

28 March 2012

Mr A Albury
Regional Director
Department of Planning and Infrastructure
PO Box 58
DUBBO NSW 2830

Dear Mr Albury

**ORANA MALL PLANNING PROPOSAL
PROPERTY: LOT 1 DP 258008 AND PART LOT 2 DP 258008 WHEELERS LANE,
DUBBO**

I refer to the abovementioned Planning Proposal received by Council on 17 February 2012. Council, at its meeting on 26 March 2012, considered a report in relation to the Planning Proposal and resolved as follows:

- “1. Council supports the Planning Proposal for the rezoning of Lot 1 DP 258008 and Part Lot 2 DP 258008 from RE1 Public Recreation to B2 Local Centre under the provisions of the Dubbo Local Environmental Plan 2011;*
- 2. Council seeks removal of the Public Reserve status from Lot 1 DP 258008 and Part Lot 2 DP 258008 as a component of the Planning Proposal;*
- 3. Council supports a 28 day public exhibition period for the Planning Proposal;*
- 4. Council undertakes the formal process to close the unformed road reserve situated on the land; and*
- 5. Any necessary dealings are undertaken under the Common Seal of Council.”*

A copy of the Council report and Council’s resolution is provided attached as Appendix 1.

The Planning Proposal seeks approval to amend the Dubbo Local Environmental Plan 2011 with the rezoning of Lot 1 DP 258008 and Part Lot 2 DP 258008 from RE1 Public Recreation to B2 Local Centre. The land is owned by Council and is currently used as a vehicle parking area.

The Planning Proposal was lodged by the owner of the adjoining Orana Mall Marketplace who has also offered to purchase the land from Council subject to the land being rezoned as proposed.

The Economic Impact Assessment included with the Planning Proposal has provided information that the land could be used for commercial purposes in the future. Based on the fact that under the provisions of the former Dubbo Local Environmental Plan 1998 – Urban Areas, Council could have considered a Development Application for an expansion of the Mall to a retail floor space of 33,936 square metres from the approved 25,606 square metres, it is considered that the rezoning will not impact the adopted commercial hierarchy of the City.

It is considered that rezoning the land to B2 Local Centre Core will not provide any substantial economic impacts in the short or medium term based on the size, shape and characteristics of the land, as the owners of Orana Mall propose to utilise the land for vehicle parking.

As a component of Council's resolution, the subject land also has Public Reserve status. Separate approval will be required as a component of the Planning Proposal for the Public Reserve status to be removed from the land.

The submission provided by the proponent in support of the Planning Proposal included a Planning Assessment (Appendix 2), Economic Impact Assessment (Appendix 3) and Traffic Impact Assessment (Appendix 4) which are provided for your consideration.

To assist the Department in their consideration of the Planning Proposal, the following information is provided in accordance with the Department's Guideline – A Guide to Planning Proposals.

Part 1 – Objectives or Intended Outcomes

The objective or intended outcome of the Planning Proposal is for Lot 1 DP 258008 and Part Lot 2 DP 258008 to be rezoned from RE1 Public Recreation to B2 Local Centre to facilitate the land being used by the adjoining Orana Mall Marketplace for the purposes of vehicle parking or permissible commercial land use activities.

Part 2 – Explanation of Provisions

The Planning Proposal is for the proposed amendment to the Dubbo Local Environmental Plan 2011 for Lot 1 DP 258008 and Part Lot 2 DP 258008 as shown on Zoning Map No. 8B to be rezoned to B2 Local Centre in accordance with the map provided attached to this correspondence as Appendix 5.

Part 3 – Justification

The proponent has provided a detailed Planning Report justifying the Planning Proposal. The Planning Report specifically provides information in relation to the following:

1. Need for the Planning Proposal;
2. Relationship to strategic planning framework;
3. Any environmental, social or economic impacts; and
4. Any State or Commonwealth interests.

Part 4 – Community Consultation

Council, in resolving to support the proposed rezoning, now requests approval for the Planning Proposal to be placed on public exhibition for a period of 28 days.

