



# Planning Proposal Assessment

## Amendment to the Dubbo Regional Local Environmental Plan 2022

### Planning Proposal for Part of Keswick Estate

Council Reference R24-003

#### Acknowledgement:

Dubbo Regional Council wish to acknowledge the Wiradjuri People who are the Traditional Custodians of the Land. Council pay respect to the Elders past, present and emerging of the Wiradjuri Nation and extend that respect to other First Nations peoples.



**Strategic Planning Framework**

Strategy/Plan	Consistency
<p>Central West and Orana Regional Plan 2041</p> <p>This is a NSW Government Plan for guiding land use priorities and decisions for the Central West and Orana Region.</p>	<p>The Planning Proposal is consistent with this Plan, including:</p> <ul style="list-style-type: none"> <li>Objective 13 – Provide well located housing options to meet demand;</li> <li>Objective 14 – Plan for diverse, affordable, resilient and inclusive housing.</li> </ul>
<p>Towards 2040 Community Strategic Plan</p> <p>This Plan is the highest-level strategy that guides and influences the direction of Council, the community and other levels of Government over the coming years.</p>	<p>The Planning Proposal is consistent with this Plan, including:</p> <ul style="list-style-type: none"> <li>Strategy 1.1.1 – Ensure a variety of housing types and densities are located close to appropriate services and facilities; and</li> <li>Strategy 1.2.1 – Land is suitably zoned, sized and located to facilitate a variety of housing types and densities.</li> </ul>
<p>Local Strategic Planning Statement (LSPS)</p> <p>This Plan sets Council's land use planning priorities, including economic, social and environmental outcomes, for the next 20 years.</p>	<p>The Planning Proposal is consistent with this Plan, including:</p> <ul style="list-style-type: none"> <li>Priority 9 – Providing diversity and housing choice to cater for the needs of the community;</li> <li>Action 9.2 – Review the LEP provisions to facilitate greater housing choice in R1 and R2 zones particularly where located near services and open space;</li> <li>Action 9.4 – Investigate opportunities to rezone land close to town centres and the Dubbo Base Hospital in order to accommodate residential demand for students, workers and visitor; and</li> <li>Priority 10 – Improve the affordability of housing; and</li> <li>Action 10.1 – Review the LEPs residential zone provisions to assess potential development opportunities for increased <i>innovative affordable housing types</i>.</li> </ul>
<p>Dubbo Residential Areas Development Strategy</p> <p>The Dubbo Residential Areas Development Strategy (1996) was produced to guide future decisions regarding residential land in Dubbo.</p>	<p>The Planning Proposal is consistent with the principles and actions outlined in this Strategy, including through the realisation of the 1996 Keswick Structure Plan and Urban Release Strategy, which envisioned that a “<i>variety of housing opportunities shall be provided</i>” for the Dubbo community. The Planning Proposal will directly facilitate this.</p> <p>Council is currently preparing a revised Keswick Estate Master Plan which will take into consideration overall planning requirements for the broader Keswick Estate area, including any impacts from this Planning Proposal where appropriate.</p>

Ministerial Direction	Consistency
Direction 1.1 Implementation of Regional Plans	The Planning Proposal is consistent with the Central West and Orana Regional Plan 2041. Zoning the land to R1 General Residential will enable additional dwelling typologies to accommodate various housing needs of the local community.
Direction 1.3 Approval and Referral Requirements	The Planning Proposal does not include consultation, referral, or concurrence provisions, nor permits any specific designated development.
Direction 1.4 Site specific provisions	The Planning Proposal does not contain additional site-specific planning controls for a proposed land use.
Direction 3.1 Conservation zones	The site does not contain land within a conservation zone or land identified for environment conservation purposes. A Biodiversity Assessment Report was undertaken for this Planning Proposal, which found the subject land is disturbed and historically cleared. Nonetheless, the subject site contains vegetation and habitat values that may require offsetting under the NSW Biodiversity Offset Scheme at Development Application stage.
Direction 3.2 Heritage conservation	An Aboriginal Heritage Due Diligence assessment was carried out for the site. While no Aboriginal objects were identified during the assessment, due diligence process has demonstrated that the northern section has the potential to contain Aboriginal objects and further investigation is required. Accordingly, prior to proceeding to the Development Application stage, an archaeological assessment must be carried out across the site.
Direction 4.1 Flooding	The site is mapped as flood prone.
Direction 4.3 Planning for Bushfire Protection	The is mapped as bushfire prone and contains Vegetation Category 3. Consultation with the NSW Rural Fire Service will be undertaken.
Direction 4.4 Remediation of Contaminated Land	A preliminary contamination report identifies potential for contaminants associated with the former agricultural use of the site. However, this would not prevent the Planning Proposal from progressing. Prior to gazettal of the Planning Proposal, Council will ensure land can be appropriately remediated.
Direction 5.1 Integrating Land Use and Transport	<p>The Planning Proposal is accompanied by a Transport Impact Assessment. The proposed rezoning will still maintain the residential use of the subject site in addition to permitting other forms of residential accommodation. This is aligned with the principle to locate a mix of housing types and higher densities closer to existing services (as outlined in <i>Improving Transport Choice – Guidelines for planning and development DUAP 2001</i>).</p> <p>Higher density residential land uses are likely to increase the residential population within the site. Whilst this will increase traffic, parking requirements and the need for public transport in the vicinity, this can be managed through the existing road network.</p>
Direction 6.1 Residential zones	The Planning Proposal will actively respond to objectives of this direction by enabling additional variety and choice of housing types in an already residential zoned area.

State Environmental Planning Policy	Consistency
SEPP (Biodiversity and Conservation) 2021	The Precinct is not identified as a strategic conservation area. It also does not include land to be avoided. A Biodiversity Assessment Report for the precinct has been prepared nonetheless.
SEPP (Exempt and Complying Development Codes) 2008	The Planning Proposal will not impact the application of the SEPP.
SEPP (Housing) 2021	The Planning Proposal will support the delivery of a diversity of housing types permissible through the application of the SEPP.
SEPP (Resilience and Hazards) 2021	A Preliminary Site Contamination Investigation has been prepared for the Planning Proposal. Future development stages will continue to consider if any remediation is required.
SEPP (Sustainable Buildings) 2021	The Planning Proposal does not impact application of this SEPP.
SEPP (Transport and Infrastructure) 2021	The Planning Proposal is not inconsistent with the aims of the SEPP.

## **Site-Specific Assessment**

### **Traffic and Access**

A Traffic Impact Statement was prepared by McLaren Traffic Engineering. This assessment examines the potential transport and traffic implications of rezoning the land to R1 General Residential, considering the broader range of permissible uses within the proposed zone. The statement found that the rezoning is likely to have only a slight impact on nearby intersections and can be accommodated within the existing road network. The proposed rezoning is expected to minimally affect traffic flow efficiency, with no anticipated change to road safety conditions.

A detailed Traffic Impact Assessment for any proposal on the subject site would be required during the Development Application stage/s to determine specific traffic generation and road upgrades for the surrounding road network. Parking provision for any proposed land use will also be considered at the Development Applications stage, with each proposal expected to adequately meet parking demand within their respective sites.

The following road and traffic related requirements will be relevant for the Development Application stage:

- All infrastructure will need to be in accordance with Council's updated Master Plan for the Keswick Estate unless otherwise directed by or agreed with Council.
- Only one vehicular access/intersection off Henty Drive is permitted.
- No direct vehicular access to Sheraton Road or Boundary Road.
- A new access road including a new intersection shall be designed and constructed at full cost to the Developer to Council's satisfaction off Henty Drive in accordance with the Keswick Master Plan.
- Road pavement, verge, kerb and gutter, and footpath construction within and adjacent to site is required. Bus bays may be required.
- Minimum road widths to include suitability for sun shadowing from buildings, bus stop queues, services, trees etc.
- Pedestrian and Cyclists to be considered.
- Shared 2.5m wide concrete path where required.

### **Public Transportation**

The site is located within a 400m walking distance of local bus services, including the 570 loop service (Orana Mall to Dubbo CBD via Southlakes and South Dubbo). It is likely that additional bus services will gradually cater to the subject site with additional population growth and residential development in the future.

### **Water and sewer**

The following water and sewer related requirements will be relevant for the Development Application stage:

- Water can be made available to this area.
- Sewer could be constructed as normal gravity sewer for proposed development, but (dependant on timing of Council sewer upgrades) development will require a temporary pump station to collect and pressure feed the development's sewerage to an appropriate Council sewer connection point.
- Works are proposed to upgrade Council's sewer in this vicinity. Once the Council upgrade occurs then the temporary pump station can be gravity connected to Council's sewer system. Council's Water and Sewer Manager may provide further details if required.



### Stormwater

The following stormwater comments and requirements are to be complied with prior to undertaking any public exhibition of the Planning Proposal:

- The increased density, impervious surface area and stormwater runoff (which must be compensated for) will result in a larger basin volume and size and take up more land area. Stormwater flows remain restricted to be in accordance with “Concept Design Report Review of Keswick Estate Trunk Drainage Scheme”. A new/revised Stormwater Drainage Strategy is therefore required prior to undertaking any Public Exhibition (subject to receiving a Gateway Determination from NSW DPHI). Such a strategy is to be in line with the Drainage Strategy previously prepared by Cardno “Review of Keswick Estate Trunk Drainage Scheme - Concept Design Report - Revision A1, dated 15 October 2020”.
- As identified in the Cardno strategy, the Boundary Road basin must be included in any strategy and upsized to accommodate increased runoff by increased density for proposed R1 zoning. The Cardno Drainage Strategy stipulates the maximum drainage discharge across Boundary Road and into Southlakes. The updated drainage strategy must demonstrate that the discharge across Boundary Road is not increased as a result of increased density and that any increases in runoff are offset by increasing the size of the Boundary Road OSD Basin.
- The strategy also needs to take into consideration any further increases in density from the upstream Keswick Estate. Any increase in density proposed upstream of this development site (through further rezoning to R1 in Keswick Estate) may be able to be accommodated by upstream detention, however in the absence of detail, there is no guarantee until the master plan and strategy for Keswick are finalised. The Boundary Road basin may be the only OSD device for the entire upstream catchment and therefore any updated strategy will need to incorporate all proposed R1 zoning for both Squadron and upstream Keswick Estate.
- The stormwater catchment, including upstream and site flows, approximately 40 – 50 hectares, must be managed. Stormwater flows are restricted to the maximum flow that the downstream stormwater system can manage. The current 2010 stormwater drainage scheme has been prepared which proposes a stormwater detention basin at the site’s low point which is located on the northern side of Boundary Road and approximately mid-way between Stream Avenue (also known as Henty Drive) and Sheraton Road. The current scheme proposes a basin size of approximately 2 hectares with 50% impervious catchment area which assumed large residential lot sizes.
- Detention will be required. Stormwater can be discharged through the existing pipe system under Boundary Road and flow into the channel (Southlake’s Eastern Channel – located approximately 200m east of Sheraton Road) and continuing south through the Southlakes development.
- Typically a stormwater modelling and design would need to be prepared to ensure the stormwater can be appropriately managed and to determine the location and minimum land requirement. A Drainage Reserve is usually created around the asset/basin at Subdivision Certificate with the developer maintaining the asset until the end of the maintenance period when Council accepts ownership and maintenance of the asset.

### Contamination

A Preliminary Site Contamination Investigation Report was prepared Barnson. The Report indicates there is a minor potential for contaminants associated with the former agricultural use and recent material storage site, but the subject site is suitable for rezoning. Detailed studies will be required in support of any Development Application.

### Groundwater Vulnerability

The subject site area where the Planning Proposal applies is not mapped as containing Groundwater Vulnerability.

### Biodiversity

A Biodiversity Assessment Report was prepared by AREA Environmental & Heritage Consultants. The report found that the subject land is highly disturbed and historically cleared. Nonetheless, the assessment highlighted that the site contains some vegetation and habitat of value, necessitating offsetting under the NSW Biodiversity Offset Scheme (BOS). It is also noted that the current LEP already allows the land to be developed for residential use. As the Planning Proposal only involves rezoning to another residential zone and removing minimum lot sizes, subsequent assessments at future Development Application stage will ensure that impacts are avoided where possible. Where impacts are unavoidable, they will be mitigated or offset in compliance with the BOS.

### Aboriginal Archaeology

An Aboriginal Heritage Due Diligence Assessment was carried out by AREA Environmental & Heritage Consultants. While no Aboriginal objects were identified during the assessment, the due diligence process demonstrated that the northern section has the potential to contain Aboriginal objects and further investigation is required. Accordingly, prior to proceeding to the Development Application stage, an archaeological assessment will be required to determine whether Aboriginal objects will be harmed by an activity and whether further investigation or an AHIP would be required.

### Noise, vibration, and air quality

The site is located near Boundary Road that services quarries and their heavy vehicle movements, which potentially creates noise, dust and vibration issues for the residents of the area. It is noted that heavy vehicles currently service the quarries during the day and not at night. Further, Phase 1 of Council's Blueridge Road Haulage Strategy was also considered which may result in a greater number of heavy vehicle movements across the southern boundary of the subject site. This would expose any proposed development to increased noise pollution and vibration. Rezoning from R2 to R1 will also result in a significant increase in quantity of noise and vibration receptors for that area.

It is expected that such impacts can be ameliorated at the Development Application stage, including by construction processes and/or design as well as use of appropriate materials.

### Open Space and Recreation

Although there is no specific open space dedicated on the subject site, the overall open space and recreation requirements will be more appropriately considered as part of the broader Keswick Masterplan. This Masterplan will need to comply with Council's Open Space Masterplan 2018 (either by land dedication or contributions):

Park Category	Desired level of service (ha/1000 people)
Local	1.5
District	3.0
Regional	0.5
Sporting	2.8
<b>Total</b>	<b>7.8</b>