

<b>DATE OF DETERMINATION</b>	17 June 2020
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Sandra Hutton, Stuart McDonald, Josie Howard, Lindsay Mathieson
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held via teleconference on 9 June 2020, opened at 10.35am and closed at 11.20am.

#### **PLANNING PROPOSAL**

2016WES006 – Dubbo – PP\_2016\_DUBBO\_005\_03 at Daisy Hill Dubbo (AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

The panel considered: the material listed at item 4, and the material presented at meetings and matters observed at site inspections listed at item 5 in Schedule 1.

As the planning proposal authority, the Panel determined to recommend to the Minister that the proposed instrument, adjusted and as described in Schedule 1 of this determination, should be made following determination of the maximum number of lots resulting from amendment of the draft DCP's *Conceptual Layout and Staging Plan* that deletes all proposed 6,000m<sup>2</sup> and 1.0ha lots shown in the current *Plan* and their replacement by 1.5ha minimum area on Lots 316 and 317 DP 754287. The proposed remaining lot sizes are supported with the lot sizes of 3 ha or larger on lots that have been identified with potentially higher salinity impact. In addition, the correct reference date for the Salinity Management Strategy is to be updated. The Panel determined to delegate to the Executive Director, Local and Regional Planning, authority to adjust and finalise the planning proposal consistent with this decision.

An alteration of the Gateway determination will be required to be issued for the planning proposal to reflect the proposed minimum lot of 1.5 ha and 3 ha and maximum lot yield.

The Panel supports the proposed mechanism of the site specific clauses in the Dubbo LEP 2011 to acknowledge the maximum lot yield and the Salinity Management Strategy.






Prior to the draft instrument being made, the draft DCP and its associated documents, including the Salinity Management Strategy and Vegetation Management Plan, are to be amended to DPIE's satisfaction to reflect the amended maximum number of lots and to include the final reference dates of associated documents. The draft DCP and its associated documents is also to be amended, as considered appropriate by DPIE, to incorporate the recommendations at section 3.1 and 3.2 of EMM's Review Report of 17 April 2020.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

- The proposal has strategic merit as it is consistent with the Dubbo City Council's Urban Development Strategy 1996.
- EMM's Review Report of 17 April 2020 finds that the actions outlined in the Vegetation Management Plan (April 2019) and the Salinity Management Strategy (March 2020) are likely to reduce salinity within the proposed subdivision but recommends a precautionary approach to development of the land.

- The 1.5ha minimum lot area is considered more appropriate for the R5 Large Lot Residential zone in this locality in order “to provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality”(zone objective), as well as serving to more appropriately respect the locality’s rural character and amenity.
- The draft DCP and associated documents require amendment to reflect the changes flowing from the adopted 1.5ha minimum lot size, as well as incorporating the cited recommendations from EMM’s Review Report.
- As observed by TfNSW, traffic management issues are to be appropriately addressed at the DA stage.

PANEL MEMBERS	
 <p>Garry Fielding (Chair)</p>	 <p>Sandra Hutton</p>
 <p>Stuart McDonald</p>	 <p>Josie Howard</p>
 <p>Lindsay Mathieson</p>	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. - ADDRESS	2016WES006 – Dubbo – PP_2016_DUBBO_005_03 at Daisy Hill Dubbo
2	LEP TO BE AMENDED	Dubbo Local Environmental Plan 2011
3	PROPOSED INSTRUMENT	<p>Planning proposal to amend the Dubbo Local Environmental Plan 2011 to:-</p> <ol style="list-style-type: none"> <li>1. reduce the minimum lot size of land in zone R5 Large Lot Residential ('Daisy Hill') to facilitate the creation of a maximum of 196 lots with a range of minimum lot sizes of 1.5ha and 3ha,</li> <li>2. require the Salinity Management Strategy (as updated) to be considered for the listed lots at development application stage.</li> </ol> <p><i>(Note: The legend to the draft MLS map should refer to Clause 7.15, not Clause 4.1)</i></p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Submissions report: 5 May 2020</li> <li>• Written submissions during public exhibition: 17</li> <li>• Verbal submissions at the public panel meeting: <ul style="list-style-type: none"> <li>○ Community members: Ross Sawtell</li> <li>○ On behalf of Dubbo Council – Stephen Wallace, Steven Jennings</li> <li>○ On behalf of the applicant – Robert Duffy, George Rice</li> </ul> </li> </ul>
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 19 March 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Gordon Kirkby (Chair), Mark Grayson, Ruth Fagan, Lindsay Mathieson, Josie Howard</li> <li>○ <u>DPIE staff</u>: Damien Pfeiffer, Wayne Garnsey, Jenna McNabb</li> </ul> </li> <li>• Briefing: 28 February 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Stuart McDonald, Josie Howard, Lindsay Mathieson</li> <li>○ <u>DPIE staff</u>: Wayne Garnsey</li> </ul> </li> <li>• Site inspection: 19 May 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Lindsay Mathieson</li> <li>○ <u>DPIE staff</u>: Damien Pfeiffer, Wayne Garnsey, Jenna McNabb, Tim Collins</li> </ul> </li> </ul>