

Purpose: To outline the planning proposal, the reasons why the original Gateway determination was made, and the views of the council (if the request was proponent-initiated) and to consider and assess the request for an alteration of a Gateway determination.

Dept. Ref. No:	PP_2014_DUBBO_001_00 – AMENDMENT NO. 5 - DUBBO FORMER RAAF STORES DEPOT AND OTHER MATTERS
LGA	DUBBO CITY COUNCIL
LEP to be Amended:	DUBBO LOCAL ENVIRONMENTAL PLAN 2011
Address/Location:	Various
Proposal:	Planning Proposal Amendment to the Dubbo Local Environmental Plan 2011 concerning four sites in Dubbo City Council LGA. The original planning proposal submitted 20 December 2013 with the Gateway determination issued on 24 February 2014 (Tag 1) for the following: - Amend the minimum lot size for land at Boundary Road - Remove land at Wheelers Lane, Dubbo from the Urban Release Area - Rezone and amend the minimum lot size for land at the former RAAF Stores Depot, Palmer Street Dubbo - Include "car park" as an additional permitted use for land at Darling Street Dubbo. Altered Gateway determination No 1. On 16 July 2014 Dubbo City Council requested an altered Gateway determination to realign proposed zone boundaries at the Former RAAF Stores Depot site. An Alteration of Gateway determination was issued on 13 August 2014 (Tag 2) with an extension to finalise the proposal for an additional 9 months until 31 August 2015. Altered Gateway determination No. 2. On 31 August 2015 Dubbo City Council requested an altered Gateway determination specifically related to the former RAAF site based on Council meeting 24 August 2015 (PDC15/30) to: - further realign proposed zone boundaries at the Former RAAF Stores Depot site after extensive consultation with the proponent and agencies. This results in zoning 7.21 ha as zone RE1 Public Recreation to accommodate the Fuzzy Box Woodland Endangered Ecological Community. - Amend proposed boundaries of zone R1 General Residential, IN2 Light Industrial and SP3 Tourist. - In zone SP3 permit shop - top housing as an the additional permitted use on the former RAAF base site - Allow a 50m zone variation between zone SP3 Tourist and zone R1 General Residential for the former RAAF base site only. - Allow car wash as a permitted use in zone SP3 Tourist Please note the matters in the original planning proposal and Gateway Determination relating to Lot 502 DP 1152321 Boundary Road, Lot 2 DP 1157422, Wheelers Lane and Lot 5 DP 1006205 Darling Street Dubbo remain unchanged and applicable to the original and altered Gateway determination.
Alteration request made by:	☒ The council ☐ A proponent
Reason for alteration:	☐ A determination has been made that the planning proposal should not proceed. ☐ A determination has been made that the planning proposal should be resubmitted to the Gateway.

	☒	A determination has been made that has imposed requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered.
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Background information

Details of the planning proposal	The Planning Proposal proposes the following outcomes: - Correcting a mapping anomaly and changing the Minimum Lot Size for residential land in Boundary Road to 600m2 (from 2000m2) (no change from original); - Removing a small portion of land in Wheelers Lane from the Urban Release Area Map as the land is already approved for subdivision and the Part 6 requirements are met (no change from original); - Amending by realignment of the zones and lot size over the former RAAF Stores Depot site to reflect the recent local master plan prepared for the site (Amended from original and Altered Gateway No1); and - Including 'car park' as a Schedule 1 Additional Permitted Use listing for Railway land zoned SP2 as an interim measure until a Commercial Strategy is prepared (no change from original determination).
Reason for Gateway determination	The Gateway Determination dated 24 February 2014 was determined to proceed to: - amend the minimum lot size for land at Boundary Road, Dubbo; - remove land at Wheeler Lane, Dubbo from the Urban Release Area Map; - rezone and amend the minimum lot size for land at the former RAAF Stores Depot, Palmer Street, Dubbo; and - include 'car park' as an additional permitted use for land at Darling Street, Dubbo.

Views of council

Date council advised of request:	Alteration No 1 - Council request to vary zone boundaries and lot size at the former RAAF Stores Depot was received by the Department on 16 July 2014 Alteration No.2 - Council request to vary zone boundaries and include additional permitted uses at the former RAAF Stores Depot was received by the Department on 31 August 2015 as per Council meeting dated 24 August 2015 (resolution PDC15/30)
Date of council response:	Not applicable
Council response:	Not applicable

Applicant justification

Details of justification:	The justification in Council report and resolution provided as Tag 3 is acceptable. Council considered the characteristics of the former RAAF Stores Depot land and the strategic context in which it is located. The proposed changes are also a result of extensive consultation with the proponent and the Office of Environment and Heritage. This is a local planning matter for which Council is the consent authority It is considered that the alterations to the Planning Proposal be supported and proceed to community consultation again and progress to finalisation. The subject LEP amendment is now outside the specified timeframe for completion being 31 August 2015. It is recommended that this timeframe be extended for an additional 6 months to facilitate the proposed changes and allow further community and agency consultation.
Material provided in support of application/proposal:	Council in its letter dated 31 August 2015 (Tag 3) and supporting information provided justification for the proposed changes to the former RAAF Stores Depot.

Assessment Summary

Department's assessment Provide a summary assessment of the department's position/views on the request for alteration	The aspects concerning the RAAF Stores Depot are consistent with the Council's Strategic framework and will enhance urban planning outcomes, particularly with the increase in supply of residential land and housing choice in areas that are already developed. The Planning Proposal represents an increase in housing supply and choice within the urban footprint, and in areas where subdivision for housing has been approved and/or zoned. There are social, economic and environmental benefits as a result. The Fuzzy Box Woodland endangered ecological community will also be protected. The proposed alterations will allow flexibility for development at the Former RAAF base site. The former RAAF base site is listed on the State Heritage Register.
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RECOMMENDATION

The request for an altered Gateway determination has been justified and can be supported in this case.

Reason for Alteration: A determination has been made that has imposed requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered.

Recommendation:		Requirements should be imposed or variations made to the planning proposal
	☒	☐ no amendments are suggested to original determination. ☒ amendments are suggested to the original and altered determination so that the proposed zone and lot size changes to land at the former RAAF Base can proceed and that an additional 6 months be granted to finalise this proposal.
	☐	The suggested requirements or variations of the original Gateway determination are not necessary and the planning proposal should proceed past Gateway in accordance with the original submission.

Any additional comments:

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Endorsed by:

 3-9-2015

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