

Amendment to Dubbo LEP 2011 - To reduce the minimum lot size of land in zone R5 Large Lot Residential to facilitate the creation of 284 lots with a range of minimum lot sizes, of 6000m2, 1.5ha and 3ha at land known as Daisy Hill, Dubbo

Proposal Title :	Amendment to Dubbo LEP 2011 - To reduce the minimum lot size of land in zone R5 Large Lot Residential to facilitate the creation of 284 lots with a range of minimum lot sizes, of 6000m2, 1.5ha and 3ha at land known as Daisy Hill, Dubbo		
Proposal Summary :	To reduce the minimum lot size of land in zone R5 Large Lot Residential to facilitate the creation of 284 lots with a range of minimum lot sizes, of 6000m2, 1.5ha and 3ha at land known as Daisy Hill, Dubbo.		
PP Number :	PP_2016_DUBBO_005_00	Dop File No :	16/05770

Proposal Details

Date Planning Proposal Received :	18-Apr-2016	LGA covered :	Dubbo
Region :	Western	RPA :	Western Joint Regional Planning
State Electorate :	DUBBO	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	24L Eulomogo Road		
Suburb :		City :	Dubbo
Land Parcel :	Lot 661 DP 565756		Postcode :
Street :	2L Torwood Road		2830
Suburb :		City :	Dubbo
Land Parcel :	Lot 662 DP 565756		Postcode :
Street :	16L Eulomogo Road		2830
Suburb :		City :	Dubbo
Land Parcel :	Lot 64 DP 754287		Postcode :
Street :	24L Eulomogo Road		2830
Suburb :		City :	Dubbo
Land Parcel :	Lot 65 DP 754287		Postcode :
Street :	Pinedale Road		2830
Suburb :		City :	Dubbo
Land Parcel :	Lot 316 DP 754308		Postcode :
Street :	Pinedale Road		2830
Suburb :		City :	Dubbo
Land Parcel :	Lot 317 DP 754308		Postcode :

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Street : 30R Eulomogo Road

Suburb :

City : Dubbo

Postcode : 2830

Land Parcel : Lot 200 DP 825059

DoP Planning Officer Contact Details

Contact Name : Jenna McNabb

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RPA Contact Details

Contact Name : Angela Kenna

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DoP Project Manager Contact Details

Contact Name : Wayne Garnsey

Contact Number : 0268412180

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Land Release Data

Growth Centre : N/A

Release Area Name : N/A

Regional / Sub
Regional Strategy : N/A

Consistent with Strategy : N/A

MDP Number :

Date of Release :

Area of Release (Ha) 383.00

Type of Release (eg
Residential /
Employment land) : Residential

No. of Lots : 0

No. of Dwellings
(where relevant) : 284

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government
Lobbyists Code of
Conduct has been
complied with : Yes

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? : No

If Yes, comment : There have been no known meetings or communications with registered lobbyists.

Supporting notes

Internal Supporting
Notes : The proposed application involves:

- Amending the Dubbo LEP 2011 Lot Size Map Sheet LSZ_008 to reduce the minimum lot size of Lot 65 DP 754287 and Lots 661 and 662 DP 565756 to 3 hectares;

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- Amending the Dubbo LEP 2011 Lot Size Map Sheet LSZ_008 to reduce the minimum lot size of Lot 64 DP 754827 to 1.5ha; and
- Amending the Dubbo LEP 2011 Lot Size Map LSZ_008 to reduce the minimum lot size of Lots 316 and 317 DP 754308 to 6,000m2.

Lot 200 DP 825059 is currently zoned R5 Large Lot Residential with a minimum lot size of 1.5 hectares. No changes are proposed to be made to the minimum lot size or zoning of this lot, however, it forms part of the subject land to which this proposal applies.

The subject land is zone R5 Large Lot Residential, with a minimum lot size of 8 hectares under the Dubbo LEP 2011. Three existing dwellings and associated infrastructure are currently located on each of Lot 64 and 65 DP 754287 and Lot 662 DP 565756.

The subject land is currently utilised for low impact agricultural activities, however has been identified as suitable for rural residential lifestyle purposes in the Dubbo LEP 2011 and Dubbo City Council Urban Development Strategy (A) Residential Areas Development Strategy, 1996 (the Strategy). The Strategy identifies the subject land as suitable for residential subdivision for small acre/lifestyle focus, pending the outcome of a dry land salinity study on the subject land.

The land has an area of 383 hectares. The reduction in minimum lot size to the proposed ranges could yield approximately 284 lots in the Daisy Hill precinct.

Strategically the land is located within a residential zone, adjacent to existing rural lifestyle developments. The land is proposed to be serviced with reticulated water. The proposal can therefore be considered to be broadly consistent with the Strategy.

Council resolved on 27 May 2013 in response to a submission made by the landowner to change the lot size of the land, that it accepted the proposal was consistent with the Strategy and invited the proponent to submit a planning proposal.

A planning proposal was lodged with Dubbo City Council on 25 October 2013. The applicant sought to amend the minimum lot size of the subject land to the same proposed minimum lot size range; however the highest density of the lots was proposed to be located on the area with the highest level of salinity risk.

Council requested additional information in relation to salinity and groundwater impacts resulting from the proposed development. Council also requested compliance with the Strategy even though it agreed that the proposal was consistent with the Strategy on 27 May 2013 prior to the submission of the planning proposal.

Following continued discussions with the applicant, and repeated reviews of submitted information, Council formed the opinion that the proposed development is inconsistent with the Strategy, and also the proposed development presents "unacceptable groundwater and salinity impacts to both future residential development on the land and in the catchment area" following revision of the dryland salinity study by the Department of Primary Industries.

The proponent lodged a pre-Gateway review with the Department (PGR_2015_DUBBO_001_00) on 5 August 2015, with an amended lot layout to locate larger allotments (less density) on land with the highest salinity risk. The Western JRPP (Panel) determined on 28 October 2015 that the proposal has strategic merit, and should proceed to Gateway subject to requirements relating to a salinity management plan and development control plan as part of a revised planning proposal.

The Department recommended that these technical issues should be resolved at Gateway stage and supported the proposal on the basis of its strategic merit. The need for these

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requirements will be assessed in this proposal.

Council do not support the proposal, as Council is of the opinion that the proposal is inconsistent with the Strategy, and there are unacceptable groundwater and salinity impacts on the site.

Council rejected the offer to be the Relevant Planning Authority (RPA) and the Minister for Planning appointed the Western Joint Regional Planning Panel as the RPA on 18 March 2016.

External Supporting
Notes :

This Planning Proposal is the result of Pre Gateway Review PGR_2015_DUBBO_001_00.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The application proposes:**

- Amending the Dubbo LEP 2011 Lot Size Map Sheet LSZ_008 to reduce the minimum lot size of Lot 65 DP 754287 and Lots 661 and 662 DP 565756 to 3 hectares;
- Amending the Dubbo LEP 2011 Lot Size Map Sheet LSZ_008 to reduce the minimum lot size of Lot 64 DP 754827 to 1.5ha; and
- Amending the Dubbo LEP 2011 Lot Size Map Sheet LSZ_008 to reduce the minimum lot size of Lots 316 and 317 DP 754308 to 6,000m2.

Lot 200 DP 825059 has a minimum lot size of 1.5 hectares and is zone R5 Large Lot Residential. No changes are proposed to the minimum lot size or zoning of Lot 200.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal will require the amendment of the Dubbo LEP 2011 Lot Size Map Sheet LSZ_008 to reflect the proposed minimum lot size changes.**

No changes to clauses in the instrument or zoning maps are required.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.4 Planning for Bushfire Protection

Is the Director General's agreement required? **N/A**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **N/A**

e) List any other
matters that need to
be considered :

Section 117 Directions

•2.3 Heritage Conservation

A listed heritage item of local significance is located on Lot 65 DP 754287 (pise house) and two aboriginal sites are located on Lot 64 DP 754287. It is considered that the as the heritage status of the items is not proposed to be changed, and the proposal only includes the reduction in the minimum lot size. Protection of the items and appropriate

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measures can be implemented by Council at the development application stage of the development. Protection measures for these items will also be required to be made through the development of the lot layout in a draft DCP. This will be a condition of the Gateway. The proposal is consistent with this Direction.

• 3.1 Residential Zones

The planning proposal is considered to be consistent with this Direction. The reduction in the minimum lot size is proposed in a residential zone (R5 Large Lot Residential). The proposal will increase the choice of housing availability in the Local Government Area, and increase the lot yield of the site, contributing to a more efficient use of existing infrastructure and services. Additional infrastructure required to support the eventual subdivision of the site is available to be connected. The planning proposal does not contain provisions that reduce the permissible residential density of the subject land.

• 3.4 Integrating Land Use and Transport

The planning proposal is consistent with this Direction. The existing and planning road systems are considered to be adequate for the additional traffic that would be generated by the increase of density of the subject land. School and public passenger bus routes operate in the vicinity of the land. The distance of the land from the CBD does not warrant the provision of pedestrian or cycling paths.

• 4.4 Planning for Bush Fire Protection

The eastern fringe of the subject land which bounds Torwood Road is within the 100 metre buffer area that applies to a section of High Category bushfire prone land to the east of the subject land. The proposal is inconsistent with this Direction, as written confirmation from the NSW Rural Fire Service has not been obtained. It is considered that this can be obtained prior to the commencement of community consultation. The subject land was zoned R5 by Council in 2011 as part of the Standard Instrument program, and bushfire risk was considered by default at that time. Consultation with the NSW Rural Fire Service as required by this Direction will be conditioned that this is undertaken prior to community consultation.

SEPPS

There are no specific SEPPs applicable to the proposal.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Indicative mapping has been provided. Prior to finalising the LEP amendment, mapping will be required to be prepared in accordance with the Department's Technical Guidelines.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **A community consultation period of 28 has been proposed. This is considered to be appropriate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

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Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Dubbo LEP 2011 was notified on 11 November 2011.**

Assessment Criteria

Need for planning proposal : **The planning proposal is the result of a pre-Gateway review, determined by the Panel on 28 October 2015. A planning proposal is considered the most appropriate mechanism to achieve the outcome to change the minimum lot size of the subject land.**

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Consistency with strategic planning framework :

The Dubbo City Council Urban Development Strategy (A) Residential Areas Development Strategy, 1996 (the Strategy) is applicable to the subject application.

The Strategy identifies the subject land as suitable for residential subdivision for small acre/lifestyle focus, pending the outcome of a dry land salinity study on the subject land.

The applicant proposes a 284 rural residential subdivision, with allotments ranging in size from 6000m² to 3 hectares. The applicant is also proposing to include a building envelope on each allotment.

The Strategy directs future development to west Dubbo, to ensure that the CBD remains at the centre of the urban area. The Strategy also provides for further infill development to be undertaken in the south-east area of Dubbo. The Strategy also identifies that there are minor opportunities for residential development in east Dubbo, due to the high risk of salinity. Full residential development in east Dubbo was not supported at the time of the Strategy, to protect rural land, considering the salinity and environmental risks at the time.

The subject land is located within the Eastern Sub District of the Strategy, with the main purpose of the land to provide a buffer area for the protection of agricultural enterprises.

The Strategy recognises that dryland salinity is a significant impediment to the development of the subject land and includes a principle directly related to the issue of salinity on the site:

"Allow no further development (subdivision) in the area generally bounded by Peachville Road, Eulomogo Road and Whitewood Road, pending the outcome of the dryland salinity study, as outlined in the Rural Strategy (Central District Strategy page 61 Policy 4)."

The applicant has undertaken a dryland salinity study on the site, in accordance with the Strategy. The dryland salinity study concludes that the subject land is capable of density intensification.

Despite the subject land not being identified as an Urban Release Area in the Dubbo LEP 2011, the subject land is zoned R5 Large Lot Residential with a minimum lot size of 8 hectares. This contradicts the Strategy's position that future development should be directed towards West Dubbo.

The proposed development is considered to be consistent with the Strategy and LEP, as the subject land has been identified in the Strategy for residential subdivision (pending the outcome of a dryland salinity study), and is zoned R5 Large Lot Residential. The subject land is located adjacent to existing large lot residential subdivisions, and is able to be serviced by reticulated water.

It is considered that the proposal is broadly consistent with the strategic outcomes of the Strategy.

Environmental social economic impacts :

Environmental Impacts:

Salinity

The Dubbo Urban Salinity Management Strategy identifies the subject land as being located within the Richmond Estate Hydro-geological landscape and a small portion of land is also located in the Firgrove Estate Hydro-geological landscape, and is identified as being an area of medium-high salinity hazard. As a result, the subject site is identified in the Dubbo Urban Salinity Management Implementation Plan as a priority management area.

Approximately half of the area of Lot 200 DP 825059 is mapped as Groundwater Vulnerable with a level of 'moderately high' in the Dubbo LEP 2011. The remainder of the subject land is not mapped as Groundwater Vulnerable. There are no changes proposed to the zoning

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or minimum lot size of Lot 200.

A desktop salinity study and borehole analysis has been undertaken on the site, to determine any impacts that the proposed minimum lot size reduction and subsequent subdivision will have on the land.

The study does not discuss the impacts that the proposed 284 allotments will have on the land. The desktop study does include a range of general recommendations to mitigate any potential increase of salinity risk to residential development, including the additional planting of deep rooted vegetation, reduction in groundwater discharge by prohibiting the construction of additional dams on the site and also requiring swimming pools to utilise paper filters rather than sand filters (paper filters do not require backwashing. This is proposed to be enforced by a Section 88B instrument), the use of rainwater tanks for gardening and collection of roof rainwater runoff.

Council's Urban Salinity Management Implementation Plan identifies that rural residential development can be undertaken on the subject land, subject to appropriate management techniques, such as the ones identified by the applicant, are implemented.

The proposed subdivision layout has taken into consideration the existence of salinity on the site, and has located the larger allotments on land that is a higher risk of salinity. In doing so, impacts on groundwater can be minimised by reducing the number of dwellings drawing from bores.

Reticulated water is proposed to be provided for the subdivision, which will also reduce the impacts on the groundwater in the area. The salinity report identifies areas of risk on the subject land, and analyses borehole drilling, however, does not directly discuss the impact that the additional dwellings and proposed subdivision will have on the allotments.

Department of Primary Industries have reviewed the salinity study at the request of Council, and have made comment that the modelling undertaken is not accurate and is fundamentally flawed. However, DPI concludes that urban development (not specifically on the subject land) will need to consider the landform, geology and hydro geological conditions, and balance lot sizes to reduce the impact on the land. Council has reiterated this opinion in its reports, recommending that the proposal not be considered until the salinity issues have been resolved. No scientific reason has been provided that the content of the report is incorrect, or the data used in the study is incorrect.

In accordance with the Panels initial recommendation as part of the Pre-gateway review, it is recommended that the following conditions be applied to the Gateway determination to resolve identified dryland salinity issues prior to community consultation being undertaken:

- Prepare and submit a Salinity Management Strategy for the site prepared in consultation with and endorsed by Dubbo City Council and the Department of Primary Industries, to address salinity on the site and also potential impacts on downstream Troy Gully; and
- Prepare a draft Development Control Plan for the site for public exhibition, which includes a revised subdivision pattern and road network layout that demonstrates the agreed outcomes of the Salinity Management Strategy.

The proponent submitted a review of the salinity reports(dated 23 January 2016) with the planning proposal, reviewing the initial report and modelling submitted as part of the Pre-gateway review. This review specifically addressed impacts of the proposal on-site and downstream in Troy Gully, and mitigation measures to reduce the impacts of salinity at the site.

The review acknowledges the salinity issues present on the site, and concurs with the modelling used in the initial report as being an accurate representation of local conditions on the site.

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Approximately 5 hectares of land on the eastern portion of the Daisy Hill site is identified as containing substantial subsurface salinity at considerable depths. The report also reviews the adjoining salinity conditions in the Firgrove Estate, a large lot residential rural lifestyle estate, and the salinity mitigation measures. The report discusses the extensive deep rooted tree plantings undertaken in the Firgrove Estate, and recommends that similar plantings be undertaken in the Daisy Hill precinct, in conjunction with collection of rain water from dwellings, and the establishment of gardens.

The report also identifies that the impacts on the downstream Troy Gully are considered to be managed through the mitigation measures proposed being consistent with the recommendations within the Dubbo City Council Urban Salinity Management Strategy and Implementation Strategy.

The report concludes that the recommendations and management practices made in the initial salinity study are satisfactory and should satisfy Council and Departmental concerns regarding dryland salinity at the subject site, and the mitigation measures proposed are actually likely to decrease salinity at the site and downstream in Troy Gully.

Consultation is recommended between the proponent, Department of Primary Industries - Water and Council to resolve inconsistencies prior to community consultation beginning. This should include the preparation of an agreed Salinity Management Plan for the subject site, and a draft DCP reflecting the outcomes of the salinity management plan.

Bushfire

The eastern fringe of the subject land, bounded by Torwood Road, is within a 100 metre buffer area of bushfire prone land to the east of the site. Future development of the land will require compliance with the Planning for Bushfire Protection 2006 guidelines, assessable at the development application stage of the subdivision and dwelling construction. The inclusion of a small portion of land within the buffer area is not considered to be a risk to the development, given the land is mostly cleared of vegetation. Consultation with the NSW Rural Fire Service is required prior to community consultation.

Flood Prone Land

The subject land is not identified as being flood prone, affected by acid sulfate soils, or biodiversity significant land.

Biodiversity

A preliminary flora and fauna assessment has been undertaken as part of the submitted application. The area is identified as being of low ecological value, due to regular grazing, cropping and clearing activities on the land. It was concluded that threatened or endangered species are unlikely to be present on the subject land, and additional assessments are required to determine if the woodland vegetation on the road reserves forms part of an endangered ecological community.

A small portion of land on Lot 200 DP 825059 and Lot 64 DP 754287 are mapped as having high biodiversity value on Natural Resource - Biodiversity Map Sheet NRB_008 in the Dubbo LEP 2011. This mapping aligns with the existing vegetation on the site. Issues in relation to biodiversity will be referred to the Office of Environment and Heritage for consultation prior to the planning proposal being finalised and furthermore at Development Application stage.

An On Site Effluent Management Study (Envirowest Consulting) has also been undertaken. Reticulated water supply is proposed to be provided. The Study provides that on-site effluent disposal can be provided to all the lots, with different systems recommended for difference soil types to meet statutory requirements.

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Heritage

An Aboriginal Archaeological Site Investigation (Envirowest Consulting) has been undertaken. An Aboriginal Heritage Information Management System (AHIMS) search (via DECCW database) has identified two records of Aboriginal sites on Lot 64 DP 754287, being an artefact and a modified tree, as follows:

- Artefact was identified as being located adjacent to the existing dwelling on Lot 64. Consent to salvage the artefact was granted in June 1999, and the artefact has been removed from the site and is in the care and control of the Dubbo Local Aboriginal Land Council.
- The modified tree (scarred or carved) was identified as not being located near proposed lot boundaries, and the development would not impact on the tree. The report recommends that the tree be protected. The proposal does not change the statutory requirements to protect this item. This is considered to be a development assessment matter that can be addressed by Council through appropriate assessment consultation and conditions.

Social Impacts:

A demand and supply analysis has been undertaken by Urban Economics (2010) and included as supporting information to the application. At the time of the study, in 2010, a demand for rural residential land was identified for lots ranging in size from 6,000m2 to 10 hectares, at a rate of approximately 14 lots per annum. The study also identified that in 2010, there was considered to be an under supply of rural residential land to meet the projected demand.

A more recent supply and demand study has not been undertaken.

It is considered that the reduction in the minimum lot size will have positive social impact, providing additional rural lifestyle housing choice in Dubbo in accordance with the Strategy.

Economic Impacts

Economic impacts of the proposal are expected to be positive, providing additional rural lifestyle housing choice in Dubbo.

Assessment Process

Proposal type :	Consistent	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - 56(2)(d) :	Office of Environment and Heritage NSW Rural Fire Service Transport for NSW - Roads and Maritime Services Other		
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Correspondence received from Duffy Elliott Lawyers dated 15 April 2016.pdf	Proposal Covering Letter	Yes
Borehole Results Part 2.pdf	Study	Yes
Borehole Results Part 1.pdf	Study	Yes
Review of Salinity Reports 23 Jan 2016 J Lawrie.pdf	Study	Yes
Trees to Fight Salinity on Farms Forest Products Commission Australia.pdf	Study	Yes
Groundwater and Salinity Study 25 Feb 2015 Envirowest Consulting.pdf	Study	Yes
Annexure A - Plan 1.pdf	Map	Yes
Annexure A - Plan 2.pdf	Map	Yes
Annexure A - Plan 3(ii).pdf	Map	Yes
Annexure A - Plan 3.pdf	Map	Yes
Annexure A - Plan 4.pdf	Map	Yes
Annexure A - Plan 5.pdf	Map	Yes
Annexure B - Memo of Advice by Robertson SC.pdf	Study	Yes
Annexure C - SEPP schedule of consistency.pdf	Proposal	Yes
Annexure D - S117 Directions statement of consistency 03 02 14.pdf	Proposal	Yes
Annexure E - Flora and Fauna Report.pdf	Study	Yes
Annexure G - On Site Effluent Management Study.pdf	Study	Yes
Annexure H - Preliminary Contamination Assessment.pdf	Study	Yes
Annexure I - Aboriginal Archeological Site Investigation.pdf	Study	Yes
Annexure J (i) - Supply and Demand - Main Report Urban Economics.pdf	Study	Yes
Annexure J (ii) - Supply and Demand - report and letters by urban economics small file.pdf	Study	Yes
Annexure J (iii) - Supply and Demand - Letter 10.09.10 Urban Economics.pdf	Study	Yes
Annexure J (iv) - Supply and Demand - Letter 10.07.12 Urban Economics.pdf	Study	Yes
Annexure J (v) - Supply and Demand - Letter 03.10.12 Urban Economics.pdf	Study	Yes
Annexure K - Letter from Heath Consulting.pdf	Study	Yes
Planning Proposal and Pre Gateway Review - Prepared by Peter Basha Planning & Development.pdf	Proposal	Yes

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Planning Team Recommendation

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

S.117 directions: **2.3 Heritage Conservation**
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.4 Planning for Bushfire Protection

Additional Information : **It is recommended that the planning proposal proceed subject to the following conditions:**

- 1. This matter has been subject to a pre-Gateway review.**
- 2. The Minister for Planning has appointed the Western Joint Regional Planning Panel as the RPA on 18 March 2016.**
- 3. Prior to community consultation the Panel is to consult with NSW Rural Fire Service to address section 117 Direction 4.4 Planning for Bushfire Protection. The Panel is to submit the NSW Rural Fire Service comments to the Department of Planning and Environment for approval prior to community consultation being undertaken.**
- 4. Prior to community consultation, a Salinity Management Strategy is to be prepared for the site in consultation with, and endorsed by, Dubbo City Council and the Department of Primary Industries. The Salinity Management Strategy shall include agreed:**
 - Success criteria;**
 - Range of scenarios to be modelled;**
 - Modelling methodology; and**
 - Format for the presentation of results.**

The Strategy shall address salinity management on the site as well as potential downstream impacts on the Troy Gully catchment and demonstrate that the proposed type, layout and density of development will not have a significant impact on downstream salinity. Once endorsed by Dubbo City Council and the Department of Primary Industries, the Strategy is to be submitted to the Panel to form part of the community consultation package.

- 5. Prior to community consultation, a draft Development Control Plan (DCP) for the site is to be prepared. The draft DCP shall include a revised subdivision pattern and road network layout that demonstrates that the agreed outcomes of the Salinity Management Strategy have been addressed with regard to salinity management of the site, including:**
 - Size and location of lots to achieve a transition in lot size;**
 - Appropriate lot layout to protect the identified heritage items on the subject land;**
 - Vegetation planting, including appropriate size and species; prevention of potential sources of groundwater recharge;**
 - On-site effluent management; and**
 - Building and infrastructure design and materials.**

The draft DCP shall be submitted to the Panel to form part of the community consultation package.

- 6. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 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**

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to Preparing LEPs (Department of Planning & Infrastructure 2013).

7. Consultation is required with the following public authorities under section 56(2)(d) of the Environmental Planning and Assessment Act, 1979:

- i. Office of Environment and Heritage;
- ii. Department of Primary Industries;
- iii. Transport NSW – Roads and Maritime Services; and
- iv. Dubbo City Council

Each public authority 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.

9. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Environmental Planning and Assessment Act, 1979. This does not discharge the Panel from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

10. Prior to submission of the planning proposal under Section 59 of the EP&A Act, 1979 the LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for LEP maps'.

11. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The proposed minimum lot size reduction is a natural extension of the existing urban area of a large lot residential area and the reduced lot size would provide a more appropriate lot density and use of infrastructure subject to the salinity impacts being addressed.

Signature:



Printed Name:

Jenna Menaldi

Date:

4/5/16.

Endoned
Wgarnay
TL WR

4/5/16