16 Ha for settlement purposes. The specific area of rezoning does not cause any conflicting land uses as the site adjoins an existing R5 cluster to the north and west, with smaller hobby farm size blocks of RU4 land to the east, over the Benolong Road. This infill rezoning is appropriate for the area, and is only rezoning land that has two existing dwellings and various outbuildings and sheds. No extensive or intensive agricultural uses are undertaken on the subject 16 hectares, and this further settlement is in a suitable location with no damage to other rural strategy objectives.

Dubbo Rural Areas Development Strategy 1995-2015 (First five yearly review)

The subject PP is consistent with the aims and objectives of Dubbo RADS review document. The proposed rezoning of 16 hectares of agricultural land to large lot residential, for settlement purposes is located in an appropriate location, meeting the relevant Development Opportunity objectives. The subject land is adjoining existing R5 – Large Lot Residential land to the north, and west and RU4 – Primary Production Small Lot land to the east, across the Benolong Road. This is directing the rural settlement into an existing rural village and area of fragmentation.

In regards to the Environmental Management objectives, based off sustainable resource management principles, the PP is not located near nor impacting on waterways, aquifers or is flood affected. No wildlife habitats would be affected no contaminative activities occur. The PP and associated changes to zoning are considered to be environmentally sustainable and is occurring in relation to an existing settled area, with no impact to the existing agricultural land.

4.2.3 CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES

Orana Regional Environmental Plan No. 1 – Siding Spring Observatory

The only regional/sub-regional strategy relating to the Dubbo Local Government Area is the *Orana Regional Environmental Plan No.1 – Siding Spring Observatory*. However as the Siding Spring Observatory is located more than 100 kilometres away in Coonabarabran, and given there is no proposed development or material change to the site, no adverse effect upon the operations of the Observatory is foreseen.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 6 of the *State Environmental Planning Policy No. 55 – Remediation of Land* requires the issue of contamination and remediation to be considered in zoning or rezoning proposals. The subject area to be rezoned features existing residential development and also adjoins R5 – Large Lot Residential land. The PP does not change the development intentions of these sites and in this respect the suitability of these sites for residential purposes.

State Environmental Planning Policy No. 64 – Advertising and Signage

The change in zoning would enable limited business uses subject to development consent from Council. If signage were to form part of a future development application the provisions of *State Environmental Planning Policy No. 64 – Advertising and Signage* would apply and the development would need to ensure the relevant provisions of the policy are achieved. The PP does not include provisions that contradict or hinder the application of this policy.

State Environmental Planning Policy (Rural Lands) 2008

The planning principles of *State Environmental Planning Policy (Rural Lands) 2008* would be achieved via this PP. The provision of opportunities for rural lifestyle and housing would result from the proposed rezoning and no adverse impact on services and infrastructure. Furthermore, the minimisation of land use conflict between residential and rural lands would be achieved.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The provisions of *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* would continue to apply to residential affected development in accordance with the provisions of this policy. The PP does not include provisions that contradict or hinder the application of this policy.

State Environmental Planning Policy (exempt and Complying Development Codes) 2008

The provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* would continue to apply to the land generally consistent with that achievable under the current land zoning. The PP does not include provisions that contradict or hinder the application of this policy.

State Environmental Planning Policy (Infrastructure) 2007

The provisions of *State Environmental Planning Policy (Infrastructure) 2007* would continue to apply consistent with that achievable under the current zoning. The PP does not include provisions that contradict or hinder the application of this policy.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

The site is not located within any identified resource areas, potential resource areas or transitional areas. There are no known existing mines, petroleum production operations or extractive industries in the area of the PP or within its vicinity. Given existing development on the site and within the immediate locality the PP would be of minor significance and would not further restrict development potential or create land use conflict beyond existing arrangements.

4.2.4 CONSISTENT WITH APPLICABLE S117 (2) MINISTERIAL DIRECTIONS – 3.1 RESIDENTIAL ZONES

The Minister for Planning and Infrastructure, under Section 117(2) of the EP&A Act 1979 issues directions that local Councils must follow when preparing PP's for new Local Environmental Plans. The directions cover the following broad categories:

1. Employment and Resources
2. Environment and Heritage
3. Housing, Infrastructure and Urban Development
4. Hazard and Risk
5. Regional Planning
6. Local Plan Making

The following discussion demonstrates the PP's consistency with the relevant Section 117 directions.

Direction 1.3 – Mining, Petroleum Production and Extractive Industries

Ministerial Direction 1.3 – Mining, Petroleum Production and Extractive Industries is not applicable as the PP affected land does not prohibit the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials or restricting the potential development of such by permitting a land use that is likely to be incompatible with such development.

Direction 2.1 – Environment Protection Zones

Ministerial Direction 2.1 – Environment Protection Zones does apply to the PP as some areas of the subject site is mapped by the *Dubbo Local Environmental Plan 2011* Natural Resource Biodiversity Map NRB_008 as featuring moderate to high biodiversity characteristics.

It is however witnessed that the subject site and immediate surrounding locality is largely cleared of trees and reflects its agricultural use. It is unlikely that these areas would be a significant habitat for any threatened species of flora or fauna.

Direction 3.1 – Residential Zones

Ministerial Direction 3.1 – Residential Zones is applicable as the PP proposes to rezone existing rural land to residential land.

The PP is consistent with the objectives of this direction as the rezoned area and amended minimum lot sizes:

- Would encourage a choice of housing types to provide for the existing housing needs, and;
- Would make efficient use of existing infrastructure and services.

The area forming part of the PP features existing dwellings on the site that are connected to sewer, water, telecommunications, electricity and the transport network.

Direction 3.3 – Home Occupations

Ministerial Direction 3.3 – Home Occupations is applicable as the proposed R1 General Residential zone permits dwelling houses. The objective of this direction is to encourage the carrying out of low-impact small business in dwelling houses. The PP maintains existing provisions that enable 'home occupations' to be carried out without the need of development consent.

Direction 6.1 – Approval and Referral Requirements

Ministerial Direction 6.1 – Approval and Referral Requirements applies to all Planning Proposals forwarded for Gateway Determination by a local authority.

The proposed rezoning does not include provisions that would trigger a need for concurrence, consultation, or referral to the State Government.

Direction 6.3 – Site Specific Provisions

Ministerial Direction 6.3 – Site Specific Provisions applies to all Planning Proposals forwarded for Gateway Determination by a local authority.

The PP does not propose to create any site specific development standards in addition to those currently within the principal environmental planning instrument. The minimum allotment of 8 hectares for the R5 zoned land is consistent with the surrounding R5 zoned land.

4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OR THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

There are no proposed material changes as a result of the proposed rezoning. The land forming the subject area of the rezoning consists of relatively cleared land, with scattered trees and two separate existing residential dwellings. No known threatened species or ecological communities are present on the subject site. Any future development of these sites would require due consideration of relevant environmental impacts.

4.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

The PP simply proposes the rezoning of a 16 hectare portion of RU1 zoned land to R5 with no proposed on site works or alterations. The subject area already features two existing residential dwellings and no new building works are proposed. It is therefore highly unlikely that any adverse environmental effects would occur as a result of this PP.

4.3.3 HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED ANY SOCIAL AND ECONOMIC EFFECTS?

The proposed rezoning of the subject site would have minimal social and/or economic impacts on the surrounding locality. The proposal would facilitate the future subdivision of the proposed R5 zoned land to allow for two large lot residential allotments.

The proposed arrangement is a more marketable arrangement for the applicant and would allow the balance of the property to the south and west to be farmed and managed independently.

4.4 STATE AND COMMONWEALTH INTERESTS

4.4.1 ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PROPOSAL?

The existing subject site and subject area for the proposed rezoning features existing connections to public infrastructure. The subject area features two existing dwellings with access to sewerage treatment facilities, water, electricity and telecommunications. The existing agricultural area forming the rest of the subject lot is vacant and serves as a primary production lot.

Due to the site's location within a country area, the site has limited access to public transport. However, due to its close location to the Dubbo urban area, the applicants are within close vicinity of any appropriate services, such as bus coaches and rail services to nearby towns.

4.4.2 VIEWS OF STATE/COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH THE GATEWAY DETERMINATION?

The views of State and Commonwealth public authorities would be ascertained in accordance with the comments provided in the Gateway Determination.

Required Instrument Amendments

5.1 AMENDED MAPPING REQUIRED

The following *Dubbo Local Environmental Plan 2011* (DLEP) maps would be amended as part of the PP:

- Land Zoning Map LZN_008 of the DLEP 2011 with regard to the amended R5 – Large Lot Residential zone as shown upon supporting plan **115013_02A_TP02 prepared by Geolyse Pty Ltd**, and;
- Lot Size Map LZN_008 of the DLEP 2011 with regard to the amended R5 – Large Lot Residential zoned land, and in particular the amended minimum lot size of 8 hectares, as shown upon supporting plan **115013_03A_TP02 prepared by Geolyse Pty Ltd**.

Community Consultation

6.1 TYPE OF COMMUNITY CONSULTATION REQUIRED

Section 5.5.2 of 'A Guide to Preparing Local Environmental Plans' identifies two different exhibition periods for community consultation;

- Low Impact Proposals – 14 days; and
- All other Planning Proposals (including any proposal to reclassify land) – 28 days.

The Guide describes Low Impact Proposals as having the following attributes;

- *A 'low' impact planning proposal is a planning proposal that, in the opinion of the person making the gateway determination, is;*
 - *Consistent with the pattern of surrounding land use zones and/or land uses;*

The proposed amendments to the zoning and minimum lot sizes the subject site accords with Council's local strategies and policies as detailed above and would be consistent with the adjoining R5 zoned land to the north and west.

- *Consistent with the strategic planning framework;*

Responses have been provided within section 4.2 of this report detailing the proposal's compliance with relevant local, regional and state planning strategies, policies, and ministerial directions.

- *Presents no issues with regard to infrastructure servicing;*

The existing and any potential future residential development of the rezoned site would have access to the existing sewer, water, electricity and telecommunication facilities.

- *Not a principle LEP; and*

Not relevant.

- *Does not reclassify public land.*

The PP does not seek to reclassify existing public land.

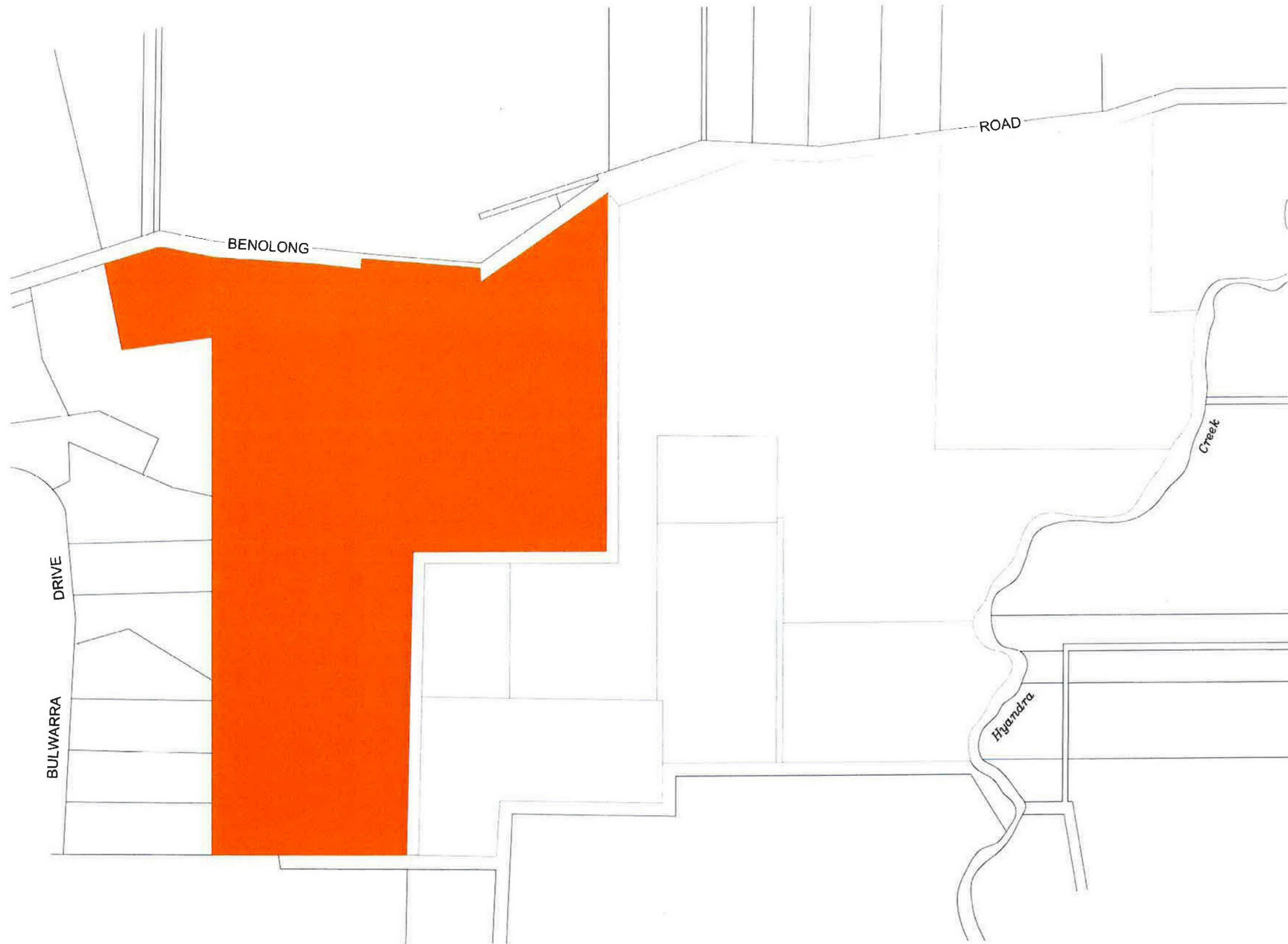
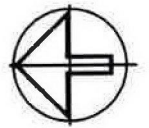
In accordance with the responses to the above 'Low Impact Proposals' guide, the PP is considered to be of low impact. Respectfully, it is therefore requested that a community consultation period of 14 days be applied to the exhibition of this PP.

References

Morgan and Terry. 1992, Nature Conservation in Western New South Wales. National Park Association, Sydney.

NSW Department of Planning (DoP). 2009a, A Guide to Preparing Local Environmental Plans, DoP, Sydney.

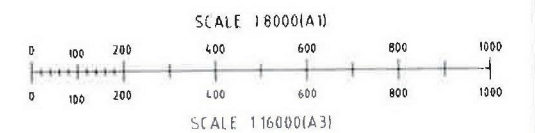
Drawings



AH - 600ha

NOTES:

1. PLAN IS FOR DEVELOPMENT APPLICATION PURPOSES ONLY
2. ALL BOUNDARIES AND AREAS ARE APPROXIMATE ONLY AND ARE SUBJECT TO FINAL SURVEY



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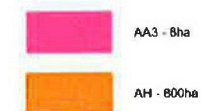
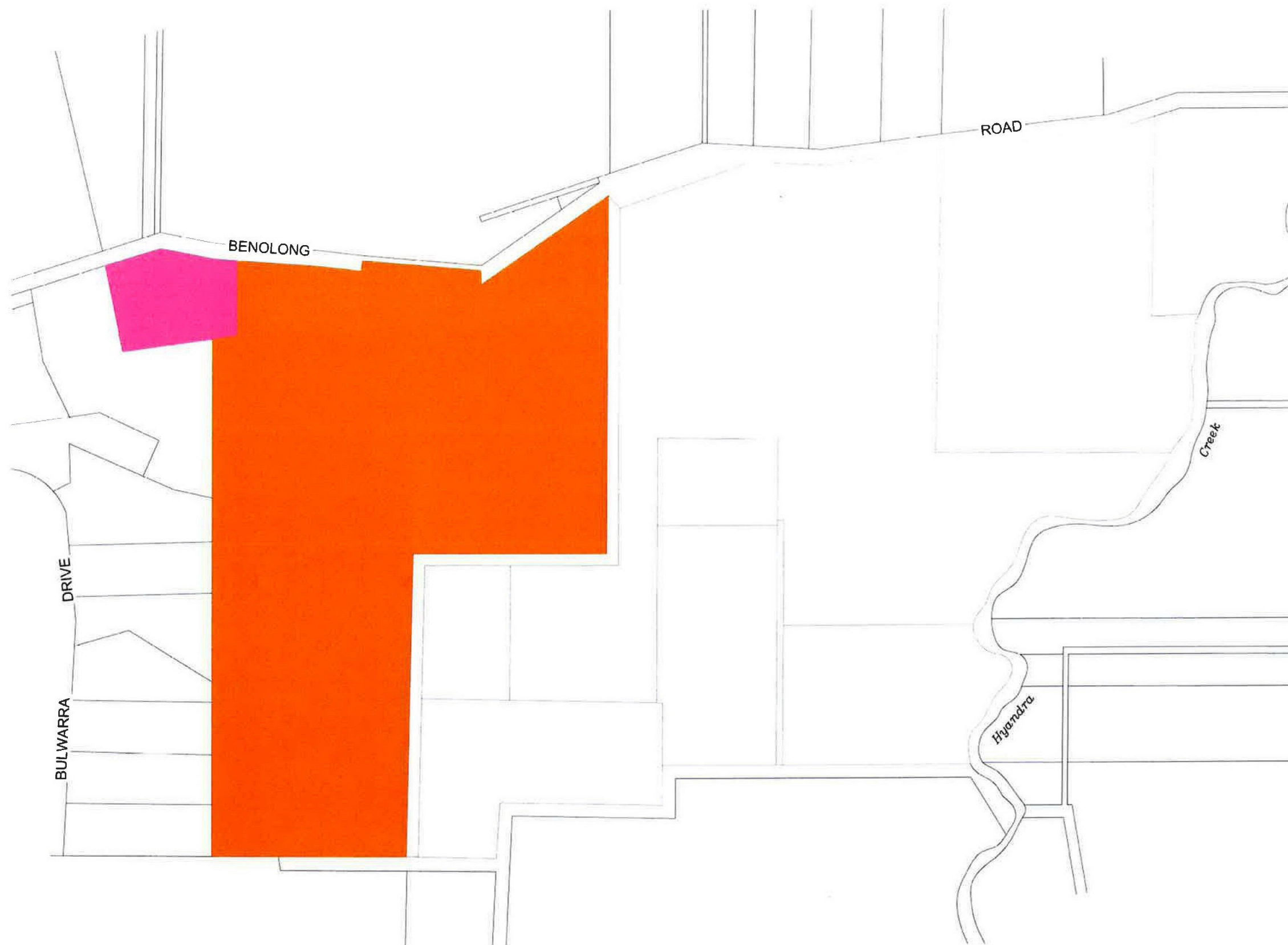
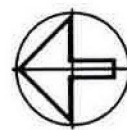
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A	31/07/15	JE	SG	ISSUED TO CLIENT
B	20/08/15	JE	SG	ISSUED TO CLIENT

PROJECT
PROPOSED SUBDIVISION OF 'RAYMOND HILL' BENOLONG ROAD, DUBBO
FILE REFERENCE 115013_03B_TP01.TP02.dwg

APPROVAL AUTHORITY
DUBBO CITY COUNCIL

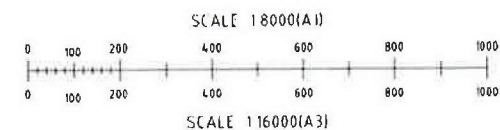
CLIENT
MR IAN TAYLOR

DRAWING			
EXISTING LOT SIZE MAP			
PROJECT NUMBER	115013	DRAWING NUMBER	03B_TP01
			REV B
SOURCE	INTERNAL		



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NO	DATE	DRAFTING CHECK	APPROVED BY	DETAILS
A	31/07/15	JE	SG	ISSUED TO CLIENT
B	20/08/15	JE	SG	ISSUED TO CLIENT

PROJECT
PROPOSED SUBDIVISION OF 'RAYMOND HILL' BENOLONG ROAD, DUBBO
FILE REFERENCE 115013_03B_TP02.dwg

APPROVAL AUTHORITY
DUBBO CITY COUNCIL

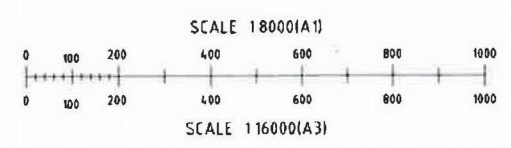
CLIENT
MR IAN TAYLOR

DRAWING			
PROPOSED LOT SIZE MAP			
PROJECT NUMBER	115013	DRAWING NUMBER 03B_TP02	REV B
SOURCE	INTERNAL		



 DENOTES RU1 - PRIMARY PRODUCTION

- NOTES:**
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NO	DATE	DRAFTING	CHECK	APPROVED BY	DETAILS
A	08/08/15	JE	SG		ISSUED TO CLIENT
B	20/08/15	JE	SG		ISSUED TO CLIENT

PROJECT

PROPOSED SUBDIVISION
OF 'RAYMOND HILL'
BENOLONG ROAD, DUBBO

FILE REFERENCE: 115013_02B_TP01-TP02.dwg

APPROVAL AUTHORITY

DUBBO CITY COUNCIL

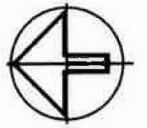
CLIENT

MR IAN TAYLOR

DRAWING

EXISTING ZONING PLAN

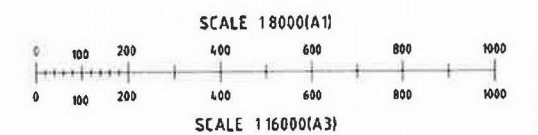
PROJECT NUMBER	115013	DRAWING NUMBER	02B_TP01	REV	B
SOURCE	INTERNAL				



- DENOTES R5 - LARGE LOT RESIDENTIAL
- DENOTES RU1 - PRIMARY PRODUCTION

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REV	DATE	DRAFTING CHECK	APPROVED BY	DETAILS
A	06/08/15	JE	SG	ISSUED TO CLIENT
B	20/08/15	JE	SG	ISSUED TO CLIENT

PROJECT	PROPOSED SUBDIVISION OF 'RAYMOND HILL' BENOLONG ROAD, DUBBO
FILE REFERENCE	115013_02B_TP01-TP02.dwg

APPROVAL AUTHORITY	DUBBO CITY COUNCIL
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CLIENT	MR IAN TAYLOR
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DRAWING					
PROPOSED ZONING PLAN					
PROJECT NUMBER	115013	DRAWING NUMBER	02B_TP02	REV	B
SOURCE:		INTERNAL			

Appendix A

AHIMS



Jock Rodgers

Date: 14 August 2015

Level, 62 Wingewarra Street
Dubbo New South Wales 2830

Attention: Jock Rodgers

Email: jrodders@geolyse.com

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Lot : 2, DP:DP22685 with a Buffer of 50 meters,
conducted by Jock Rodgers on 14 August 2015.**

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.