

MR MICHAEL AND MRS JENNIFER ROBERTSON

Amendment to the Dubbo Regional LEP 2022 – Cavelle Drive, Dubbo

PLANNING PROPOSAL

Report No: 122334_PP Rev: 001 30 June 2022

ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



© Premise 2022

This report has been prepared by Premise Australia for Mr Michael and Mrs Jennifer Robertson; may only be used and relied on by Mr Michael and Mrs Jennifer Robertson; must not be copied to, used by, or relied on by any persons other than Mr Michael and Mrs Jennifer Robertson without the prior written consent of Premise. If Mr Michael and Mrs Jennifer Robertson wishes to provide this Report to a third party recipient to use and rely upon, the recipient agrees: to acknowledge that the basis on which this Report may be relied upon is consistent with the principles in this section of the Report; and to the maximum extent permitted by law, Premise shall not have, and the recipient forever releases Premise from, any liability to recipient for loss or damage howsoever in connection with, arising from or in the respect of this Report whether such liability arises in contract, tort including negligence.

Document reference: C:\12dS\uploads\221025_PP_001F_.docx

DOCUMENT AUTHORISATION				
Revision	Revision Date	Report Details		
А	30/06/22	Final		
Prepared By		Reviewed By	Authorised By	
Nicholas Allatt	Suttlatt		Nicholas Allatt	
	1	1		

Page i

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



Premise

CONTENTS

1.	BACKGROUND	4
1.1	INTRODUCTIONSCOPE OF THE REPORT	4
1.2	SCOPE OF THE REPORT	4
1.3	STRUCTURE OF THE REPORT	4
2.	OBJECTIVES OR INTENDED OUTCOMES	5
3.	EXPLANATION OR PROVISIONS	5
3.1	PROPOSED AMENDMENT TO THE DUBBO LOCAL ENVIRONMENTAL PLAN 2022.	
4.	JUSTIFICATION	9
4.1	INTRODUCTION	9
4.2	NEED FOR THE PLANNING PROPOSAL	9
4.3	RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK	9
4.4	ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS	
4.5	STATE AND COMMONWEALTH INTERESTS	
5.	MAPPING	20
6.	COMMUNITY CONSULTATION	
6.1	TYPE OF COMMUNITY CONSULTATION REQUIRED	20
7.	PROJECT TIMELINE	

FIGURES

Figure 1. Location of Subject Site (source: Nearmap)	5
Figure 2. Existing Land Use Zoning	7
Figure 3. Proposed Land Use Zoning	
Figure 4. Existing Minimum Lot Size	
Figure 5. Proposed Minimum Lot Size	
Figure 5. Aerial Imagery and Proposed Rezoning Boundary	
Figure 6. Location of Drainage Line	18
Figure 7. Benchmark Processing Timeframes (Source – NSW Department of Planning, Industry and	
Environment)	21

TABLES

No table of figures entries found.

APPENDICES

APPENDIX A PROPOSED LAND USE ZONING MAP APPENDIX B PROPOSED LOT SIZE MAP APPENDIX C AERIAL IMAGERY OF SUBJECT SITE APPENDIX D BIODIVERSITY REPORT

Page ii

ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



APPENDIX E ABORIGINAL ARCHAEOLOGY ASSESSMENT AND AHIP APPENDIX F GROUNDWATER AND SALINITY REPORT APPENDIX G PRELIMINARY CONTAMINATION INVESTIGATION APPENDIX H DEVELOPMENT CONSENTS



Page iii



1. BACKGROUND

1.1 Introduction

Premise Australia Pty has been commissioned by Mr Michael and Mrs Jennifer Robertson to prepare a planning proposal to amend the *Dubbo Regional Local Environmental Plan 2022* (LEP) in respect of land at Lot 700 DP 1274329, Cavelle Drive, Dubbo.

The Planning Proposal seeks to undertake a rezoning of land from SP3 Tourist to R2 Low Density Residential on the subject site. In addition, the Planning Proposal also seeks to provide a minimum lot size of 800m². The intent of the rezoning is to facilitate the expansion of the existing residential subdivision, known as Huntingdale Estate.

Rezoning of the site will enable the orderly growth of the rapidly expanding residential area which will provide for a mix of low-density housing options in West Dubbo.

It is requested that Dubbo Regional Council endorse the subject Planning Proposal and facilitate the Amendment to the Dubbo Regional Local Environmental Plan 2022 (LEP).

1.2 Scope of the report

This Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act, 1979 and the NSW Department of Planning's advisory documents '*A Guide to Preparing Local Environmental Plans'* and '*A Guide to Preparing Planning Proposals*'. The latter document requires the Planning Proposal to be provided in five (5) parts, those being:

- Part 1 A statement of the objectives or intended outcomes of the proposed LEP;
- Part 2 An explanation of the provisions that are to be included in the proposed LEP;
- Part 3 The justification for those objectives, outcomes, and provisions and the process for their implementation;
- Part 4 Mapping; and
- Part 5 Details of the community consultation that is to be undertaken on the Planning Proposal.

The subject site has been considered in the overall development plan for Huntingdale Estate and the extension of the existing R2 zoning boundary is considered to be of relative minor significance. The subject Planning Proposal is considered to meet the definition of a basic proposal as follows:

"Basic – Minor LEP amendment for administrative, housekeeping, and minor matters of significance."

1.3 Structure of the report

This planning proposal is provided in the following structure;

- Section 2 provides a statement of the objectives or intended outcomes of the proposed LEP;
- Section 3 provides an explanation of the provisions that are included in the proposed LEP;
- Section 4 provides justification regarding the need for the Planning Proposal; outlines its relationship to State Environmental Planning Policies; Ministerial Directions; local and regional strategic planning strategies; and overviews the environmental, economic, and social impacts of the proposal;
- Section 5 details the required LEP mapping amendments;



• Section 6 details how community consultation is to be undertaken with respect to the Planning Proposal.

2. OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to facilitate the expansion of the adjoining low density residential development currently located to the west of the subject site, also known as Huntingdale Estate, by seeking an Amendment to the Dubbo Regional Local Environmental Plan 2022.

3. EXPLANATION OR PROVISIONS

The subject site is identified as Lot 700 DP 1274329, Cavelle Drive, Dubbo. The site is located west of an existing creek line running south to north during rain events. Residential development surrounds the site to the north (Grangewood Estate), west (Huntingdale Estate), south (Kintyre Retirement Village) and east with a private residency situated on Lot 2 DP 1054104.

The site is located in proximity to the Dubbo Golf Course to the north and the Newell Highway to the east. The site is approximately 3km southwest of the Dubbo Central Business District.

The locality of the subject site is depicted in Figure 1.

The subject site is zoned as R2 Local Density Residential and SP3 Tourist as shown in Figure 2.

The Dubbo Regional Local Environmental Plan 2022 prohibits development for the purposes of residential accommodation within the SP3 zone.



Figure 1. Location of Subject Site (source: Nearmap)

ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



3.1 Proposed Amendment to the Dubbo Local Environmental Plan 2022.

The Planning Proposal seeks to rezone the portion of the SP3 zone west of the creek line to R2 and introduce an 800m² minimum lot size provision. The impacted LEP maps include Land Zoning Map – Sheet LZN_002A and Lot Size Map – Sheet LSZ_002A.

The proposed Amendment will allow for low density residential housing options on the site and facilitate the expansion of the adjoining residential estate to the west.

The existing and proposed land zoning is depicted in Figure 2 and Figure 3.

The existing and proposed minimum lot sizing is depicted in Figure 4 and Figure 5.



ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





Figure 2. Existing Land Use Zoning



Figure 3. Proposed Land Use Zoning

ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





Figure 4. Existing Minimum Lot Size



Figure 5. Proposed Minimum Lot Size

ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



4. JUSTIFICATION

4.1 Introduction

The overarching principles that guide the preparation of planning proposals are:

- The level of justification should be proportionate to the impact the Planning Proposal would have;
- It is not necessary to address a question if it is not considered relevant to the planning proposal; and
- The level of justification should be sufficient to allow a Gateway determination to be made with confidence that the LEP can be finalised within the timeframe proposed.

The following justification addresses each relevant question applicable to the Planning Proposal to ensure confidence can be given to the Gateway determination.

4.2 Need for the planning proposal

Is the planning proposal a result of any strategic study or report?

The Planning Proposal has been prepared to facilitate the expansion of the residential development located to the west of the subject site. Although the Planning Proposal is not a direct result of any strategic study or report, the intended effect is consistent with the Dubbo Residential Areas Development Strategy.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

It is considered that rezoning the land and establishing a minimum lot size under the LEP is the best means of achieving the objectives or intended outcomes of the Proposal. The proposed Amendment will facilitate expansion of the residential development opportunities on the subject site.

4.3 Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or subregional strategy?

The *Central West and Orana Region Plan 2036* is the NSW Government's strategy for guiding land use planning decisions for the Central West and Orana Region. At its heart is a core vision for the region supported by the following foundational goals:

- Goal 1 The most diverse regional economy in NSW;
- Goal 2 A stronger healthier environment and diverse heritage;
- Goal 3 Quality freight transport and infrastructure networks; and
- Goal 4 Dynamic vibrant and healthy communities.

In particular, the Planning Proposal is consistent with Direction 25 as follows:

Direction 25 Increase housing diversity and choice

The intent of the Planning Proposal is to facilitate new residential development in West Dubbo and the continued expansion of the adjoining residential housing development, Huntingdale Estate.

The proposed rezoning will accommodate an additional 14 new allotments completing the subdivision west of the creek line.



The Central West and Orana Regional Plan 2036 is currently under review with the *Draft Central West and Orana Regional Plan 2041* completing exhibition on 18 February 2022.

The draft Plan provides a total of 22 objectives divided across the following parts:

- Part 1: A sustainable and resilient place
- Part 2: People, housing and communities
- Part 3: Prosperity, productivity and innovation
- Part 4: Location specific responses

In particular, the Planning Proposal is consistent with objective 7 as follows:

Objective 7: Provide for well-located housing options to meet demand.

The Planning Proposal accommodate the regions population growth and provide key housing opportunities in West Dubbo, further centralising the City's Central Business District.

The Planning Proposal is considered to be consistent with the provisions of both the Central West and Orana Regional Plan 2036 and the draft Central West and Orana Regional Plan 2041.

Is the planning proposal consistent with Council's local strategy or other local strategic plan?

a) <u>Towards 2040 Community Strategic Plan</u>

This Plan is the highest level strategy that will guide and influence the direction of Council, the community and other levels of Government over the coming years.

The vision of the Plan is as follows:

- "Our thinking, practices and solutions will make things better for all generations and be innovative
- Our community will respond to challenges and become stronger and resilient
- Our natural and built environment will be sustainable
- Our housing, economic educational, social, equity, cultural, entertainment and recreational facilities will have opportunities to grow
- Our community will have a high quality of life"

The Planning Proposal is considered to support the following objectives;

"1.1 Housing meets the current and future needs of our community; and

1.2 An adequate supply of land is located close to community services and facilities.

The Planning Proposal seeks to facilitate additional low density housing options within Dubbo's urban footprint and is considered to be generally consistent with the vision and objectives of the Plan.

b) Dubbo Regional Local Environmental Planning Statement

The Local Strategic Planning Statement (LSPS) for the Dubbo Regional Local Government Area was adopted by Council on 22 June 2022. The LSPS plans for economic, social and environmental land use needs of the community over the next 20 years.

The LSPS in underpinned by 20 Planning Priorities for the Dubbo Region. The Planning Proposal is considered to giver effect to and maintain consistency with the following:



"Planning Priority 9: Provide diversity and housing choice to cater for the needs of the community"

The Planning Proposal seeks to facilitate the orderly development of low-density housing within the existing serviced extent of the city. The Planning Proposal is considered to be consistent with the LSPS.

c) <u>Dubbo Urban Areas Development Strategy</u>

The Dubbo Urban Areas Development Strategy forms the basis of the land use zonings and planning controls provided in the Dubbo Local Environmental Plan 2011.

The Dubbo Urban Areas Development Strategy consists of a number of components as provided below:

- A) Residential Areas Development Strategy:
- B) Commercial Areas Development Strategy:
- C) Industrial Areas Development Strategy;
- D) Institutional Areas Development Strategy;
- E) Recreational Areas Development Strategy; and
- F) Future Directions and Structure Plans.

The Strategy was reviewed by Council in 2007, as part of the review of the Dubbo Urban Areas Development Strategy was the preparation of the Discussion Paper. The Strategy was also reviewed by Council with the Dubbo Local Environmental Plan in 2011.

Residential Areas Development Strategy

The Dubbo Residential Areas Development Strategy informs future rezoning of land across Dubbo for residential land uses. The subject land is located within Dubbo's CD Central Subdistrict (West Precinct).

The Direction of the Precinct is as follows:

"The future role of the Precinct will be dominated by its suburban residential function and secondary by its transport and light industry functions North/West of the Main Western Line, and its tourism servicing function along the Whylandra Street corridor:

The Planning Proposal will provide additional residential development opportunities in Dubbo's west, further centralising the Dubbo's CBD. The proposed R2 rezoning will further support the residential function of the CD Central Subdistrict and is considered to be consistent with the Residential Areas Development Strategy.

Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is considered to be broadly consistent with all relevant State Environmental Planning Policies (SEPPs).

The Planning Proposal gives consideration to the following State Environmental Planning Policies as follows:

State Environmental Planning Policy (SEPP)	Comment	
SEPP (Biodiversity and Conservation) 2021		
	N/A	
SEPP (Building Sustainability Index: BASIX) 2004		
The aim of this Policy is to ensure consistency in the implementation of the BASIX scheme throughout the State by adhering to the list of	The BASIX requirements will be addressed further as part of the development approvals process.	

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





BASIX commitments required to facilitate sustainable development.		
SEPP (Exempt and Complying Development Co	des) 2008	
The aim of this Policy is to provide streamlined assessment processes for development that complies with specified development standards.	The Planning Proposal seeks to rezone land for the purposes of low-density residential housing. The Planning Proposal does not intend on contravening the provisions of the SEPP and is therefore considered to be consistent with the	
	State Policy.	
SEPP (Housing) 2021		
The aim of this Policy is to provide a State-wide approach to manage and support, affordable and well-designed residential development across NSW.	The Planning Proposal will provide additional housing opportunities to the Region and allow development of R2 permissible land uses on the subject site.	
	The Planning Proposal is considered to be consistent with the SEPP.	
SEPP (Industry and Employment) 2021		
	N/A	
SEPP No 65 – Design Quality of Residential Apa	rtment Development	
	N/A	
SEPP (Planning Systems) 2021		
	N/A	
SEPP (Precincts-Regional) 2021		
	N/A	
SEPP (Resilience and Hazards) 2021		
The object of Chapter 4 is to provide for a Statewide planning approach to the remediation of contaminated land.	A preliminary report was prepared in support of the development application for Huntingdale Estate which considered the subject land in its investigations.	
	The report concluded that no contamination was found. The Planning Proposal is considered to be consistent with the SEPP. A copy of the report is provided as Appendix G .	
SEPP (Resources and Energy) 2021		
	N/A	
SEPP (Transport and Infrastructure) 2021		
	N/A	



Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?

The following table provides consistency of the applicable Section 9.1 Ministerial Directions for consideration in the Planning Proposal:

Direction	Requirement	Consistency
3.1 Conservation Zones	This Direction applies when a planning proposal is prepared	The Planning Proposal is not located within a conservation zone. Although the subject site is generally clear of vegetation, further consideration of the biodiversity value of the site will be determined as part of the development approvals process through the preparation of a BDAR where required. Preliminary information relating to the flora and fauna species on the site are provided in the attached Biodiversity Report (Appendix D). The Planning Proposal is not considered to result in any significant impact to biodiversity on the subject site.
3.2 Heritage Conservation	This Direction applies when a planning proposal is prepared.	It is noted that an Aboriginal site PS-OS-01 comprising of an open campsite is located in the northern portion of the subject site. An Aboriginal Heritage Impact Permit to relocate the associated artefacts has been obtained and is provided as (Appendix E).
4.4 Remediation of Contaminated Land	This Direction applies when a planning proposal is prepared.	A preliminary contamination investigation has been undertaken for the subject site which concluded that no contamination was found. A copy of the investigation report is provided as Appendix G .



5.1 Integrated Land Use and Transport	This Direction applies when a planning proposal will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential or tourist purposes.	The Planning Proposal seeks to facilitate an additional 14 new allotments which will extend east from the existing Huntingdale Estate. The additional allotments are not considered to result in significant additional traffic generation from the development is therefore considered to be of minor significance.
6.1 Residential Zones	This Direction applies when preparing a planning proposal that will affect land within an existing or proposed residential zone.	The Planning Proposal seeks to rezone land from SP3 to R2 with a minimum lot size of 800m ² . The Proposal will facilitate the development of low-density housing options which have direct existing access to infrastructure and services. The site is generally clear of woody vegetation and will enable the expansion of the existing Huntingdale Estate. The Planning Proposal is considered to be consistent with the Direction.
6.2 Caravan Parks and Manufactured Home Estates	This Direction applies when a planning proposal is prepared.	The subject site and the general character of the surrounding area of the subject site is consistent with a suburban residential estate. Consideration of expansion of the existing residential offer in the area is not considered to be at a detriment to opportunities for caravan parks or manufactured home estates. The Planning Proposal is therefore considered to result in the orderly/ appropriate development type for the subject land.



4.4 Environmental, social and economic impacts

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, would be adversely affected as a result of the proposal?

4.4.1 BIODIVERSITY

A Biodiversity Report was completed by OzArk in January 2015 which included an investigation of the subject site. The findings from the assessment are as follows:

"The field survey did not identify any threatened fauna species as being present at the time of the survey.

The field survey resulted in the identification of two vegetation communities within the project site. These vegetation communities were identified as:

- 5.5 hectares of inland Grey Box tall grassy woodland on alluvial loam and clay soils in the NSW South Western Slopes and Riverina Bioregions;
- 0.56 hectares of White Box Black Cypress Pine Tumbledown Gum Mugga Ironbark shrubby woodland in hills of the NSW central western slopes.
 - 0.408 hectares of this local viable population meets the NSW Scientific Committee description as White Box, Yellow Ox Blakely's Red Gum Endangered Ecological Community.
 - 0.2 hectares of unspecified White Cypress Pine dominated area. Council indicated they would consider this area as part of the NSW EEC mentioned above.

The remainder of the Project Site was heavily disturbed for residential or agricultural purposes."

At the time of this assessment, it was concluded that due to the type and scale of habitat to be removed, no threatened species or EECs would be significantly affected by the Proposal. In addition, a Species Impact Statement would be required to manage affects to White Box Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community for the project.

A copy of OzArk's report is provided as Appendix D.

As depicted in recent imagery (**Figure 5**), the proposed rezoning area bounded by the yellow line, is not seen to contain substantial woody vegetation.

In accordance with the Section 1.7 of the Environmental Planning and Assessment Act 1979, Part 7 of the Biodiversity Conservation Act 2016 must be considered as part of the development approvals process.

Further consideration of these potential impacts to biodiversity can be addressed by submission of a Biodiversity Development Assessment Report (BDAR) where required.



MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





Figure 5. Aerial Imagery and Proposed Rezoning Boundary

Existing Development Consents

1. <u>D2014-113-2 – 28 Lot Subdivision (Stage 1):</u>

There is an existing development consent for Stage 1 for the 28 lot residential subdivision in respect of Huntingdale Estate which contains a condition which relates to the retention and stabilisation of vegetation in the drainage reserve on the subject site as follows:

- "(12) All existing trees and understory vegetation within the residue land including the watercourse located to the east of the proposed residential area shall be retained unless removal is necessary to construct services. It is noted that the developer proposes to undertake significant bank stabilisation and tree planting activities in the drainage corridor as a component of the development of the balance of the site. Such works and plantings shall be carried out in accordance with any future development consents and the recommendations of the updated Groundwater and Salinity Study carried out by Envirowest Consulting"
- 2. <u>D2015-202 86 Lot Subdivision (Stage 2:</u>

There is an existing development consent for Stage 2 for the 86 lot residential subdivision in respect of Huntingdale Estate which contains conditions which relate to the protection and embellishment of the vegetated areas on the subject site.

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



The conditions are:

- "(11) All existing trees and understory vegetation within the residue land including the watercourse located to the east of the proposed residential area shall be retained unless removal is necessary to construct services. It is noted that the developer proposes to undertake significant bank stabilisation and tree planting activities in the drainage corridor as a component of the development of the balance of the site. Such works and plantings shall be carried out in accordance with any future development consents and the recommendations of the updated Groundwater and Salinity Study carried out by Envirowest Consulting"
- (26) Proposed Lot 118 (open space corridor) shall be revegetated and embellished to offset the loss of vegetation in the south-western corner as per Table 6-1 Expected impacts as a result of the proposal, and 8.4 The Proposed Offset (p 69-71, copy attached) contained within the Biodiversity Report dated January 2015 prepared by OzArk EHM.

All landscaping shall be provided in accordance with the requirements of Council's Parks and Landcare Division and Council's Strategic Open Space Master Plan. The landscape/embellishment plan also provide a detailed maintenance regime for all the landscaping to be embellished and maintained to the standard of a 'Local Medium' classified park inn accordance with the Dubbo City Council's Plan of Management for Community Land as adopted by Council in 2011/12. Landscaping including street trees shall be provided on the land prior to the issue of the Subdivision Certificate.

All drainage reserves and road reserves shall be dedicated to and at no cost to Council, at the appropriate Subdivision stage.

All public reserves shall be dedicated to and at no cost to Council, at the appropriate Subdivision stage and be maintained by the developer for a period of not less than 10 years from the dedication of the land to Council."

A copy of each Development Consent is provided for Council's reference as **Appendix H**. It is noted that the abovementioned conditions relate specifically to the proposed drainage line to the east of the proposed rezoning line as depicted in **Figure 5** and **Figure 6**.

It is noted that a separate application has recently been lodged with DPIE and Council for the construction of the trunk drainage works within the creek line.

The Planning Proposal in not anticipated to conflict with Council's requirements in relation to D2014-113-2 and D2015-202.



ITEM NO: IPEC22/52

MR MICHAEL AND MRS JENNIFER ROBERTSON AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





Figure 6. Location of Drainage Line

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

4.4.2 ABORIGINAL ARCHAEOLOGY

The original Aboriginal Archaeology Assessment was prepared in December 2013 which included the boundaries of the subject site. A copy of the report is provided as **Appendix E**.

In relation to the subject area, the assessment recorded an open campsite PS-OS-01 with additional artefacts located within proximity to the site.

In relation to artefact PS-OS-01, an Aboriginal Heritage Impact Permit (AHIP) was issued by NSW Office of Environment & Heritage for Huntingdale Estate on the 5th of May 2022 and a copy is attached for Council's records (**Appendix E**).

OzArk Environment & Heritage Pty Ltd have been engaged by the proponent to assist in meeting the conditions of the AHIP. Community consultation was undertaken and the salvage of artefacts was subsequently undertaken by OzArk on 30 May 2022. The artefacts recovered during the collection phase are currently being managed in temporary storage at the OzArk Environment and Heritage Office in accordance with the conditions of the AHIP.

OzArk submitted the Aboriginal Site Impact Record Forms (ASIRF's) to AHIMS on the 31st of May 2022 and a copy of the approved ASIRF's will be provided to Council once received.



4.4.3 GROUNDWATER VULNERABILITY AND SALINITY

The original groundwater and salinity study was prepared by Envirowest on 29 November 2013 which included the boundaries of the subject site. A copy of the report is provided as **Appendix F**.

A brief summary of the report's conclusion is as follows:

"...No impact on groundwater including contamination and changed groundwater levels is expected from the development...

... The proposed development will required minimal cut and fill which is not expected to interfere with existing subsurface water movement.

No significant impacts on groundwater quality were identified in the development. The development will not impact on quality or quantity."

The Planning Proposal is not considered to result in any significant impact on groundwater systems or exacerbate salinity levels.

4.4.4 CONTAMINATION

The original preliminary contamination investigation was prepared by Envirowest on 13 November 2013 which included the boundaries of the subject site. A copy of the report is provided as **Appendix G**.

A brief summary of the report's conclusion is as follows:

"The site west of the drainage line is suitable for residential land-use. The area to the east of the drainage line and including the drainage line is suitable for recreational land-use following decommissioning of the effluent application area."

The Planning Proposal is not anticipated to be subject to significant contamination impacts.

Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal will facilitate the construction of additional housing stock within the Dubbo residential housing market. The economic benefits generated by the development will create additional employment within the development and construction industries.

The Planning Proposal is not anticipated to result in any detrimental social impacts to the surrounding areas and will facilitate quality residential development consistent with the adjoining Huntingdale Estate.



ITEM NO: IPEC22/52

AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



4.5 State and commonwealth interests

It is not considered that the amendments proposed via this Planning Proposal would conflict with any State or Commonwealth interests. The formal views of State and commonwealth public authorities would be ascertained following the Gateway Determination.

5. MAPPING

The Planning Proposal is anticipated to result an Amendment to the following LEP maps:

- Land Zoning Map Sheet LZN_002A
- Lot Size Map Sheet LSZ_002A

It is anticipated that the Department of Planning, Industry and Environment will finalise any mapping Amendments as part of the legislative drafting process.

The proposed mapping is attached as Appendix A and Appendix B.

6. COMMUNITY CONSULTATION

6.1 Type of community consultation required

Community Consultation will be undertaken in accordance with and subject to the Department of Planning, Industry and Environment's Gateway Determination.

Due to the minor nature of the Planning Proposal, it is anticipated that the Planning Proposal will be placed on public exhibition for a period of not less than <u>14 days</u> as facilitated by Dubbo Regional Council.

Council will also undertake consultation with State Public Agencies as required by the Gateway Determination.



ITEM NO: IPEC22/52

AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL



7. **PROJECT TIMELINE**

The Planning Proposal is considered to be classified as 'Basic' under the Department of Planning's Guidelines.

The benchmark timeframes for a Basic Proposal from the date of lodgement are as follows:

Stage	Maximum Benchmark Timeframes (working days)			
	Basic	Standard	Complex	Principal
Stage 1 - Pre-lodgement	30 days	50 days	60 days	20-30 days
Stage 2 - Planning Proposal	80 days	95 days	120 days	40 days
Stage 3 - Gateway determination	25 days	25 days	45 days	45 days
Stage 4 - Post-Gateway	20 days	50 days	70 days	160 days
Stage 5 – Public Exhibition & Assessment	70 days	95 days	115 days	95 days
Stage 6 - Finalisation	25 days	55 days	70 days	80 days
Sub-total (Department target)	140 working days	225 working days	300 working days	380 working days
Total (end to end)	220 days	320 days	420 days	420 days
Note: Department target of 380 working days is measured from Stage 3 – Stage 6 (inclusive).				

Figure 7. Benchmark Processing Timeframes (Source - NSW Department of Planning, Industry and Environment)



APPENDIX A PROPOSED LAND USE ZONING MAP



AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





ITEM NO: IPEC22/52



APPENDIX C AERIAL IMAGERY OF SUBJECT SITE

ITEM NO: IPEC22/52

APPENDIX D BIODIVERSITY REPORT

INFRASTRUCTURE, PLANNING AND ENVIRONMENT COMMITTEE Page 103

AMENDMENT TO THE DUBBO REGIONAL LEP 2022 - CAVELLE DRIVE, DUBBO PLANNING PROPOSAL





PAGE 26



> Premise







AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL









AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL











AMENDMENT TO THE DUBBO REGIONAL LEP 2022 – CAVELLE DRIVE, DUBBO PLANNING PROPOSAL











