

5 June 2014

The General Manager
Dubbo City Council
PO Box 81
Dubbo NSW 2830

Architecture
Urban Design
Planning
Interior Architecture

Attention: Steve Jennings

**RE: Former RAAF Site, Dubbo – Request to amend Planning Proposal
'Dubbo LEP 2011 Amendment No 5 - Dubbo RAAF Base and other minor
matters'**

Dear Mr Jennings,

We write on behalf of Andorra Developments, owners of the former RAAF Site in Dubbo (Lot 11 DP 1050240). Refer to **Figure 1** for the site's location.

Architectus Sydney
Level 3 341 George Street
Sydney NSW 2000 Australia
T 61 2 8252 8400
F 61 2 8252 8600
sydney@architectus.com.au
www.architectus.com.au

Auckland
Brisbane
Melbourne
Shanghai
Sydney



Figure 1 – Site Location Plan

Dubbo City Council is in the process of making Amendment No. 5 to the *Dubbo Local Environmental Plan 2011*. The subject Planning Proposal has been through the following steps to date:

- Council staff have prepared a Planning Proposal that explains the proposed changes;
- Dubbo City Council resolved to commence the Planning Proposal in June 2013, and wrote to NSW Planning and Infrastructure to request a Gateway Determination;

Architectus Group Pty Ltd
ABN 90 131 245 684

Managing Director
David Sainsbery
Nominated Architect
NSWARB 5551
ARBV 13176

- On 24 February 2014, NSW Planning and Infrastructure issued a Gateway Determination, which allows for the exhibition of the Planning Proposal.

We understand that Council officers are now preparing for the public exhibition of the Planning Proposal.

1.0 Purpose of this letter

The Planning Proposal, as it stands, proposes amendments to the land use controls for of the former RAAF Site in Dubbo (Lot 11 DP 1050240).

We write to you to request minor amendments to the Planning Proposal, as it relates to the land use and minimum lot size controls for the subject site.

This letter outlines the proposed changes to the Planning Proposal, assesses the changes against the relevant provisions and outlines the next steps for Council to amend the Planning Proposal, should they support the proposed changes.

2.0 Proposed changes to Planning Proposal

The following considerations have informed this letter:

Demand for residential uses

Since the revised Master Plan/ Structure Plan was submitted to Council in May 2013, investigations have revealed a reduced demand for industrial uses. As such, it is proposed that the south-western corner of the site be zoned R1 – General Residential Zone instead of the IN2 – Light Industrial Zone identified in the May 2013 plan, and contained in the current Planning Proposal. Architectus have identified that this area could accommodate residential uses without adverse impact on the heritage or open space strategies for the site.

Refer to a draft, revised zoning plan at **Attachment B**.

Open space not to be dedicated to Council

Following discussions with Council, it has been determined that the proposed north-south open space area will not be dedicated to Council, but rather be maintained, managed and under the ownership of future owners' of the site under a Community Title arrangement. Accordingly, it is proposed that the zoning of this area is changed to R1 – General Residential. Open space can be approved and delivered in the R1 Zone, but is not required to be dedicated.

Changes to minimum lot size requirements

The Planning Proposal (as submitted to NSW Planning and Infrastructure) does not clarify the proposed changes to the minimum lot sizes on the subject site. It is requested that the minimum lot size controls be amended to complement the new master plan and proposed zoning. The proposed minimum lot sizes are consistent with the minimum lot size for land with the same land use zone in the Dubbo LGA.

To address the above issues, it is recommended that Council amend the Planning Proposal prior to its exhibition as follows:

- Replace south-east corner IN2 – Light Industrial Zone with R1 General Residential Zone (refer to the revised zoning plan at **Attachment B**).
- Replace RE1 Public Recreation Zone with R1 General Residential Zone which permits the development of open space (refer to the revised zoning plan at **Attachment B**).
- Amend the minimum lot size map to:
 - Apply a minimum 300m² lot size to proposed R1 Zone area;
 - Apply a minimum 2,000m² to proposed IN2 Zone; and
 - No minimum lot size for the proposed SP3 Zone.

Implications on Area

The above mentioned proposed changes facilitate achieving the following areas for each envisaged future use of the site:

Master Plan Use	May 2013 Master Plan	April 2014 Master Plan
Site Area	36.9 hectares	36.9 hectares
Employment	16.3 hectares (44.2%)	14 hectares (37.9%)
RESIDENTIAL	10.1 hectares (27.4%)	13.8 hectares (37.4%)
OPEN SPACE	4.3 hectares (11.7%)	4 hectares (10.8%)
TOTAL (not including roads)	30.7 hectares (83.3%)	31.8 hectares (86.1%)

3.0 Consistency with the Gateway Determination

The Planning Proposal placed on public exhibition must be consistent with terms outlined in the Gateway Determination. The Gateway Determination allows for the exhibition of a Planning Proposal that amends the Dubbo LEP 2011 to, amongst other things:

“rezone and amend the minimum lot size for land at the former RAAF Stores Depot, Palmer Street, Dubbo;”

As such, Architectus considers that the proposed changes to the zoning and minimum lot size controls for the RAAF Site:

- Are consistent with the terms of the Gateway Determination; and
- Can be made, prior to public exhibition, without the need to request an amended Gateway Determination.

4.0 Assessment of the proposed changes

Assessment against the ‘A Guide to Preparing Planning Proposals’

The proposed changes are assessed against the ‘A Guide to Preparing Planning Proposals’ document prepared by the NSW Department of Planning (2009) at **Attachment C**. The proposed changes to the Planning Proposal are not considered to contravene any of these Guidelines, and generally support the original intended outcome of the Planning Proposal, that is to rationalise land uses across the site in accordance with the Master Plan for the site.

Planned open space

Early heritage advice provided to the landowner identified the importance of interpreting the original road pattern, and appreciating the buildings to be retained in a landscaped setting. The open space proposed in the Master Plan is a fundamental part of that strategy.

Architectus considers that the open space as shown in the Master Plan at **Attachment A** is also important because it provides sightlines through the site and connections to surrounding neighbourhoods, separates residential and employment uses and provides good amenity for future residents and workers.

The proposed zoning plan at **Attachment B** no longer secures this outcome through the identification of the open space as an RE1 Public Recreation Zone. This is considered to be acceptable, given the long-term management and ownership issues. However, it is

recommended that future DAs for the site provide for an open space that is generally in accordance with the master plan at **Attachment A** and consistent with the following principles:

- The open space should provide for the interpretation of the heritage-listed internal roads and provide an appropriate setting for listed buildings to be retained;
- Incorporates the 'bunker';
- Is publicly accessible and allows for public access between Cobra Street and High Street; and
- Is bound by a street on at least one of its longer edges.

Impacts on heritage items & heritage approvals process

The site is listed on the State Heritage Register and as such, the Heritage Council is the dual consent authority for development on the site. At this stage, the proposed changes to the Planning Proposal have not been assessed by a heritage consultant.

The Gateway Determination requires that the Planning Proposal be referred to NSW Environment and Heritage during the formal exhibition period. This process will reveal any further assessment required and should clarify the heritage approvals required for this rezoning and future development.

5.0 Recommendations

Recommendation 1: amendments to the Planning Proposal

It is recommended that **Council make the following changes to the Planning Proposal**, Dubbo LEP 2011 - Amendment No. 5 to prior to its exhibition:

- Replace south-east corner IN2 – Light Industrial Zone with R1 - General Residential Zone to (as per **Attachment B**).
- Replace RE1 Public Recreation Zone with R1 General Residential Zone which permits the development of open space (as per **Attachment B**).
- Amend the minimum lot size map to:
 - Apply a minimum 300m² lot size to proposed R1 zoned area;
 - Apply a minimum 2,000m² to proposed IN2 zoned area; and
 - Not apply any minimum lot size to the proposed SP3 Zone.

Recommendation 2: next steps

It is recommended that Council:

- Amend the Planning Proposal as above;
- Consider whether an addition resolution of Council is required to endorse the amended Planning Proposal for exhibition; and
- Prior to commencing the public exhibition, notify NSW Planning and Infrastructure that the Planning Proposal has been amended, but that they are in accordance with the Gateway Determination.

6.0 Conclusion

We trust the above and attached information is sufficient for Council's consideration of the proposed changes to the Planning Proposal. Please feel free to contact me should you wish to discuss any of the above further on 82528400 or jane.freeman@architectus.com.au

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Jane Freeman', with a stylized flourish at the end.

Jane Freeman
Associate & Urban Planner
Architectus Group Pty Ltd

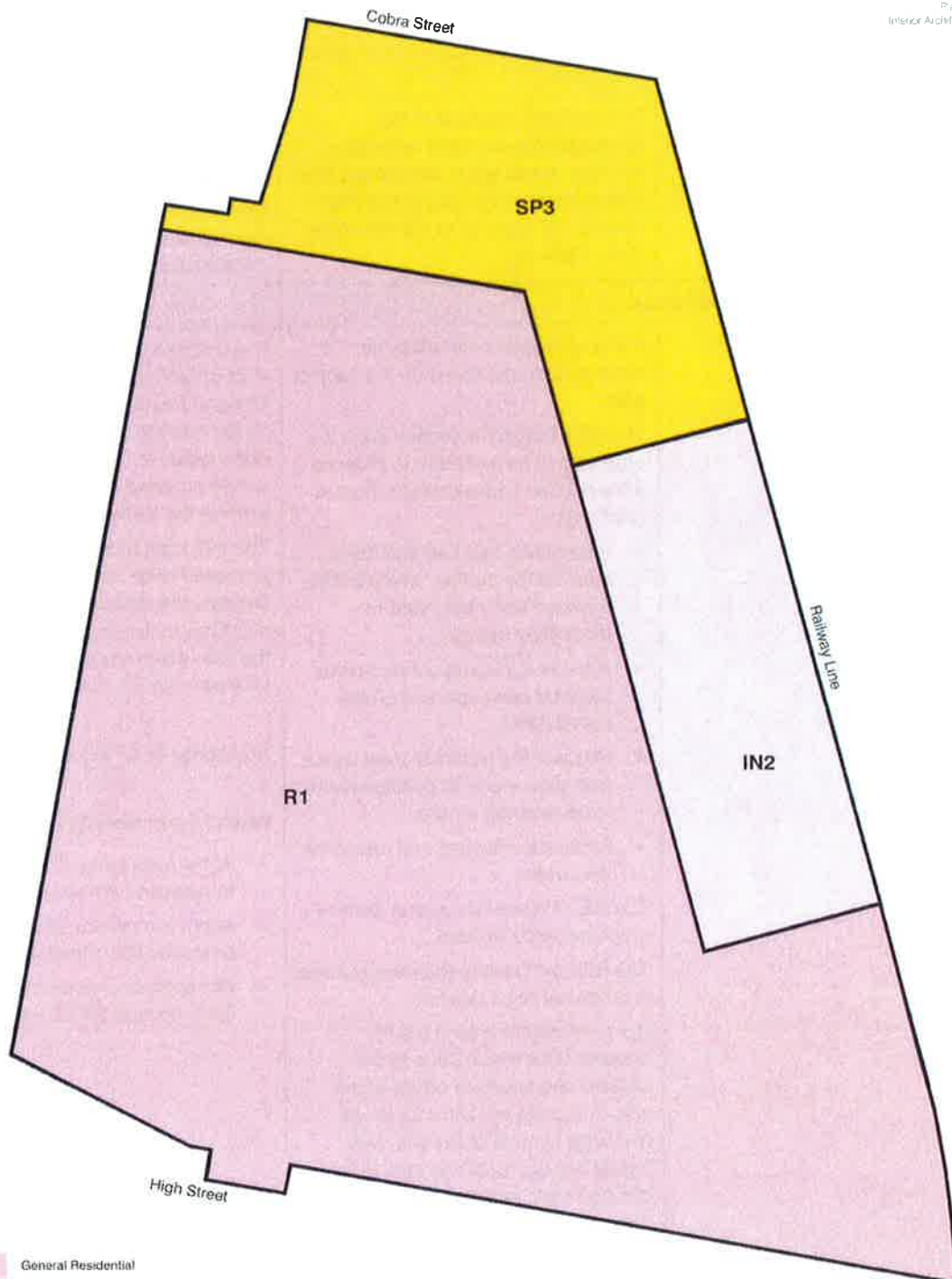
ATTACHMENT A – Revised Indicative Master Plan (For Information Only)



ATTACHMENT B – Revised Land Use Zoning Plan

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- R1** General Residential
- IN2** Light Industrial
- SP3** Tourist

DUBBO RAAF MASTER PLAN

11th April 2018

Prepared by Andorra Development Company

Drawing PRELIMINARY ZONING PLAN

Scale 1:2,500 @ A3

100m

200m

Drawing SK06 Rev D



ATTACHMENT C – Assessment of the proposed rezoning against the provisions of ‘A Guide to Preparing Planning Proposals’ prepared by the NSW Department of Planning (2009)

Planning Proposal Guide requirement	Proposed Dubbo RAAF Zoning - May 2013	AMENDED Proposed Dubbo RAAF Zoning - June 2014
Part 1: Objectives or Intended Outcomes		
Objectives or intended outcomes of the planning proposal.	The intended outcome of the proposed rezoning is to rationalise land use zones within the subject site, in accordance with the Zoning Plan provided at page 26 of the Structure Plan, attached.	Objective and intended outcome of the Planning Proposal is unchanged. The zoning plan has been modified following further discussion with Council and further market investigation.
Part 2: Explanation of Provisions		
Explanation of the proposed provisions	It is proposed to rationalise the existing land use zones on the subject site. The RE1 Public Recreation Zone is proposed to be extended to allow for a linear open space through the site which will: • Incorporate key heritage items, such as the bunker, which will be retained and interpreted in landscape design. • Provide a missing connection in regional open space and bike connections. • Respect the historical road layout and allow views to heritage items to be retained on site. • Separate industrial and residential land uses. The RE2 Private Recreation Zone is proposed to be deleted. The R2 Low Density Residential Zone is proposed to be deleted. It is proposed to extend the R1 General Residential Zone to the eastern and southern edges of the site. This zone will allow for single dwellings in most of the site, and higher density dwellings next to the planned park, where the amenity from this space can benefit a maximum number of new residents. The IN2 Light industrial zone is generally retained in the same location. The SP3 –Tourist Zone on Cobra Street is proposed to be retained.	It is proposed to replace the RE1 Public Recreation Zone with R1 General Residential Zone. It is no longer intended to dedicate the public open space to Council. Open space will be provided in the R1 Zone, and provide the same public benefits. The IN2 Light Industrial Zone is proposed to be reduced in area to facilitate the development of more dwellings in the south-east corner of the site, which are proposed to be located in an R1 Zone. No change to SP3 Zone. Amend the minimum lot size map to: • Apply a minimum 300m² lot size to proposed R1 zoned area; • Apply a minimum 2,000m² to proposed IN2 zoned area; and • Not apply any minimum lot size to the proposed SP3 Zone.

Planning Proposal Guide requirement	Proposed Dubbo RAAF Zoning - May 2013	AMENDED Proposed Dubbo RAAF Zoning - June 2014
Part 3: Justification		
Section A: Need for a planning proposal Is the planning proposal a result of any strategic study or report?	This proposal has been informed by the attached Structure Plan which involved the undertaking of detailed context and context analysis and study of the site's opportunities and constraints to develop a vision and overall site structure plan.	Further market analysis and consultation with Council has been undertaken since preparation of the May 2013 Master Plan, thus informing the proposed amendments to the Planning Proposal.
Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The proposed rezoning is the only process available for the site to be developed in accordance with the preferred Structure Plan for the site.	Refer to previous response
Is there a net community benefit?	Most significantly, the proposed rezoning of the site will allow the new landowners to commence the renewal of this significant site. Key community benefits that can come out of the development for this site are: 1. Protection and celebration of State significant heritage items. 2. Protection of habitat, the creation of new community open space and connections to a broader recreational network. 3. New types of houses and business spaces that will accommodate future growth and diversity will put Dubbo in a position to take advantage of economic growth. A new landowner and a team of specialists have gone back to first principles to determine the optimum development outcome for the site – one that achieves the above benefits, responds to Council's broader strategies, works with the site's heritage and environmental constraints and ultimately results in a desirable living and working destination.	Refer to previous response The proposed zoning no longer secures the preferred open space for reasons outlined in the letter. It is recommended that Council require a future open space on the site that is generally consistent with Attachment A and the principles set out in the letter. Refer to previous response. The proposed extension of the R1 Zone in the south-west corner will provide for additional dwellings on the site, further supporting this objective. Refer to previous response.
Section B: Relationship to strategic planning framework Is the planning proposal consistent with the objectives and actions contained within the applicable regional or subregional strategy?	There is currently no known regional or subregional strategy applicable to the Dubbo City Local Government Area. The report at Attachment A looks at Council's local planning strategies, and finds that the proposed rezoning supports these strategies.	Refer to previous response. Additional residential uses in the south east corner of the site is more consistent with local land use strategies.

Planning Proposal Guide requirement	Proposed Dubbo RAAF Zoning - May 2013	AMENDED Proposed Dubbo RAAF Zoning - June 2014
Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?	Council's Draft Dubbo 2036 Strategy seeks to provide appropriate housing for the Dubbo community, with housing and residential population being a key indicator of success of the strategy. The proposed rezoning will allow for the provision of additional housing in Dubbo, supporting the intent of Dubbo 2036.	The proposed extension of the R1 Zone reinforces this objective by accommodating a greater number of dwellings on the site.
Is the planning proposal consistent with applicable state environmental planning policies?	The proposed rezoning is not considered to contravene the provisions of any applicable state environmental planning instrument.	Refer to previous response
Is the planning proposal consistent with the applicable Ministerial Directions?	The proposed rezoning is primarily a rationalisation of land use zones across the site. It is considered acceptable against the applicable Section 117 Ministerial Directions.	The proposal maintains opportunities for both residential and employment generating uses.
Section C: Environmental, social and economic impact 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?	The southern portion of the site contains remnant vegetation. The Structure Plan, and therefore the proposed zoning regime has been designed to minimise impact on vegetation and habitat. It is recommended that a detailed assessment of the ecological impacts of be undertaken as part of future development applications for the site.	Refer to previous response
Are there any other likely effects as a result of the planning proposal and how are they proposed to be mitigated?	The Structure Plan and proposed rezoning has been developed to maximise the retention of heritage items on site. Future applications for development on the site will be accompanied by heritage impact statements and Conservation Management Plans. In summary, It is not considered that there are any significant adverse impacts associated with the proposed rezoning.	Refer to previous response
How has the planning proposal adequately addressed any social and economic effects?	The proposed rezoning does not propose any additional retail development to what is currently permitted on the site. As such, the proposed rezoning will not result in any adverse impacts for nearby centres. Instead, the significant future population will bring business to Dubbo. The planning proposal will contribute to encouraging development of the	Refer to previous response.

Planning Proposal Guide requirement	Proposed Dubbo RAAF Zoning - May 2013	AMENDED Proposed Dubbo RAAF Zoning - June 2014
	subject site, creating additional employment and housing opportunities within Dubbo, as well as additional employment created through the construction, and later operational stages of the development.	
Section D: State and Commonwealth Interests Is there adequate public infrastructure for the planning proposal?	The proposed rezoning will not result in any significant increased demand for public infrastructure when compared to the current land use zoning.	Refer to previous response
What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	It is anticipated that State and any applicable Commonwealth public authorities will have the opportunity to comment on the proposal during exhibition of the Planning Proposal to be put forward by Council.	Refer to previous response. As stated in the letter dated 4 June 2014, NSW Environment and Heritage may need to provide guidance on the heritage approvals required to rezone the RAAF Site.
Part 4: Community Consultation		
Outcomes of community consultation.	It is anticipated that Community Consultation will be undertaken following this submission by Council.	Refer to previous response.