

Dubbo LEP 2011 Amendment No 5 - Dubbo RAAF Base and other minor matters

Proposal Title :	Dubbo LEP 2011 Amendment No 5 - Dubbo RAAF Base and other minor matters		
Proposal Summary :	Amendment to Dubbo LEP 2011 for the purpose of 'housekeeping' outcomes concerning four sites in Dubbo City: realignment of existing zones over the former RAAF Base, the use of land zoned SP2 near the Dubbo Railway Station as a car park(items of State Heritage), and amendments to the Urban Release Area Map and Lot Size Map concerning two urban sites in Dubbo.		
PP Number :	PP_2014_DUBBO_001_00	Dop File No :	14/01413-1

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones
- 1.3 Mining, Petroleum Production and Extractive Industries
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 6.1 Approval and Referral Requirements

Additional Information : The planning proposal is supported, with the exception of the proposed Schedule 1 listing of 'car park'. The conditions for the remaining parts of the PP are as follows:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 (EPAA) as follows:

(a) The planning proposal is classified as 'low impact' as described in 'A Guide to preparing LEPs' (Department of Planning and Infrastructure 2013) and must be made publicly available for a minimum of 28 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'.

2. A public hearing is not required to be held into the matter by any person or body under Section 56(2)(e) of the EPAA. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, a response to a submission).

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

4. Council is to consult with the NSW Office of Environment and Heritage.

5. Council is to prepare amended maps which are at an appropriate scale and clearly identify the subject land for the Section 59 submission that are compliant with the Department's Standard Technical requirements for LEP maps. The following maps are to be amended:

Draft Dubbo LEP 2011 Amendment No 5 - Location Map
 Draft Dubbo LEP 2011 Amendment No 5 - Lot Size Map - Sheet LSZ_008B
 Draft Dubbo LEP 2011 Amendment No 5 - Land Zoning Map - Sheet LZN_008B
 Draft Dubbo LEP 2011 Amendment No 5 - Urban Release Area Map - Sheet URA_008B

6. Council is to be issued with authorisation to complete the planning proposal.

As the proposed APU on Darling Street is not supported by a strategy or open space study, or in accordance with broader Government policy, it is recommended that delegations not be used by the General Manager and the PP proceed to the Local Planning Panel for review.

While the proposed APU is not supported by the regional office, removal of this element of the PP would result in a significant amendment to the PP and would also trigger review by the Local Planning Panel.

Supporting Reasons : The proposed reconfiguration of the RAAF base zones, removal of the Urban Release Area mapping in Boundary Road and the reinstatement of the 600m2 MLS in Wheelers Lane will facilitate new residential development.

Panel Recommendation

Recommendation Date : 24-Jan-2014

Gateway Recommendation : Passed with Conditions

Panel Recommendation : The planning proposal should proceed subject to the following conditions:

1. Council is to ensure all the existing and proposed Land Zoning, Minimum Lot Size, Urban Release Area and Site Identification Maps are included as part of the public exhibition material.
2. 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 must be made publicly available for a minimum of 28 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 2013).
3. Consultation is required with the NSW Office of Environment and Heritage under section 56(2)(d) of the EP&A Act. NSW Office of Environment and Heritage 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.
4. 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).
5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Plan making delegation:

The Minister delegated his plan making powers to councils in October 2012. Council has requested to be issued with delegation for this planning proposal. Council should be issued with plan making delegation because the proposal is considered to be a matter of local planning significance.

Signature:



Printed Name:

JAMES MATTHEWS

Date:

11/2/14