



AGENDA DEVELOPMENT AND ENVIRONMENT COMMITTEE 8 OCTOBER 2019

MEMBERSHIP: Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

The meeting is scheduled to commence at 5.30pm.

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DEC19/1	ELECTION OF CHAIRMAN (ID19/1368)	
DEC19/2	REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING 9 SEPTEMBER 2019 (ID19/1363) The Committee had before it the report of the Planning, Development and Environment Committee meeting held 9 September 2019.	3
DEC19/3	BUILDING SUMMARY - SEPTEMBER 2019 (ID19/1359) The Committee had before it the report dated 25 September 2019 from the Director Development and Environment regarding Building Summary - September 2019.	7
DEC19/4	DRAFT CAMP ROAD STRUCTURE PLAN - RESULTS OF PUBLIC EXHIBITION (ID19/1104) The Committee had before it the report dated 23 September 2019 from the Manager Growth Planning regarding Draft Camp Road Structure Plan - Results of Public Exhibition.	18
DEC19/5	DRAFT COMMUNITY PARTICIPATION PLAN (ID19/1362) The Committee had before it the report dated 24 September 2019 from the Growth Planning Projects Leader - Digital Futures regarding Draft Community Participation Plan.	69

DEC19/6	MIRIAM HILL ESTATE DRAFT DEVELOPMENT CONTROL PLAN - 1R OLD DUBBO ROAD, DUBBO (ID19/823)	88
	The Committee had before it the report dated 20 September 2019 from the Growth Planner regarding Miriam Hill Estate Draft Development Control Plan - 1R Old Dubbo Road, Dubbo.	



**DUBBO REGIONAL
COUNCIL**

Report of the Planning Development and Environment Committee - meeting 9 September 2019

AUTHOR: Administration Officer - Governance
REPORT DATE: 23 September 2019

The Committee had before it the report of the Planning, Development and Environment Committee meeting held 9 September 2019.

RECOMMENDATION

That the report of the Planning, Development and Environment Committee meeting held on 9 September 2019, be noted.



**REPORT
PLANNING, DEVELOPMENT AND
ENVIRONMENT COMMITTEE
9 SEPTEMBER 2019**

PRESENT: Councillors J Diffey, V Etheridge, D Grant, D Gumley, A Jones, S Lawrence, G Mohr, K Parker, J Ryan and B Shields.

ALSO IN ATTENDANCE:

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Manager Governance Operations, the Community Support Officer, the Communications Partner, the Director Organisational Performance, the Director Culture and Economy, the Director Infrastructure (S Colliver), the Manager Infrastructure Strategy and Design, the Director Development and Environment and the Director Liveability.

Councillor S Lawrence assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.46pm.

**PDEC19/27 REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE
- MEETING 12 AUGUST 2019 (ID19/1198)**

The Committee had before it the report of the Planning, Development and Environment Committee meeting held 12 August 2019.

Moved by Councillor D Gumley and seconded by Councillor J Ryan

MOTION

That the report of the Planning, Development and Environment Committee meeting held on 12 August 2019, be noted.

CARRIED

PDEC19/28 BUILDING SUMMARY - AUGUST 2019 (ID19/1145)

The Committee had before it the report dated 28 August 2019 from the Director Development and Environment regarding Building Summary - August 2019.

Moved by Councillor J Diffey and seconded by Councillor V Etheridge

MOTION

That the report from the Director Development and Environment dated 28 August 2019 be noted.

CARRIED

PDEC19/29 NAMING OF THOROUGHFARE FOR SOUTHLAKES ESTATE - STAGES CC33 AND CC34 (ID19/1165)

The Committee had before it the report dated 30 August 2019 from the LIS and E-Services Coordinator regarding Naming of Thoroughfare for Southlakes Estate - Stages CC33 and CC34.

Moved by Councillor D Grant and seconded by Councillor V Etheridge

MOTION

1. That the names proposed by the developer be approved by Council, as follows:

- **Road 1 – Rapids Parade**
- **Road 2 – Strait Avenue**
- **Road 3 – Canal Avenue**
- **Road 4 – Reservoir Avenue**
- **Road 5 – Peninsular Circuit**
- **Road 6 – Billabong Crescent**
- **Road 7 – Reef Avenue**
- **Road 8 – Glacier Avenue**
- **Road 9 – Wetland Avenue**
- **Road 10 – Albina Way**
- **Road 11 – Estuary Way**
- **Road 12 – Channel Avenue**
- **Road 13 – Menindee Avenue**
- **Road 14 – Pedder Avenue**
- **Road 15 – Tinaroo Avenue**
- **Road 16 – Tyrrell Drive**
- **Road 17 – Barrine Avenue**
- **Road 18 – Mulwala Avenue**
- **Road 19 – Cardinia Avenue**
- **Road 20 – Gairdner Place**
- **Road 21 – Carey Court**
- **Road 22 – Barlee Circuit**
- **Road 23 – Torrens Way**

- Road 24 – Geyser Crescent
 - Road 25 – Rain Court
 - Road 26 – Mist Court
2. That the approved names be advertised and government authorities notified in accordance with Section 162 of the Roads Act 1993 and the Roads Regulation 2008.
 3. That the developer be advised accordingly once approval under the Roads Regulation 2008 has been given.

CARRIED

The meeting closed at 5.49pm.

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CHAIRMAN



DUBBO REGIONAL
COUNCIL

REPORT: Building Summary - September 2019

AUTHOR: Director Development and
Environment
REPORT DATE: 25 September 2019
TRIM REFERENCE: ID19/1359

EXECUTIVE SUMMARY

Information has been prepared on the statistics of the number of dwellings and residential flat buildings approved in the Dubbo Regional Council Local Government Area and statistics for approved Development Applications for the information of Council.

Appendix 1 includes data relating to the former Dubbo LGA prior to the current financial year and the combined housing figures for Dubbo Regional Council for the current financial year. **Appendices 2 to 5** also include the retrospective figures for the combined LGA.

All development applications, construction certificates and complying development certificates can be tracked online at <https://planning.dubbo.nsw.gov.au/Home/Disclaimer>.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

There are no policy implications arising from this report.

RECOMMENDATION

That the report from the Director Development and Environment dated 25 September 2019 be noted.

Stephen Wallace
Director Development and Environment

REPORT

Provided for information are the latest statistics (as at the time of production of this report) for Development Applications for Dubbo Regional Council.

1. Residential Building Summary

Dwellings and other residential developments approved during September 2019 were as follows:

September 2019

Dwellings	8
Other residential development	3
(No. of units)	6

For consistency with land use definitions included in the Local Environmental Plan, residential development has been separated into 'Dwellings' and 'Other residential development'. 'Other residential development' includes dual occupancies, secondary dwellings, multi-unit and seniors living housing.

These figures include Development Applications approved by private certifying authorities (Complying Development Certificates).

A summary of residential approvals for the former Dubbo City Council area since 2011-2012 is included in **Appendix 1** however, it should be noted that the figures from July 2017 onwards include the approvals within the former Wellington Local Government Area as well as a consequence of the commencement of the merged application system.

2. Approved Development Applications

The total number of approved Development Applications (including Complying Development Certificates) for September 2019 and a comparison with figures 12 months prior and the total for the respective financial years, are as follows:

	<u>1 September 2019 – 30 September 2019</u>	<u>1 July 2019 – 30 September 2019</u>
No. of applications	40	156
Value	\$8,262,827	\$37,078,788
	<u>1 September 2018 – 30 September 2018</u>	<u>1 July 2018 – 30 September 2018</u>
No. of applications	65	203
Value	\$49,101,664	\$79,874,851

A summary breakdown of the figures is included in **Appendices 2-5**.

3. Online Application Tracking

All development applications, construction certificates and complying development certificates are tracked online and can be accessed at any time. A link is available on Councillor iPads for assistance (<https://planning.dubbo.nsw.gov.au/Home/Disclaimer>).

What information is available?

- All development applications, construction certificates and complying development certificates submitted from 1 November 2015 will provide access to submitted plans and supporting documents as well as tracking details of the progress of the application;
- More limited information is provided for applications submitted from 1 January 2001 to 31 October 2015; and
- Occupation certificates (where issued) are provided from 2010.

What information is not available?

- Application forms;
- Floor plans for residential dwellings;
- Documentation associated with privately certified applications; and
- Internal reports.

Councillors are welcome to contact me should they require further information in respect of outstanding Development Applications emanating from the online tracking system.

The information included in this report is provided for notation.

Appendices:

- 1 [↓](#) Building Summary - September 2019
- 2 [↓](#) Approved Applications - 1 September 2019 to 30 September 2019
- 3 [↓](#) Approved Applications - 1 September 2018 to 30 September 2018
- 4 [↓](#) Approved Applications - 1 July 2019 to 30 September 2019
- 5 [↓](#) Approved Applications - 1 July 2018 to 30 September 2018

STATISTICAL INFORMATION ON DWELLINGS AND MULTI UNIT HOUSING

	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
2011/2012													
Dwellings	6	12	10	6	7	16	4	16	12	8	12	9	118
Flat Buildings	1	1	-	1	2	2	-	-	-	-	-	1	8
(No of units)	(14)	(2)	(-)	(1)	(4)	(3)	(-)	(-)	(-)	(-)	(-)	(16)	(40)
2012/2013													
Dwellings	3	7	14	13	9	3	9	9	13	13	15	13	121
Flat Buildings	4	6	-	-	1	9	-	-	1	-	2	-	23
(No of units)	(8)	(6)	(-)	(-)	(2)	(11)	(-)	(-)	(2)	(-)	(39)	(-)	(68)
2013/2014 (incl. private certifiers)													
Dwellings	23	17	25	20	14	15	19	10	18	14	19	14	208
Flat Buildings	-	1	1	-	-	1	4	2	1	2	-	3	15
(No of units)	(-)	(2)	(2)	(-)	(-)	(2)	(46)	(1)	(2)	(4)	(-)	(6)	(65)
2014/2015*													
Single dwellings	19	34	19	21	13	16	14	12	20	19	15	20	222
Multi unit housing	3	1	6	5	6	12	-	4	2	1	9	5	54
(No of units)	(6)	(2)	(31)	(50)	(6)	(21)	(-)	(87)	(4)	(1)	(25)	(10)	(243)
2015/2016*													
Single dwellings	27	20	26	19	21	26	19	14	16	17	17	22	244
Multi unit housing	6	8	8	4	1	3	3	3	3	5	3	8	55
(No of units)	(50)	(98)	(12)	(7)	(2)	(5)	(18)	(4)	(5)	(14)	(6)	(23)	(244)
2016/2017*													
Single dwellings	24	13	17	18	12	21	16	18	18	14	18	36	225
Multi unit housing	8	5	7	4	6	5	3	2	1	5	4	7	57
(No of units)	(10)	(10)	(13)	(7)	(10)	(16)	(6)	(75)	(2)	(8)	(13)	(14)	(184)
2017/2018* (Combined figures for Dubbo and Wellington former LGAs)													
Single dwellings	26	21	13	12	16	19	4	22	16	21	22	16	208
Multi unit housing	6	9	2	1	9	1	5	5	11	1	3	5	58
(No of units)	(11)	(16)	(3)	(2)	(16)	(2)	(8)	(5)	(23)	(2)	(3)	(9)	(100)
2018/2019* (Combined figures for Dubbo and Wellington former LGAs)													
Single dwellings	15	26	13	7	17	8	19	5	8	11	19	6	154
Multi unit housing	3	4	3	-	6	2	2	1	5	7	9	5	47
(No of units)	(4)	(7)	(5)	(-)	(11)	(29)	(4)	(1)	(12)	(25)	(15)	(10)	(123)

	JUL	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	TOTAL
2019/2020* (Combined figures for Dubbo and Wellington former LGAs)													
Single dwellings	16	11	8										35
Multi unit housing	4	4	3										11
(No of units)	(8)	(7)	(6)										(21)

* (Includes private certifiers and redefined land use categories based on LEP definitions)



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Print Date: 25/09/2019

Print Time: 9:46:05AM

**Approved Development & Complying Development Applications
 by Dubbo Regional Council and Private Certifiers-Period 1/09/2019 - 30/09/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	8	2,162,835	8	2,162,835			8	
Dwelling - Secondary/Dual Occ Dwelling	1	490,000	1	490,000			2	
Dwelling - Dual Occupancy, one storey	2	892,000	2	892,000			4	
Garage/Carport/Roofed Outbuildings	10	181,266	10	181,266				
Fences/Unroofed Structures	1	29,000	1	29,000				
Swimming Pool	5	154,936	5	154,936				
Retail Building	3	1,920,000	2	1,900,000	1	20,000		
Hotels	1	35,000			1	35,000		
Infrastructure - Transport, Utilities	2	157,190			2	157,190		
Community/Public Building	2	700,000	2	700,000				
Signs/Advertising Structure	1	9,000	1	9,000				
Demolition	1	50,000			1	50,000		
Change of Use - Commercial	1	6,000			1	6,000		
Subdivision - Residential	3	1,470,000	1					2
Subdivision - Industrial	1	5,600						
Totals for Development Types	42	8,262,827						

Total Number of Applications for this period: 40

*** Note: There may be more than one Development Type per Development Application
 Statistics include applications by Private Certifiers

----- End of Report -----



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**Approved Development & Complying Development Applications
 by Dubbo Regional Council and Private Certifiers-Period 1/09/2018 - 30/09/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	24	7,388,874	17	6,735,453	7	653,421	17	
Dwelling - Secondary/Dual Occ Dwelling	1	167,563	1	167,563			1	
Dwelling - Dual Occupancy, one storey	2	1,048,000	2	1,048,000			4	
Garage/Carport/Roofed Outbuildings	13	246,781	13	246,781				
Fences/Unroofed Structures	2	10,920	2	10,920				
Swimming Pool	5	160,728	5	160,728				
Office Building	1	40,000			1	40,000		
Retail Building	2	3,716,000	1	3,626,000	1	90,000		
Hotels	1	900,000			1	900,000		
Factory/Production Building	1	1,050,037	1	1,050,037				
Warehouse/storage	3	1,650,500	2	1,550,500	1	100,000		
Infrastructure - Transport, Utilities	1	350,000	1	350,000				
Tourism Development	4	11,732,261	3	11,732,261	1			
Subdivision - Residential	2	0						4
Miscellaneous	4	20,640,000	4	20,640,000				
Totals for Development Types	66	49,101,664						

Total Number of Applications for this period: 65

*** Note: There may be more than one Development Type per Development Application
 Statistics include applications by Private Certifiers

----- End of Report -----



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Print Date: 25/09/2019

Print Time: 9:48:36AM

**Approved Development & Complying Development Applications
 by Dubbo Regional Council and Private Certifiers-Period 1/07/2019 - 30/09/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	51	14,364,312	39	12,986,865	12	1,377,447	39	
Dwelling- Transportable/Relocatable	1	269,100	1	269,100			1	
Dwelling - Secondary/Dual Occ Dwelling	4	1,046,104	4	1,046,104			6	
Dwelling - Dual Occupancy, one storey	7	2,987,000	7	2,987,000			14	
Dwelling - Dual Occupancy, >one storey	1	795,625	1	795,625			2	
Garage/Carport/Roofed Outbuildings	35	593,216	32	579,474	3	13,742		
Fences/Unroofed Structures	3	49,000	3	49,000				
Swimming Pool	17	474,236	17	474,236				
Office Building	5	412,000	1	70,000	4	342,000		
Retail Building	3	1,920,000	2	1,900,000	1	20,000		
Hotels	1	35,000			1	35,000		
Hostels, Boarding House	1	10,000			1	10,000		
Factory/Production Building	1	480,000			1	480,000		
Warehouse/storage	1	800,000	1	800,000				
Infrastructure - Transport, Utilities	4	230,475	1	47,462	3	183,013		
Educational Building	1	0			1			
Community/Public Building	2	700,000	2	700,000				
Signs/Advertising Structure	3	31,800	2	9,000	1	22,800		
Demolition	3	50,000	1		2	50,000		
Change of Use - Commercial	6	231,320	3	20,000	3	211,320		
Subdivision - Residential	10	11,590,000	3	1,070,000				18
Subdivision - Commercial	1	0						2

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2019 - 30/09/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Subdivision - Industrial	1	5,600						
Subdivision - Rural	1	0						2
Miscellaneous	1	4,000	1	4,000				
Totals for Development Types	164	37,078,788						

Total Number of Applications for this period: 156

*** Note: There may be more than one Development Type per Development Application
Statistics include applications by Private Certifiers

----- End of Report -----



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Print Date: 25/09/2019

Print Time: 9:50:38AM

**Approved Development & Complying Development Applications
 by Dubbo Regional Council and Private Certifiers-Period 1/07/2018 - 30/09/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	79	24,911,425	66	23,610,896	13	1,300,529	66	
Dwelling- Transportable/Relocatable	1	136,333	1	136,333			1	
Dwelling - Secondary/Dual Occ Dwelling	6	1,761,113	6	1,761,113			9	
Dwelling - Dual Occupancy, one storey	6	2,409,000	6	2,409,000			11	
Medium Density Res - one/two storeys	1	475,000	1	475,000			4	
Garage/Carport/Roofed Outbuildings	44	732,342	43	727,342	1	5,000		
Fences/Unroofed Structures	6	114,620	6	114,620				
Swimming Pool	26	746,220	26	746,220				
Office Building	2	120,000			2	120,000		
Retail Building	3	3,842,500	1	3,626,000	2	216,500		
Hotels	1	900,000			1	900,000		
Factory/Production Building	2	1,114,037	2	1,114,037				
Warehouse/storage	7	4,150,500	5	3,970,500	2	180,000		
Infrastructure - Transport, Utilities	1	350,000	1	350,000				
Educational Building	1	750,000			1	750,000		
Community/Public Building	1	1,800,000	1	1,800,000				
Signs/Advertising Structure	2	11,000	1	6,000	1	5,000		
Change of Use - Commercial	1	7,000	1	7,000				
Change of Use - Industrial	1	0	1					
Tourism Development	4	11,732,261	3	11,732,261	1			
Subdivision - Residential	7	2,898,500	1	2,898,500				150
Subdivision - Commercial	2	250,000						6

**Approved Development & Complying Development Applications
by Dubbo Regional Council and Private Certifiers-Period 1/07/2018 - 30/09/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Subdivision - Rural	2	0	1					2
Miscellaneous	5	20,663,000	5	20,663,000				
Totals for Development Types	211	79,874,851						

Total Number of Applications for this period: 203

*** Note: There may be more than one Development Type per Development Application
Statistics include applications by Private Certifiers

----- End of Report -----



DUBBO REGIONAL
COUNCIL

REPORT: Draft Camp Road Structure Plan - Results of Public Exhibition

AUTHOR: Manager Growth Planning
REPORT DATE: 23 September 2019
TRIM REFERENCE: ID19/1104

EXECUTIVE SUMMARY

The Planning, Development and Environment Committee at its meeting on 11 March 2019 considered a report in respect of the preliminary draft Camp Road Structure Plan in conjunction with the adoption of the Dubbo Employment Lands Strategy. With respect to the Camp Road precinct, Council, in consideration of the report resolved as follows:

- “5. That the Preliminary draft Camp Road Structure Plan (Appendix 2) be adopted by Council for the purposes of allowing for consultation to be undertaken with residents of Camp Road and relevant State Public Agencies.
6. That land owners on Camp Road and relevant State Public Agencies be provided with a period of 21 days in which to provide submissions in respect of the Preliminary Camp Road Structure Plan.
7. If there are no substantive submissions in respect of the Preliminary Camp Road Structure Plan, that the Chief Executive Officer be permitted to provide the Structure Plan to the Department of Planning and Environment for consideration, including any other submissions made.”

The preliminary draft Structure Plan was initially placed on public display from Monday 15 April 2019 to Friday 24 May 2019, inclusive. A total of 15 submissions were received from the public during this public exhibition period including four (4) State Government Agency submissions. The State Government Agencies who provided submissions included the NSW Department of Planning, Industry and Environment (DPIE), NSW Roads and Maritime Services (RMS), NSW Environment Protection Authority (EPA) and NSW Natural Resources Access Regulator (NRAR).

An amended draft Camp Road Structure Plan was again placed on public display from Wednesday 31 July 2019 to Friday 23 August 2019, inclusive. A total of eight (8) submissions were received during the public exhibition period.

This report details the results of the second public exhibition period and recommends that Council adopt the draft Camp Road Structure Plan as provided in here in **Appendix 1**.

The draft Camp Road Structure Plan seeks to guide overall planning considerations in the precinct. Additionally, it will assist the assessment process for both Council and the Department of Planning, Industry and Environment in respect to a Planning Proposal which is currently under consideration on Lot 8 DP 1063425, 4L Camp Road, Dubbo.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

If adopted by Council, the draft Camp Road Structure Plan will have the role of guiding future development within the Camp Road Precinct.

The draft Structure Plan will be utilised by Council to inform the development and consideration of any future Planning Proposals on the subject lands and ultimately guide the overall development of lands in the Precinct.

RECOMMENDATION

1. That the report from the Manager Growth Planning dated 23 September 2019 be noted.
2. That the draft Camp Road Structure Plan, included here in Appendix 1, be adopted by Council as a Council Policy in respect of Camp Road, Dubbo.
3. That Council resolve to support a minimum lot size regime of five (5) hectares along the frontage of Camp Road and two (2) hectares for the remainder of the Precinct, as included in the draft Camp Road Structure Plan, included here in Appendix 1.
4. That in respect of the Planning Proposal on Lot 8 DP 1063425, 4L Camp Road, Dubbo, that the buffer adjacent to the Red Earth Estate Winery and the Observatory remain at 50 metres with a vegetated area of 30 metres. For the remainder of the land where it adjoins other uses to the north, this buffer be 30 metres with no vegetated buffer.
5. That the Proponent of the Planning Proposal provided to Council in respect of Lot 8 DP 1063475, 4L Camp Road, Dubbo, not be provided with a refund of the \$25,000 Planning Proposal fee.
6. That following Council's consideration of the draft Camp Road Structure, that Council prepare an addendum to the Planning Proposal for Lot 8 DP 1063425, 4L Camp Road, Dubbo and submit the addendum to the State Government Department of Planning, Environment and Industry, to seek a Gateway Determination for the Planning Proposal.

Steven Jennings
Manager Growth Planning

BACKGROUND

The Planning, Development and Environment Committee at its meeting on 11 March 2019 considered a report in respect of the preliminary draft Camp Road Structure Plan in conjunction with the adoption of the Dubbo Employment Lands Strategy. With respect to the Camp Road precinct, Council, in consideration of the report resolved as follows:

- “5. That the Preliminary draft Camp Road Structure Plan (Appendix 2) be adopted by Council for the purposes of allowing for consultation to be undertaken with residents of Camp Road and relevant State Public Agencies.
6. That land owners on Camp Road and relevant State Public Agencies be provided with a period of 21 days in which to provide submissions in respect of the Preliminary Camp Road Structure Plan.
7. If there are no substantiated submissions in respect of the Preliminary Camp Road Structure Plan, that the Chief Executive Officer be permitted to provide the Structure Plan to the Department of Planning and Environment for consideration, including any other submissions made.”

The purpose of this report is to provide an overview of submissions received during the initial public exhibition and consultation process and to detail the results of the second public consultation period, which has informed the amendments made to the draft Structure Plan as provided here in **Appendix 1**.

REPORT

1. Preliminary draft Structure Plan - Public Exhibition Period 1

The preliminary draft Structure Plan was initially placed on public exhibition from Monday 15 April 2019 to Friday 24 May 2019, inclusive. A total of 15 submissions were received from the public during this public exhibition period. Further, four (4) State Government Agencies provided responses to the preliminary draft structure plan, including the Department of Industry, Planning and Environment (DIPE), Roads and Maritime Services (RMS) and NSW Natural Resources Access Regulator (NRAR).

Further, a stakeholder workshop was held on Tuesday 7 May 2019 which was attended by 13 property owners. Council staff provided an overview of the Structure Plan and answered any questions.

Submissions provided to Council during public exhibition, generally raised the following concerns:

- Reconsidering buffer distances adjoining the agricultural land to the south and existing tourist uses on Camp Road;
- Clarification and information regarding breeding activities at the Taronga Western Plains Zoo;
- Removing the internal road network;

- Amending the minimum lot size regime; and
- Including additional provisions to minimise land use conflict between future dwellings and the existing vineyard, observatory and function centre.

Following completion of the public exhibition period 1, a detailed review was also undertaken to identify commonalities and to determine a future direction in respect of the Planning Proposal.

In addition, Council also held a Councillor Workshop to discuss the next steps moving forward.

2. Draft Structure Plan - Public Exhibition Period 2

Following Public Exhibition Period 1, several changes were made to the draft Structure Plan. A summary of the changes include:

- Reconsidering buffer distances adjoining the agricultural land to the south and existing tourist uses on Camp Road;
- Removing the internal road network;
- Amending the minimum lot size regime; and
- Including additional provisions to minimise land use conflict between future dwellings and the existing vineyard, observatory and function centre.

An information session was held on Friday 9 August 2019 for property owners to discuss the proposed changes with Council staff. Eight (8) property owners attended the meeting.

A total of eight (8) submissions were received by Council as part of the second exhibition period and attached as **Appendix 2**.

A summary of each submission and Council comments are provided as follows:

Submission 1 – Peter and Jane Starr (Dubbo Observatory)

- *Any future dwellings in the precinct will impact on the Dubbo Observatory operations.*
- *Any change in zoning will result in light pollution from direct light fixtures.*
- *The amount of light pollution will depend on the number of external lights per dwelling. Based on 100 dwellings in the precinct, this could equate to 700 new external lights that would have significant impacts on the Observatory.*
- *The proposed vegetation screen is lacking in details such as the species, height at planting and maturity and maintenance regime including who is required to plant and maintain such vegetation. Requests Council look at alternatives such as constructing a panel fence.*
- *The proposed lighting restrictions included limiting outdoor lights for each dwelling to two (2) will be difficult to enforce with property owners adding additional lights after approval.*

- *Requests Council reconsider the proposed two (2) hectare minimum lot size across the precinct.*

Comment:

The draft Camp Road Structure Plan (**Appendix 1**) includes provisions to minimise impacts on the observatory. These provisions include:

- Vegetation planting to provide a screen within the 50 metre buffer;
- Limiting outdoor lighting fixtures to two (2) per dwelling with lights covered so as not to protrude past 30 degrees horizontal;
- Outdoor lighting fixtures use motion sensors;
- No street lights on Camp Road or in the precinct; and
- No sky lights in any future dwellings.

The draft Structure Plan has not provided specific details of the proposed vegetation screen (such as species selection and maintenance regime). This is considered to be beyond the specific intent of what a Structure Plan intends to achieve within the planning framework. Details of the proposed vegetation screen are matters to be further investigated with the preparation of a site-specific Development Control Plan, Master Plan and/or details to be included in a Development Application to be developed as part of the proposal to develop 4L Camp Road, Dubbo. This is likewise with respect to any fencing for the purposes of assisting with local light pollution.

With respect to the installation of outside lights after approval, Council would treat this in the same manner as any other complaint and compliance situation.

Submissions 2 and 3 – Matthew and Leetina Bender

Concerns

- *Disagrees with the location of the 55dBA noise contour level resulting from Morris Park Speedway.*
- *Objects to the draft Structure Plan recommending to prohibit the construction of dwellings within the 55dBA noise contour restriction.*

Comment:

As part of the suite of documents submitted to Council with the Planning Proposal for 4L Camp Road Dubbo, a Noise Assessment was prepared on behalf of Mr and Mrs Bender to assess potential noise impacts on future dwellings as a result of motorsport activities occurring at Morris Park Speedway. The 55dBA noise level was identified on a map by Mr and Mrs Bender's consultant, Doherty Smith & Associates, which was adopted for the draft Structure Plan. Additionally, proposed subdivision plans prepared by Doherty Smith & Associates, showed the 55dBA noise level and proposed building envelopes outside of such noise level.

The Environment Protection Authority provided Council with correspondence dated 15 April 2019 (as part of the 1st consultation period) with respect to noise impacts as a result of Morris Park Speedway, which states:

“Noting that the Morris Park Speedway is located in the South-eastern corner of the Precinct, the EPA considers there may potentially be land-use conflicts due to the proximity of any subdivisions towards the eastern section of the precinct given noise emissions from the Morris Park Speedway.

The EPA recommends Council ensures there is an adequate buffer distance between the proposed subdivisions and the speedway, to as far as practicable, minimise potential impacts. To confirm there is a sufficient buffer zone between potential dwellings (to be located outside of the 55dBA noise level) and the Morris Park Speedway, Council should consider additional noise monitoring to confirm operational noise levels from Morris Park Speedway.”

Additionally, advice from the Department of Planning, Industry and Environment’s Noise Specialist states that no homes should be allowed to be constructed where the residential boundary exceeds a level of 45dBA.

The draft Structure Plan seeks to ensure all existing uses, including activities on Morris Park Speedway are able to continue operating whilst ensuring future residences are not significantly impacted. It is considered that the draft Structure Plan provides a balanced approach which minimises land use conflict between future dwellings and Morris Park Speedway activities, allowing Mr and Mrs Bender to develop an appropriate level of semi-rural lots.

Additionally, it is noted that a large portion of the area located between the 55dBA noise contour and Morris Park Speedway, is impacted by the natural topography and a significant level of native vegetation, limiting the development potential within such area.

Concerns

- Seeks to reduce the northern 50 metre buffer to 30 metres.
- Seeks a reduction of the proposed vegetation buffer.
- The 50 metre buffer has a crippling impact on the proposed subdivision layout.

Comment:

The proposed vegetation buffer was included on the draft Structure Plan after consultation with the NSW Department of Planning, Industry and Environment and NSW Department of Primary Industries primarily to protect and minimise land conflict with the adjoining vineyard (Red Earth Estate) and also assist in reducing local light pollution for the observatory adjacent to the vineyard.

The NSW Department of Primary Industries provided advice to Council that the minimum buffer adjoining the existing vineyard development is 250 metres. As an alternative, Council was able to satisfy the Department of Primary Industries requirements by proposing a 50 metre buffer which included a 30 metre vegetation area to protect from spray drift and other agricultural activities.

However, on further review and consideration, Council deemed it appropriate to reduce the 50 metre buffer to 30 metres and remove the vegetation buffer where Mr and Mrs Bender's land adjoins the Rhino Lodge function centre. As the function centre is constrained from developing any further to the south due to the natural watercourse, there is limited opportunity for the function centre to develop further towards the proposed dwellings on 4L Camp Road. The function centre itself is 195 metres from the boundary and therefore, with a 30 metre buffer would be 225 metres from any future dwellings. The draft Structure Plan attached as **Appendix 1**, has been amended to reflect the reduced buffer.

It is considered that any significant change to the 50 metre buffer adjoining the vineyard (Red Earth Estate) would likely lead to the NSW Department of Primary Industries and consequently, the NSW Department of Planning, Industry and Environment not providing support for the draft Structure Plan. However, in light of the submission by Mr and Mrs Bender, analysis has been undertaken with respect to the proposed building envelopes shown on Mr and Mrs Bender's land for 4L Camp Road, Dubbo. The analysis showed that with a 50 metre buffer, the building envelopes proposed with the Planning Proposal are more than sufficient, with the smallest building envelope being approximately 5,000m² in area. The proposed 50 metre therefore has negligible impact on the ability for Mr and Mrs Bender to provide adequate building envelope areas. Additionally, it is noted that other building envelopes located on lots elsewhere within Mr and Mrs Bender's proposed subdivision are 2,580m², where they have sought to reduce potential costs associated with the biodiversity offset scheme.

Concerns

- Objects to the proposed minimum lot size five (5) hectares and two (2) hectares.
- Seeks a minimum lot size of one (1) hectare to 1.5 hectares across his land.
- Smaller lots are required due to the buffers and restrictions imposed.

Comment:

The proposed minimum lot size regime seeks to balance land use conflict between existing commercial and tourist uses and future semi-rural style lifestyle development. The relevant objectives of the Structure Plan are:

- To identify and recognise high level environmental constraints to development, including areas containing remnant vegetation.
- To identify the need for and the provision of buffer areas from tourist uses within the precinct and from rural land to the south.
- To ensure any development in the precinct does not impact the integrity and operations of existing tourist activities, including the Taronga Western Plains Zoo.

- To consider how dwelling houses could be planned for within the precinct, having regard to the objectives of the SP3 Tourist zone and the proximity of the land to the Taronga Western Plains Zoo.
- To ensure the precinct does not develop to a large lot residential density.
- To consider the most appropriate lot density having regard to identify constraints, buffer areas, future development in the precinct and the role of Camp Road.

In developing an appropriate minimum lot size regime for the precinct, Council staff undertook extensive consultation with property owners as well as State Government Agencies including the NSW Department of Planning, Industry and Environment, NSW Department of Primary Industries, Environment Protection Authority, NSW Roads and Maritime Services and NSW Natural Resources Access Regulator.

To ensure that the operations of the Taronga Western Plains Zoo sensitive breeding program is protected, ensure existing commercial and tourist uses are able to continue operating unhindered and ensure provision for existing small-scale rural based tourist development exists in the precinct, the proposed minimum lot regime is considered appropriate.

Concern

- Seeks a refund of the Planning Proposal fee paid to Council.

Comment:

The matter of payment made by a proponent does not relate to the matter of the draft Structure Plan, referring to a separate Planning Proposal lodged with Council by consultants Doherty Smith & Associates on behalf of Mr and Mrs Bender. This matter will be addressed with Mr and Mrs Bender separately.

Submission 4 – Doherty Smith & Associates

- *Requests that the proposed vegetation buffer only apply to where the vines on Red Earth Estate are immediately adjoining the boundary.*
- *Has concerns that the proposed vegetation buffer could result in a potential bush fire hazard if not designed appropriately.*
- *Has concerns that the proposed vegetation buffer will be difficult to establish, maintain and manage noting the required water usage in the current drought and longer term climate change impacts.*
- *Seeks to reduce the northern 50 metre buffer to 30 metres.*

Comment:

Matters relating to the proposed vegetation buffer and 50 metre setback have been addressed above under Submissions 2 and 3.

However, as discussed in submissions 2 and 3 above, Council was able to negotiate with the Department of Primary Industries and Department of Planning, Industry and Environment to reduce the minimum 250 metre setback adjoining an existing vineyard, to 50 metres if a vegetation screen was implemented to minimise impacts associated with spray drift. Council considered this as a positive for Mr and Mrs Bender to provide additional developable land.

It is considered that specific details such as vegetation species, planting density and maintenance regime, would be most appropriately addressed with any future site-specific development control plan and development application for the subdivision of the land.

It is noted that a portion of Mr and Mrs Bender's land is designated as potential bush fire prone. Any future development application for subdivision would require a Bush Fire Threat Assessment to accompany the Application where an assessment would be undertaken with respect to potential bush fire threat. However, it is unlikely that the proposed vegetation buffer would result in a significant increase as a bush fire threat.

Submission 5 – Mr Joshua Black

- *Overall, supports the changes made to the draft Structure Plan from the preliminary draft Structure Plan first exhibited.*
- *Supports the removal of the 30 metre buffer originally proposed along Camp Road.*
- *Supports the two (2) hectare minimum lot size, however would have preferred it to be 1.5 hectares.*
- *Would like the five (5) hectare minimum lot size along Camp Road reduced to two (2) hectares.*
- *Supports the inclusion of the 'non-grazing area', however the 15 metre buffer adjoining this area should be reduced to 10 metre.*

Comment:

Comments regarding the proposed minimum lot size regime have been addressed above under submission 2, 3 and 4.

The proposed 15 metre buffer is considered appropriate being a standard setback from the Dubbo Development Control Plan 2013. This will apply to new development only and provide a suitable separation distance ensuring land use conflict from the adjoining agricultural land is minimised.

State Public Agency submissions

Council received submissions from three (3) State Public Agencies being the NSW Department of Planning, Industry and Environment, NSW Department of Primary Industries and NSW Environment Protection Authority. No objections were raised in relation to the draft Structure Plan (**Appendix 1**). It is noted that the Department of Planning, Industry and Environment provided their support for the draft Structure Plan (**Appendix 1**). The comments of the State Public Agency submissions are noted with no changes required to be made to the draft Structure Plan. Many of the comments made can be addressed at later stages including the relevant Planning Proposal and Development Application stages.

3. Changes as a result of public exhibition

Following conclusion of the public exhibition period, staff considered the submissions received and undertook an operational review of the draft Plan noting discussions with various property owners during the exhibition period and the information meeting. An overview of the changes are as follows:

i) Buffer reduction

The 50 metre buffer adjacent to the function centre (Rhino Lodge) has been reduced to 30 metres. Given that the function centre itself, being the predominant noise generator for such site, is 195 metres from the southern boundary, it is considered that a 30 metre buffer is considered appropriate. With a 30 metre buffer, the function centre would be 225 metres from any future dwellings to the south.

In addition, the proposed vegetation screen was proposed to assist with minimising land use conflict as a result of spray drift from the vineyard and assist with minimising localised light pollution on the observatory. The proposed vegetation has been removed as it provides little benefit adjacent to the function centre and light from the dwellings to the south east.

ii) Minor administrative changes

Other minor changes made to the draft Plan included typographical changes including correcting grammar of sentences and the like.

4. Future Direction – Planning Proposal

The draft Camp Road Structure Plan seeks to guide overall planning considerations in the precinct. Additionally, it will assist the assessment process for both Council and the Department of Planning, Industry and Environment in respect to a Planning Proposal which is currently under assessment on Lot 8 DP 1063425, 4L Camp Road Dubbo. Adoption of the draft Camp Road Structure Plan (**Appendix 1**) will allow Council and the Department to continue the assessment of such Planning Proposal noting an appropriate proposed minimum lot size density has been determined across the precinct.

However, if Council does not resolve to adopt the proposed minimum lot size regime as contained in the draft Structure Plan (**Appendix 1**) and support the minimum lot size as proposed by Mr and Mrs Bender in their submission (**Appendix 2**), the Planning Proposal would require amendments. Additionally, Council would need to reconsider the Planning Proposal for the purposes of seeking Gateway Determination with the Department of Planning, Industry and Environment.

SUMMARY

The draft Camp Road Structure Plan has been prepared and amended by Council as a result of public consultation. The draft Camp Road Structure Plan outlines the opportunities and constraints of the land and provides appropriate strategic growth principals for the Camp Road Precinct.

The draft Camp Road Structure Plan was initially placed on public exhibition from Monday 15 April 2019 to Friday 24 May 2019, inclusive. A total of 19 submissions were received from the public during this public exhibition period which included submissions from four (4) State Agencies.

An amended draft Camp Road Structure Plan was again placed on public exhibition from Wednesday 31 July 2019 to Friday 23 August 2019, inclusive. A total of eight (8) submissions were received during the public exhibition period. The report recommends that the draft Camp Road Structure Plan as attached as **Appendix 1**, be adopted and property owners within the precinct, relevant State Public Agencies and the Taronga Western Plains Zoo be notified of its adoption.

Appendices:

- 1 [↓](#) Draft Camp Road Structure Plan
- 2 [↓](#) Submissions



Draft Camp Road Structure Plan

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Revision C – Adopted by Council on _____



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DUBBO REGIONAL COUNCIL DRAFT CAMP ROAD STRUCTURE PLAN

1. BACKGROUND AND INTENT

The Employment Lands Strategy, adopted by Dubbo Regional Council on 11 March 2019, included several recommendations with respect of the Camp Road precinct. One such recommendation was to prepare and finalise a Structure Plan to provide overarching guidance for the future development of this precinct.

The role of the Structure Plan is as follows:

- To identify and recognise high level environmental constraints to development, including areas containing remnant vegetation.
- To identify the need for and the provision of buffer areas from tourist uses within the precinct and from rural land to the south.
- To consider the overall future vehicular access and movement network throughout the precinct.
- To ensure any development in the precinct does not impact the integrity and operations of existing tourist activities, including the Taronga Western Plains Zoo.
- To consider implications associated with the possibility of a future Distributor Road through the precinct connecting the Newell Highway to the Southern Distributor Road and ultimately the Mitchell Highway.
- To consider how dwelling houses could be planned for within the precinct, having regard to the objectives of the SP3 Tourist zone and the proximity of the land to the Taronga Western Plains Zoo.
- To ensure the precinct does not develop to a large lot residential density.
- To consider the most appropriate lot density having regard to identified constraints, buffer areas, future development in the precinct and the role of Camp Road.

The location of the Camp Road Precinct in respect of Dubbo is shown in Figure 1.

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Figure 1. Location of Camp Road Precinct

2. TOPOGRAPHY

The precinct contains three (3) distinct clusters of vegetation as shown in Figure 2. These clusters are predominantly comprised of Western Grey Box Woodland, Black Cypress Pine Woodland as well as native grasses.

The precinct contains several watercourses, all intermittent, un-named watercourses. The watercourses are predominantly 1st and 2nd order streams with a 3rd and 4th order on the eastern portion of the precinct. Numerous dams are located on these watercourses.

An overview of the vegetation and watercourses within the precinct are shown on Figure 2.



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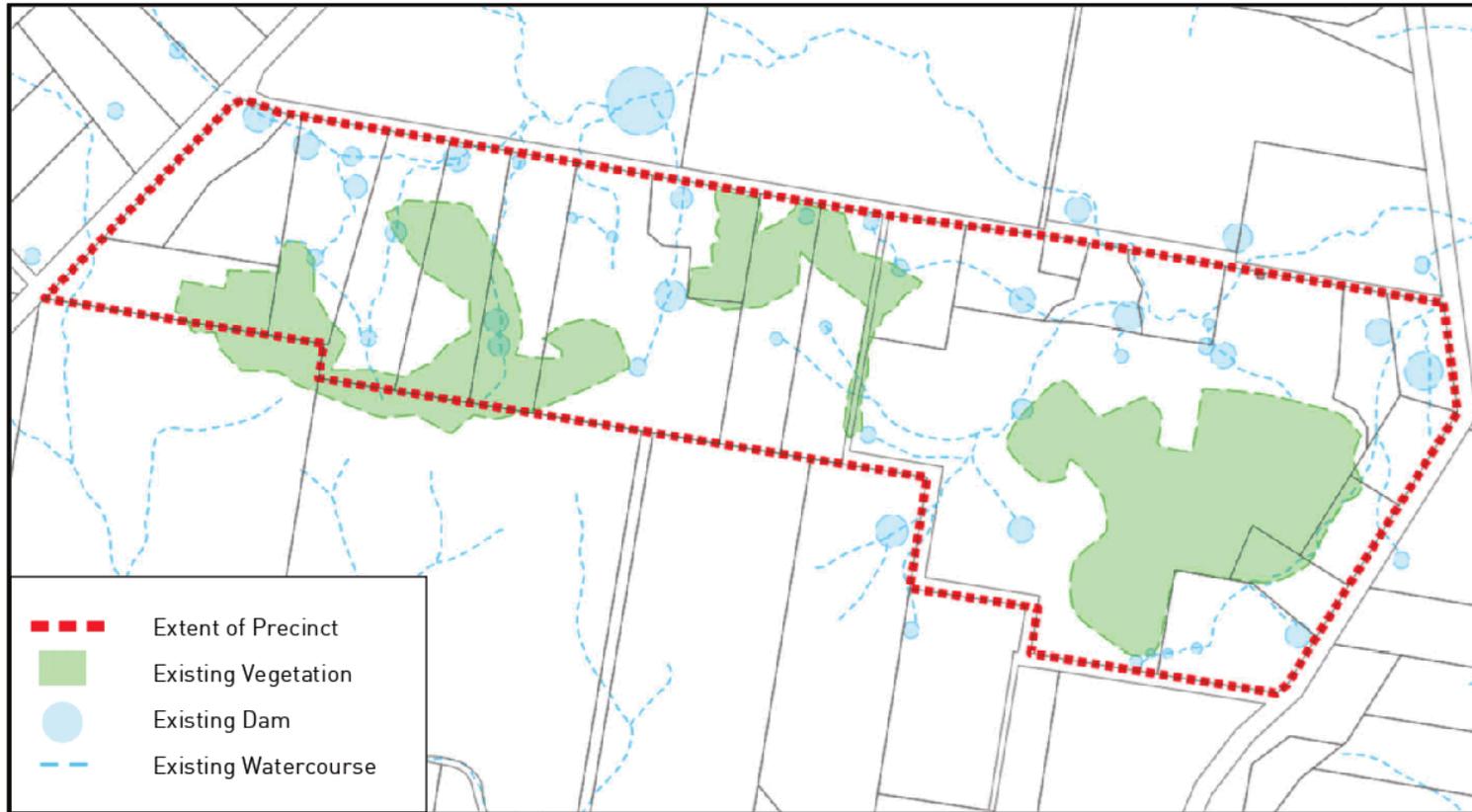


Figure 2. Existing vegetation and watercourses



3. BUFFER AREAS

Development within the Precinct will be guided by three distinct buffer areas. These includes:

- A 50 metre buffer to the land zoned RU1 Primary Production to the south;
- A 50 metre buffer to the existing viticulture use;
- A 100 metre buffer to the southern extent of the existing function centre development.

The proposed buffer areas are shown in Figures 6, 7 and 8.

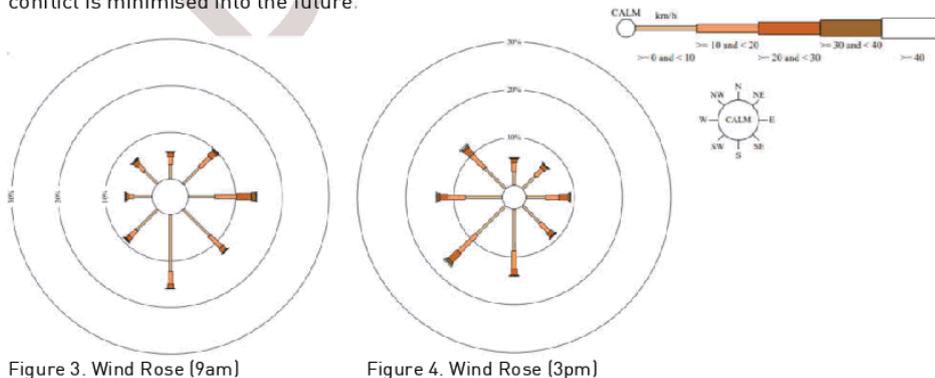
The buffer areas apply to new residential development. Existing development, such as dwellings, located within the buffer areas are not prohibited from operating or undertaking further alterations or additions, subject to relevant planning approvals.

i) Vineyard

The existing viticulture use is a low-scale operation which hand-pick and hand-spray rather than utilise commercial scale machinery. Given the limited size of the vineyard, it is highly unlikely that aerial spraying would be adopted in the future. Analysis of prevailing winds has been undertaken and is shown in Figures 3 and 4. Based on this analysis, morning winds are most likely to be from south to north and east and west with afternoon winds most likely north west to north east or west to east.

Department of Primary Industries suggests that 3-10km/h is the ideal safe wind speed for spraying. Considering prevailing winds, spraying of vines is able to be undertaken whereby minimal impacts could occur on adjoining properties to the south and west based on wind direction and speed. However, the use of mitigating measures would be required to ensure land use conflict is minimised.

Noting that the viticulture use is of a smaller scale, the equipment used, is fully developed upon the site with minimal opportunities to further intensify and prevailing winds, it is considered that the NSW Department of Primary Industries standard buffer of 250 metres could be reduced with the use of mitigation measures. In this case, it is considered that a 50 metre buffer with the use of a 30m wide vegetated planting screen to be located within the buffer area, such as the example shown in Figure 5, would be appropriate to ensure land use conflict is minimised into the future.



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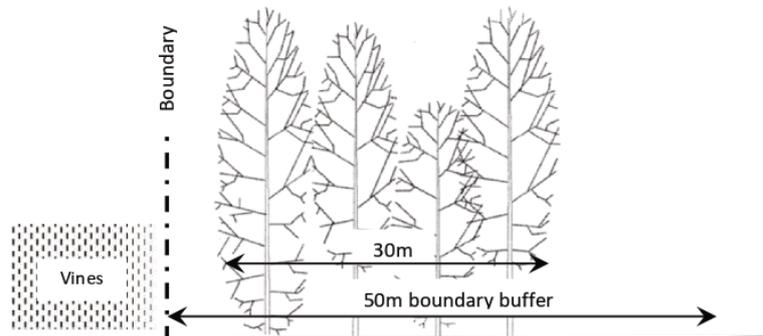


Figure 5. Example of buffer adjoining southern boundary of the vineyard

ii) Observatory

The observatory has the potential to be impacted by local light sources, from both tourist and dwelling development. With the proposed 50 metre buffer from the viticulture use, the observatory would be located approximately 220 metres north and 330 metres east of any new development opportunities. To assist with minimising light pollution on the observatory, the following should be considered:

- Vegetation planting to provide a screen within the 50 metre buffer as shown in Figures 5 and 6;
- Limiting outdoor lighting fixtures to two (2) per dwelling with lights covered so as not to protrude past 30 degrees horizontal;
- Outdoor lighting fixtures use motion sensors;
- No street lights on Camp Road or in the precinct; and
- No sky lights in any future dwellings.

It is noted that the Dark Sky Planning Guidelines applies to the former Dubbo City Council LGA. However, these guidelines seek to protect the night sky for the Siding Springs Observatory located in Coonabarabran. Additional measures such as those noted above are required to provide localised controls for the protection of the continued operation of the Observatory.

iii) Agriculture

The land immediately south of the precinct is zoned RU1 Primary Production. The land has historically undertaken the grazing of stock on native grasses. The topography of the land within the south-western portion of the precinct contains rock on steeper hills with dense vegetation, which is not conducive to high levels of agricultural output. Some of this area has been marked 'non-grazing area' based on the topography and advice from land owners in the area that minimal native grasses grow in this area as a result of the rock.

Buffers act to separate uses which have the potential to result in land use conflict including noise, odour or visual impacts. A 50m buffer is proposed along the southern boundary of the precinct. Given the identification of the lower quality grazing area and the existing dwellings located along the boundary, there is unlikely to be any increased land use conflict along this section.

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Given the identification of the 'non-grazing area', the 50 metre buffer should apply from where the agricultural (stock grazing) use occurs, whereby the precinct is only minimally impacted. It is therefore considered appropriate to apply a 15 metre setback being a standard setback from the Dubbo Development Control Plan 2013. This will apply to new development only and provide a suitable separation distance ensuring land use conflict is minimised.

iv) Watercourses

The precinct contains several watercourses. Future development will need to consider potential requirements for buffers from these watercourses as outlined in the NSW Natural Resource Regulator's "Guidelines for Controlled Activities on Waterfront Land". These buffers range from 20 metres either side for a 2nd order watercourse to 40 metres either side for a 4th order watercourse, however this is a matter for individual Development Applications.

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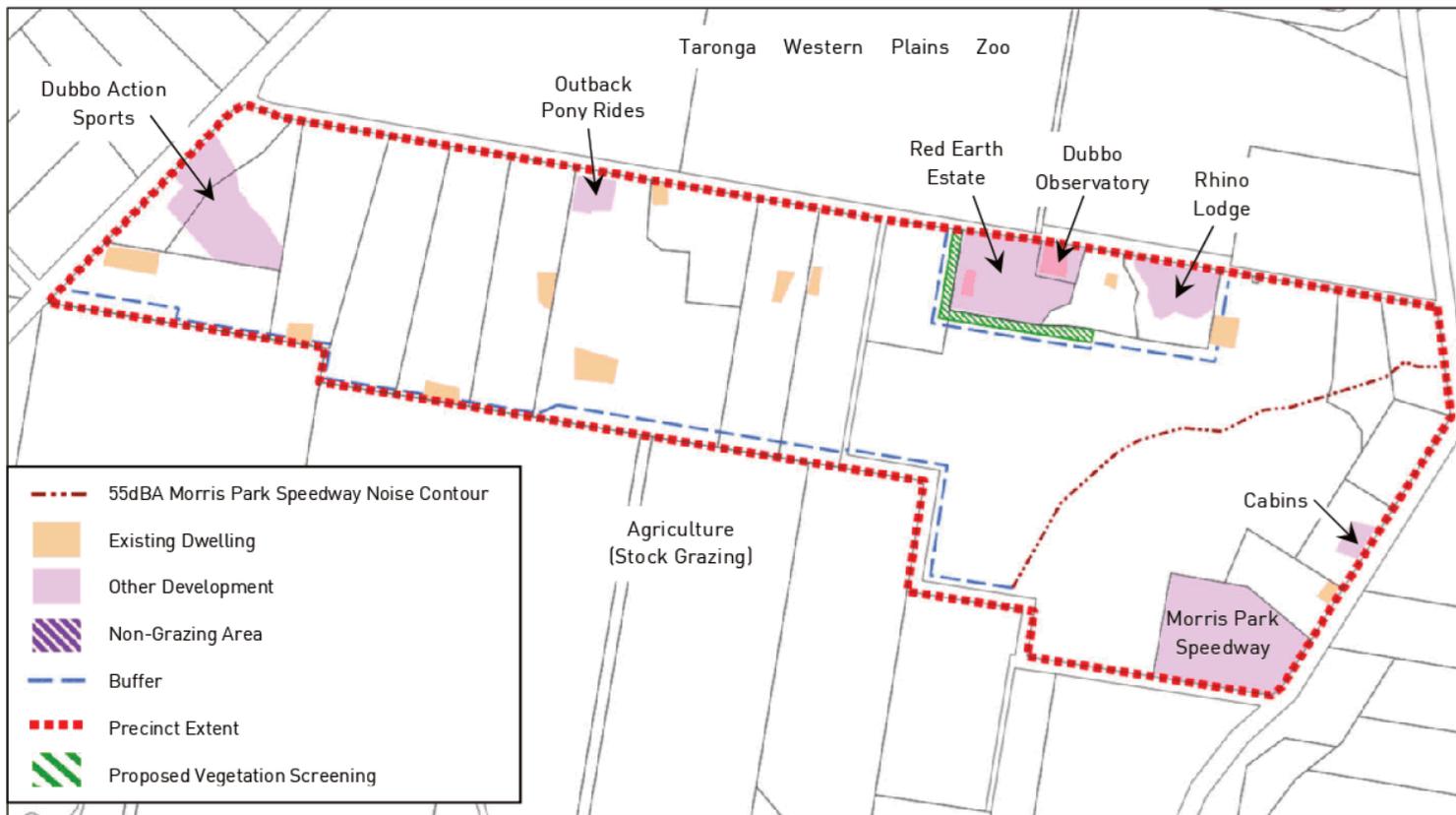


Figure 6. Proposed Buffers



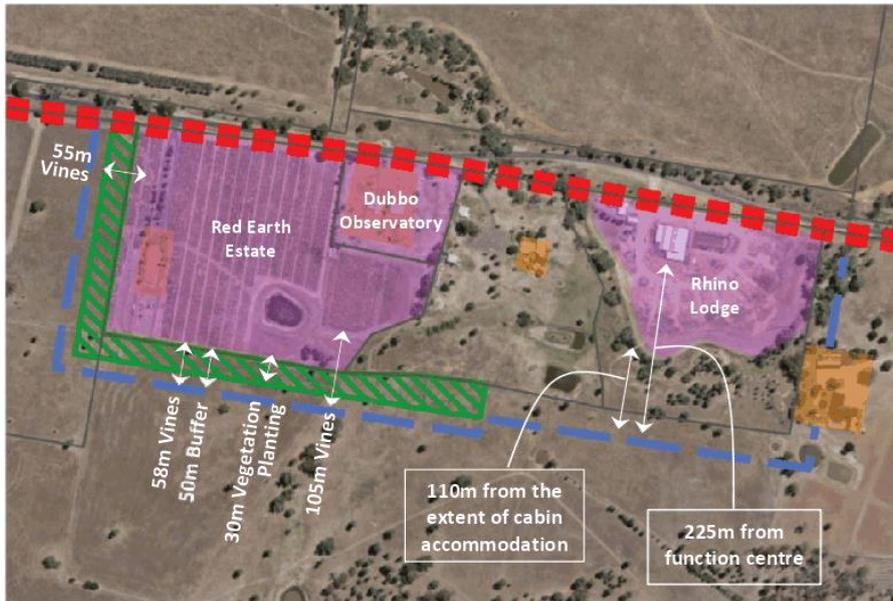


Figure 7. Proposed Buffer Areas Surrounding Vineyard, Observatory and Function Centre

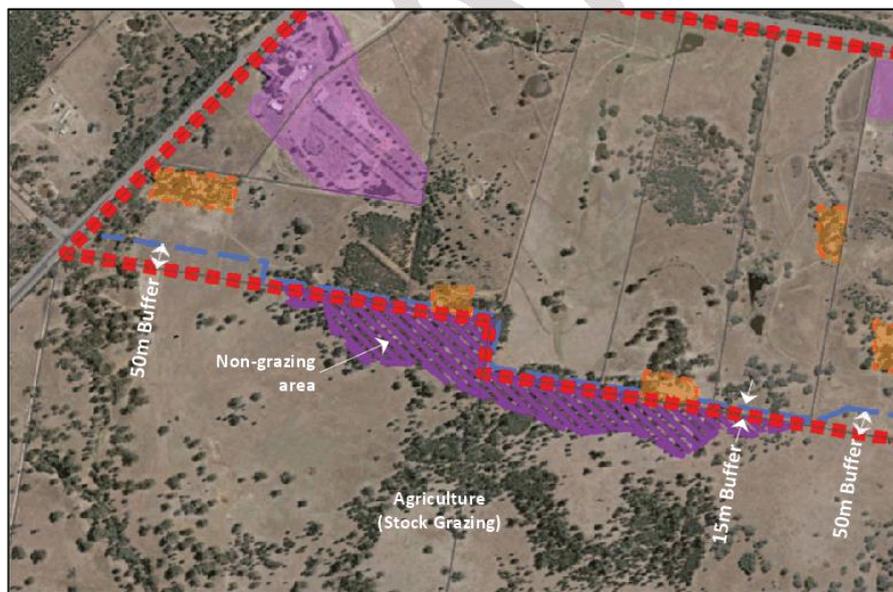


Figure 8. Proposed Buffer along the southern boundary between the existing agricultural area.

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4. MORRIS PARK SPEEDWAY

The Morris Park Speedway is located in the south-eastern corner of the Precinct. The Speedway has the potential to impact the overall development of land given the noise created from motorsport activities. As there is no noise criteria specific to motorsport, the Structure Plan has adopted and mapped the 55 dBA acoustic impact line. This provides guidance based on the NSW Road Noise Policy for night time assessment criteria whereby suitable acoustic treatments can be undertaken for individual dwelling houses based on specific locations and existing site constraints to achieve relevant night time assessment criteria.

For the land to the north of the mapped 55 dBA acoustic line, any future residential or other development will be required to provide an acoustic assessment to Council for consideration, prepared by a suitably qualified and experienced professional. Acoustic assessments provided to date demonstrate that dwellings constructed outside of the 55 dBA acoustic line can apply relevant acoustic treatments and comply with the noise requirements of Clause 102 of the State Environmental Planning Policy (Infrastructure) 2007. The land within the 55 dBA acoustic line is not suitable for additional dwellings based on the noise impacts. However, tourist development can be considered on its individual merits.

It is noted that the Employment Lands Strategy includes a recommendation that areas subject to noise impacts generated by Morris Park be formalised through planning provisions in the Dubbo Local Environmental Plan 2011.

Given that Morris Park Speedway operates on average once to twice per month depending on the season, the noise being generated is not of a constant and sustained nature. Additionally, the club advertises race meetings in advance meaning existing and future residents are aware of when potential noise disturbances will occur.

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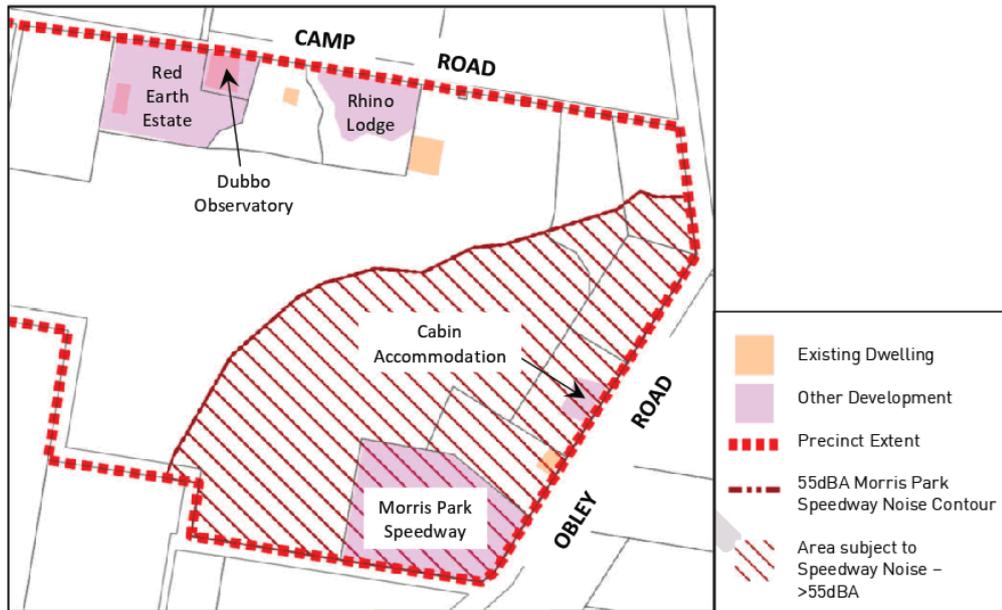


Figure 8. Morris Park Speedway Noise Contour

5. TARONGA WESTERN PLAINS ZOO

The Taronga Western Plains Zoo is situated to the north of the subject land. Part of the land immediately adjoining the Camp Road Precinct is currently used by the Zoo for technical activities, including a breeding program. This land is shown hatched in red on Figure 9.

Taronga Western Plains Zoo has created a 110 hectare breeding sanctuary on the south western corner of the Zoo, on the north-eastern intersection of the Newell Highway and Camp Road.

This sanctuary area is being used for a State significant breeding sanctuary for the Greater bilby and the Plains Wanderer. Both of these projects are being carried out with partnership and support from Office of Environment and Heritage. The Greater bilby and Plains-Wanderer are susceptible to prolonged increases of noise and light. Impacts on the breeding sanctuary can be reduced through the five (5) hectare minimum lot size fronting Camp Road and limiting light sources in the precinct such as those included in Section 3.

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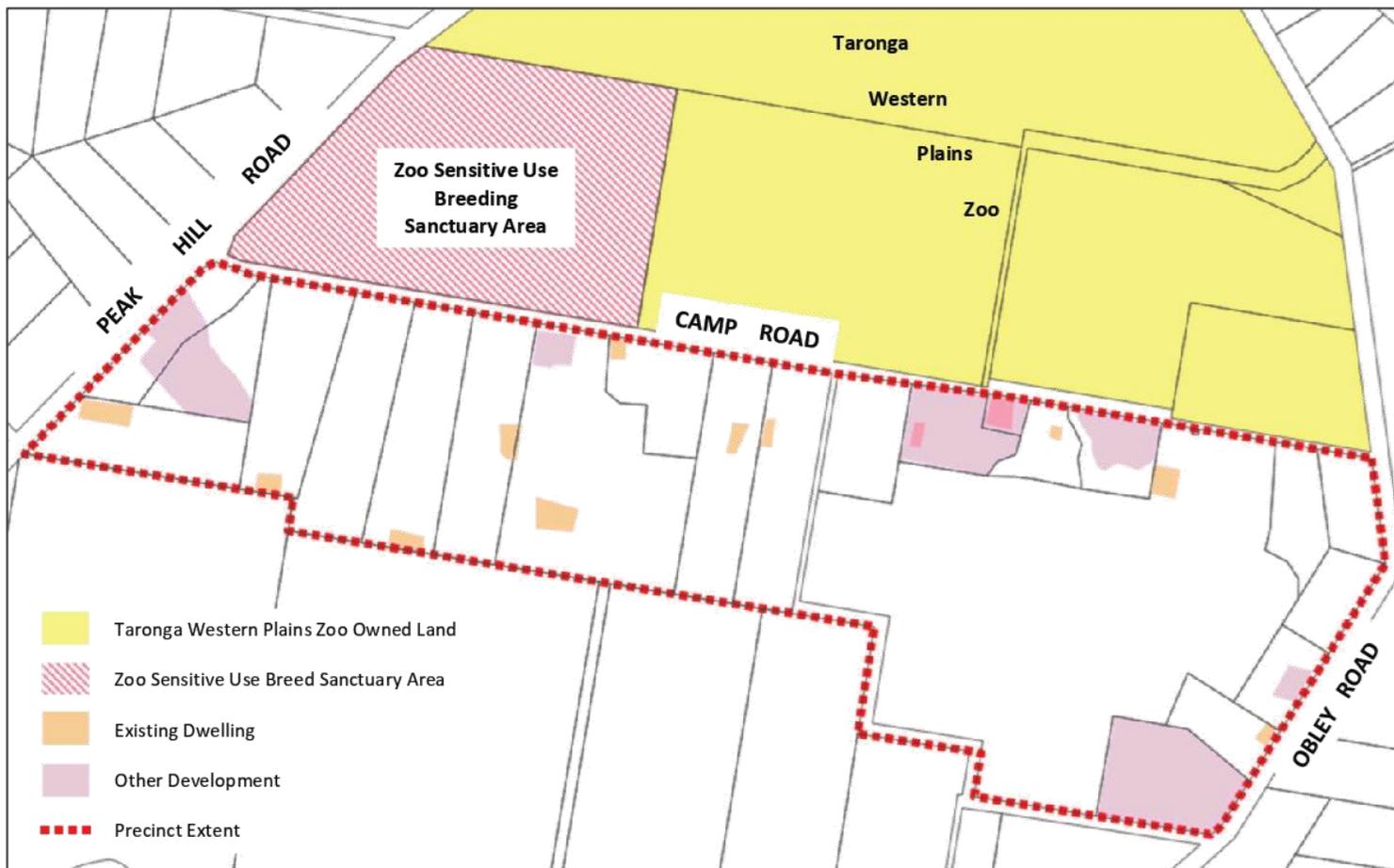


Figure 9. Relationship of the Zoo to the Camp Road Precinct



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6. INFRASTRUCTURE

The precinct is serviced by a reticulated water supply main. The precinct is supplied by the water reservoir on Rifle Range Road, located to the north-west of the precinct.

The eastern portion of the precinct has access to sewerage infrastructure with a pump station located adjacent to 4L Camp Road. However, it would appear this would be insufficient to service a large portion of the precinct. Any future development would therefore most likely be serviced by onsite waste management systems. Based on typical soil analysis on the eastern end of the precinct, onsite waste management systems are achievable, however the specific requirements of system types and suitable locations will be subject to site specific geotechnical analysis at the Development Application and Construction Certificate stages.

An indicative overview of existing water and sewerage supply infrastructure is shown in Figure 10.

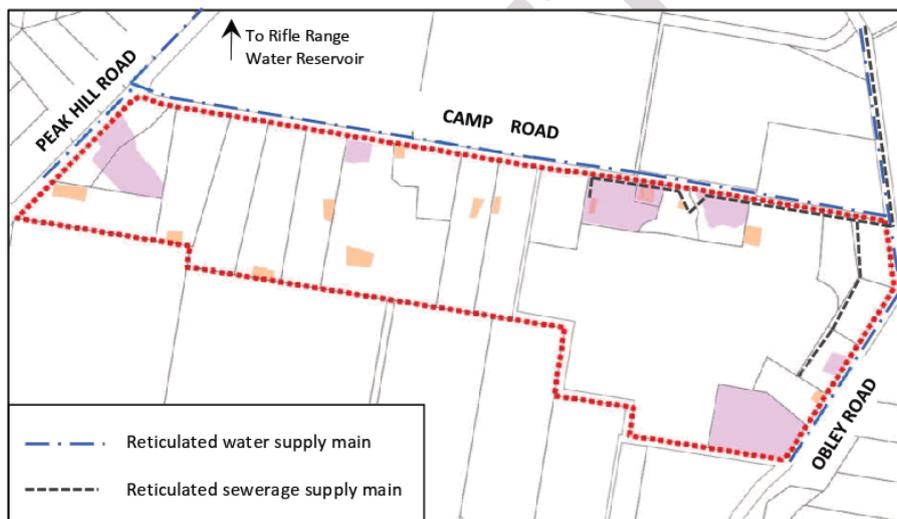


Figure 10. Existing water and sewerage supply infrastructure

Note: Infrastructure locations are indicative only for illustration purposes and are not drawn to scale

7. TRANSPORT AND ACCESS

The Dubbo City Transportation Strategy includes a proposal for a Distributor Road to connect the Newell Highway through Camp Road to the Southern Distributor and ultimately the Mitchell Highway. It is envisaged that this road will consist of two (2) lanes. The Dubbo City Transportation Strategy is currently being reviewed and based on current analysis, the Camp Road link is most likely not required until at least 2060, but more likely towards 2070.

It is noted that given a future distributor road in this location is identified as a 'very long term' project in the Strategy review, it presents some difficulties from a planning perspective as it

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requires a significant level of other road infrastructure projects to be completed prior.

However, to ensure there is an appropriate setback and provision made for the road in the future, future development should consider a 30 metre setback to the Camp Road, road reserve. This will also allow a suitable area to facilitate the development of future intersections and/or service roads into various sectors of the Precinct.

Future development within the precinct is to gain access from Camp Road or future service roads.

8. MINIMUM LOT SIZES

The precinct currently has no minimum lot size pursuant to the provisions of the Dubbo Local Environmental Plan 2011.

The Structure Plan has identified three (3) distinct areas within the subject land, which have guided the minimum lot size provisions. These three (3) areas are:

- 5 hectares
- 2 hectares
- No minimum lot size

It is proposed to have a minimum lot size of five (5) hectares along the frontage to Camp Road to allow lots sufficient area to allow tourist activities and dwellings to co-exist. It is considered that for tourist activities to be feasible in this precinct, they would need to be located immediately adjacent to Camp Road where they have visibility and direct road access. Additionally, the topography of the land on the central and southern portions is not particularly suited to either tourist development or agriculture.

For the remainder of the land (excluding the area impacted by Morris Park Speedway noise constraint), there are several considerations that lend itself towards a small lot size. Noting the infrastructure servicing requirements including provision of a reticulated water supply and the likelihood of providing onsite waste management systems, provision of an appropriate lot size will need to be considered to minimise potential impacts on adjoining properties with respect to sufficient disposal area.

Based on the typically soil typology and natural constraints including vegetation and watercourses along with the availability of services for the precinct, it is considered that a minimum lot size of two (2) hectares across the remainder of the site is most appropriate. It is considered this an appropriate size that balances being able to undertake viable development of the land, minimises land use conflicts and achieves the revised role of the Camp Road precinct which is to allow small-scale rural based tourist activities and semi-rural style lifestyle lots to co-exist with minimal land use impacts occurring as a result. As discussed throughout this Structure Plan, the recommendations and further considerations should be implemented to minimise land use conflicts.

A preliminary undertaking of supply and demand analysis in the Dubbo Regional LGA would indicate there is limited availability of vacant two (2) hectare lots.

Noting that one of the intents of the precinct is to provide a buffer between the Taronga

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Western Plains Zoo and the agricultural land from more intensive uses, a minimum lot size lower than two (2) hectares would not be appropriate as potential land use conflicts may begin to arise.

For the land within the identified 55dBA noise contour associated with the Morris Park Speedway, no minimum lot size is proposed. As no minimum lot size is proposed within the area, no minimum lot size will ensure it is not identified for the development of land parcels suitable for dwellings. Tourist related development will still be permissible with consent subject to noise impact assessments being undertaken.

The proposed minimum lot size regime is shown on Figure 11.

The suitability of subdividing respective parcels into two (2) hectare lots will need to be considered given site specific natural, physical and infrastructure constraints. These are issues that are typically considered in future detail at Planning Proposal and Development Application stage.

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DUBBO REGIONAL COUNCIL DRAFT CAMP ROAD STRUCTURE PLAN

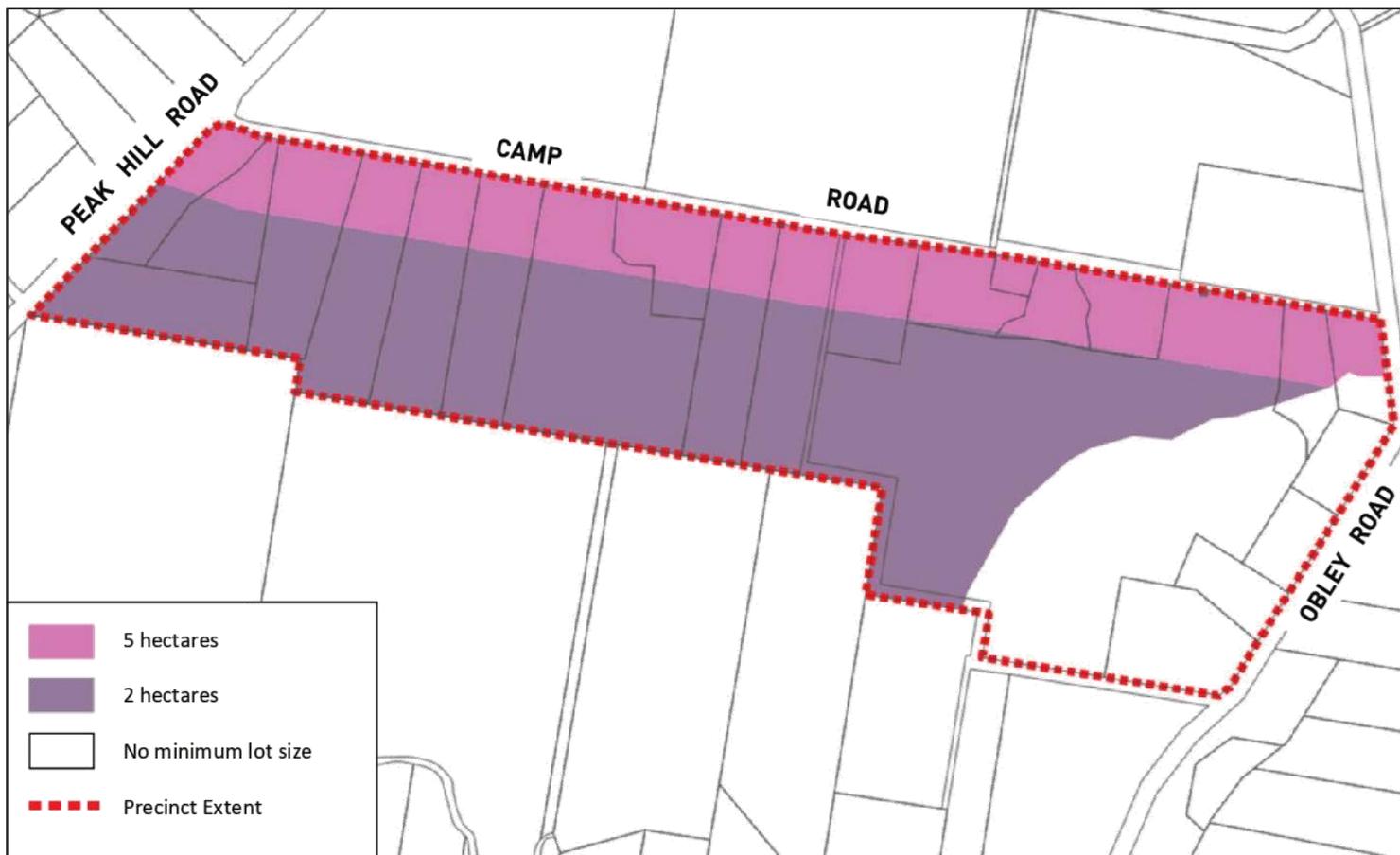


Figure 11. Proposed minimum lot size regime



DUBBO REGIONAL COUNCIL DRAFT CAMP ROAD STRUCTURE PLAN

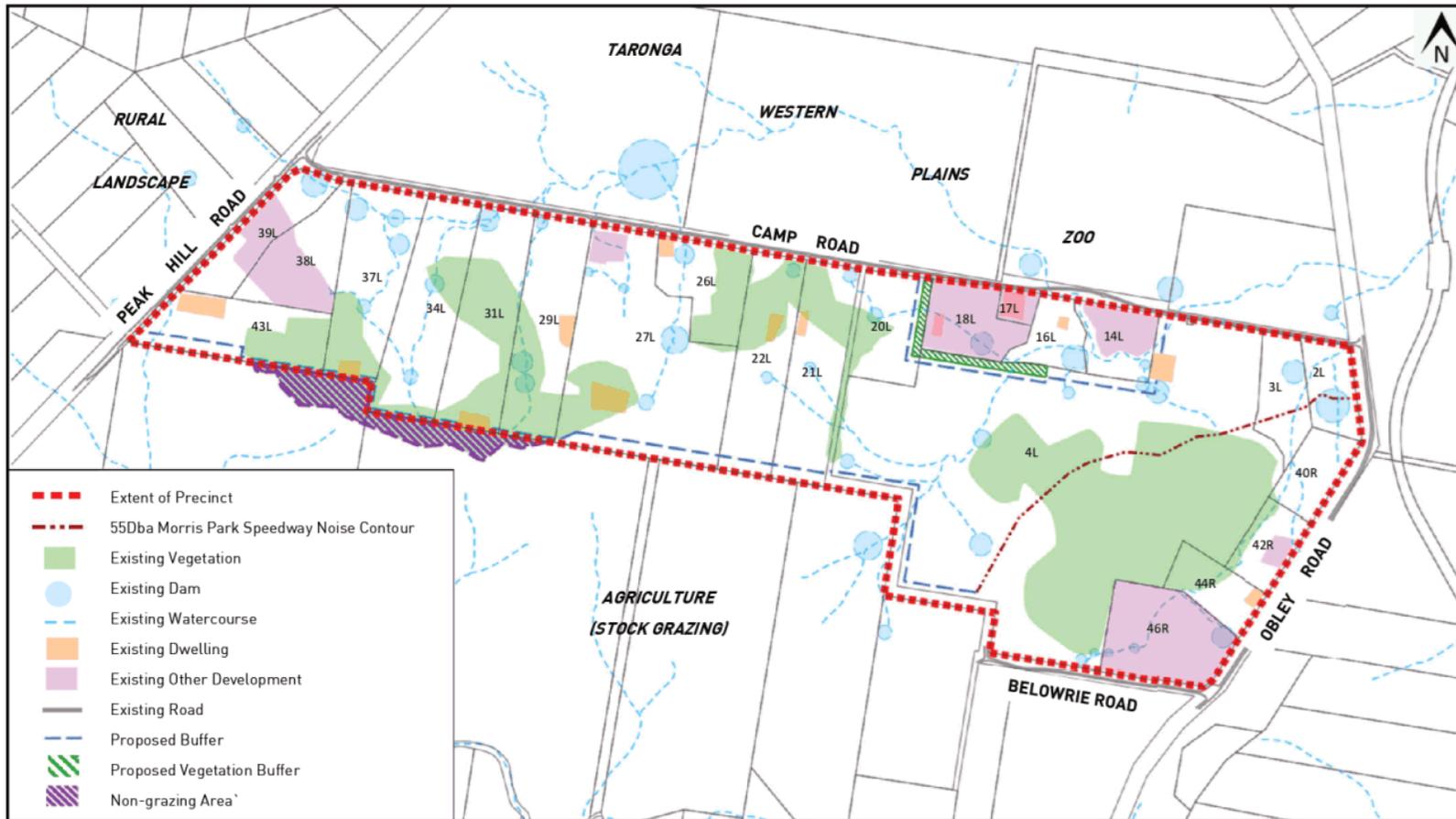
APPENDIX 1

Comprehensive Structure Plan

DRAFT



DRAFT CAMP ROAD STRUCTURE PLAN



Dubbo Observatory Submission to the Draft Camp Rd Structure Plan. 23 Aug 2019

Submission for Draft Camp Rd Structure Plan

We own and run the Dubbo Observatory situated at 17L Camp Road Dubbo.

Dubbo Observatory strongly opposes the change in zoning of the Camp Rd Precinct. We are also extremely disappointed that there has been a shift to smaller lot sizes of land making this situation even worse.

Dubbo is a successful business attracting 10,000 visitors per year to view and photograph the planets, stars, and galaxies from our dark skies. Take away the dark skies from us will mean the end of our business and a loss for Dubbo of an iconic tourist attraction.

We contribute to the Dubbo economy by allowing 10,000 people per year to stay an extra night in Dubbo spending money on accommodation and food as well as advertising the good experience to others when they go home who then may travel out to Dubbo.

We purchased this business and spent a great deal of our own money because of its potential, dark skies, and in a tourism zone where only tourism development is permitted. It is just crazy that you propose to change the zoning for housing development to occur on the doorstep of an observatory.

At the time we purchased this property, 3 years ago, we were assured that development of this kind was not planned nor permitted by Council. We went ahead with our purchase based on this. Other people I have talked to have also asked Council since then asking about subdivision of land they wanted to purchase on Camp Road, were told the same thing and they decided not to purchase the land based on this advice. It concerns me how quickly this has changed, what is driving this, and how fast this process is going.

A dark sky is required for an observatory to be able to observe the Milky Way, stars, nebulae, and galaxies. Light pollution increases the sky brightness, and the Milky Way disappears as well as many stars which is what our 10,000 visitors come to see. As the Milky Way is faint, it does not take much light pollution for this to be lost. We already have light polluted skies to our north in the direction of Dubbo city and the Milky Way is lost in that direction. Luckily overhead, the east, South, and West are currently very good except when the Morris Park Speedway is in operation where we again lose our dark sky. The picture below was taken from our observatory towards the direction of Morris Park when they are operating and you can clearly see the lack of stars towards the south. The Milky Way runs straight through that spot and there is no hint of it there due to light pollution. It is our concern that dwellings built in the east, south and west will result in the loss of our dark sky.



1

Dubbo Observatory Submission to the Draft Camp Rd Structure Plan. 23 Aug 2019

Light pollution is not only detrimental to professional and amateur astronomy, but also affects nocturnal animals and everyone's enjoyment of the night sky. It is also a waste of energy and therefore money if it is not directed to where it is needed for the time it is needed and for the right reason (safety etc). I am sure Council could also take this approach in Dubbo city as if lighting is more efficient, the saving in money through energy costs would be considerable and a lesser burden to the Dubbo community which the Council serves. Morris Park should probably look at this as so much of the light is directed straight up where it is not needed and wasting energy and money for them. Good lighting does not waste energy, saves money, nor needlessly create greenhouse gases causing climate change.

I refer you to the International lighting zones for night-time environment. This was developed by the International Commission on Illumination and relates to light for land uses.

The table below explains the CIE zones.

Zone	Description	Example
E1	Intrinsically dark	Areas near observatories, national parks, forests, broadacre agriculture (roads unlit)
E2	Low district brightness	Rural residential
E3	Middle district brightness	Towns
E4	High district brightness	Major urban areas (high night-time activity)

As you can see an observatory such as ours would be in zone E1 where as the proposed zoning change would change that to zone E2. Our business would not be compatible with the change in zoning proposed in the draft Camp Road Structure Plan.

The draft Camp Road Structure Plan proposes to have housing development in the east south and west where the light pollution from this will make our business change from a successful business to an unviable business. An analogy you might relate to is It's like you are in a room listening to a speaker who is a quiet talker. If everyone in the room is talking away making noise you can't hear the speaker. This is just like trying to observe faint light sources in the sky but everyone has their lights on.

As mentioned in our previous submissions just having lights shining not upwards above the horizontal does not prevent light pollution. It is the reflected light up into the air above a town and scattered off dust and aerosols that creates the skyglow above towns and cities. Current lighting restrictions in Dubbo are severely insufficient as explained in our previous submissions (please refer to them) to protect our observatory from light pollution. If there are going to be for example 100 new houses in the precinct, this equates to 700 new external lights. This is disastrous for our business.

Dubbo Observatory opposes the change in zoning of the Camp Rd Precinct as it will allow the proliferation of housing producing light pollution from direct light from light fixtures and scattered light in the atmosphere from reflected light off the ground from light fixtures. The amount of light pollution produced will depend on the number of dwellings multiplied by the number of external

Dubbo Observatory Submission to the Draft Camp Rd Structure Plan. 23 Aug 2019

light fixtures per dwelling. Current lighting restrictions in Dubbo are severely insufficient to protect our observatory from light pollution. If there are going to be for example 100 new houses in the precinct, this equates to 700 new external lights. This is disastrous for our business.

In our previous submission we proposed a compromise where increased lighting restrictions could be implemented and enforced.

Each property would have a maximum of 2 external light fixtures with a maximum of 940 lumens in total. This would reduce the amount of potential light pollution by 3 fold.

Each light fixture would be fully cutoff (shielded by an opaque cover). This would prevent direct light pollution, however not reflected light.

Each light fixture would be on a timed motion sensor where the light would only be on when required.

There are no streetlights.

There are no skylights in dwellings and sheds.

There is a physical barrier on our southern border to combat direct light pollution.

We note that in next iteration of the plan that some of these measures are considered. The plan proposes that a 30 metre deep vegetation screen be put in place in the proposed 50 metre boundary buffer. At the information night we were informed this would be put in place by the landowner (Matt Bender) and maintained by that owner. My concerns are as follows;

Is it going to be tall enough? Our property is low lying and the land at the winery is a bit lower and so is the 50m Buffer, but the land behind that where houses will be built is much higher than our property and therefore direct light pollution will occur. As the houses are higher up the trees planted will have to be very tall.

Are the trees to be planted and grown from small plants? If so it would take many years for the screen to be effective.

Also what type of trees will they be? If they lose their leaves in winter they are useless.

What is the density on the planting? If they are not dense, light will pass through.

We would prefer if this was implemented by Council and not the Landowner and maintained by Council. Realistically, it is not a priority of the landowner to maintain this properly in the future.

A better solution would be a permanent panel fence that is closer to our property that is closer to our southern boundary. There is less maintenance, and no watering required.

I note in the plan that outdoor lighting fixtures be limited to 2 per dwelling with lights covered so as not to protrude past 30 degrees horizontal. We would like this to be 2 for the whole property and that they be fully cut off (covered so there is no direct light, particularly from properties off our southern boundary. I note that these lights are on motion sensors, there are no skylights and no street lights.

Dubbo Observatory Submission to the Draft Camp Rd Structure Plan. 23 Aug 2019

My questions are;

Can this restriction be enforced and not open to challenge from future property owners? i.e. can Council legally enforce it? If not we don't support this change in zoning at all.

How will it be policed once Council has approved a development? What is to stop any property owner adding lights after final approval is given. I have seen this from personal experience where there are stringent lighting restrictions near Siding Spring Observatory at Coonabarabran where property owners add lights later on and it is not policed or acted on. I am sure Dubbo Regional Council has experienced similar situations where plumbing of houses is altered after final approval where storm water is redirected into sewer lines which then potentially flood sewer treatment plants during rain events. I have experienced this before while working for Councils in the past as a water and sewer officer. So what I am saying is how would you police it? It is very hard and ultimately there will be light pollution.

We also asked if the lot sizes can be increased to what was proposed to help lessen the impact on our business. You have ignored this and gone the other way by reducing the lot size from 3 hectares to 2 hectares therefore increasing light pollution affects. Its all about others who will make more money at our expense. This is extremely disappointing and request you reconsider this.

Yours Sincerely

Peter and Jane Starr

Dubbo Observatory

17L Camp Rd Dubbo 2830

Matthew & Leetina Bender

3L Camp Road,

Dubbo NSW 2830

Dubbo Regional Council

Po Box 81,

Dubbo NSW 2830

Re: Public Exhibition of the Draft Camp Road Structure Plan.

We object to the 55DBA Restriction imposed on 3L Camp Road for the following reasons; this will negatively impact the building envelope at the top of the Block of land where a subsequent Home would have been constructed, we draw your attention to developments along Obley road adjacent to Morris Park Speedway these developments have New dwellings constructed and Cabins all of which have permanent/ long-term residents residing in them within the 55DBA Line/shading drawn, this is a gross contradiction of restrictions and a Negative impact on property value will be encountered with such an un necessary restriction.

We personally declare the restriction on 3L Camp Road Deemed Unnecessary, As Current residents on 4L Camp Road, we frequent all areas on the property along with 3L camp road during the sporadic times Morris Park Speedway has operated and have never complained nor have we been negatively impacted by any noise pollution generated form Morris Park Speedway.

Please note, The Speedway has scheduled race meets approximately every 4-8weeks.

We feel the 55DBA Restrictions imposed are far too great for the minimal Noise impact the Morris Park Speedway has on the immediate area.

Matthew & Leetina Bender
3L Camp Road, Dubbo NSW 2830

MAYOR

COUNCILLOR BEN SHIELDS

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Kevin Parker

COUNCILLOR KEVIN PARKER

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e: clrkevin.parker@dubbo.nsw.gov.au

Matthew & Leetina Bender

Lot 8, 4L Camp Road,

Dubbo NSW 2830

Dubbo Regional Council

Po Box 81,

Dubbo NSW 2830

Re: Public Exhibition of the Draft Camp Road Structure Plan.

We oppose & do not support a vegetation buffer behind Rhino Lodge (14L Camp Road) or behind Soul Country Cabins & Camping (16L Camp Road),

We Understand & accept a vegetation buffer is required as instructed to form a buffer from "Spray Drift", Noise & odour from "Red Earth Estate" hence a vegetation buffer will only be supported from the western rear boundary line of 18L Camp Road (As Plan) & run to and be in line with the eastern side boundary line of (17L Camp Road).

Note: We would support only a 30m buffer (No Vegetation) to the rear of both 14L & 16L Camp Road within our boundary line, We support a maximum of 30m buffer to zone only incorporating vegetation to rear of 17L & 18L Camp road only.

We are opposing the remaining 20m balance of the proposed "50m" buffer to red earth estate vineyard to rhino lodge due to the crippling effect on our proposed subdivision layout, the remaining 20m buffer area outside the 30m vegetation buffer is displaying a major negative impact as below;

1/ Resultant building envelopes achievable due to the "over restrictions".

2/ Saleability of building blocks due to buffers/restriction.

3/ we note this 20m "free air/open area buffer" to achieve zero outcome to aid in the support of the adequate 30m buffer/vegetation buffer but to have a negative impact on appeal/saleability & attractiveness to a prospective buyer.

NOTE: we will not & do not support greater than a 30m buffer along the rear boundary of 14L to 18L Camp Road incorporating vegetation as mentioned above, anything greater in total of 30m will have a crippling effect on our proposed subdivision layout and amended layout. we already have outlaid a large amount of money for consultant reports at the direction of Dubbo Regional Council and large amounts of money on subdivision plans which have exhibited proposed lot layouts to which Dubbo regional council were furnished with copies of over the Part 2-3 years, At NO point did Dubbo Regional council raise a concern of imposing a buffer or buffers having a negative impact on "Building envelopes", block restrictions etc. These issues should have been raised prior to now.

We direct your attention to your inclusion of illustration of the 55DBA line which is grossly out of proportion in relation to a Noise Study as previously carried out, therefore object to the extent of impact shown By Dubbo Region Council's Illustration (ie 3L Camp Road) We also draw your attention also to dwellings permitted & constructed along Obley Road to "Morris Park Speedway" we foresee subsequent proposed restrictions on our development "inconsistent" & an Unfair outcome considering all housing & cabin development neighbouring Morris park is clearly within the 55DBA line drawn, Therefore due to this we request a "review" of severity impact due to this evidence of inconsistent contradiction.

Morris Park Speedway is NOT Operating Full time nor for large lengths of any one time to have such large Negative impact drawn on our proposal.

- Please clarify page 16 the suitability of subdividing respective parcels into 2 hectare lots will need to be considered given site specific natural/physical & infrastructure constraints. We assume this relates to others along camp road precinct/future development proposal submitted as due to extensive conversations over 3 years we have not been informed to date that our proposal not suitable of subdividing into 2 hectare lots; We Request clarification & we would oppose & object to this condition if applied to our proposal as had ample time over the past 3 years to discuss this.
- "Minimum Lot Sizes" We believe the lot sizes of 1-1.5ha would be more applicable for development, also the 5ha lot sizes fronting camp road should be 2ha, smaller lot sizes are required due to buffers & restrictions imposed.
- THE OUTSTANDING MATTER of the Payment of \$25000 for the Review of the LEP for 4L Camp Road.

This payment was made to Dubbo Regional Council to have our proposal Considered prior to the Current Review of the LEP, we feel our proposal has not been adequately addressed and we seek the "Refund of Expenditure" on the basis of not receiving the service for which Payment was made, we were originally instructed in 2016 the Camp Road precinct was not due to be reviewed for 2 years or more, if we wanted the review considered sooner we were to pay the \$25000 Fee & have our own proposal considered on a "Stand Alone Case". We note that this has not occurred and has been extensively delayed due to the Entire Camp Road Precinct being included "as a whole package" therefore under consumer law we have not received the goods or services we have paid \$25000 for and therefore request a refund for that Fee paid.

Matthew & Leetina Bender
4L Camp Road, Dubbo NSW 2830

MAYOR

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DOHERTY SMITH & ASSOCIATES
CONSULTING SURVEYORS

PO Box 4764
4/2 Blueridge Drive
Blueridge Business Park
Dubbo East NSW 2830
P: 02 6884 1008

Your Ref:
In Reply Please Quote:15066

20 August 2019

Dubbo Regional Council
PO Box 81
Dubbo NSW 2830

Attn: Mr Lee Griffith

Dear Sir,

**RE: SUBMISSION IN RELATION TO PUBLIC EXHIBITION OF
CAMP ROAD STRUCTURE PLAN
SPECIFICALLY IN RELATION TO
LOT 8 DP1063425
4L CAMP ROAD
DUBBO**

In relation to the public exhibition of the proposed Camp Road Structure Plan, the following specific points are raised as having a substantial impact on the proposed development.

Vegetation buffer on southern boundaries of Lots 4 & 5 DP1033752 and Lot 1 DP1017984.

1. This vegetation buffer extends east of the existing vineyard on Lot 1 DP17984. The buffer is proposed ostensibly as a mitigation for spray drift from the vineyard, and as a minor measure to shield the existing observatory on Lot 2 DP1017984 from light pollution. Because of the layout of the vineyard, with a dam, watercourse, and established trees at the southwestern corner of the property, no vines are located within approximately 50 metres of the southern boundary. If the proposed vegetation buffer of 30 metres is extended past the watercourse, located just east of the southwestern corner of the land, this will create a buffer of at least 80 metres from the closest vine to the southern extent of the vegetation buffer. Consequently, it is requested that the vegetation buffer, 30 metres wide, not be required where the existing vines stand at least 50 metres from the southern boundary of Lot 1 DP1017984.
2. The existing Rhino Lodge development on Lot 5 DP1033752 stands approximately 140 metres from the southernmost point of an existing structure to the southern boundary of the land. Within this 140 metre area is a vegetated water course area at

least 70 metres wide and in places up to 100 metres wide. Even if a building was constructed at the northern bank of the watercourse area, it would stand at least 70 metres from the southern boundary. The proposed development allowed for 20 metre setbacks to boundaries, which gives a minimum of 90 metres between the nearest possible building in the Rhino Lodge development to the nearest possible dwelling in the subject land. Consequently, it is requested that the vegetation buffer, 30 metres wide, not be required against the southern boundary of Lot 5 DP1033752.

3. The land within Lot 4 DP1033752 is subject to a similar topographic limitation to Lot 5, with a watercourse within the southern part of the land. This watercourse has a width of at least 80 metres within Lot 4. When added to the proposed 20 metre setback to boundaries in the proposed site plan, this provides a setback from the nearest possible building on Lot 4 DP1033752 to the nearest possible dwelling on the subject land of at least 100 metres. Consequently, it is requested that the vegetation buffer, 30 metres wide, not be required against the southern boundary of Lot 4 DP1033752.
4. The requirement for a vegetation buffer raises concerns for future safety in the area due to the potential increased bushfire hazard. It is requested that careful consideration be given to the design and structure of the vegetation buffer to ensure that bushfire hazard is not increased for existing dwellings, businesses, and other structures, as well as for potential new dwellings, businesses, and structures in the area.
5. The requirement for a vegetation buffer raises questions in terms of practicality. Establishing, maintaining, and managing a vegetation buffer of the type proposed is anticipated to require a substantial amount of water. It is also noted that in other areas where mass tree plantings have been required, it was not practical to maintain them. Given the current drought and anticipated climate change impacts which will see average temperatures rise, average rainfall decrease, and more severe weather events in general, the proposed vegetation buffer does not appear to have been well considered. Again, careful consideration as to the design and structure of the proposed vegetation buffer is recommended to ensure that the buffer is able to be established and maintained.

Additional 20 metre setback to 30 metre wide vegetation buffer

1. The structure plan as exhibited proposes a 30 metre wide vegetation buffer with an additional 20 metre setback to the nearest dwellings. The proposed site plan submitted with our planning proposal allowed for a 20 metre setback to boundaries. Especially in relation to the southern boundaries of Lots 4 & 5 DP1033752, and Lot 1 DP1017984, there are existing setbacks by virtue of topography and existing vegetation. Increasing the setbacks within 4L Camp Road to an effective 50 metres creates setbacks from the nearest possible development within Lots 4 & 5 DP1033752 and Lot 1 DP1017984 to the nearest possible development within the subject land of at least 100 metres, and in places nearly 200 metres. This setback distance is almost that required with no vegetation buffer and is considered to be excessive. Given the 30 metre wide vegetation buffer and the existing restraints of topography and vegetation on adjoining land, the requirement for an additional 20 metre setback does not make sense. It is requested that this requirement be removed in relation to the land described above.

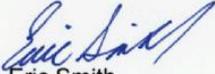
Doherty Smith & Associates Pty Ltd

www.dohertysmith.com.au

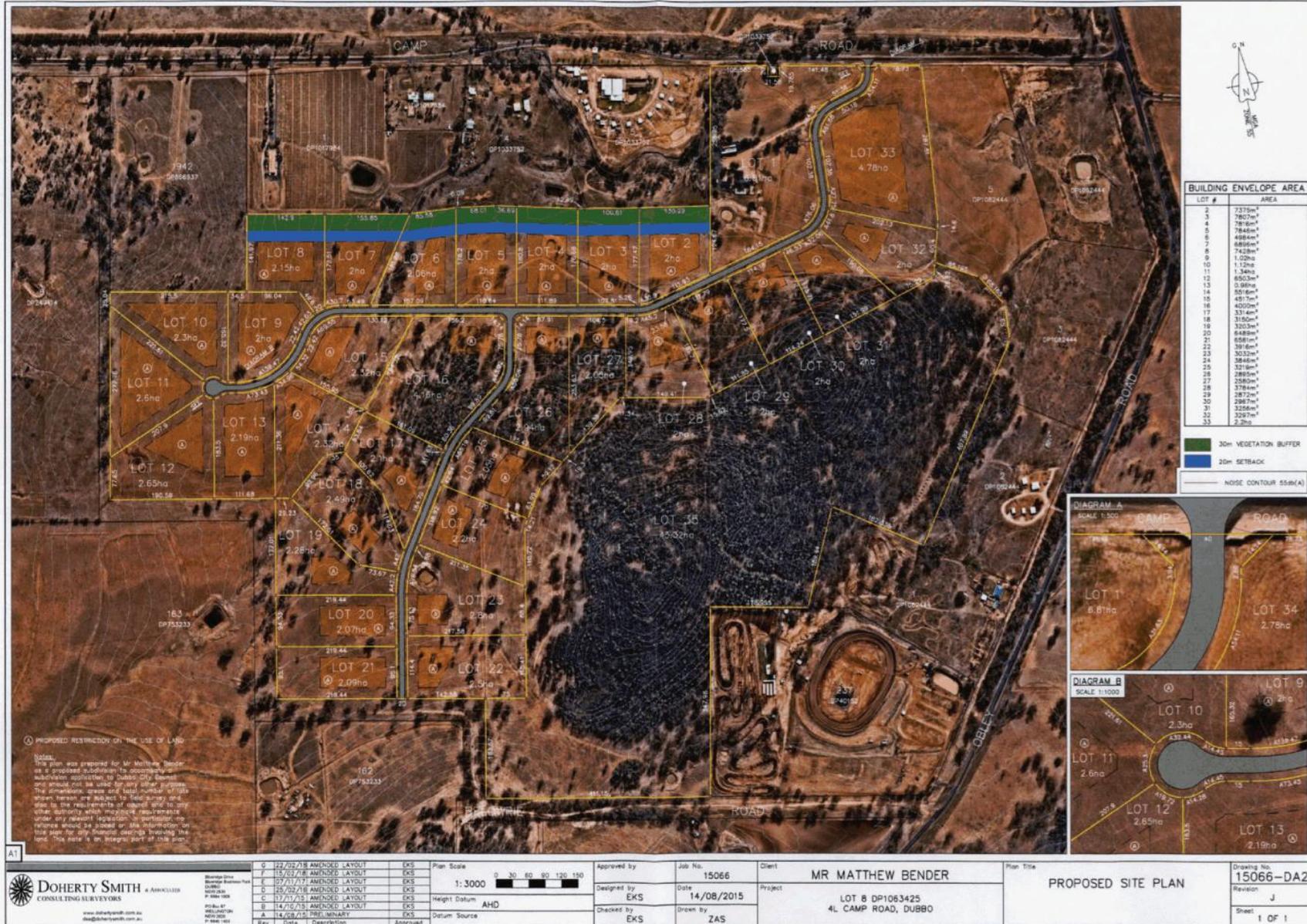
Attached: Amended Proposed Site Plan showing revised setbacks and existing site restraints.

If you have any further queries please do not hesitate to contact me.

Yours faithfully,



Eric Smith
Surveyor Registered Under
The Surveying & Spatial Information Act 2002



Draft Camp Road Structure Plan (the Plan)

23.8.2019

This Plan is more palatable than the previous iteration.

The parts of the Plan that my submission covers are:

5. ~~Taronga~~ Western Plains Zoo

The hypothesis of a 5ha minimum lot size being required solely for the breeding area has been debunked due to the lack of scientific evidence. This is a fair and just development.

7. Transport and Access

It is pleasing to see that the 30 metre widening of the Road Reserve has been removed.

However, any further widening of the Road Reserve should come from the ~~Taronga~~ Western Plains Zoo side. This will alleviate the issue of needing to relocate all the existing services on the southern side of Camp Road.

8. Minimum Lot Sizes

The 2ha minimum lot size is starting to get closer to the mark. It really should have been 1.5ha minimum lot size.

Sooner or later somebody is just going to have to bite the bullet and admit that the tourist idea along Camp Road has not worked as envisaged 20+ years ago. When that point is reached the 5ha minimum lot size should be reduced to bring it into line with the 2ha minimum lot size.

3. Buffer Areas iii) Agriculture

The designation of the 'non grazing area' and the removal of a buffer in this area is a major win for sanity and sound planning.

Any minimum set-back distance shouldn't be greater than 10 metres as this is a much more consistent distance as per the Dubbo DCP 2013 for rear set-back in SP3 zone.

10 metres is also the set-back of the tourist accommodation cabin at 31L Camp Road that has operated for many years with no land use conflict with the non-grazing area/RU1 zoned land to the south. See Figure 1 below.

A retrospective 15 metre set-back is overreach given that the houses at 31L and 37L Camp Road have been here for 35+ years, and a 15 metre set-back will negatively impact future house additions in our existing unique situations.



Figure 1. 31L Camp Road, Dubbo – 10 metres from tourist accommodation to southern boundary (Source: Google.)

The advice I have received to do with buffers in general though is that a buffer should only come into play at the DA stage i.e. once there is a concrete proposal to change what already exists with a subdivision, building etc.

Yours sincerely,

Joshua Black
37L Camp Road, Dubbo.



IRF19/5439

Mr Michael McMahon
Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Attention: Mr Steven Wallace, Director Planning and Environment

Dear Mr McMahon

Draft Camp Road Structure Plan

Thank you for your correspondence on 31 July 2019 requesting the Department's comments on the draft Camp Road Structure Plan.

I would like to thank Council on the collaborative approach taken to progress the draft Structure Plan. The Department is looking forward to working with Council to finalise the draft Structure Plan.

The draft Structure Plan, along with the Dubbo Employment Lands Strategy provide the strategic merit to proceed with future planning direction for Dubbo. Undertaking such strategic planning provides greater land use certainty and also streamlines the LEP amendment process, allowing for expedited Gateway determinations where there is supportive land use strategies in place.

I have enclosed a copy of the draft Structure Plan with comments incorporated. These amendments should be made to the draft Structure Plan prior to submitting the final for the Department's endorsement. Council's final submission to the Department is to address the submissions made during the consultation period.

If you have any more questions, please contact Tim Collins, at the Department of Planning, Industry and Environment on 5852 6800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'D Pfeiffer'.

22/08/2019

Damien Pfeiffer
Director, Western Region
Local and Regional Planning



OUT19/11507

Chief Executive Officer
Dubbo Regional Council
PO Box 81
Dubbo NSW 2830
E: Council@dubbo.nsw.gov.au

Attention: Mr Steven Jennings
Manager Strategic Planning Services

Dear Mr Jennings

Public Exhibition of the Draft Camp Road Structure Plan

Thank you for the opportunity to comment on the second revision of the draft Camp Road Structure Plan as outlined in your letter dated 31 July 2019. Outcomes from a resulting meeting between Ms Mary Kovac and yourself regarding potential buffers to the adjacent primary production zone, and the intent of the draft structure plan are also incorporated into this response.

The revised draft includes a more considered plan, and is generally supported by DPI. Some matters for Councils consideration to ensure the Camp Road area continues to function as a buffer between the zoo and primary production land as intended are as follows:

1. In relation to the buffer to the grazing land, it remains DPI's preference that buffers are provided in the imposing development. While it is acknowledged dwellings exist within this area, the buffer may be provided on the vacant lots in the imposing development within the vegetated area. In addition an offer should also be made to the grazing land owner to fence the 'non-grazing' area to enable more effective management. It also should be made abundantly clear in any planning documents that this area may be grazed at that landowners discretion and that the 'non grazing' denotation merely recognises the reduced carrying capacity of this area.
2. Prior to formal amendments to the minimum lot size are Land Use Conflict Risk Assessment should be undertaken to ensure that the buffers will be appropriate in these specific circumstances. The buffers should also be enforced through a restriction on title or similar means.

NSW Department of Primary Industries - Agriculture
Locked Bag 21, Orange NSW 2800 | 161 Kite St, Orange NSW 2800
Tel: 02 6391 3391 | Email: landuse.ag@dpi.nsw.gov.au | www.dpi.nsw.gov.au | ABN: 72 189 919 072

The reduced buffer to the vineyard is accepted based on evidence from other Council areas regarding the success of vegetated buffers. As discussed with council it needs to be professionally designed with appropriate species selected for identified buffer outcomes and climate, along with this being enhanced with scheduled and appropriate irrigation and ongoing monitoring regarding the longevity and replacement of plants, to maintain its effectiveness as a buffer to deal with issues such as dust, spray drift, etc. We note the development should be responsible for the establishment of this, and an appropriate vegetative buffer management plan to be developed and reported on while the vineyard and tourism features continue to operate. Vegetation plantings should be undertaken as soon as possible to ensure establishment prior to occupation of new dwelling houses.

The removal of the road is noted and supported. This helps in reducing further land use conflict through farm trespass opportunities.

Should you wish to make further enquiries please contact Ms Mary Kovac, Agricultural Landuse Planning Officer on phone 6881 1250 or mobile 0427 949 987.

Yours sincerely



3/9/2019

Tamara Prentice
Manager Agricultural Landuse Planning



Your reference : FIL17/204; ED19/81450
Our reference : SF19/45643; DOC19/791936
Contact : Steve Redden, 02 6883 5357

Manager Strategic Planning Services
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

11 September 2019

Attention: Steven Jennings

Dear Mr Jennings

Draft Camp Road Structure Plan

I refer to your letter dated 31 July 2019, seeking comment from the Environment Protection Authority (EPA) on the draft Camp Road Structure Plan (the plan) which was prepared by Dubbo Regional Council to guide future development of the Camp Road precinct. The plan was on public exhibition until 23 August 2019.

The EPA responded to the preliminary Camp Road Structure Plan on 16 May 2019, and recommended that mitigation be provided through an adequate buffer between the speedway and any future residences. The purpose of this letter is to clarify the EPA's position on how to determine an appropriate buffer.

The Road Noise Policy and *State Environmental Planning Policy (Infrastructure) 2007* were not intended to apply to noise from motor sport facilities. It appears that those policies were used to derive the plan's proposed 55 dB(A) buffer. The EPA therefore does not consider that buffer is appropriate for speedway noise.

The EPA recommends that a suitable buffer could be based on noise impacts from speedway operation being below $L_{Aeq,T}$ 45dB(A) outside the residence. While the EPA does not have a current policy on speedway noise, this level is generally consistent with the guidance in the former *Environmental Noise Control Manual*.

If you have any questions, or wish to discuss this matter further please contact Mr Steve Redden at the EPA's Central West Dubbo office on 02 6883 5357 or by email at central.west@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Duncan McGregor'.

DUNCAN MCGREGOR
Acting Unit Head - Central West
Environment Protection Authority

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DUBBO REGIONAL
COUNCIL

REPORT: Draft Community Participation Plan

AUTHOR: Growth Planning Projects Leader -
Digital Futures
REPORT DATE: 24 September 2019
TRIM REFERENCE: ID19/1362

EXECUTIVE SUMMARY

Amendments made to the Environmental Planning and Assessment Act, 1979 (EP&A Act) came into force on 1 March 2018. One of the key amendments was the requirement for all NSW Council's to prepare and adopt a Community Participation Plan (CPP) by 1 December 2019.

A Community Participation Plan (CPP) outlines in a single, easy to read document, how and when Council will engage with the community across their relevant planning functions. The planning functions refer to Development Applications lodged with Council and Strategic Planning including Local Strategic Planning Statements, Local Environmental Plans, Development Control Plans, strategic land use plans and policies.

The draft CPP has now been prepared and is included here in **Appendix 1**. The draft CPP has been prepared in three (3) sections including:

Part One - Introduction

Part Two - Notification requirements and timeframes

Part Three - Community Participation in the planning process

It is recommended that the draft Community Participation Plan be placed on public exhibition for a period of not less than 28 days to seek feedback from the community.

Adoption of the CPP by Council will repeal the relevant notification chapters within the Dubbo Development Control Plan 2013 and Wellington Development Control Plan 2013 and become the sole guide for how and when Council engages with the community with respect to planning related matters.

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

POLICY IMPLICATIONS

Once adopted, the Community Participation Plan will be used by Council's Development and Environment Division to interact and engage with the community for planning related matters.

The relevant chapters of the Dubbo and Wellington Development Control Plans relating to notification of Development Applications will be repealed.

RECOMMENDATION

1. That the draft Community Participation Plan as attached to the report of the Growth Planning Projects Leader – Digital Futures dated 21 September 2019 be adopted for the purposes of public exhibition.
2. That the draft Community Participation Plan as attached to the report of the Growth Planning Projects Leader – Digital Futures dated 21 September 2019 be placed on public exhibition for a period of not less than 28 days in accordance with the provisions of the Environmental Planning and Assessment Act, 1979.
3. That following completion of the public exhibition process, a further report be presented to Council for consideration addressing the outcomes of the public exhibition period and any submissions received.
4. That on adoption of the Community Participation Plan by Council the following sections of the Dubbo and Wellington Development Control Plans be repealed:
 - a) Chapter 2.1 Notification of Development within the Dubbo Development Control Plan 2013; and
 - b) Chapter A11 Notification and advertising of Development Applications within the Wellington Development Control Plan 2013.

Lee Griffith

Growth Planning Projects Leader - Digital Futures

BACKGROUND

Amendments made to the Environmental Planning and Assessment Act, 1979 (EP&A Act) came into force on 1 March 2018. One of the key changes to the EP&A Act amendments was the requirement for all NSW Council's to prepare and adopt a Community Participation Plan (CPP).

REPORT

1. What is a Community Participation Plan?

A Community Participation Plan (CPP) outlines in a single, easy to read document, how and when Council will engage with the community across relevant planning functions. The planning functions refer to Development Applications lodged with Council and Strategic Planning including Local Strategic Planning Statements, Local Environmental Plans, Development Control Plans, strategic land use plans and policies.

2. Draft Community Participation Plan Framework

The draft CPP has been prepared in three (3) sections including:

Part One - Introduction

Part Two - Notification requirements and timeframes

Part Three - Community Participation in the planning process

Part One - Introduction

Part one of the draft CPP outlines the purpose of the plan, the objectives of the plan, the planning framework and the planning functions the plan is proposed to apply to.

(a) Purpose of the Community Participation Plan

The purpose of the draft CPP is to:

- Encourage community confidence in planning processes undertaken by Council.
- To encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- Provide the community with opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Allow early consultation to ensure members of the community who are affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- Grow a shared sense of purpose, direction and understanding of planning functions and directions.
- Provide an effective process of engagement between Council and the community, which embraces the community's knowledge, ideas and expertise.

(b) Objectives of the Community Participation Plan

The objectives of the draft CPP are:

- To provide information that is easily accessible and in plain English.
- To ensure our strategic planning reflects the aspirations of our community and partners.
- To meet statutory obligations regarding notification, exhibition and decisions of Council on relevant planning materials.
- To ensure the needs and concerns of the community are identified and addressed wherever possible.
- To provide engagement material which is inclusive, transparent and encourages fair participation.
- To notify adjoining and/or adjacent owners where Council considers that the proposal may have an impact on them.
- To ensure consistency to the manner in which Council considers development applications.
- To enhance opportunities for all members of the community to participate in planning decisions to achieve better planning outcomes.
- To ensure the community understands how they can participate in planning decisions.

(c) Planning Framework

Planning functions in New South Wales are largely governed by the State Statutory Legislation Instruments. This CPP has been prepared in accordance with all required State Legislation.

(d) Planning functions Community Participation Plan applies to

For the purposes of this CPP, planning functions have been identified as either Statutory or Strategic.

Statutory Planning - The assessment of Development Applications lodged with Council, primarily under the provisions of the Environmental Planning and Assessment Act, 1979.

Strategic Planning - Sets the desired outcomes and provides direction on how to achieve them. The strategic planning function enables development and assists in managing growth and change over the short, medium and long term.

(e) What is Community Engagement?

Community engagement is the process of involving people in the decisions that affect their lives and environment. It is proactive and ongoing, promoting open discussion and shared responsibilities for decisions. Community engagement can involve a broad variety of activities from informing (reflecting a low level of engagement) through to active participation or collaboration (reflecting a high level of engagement).

Part Two – Notification Requirements and Timeframes

Part Two of the draft CPP focuses on the notification requirements of Statutory and Strategic Planning. The level of community participation for both Statutory and Strategic Planning will vary dependent upon the project.

Summary tables are provided for both Statutory and Strategic Planning which provide guidance for minimum community participation requirements including minimum days, written notice and website/application tracker requirements.

Part Three – Community Participation in the Planning Process

Part Three of the draft CPP focuses on Council's approach to community participation requirements, explains how the submission process works and how to make a submission.

(a) Our approach to Community Engagement

With an objective to provide community engagement based on best practice principles, this CPP has considered and been guided by the International Association for Public Participation (IAP2) principles. These have been adopted to consider both statutory and strategic planning functions.

The IAP2 principles are as follows:

Informing - To provide balanced and objective information in a timely manner

Consultation - To obtain feedback on analysis, issues, alternatives and decisions

Involvement - To work with the public to make sure that concerns and aspirations are considered and understood

Collaboration - To partner with the public in each aspect of the decision-making

Statutory Planning functions will include the additional steps of consideration of the submission and determination to provide a more practical approach as to how Development Applications progress with respect to the Environmental Planning and Assessment Act 1979.

Consideration - We will consider your submissions when progressing a project

Determination - We will let you know the decision regarding the outcome of the project

(b) Submission Process

The submission process is explained as the following:

1. Submission made to Council
2. Submission is formally acknowledged
3. Submission is considered by Council staff
4. Submitter is formally notified of determination

(c) Making a Submission

It is important that submissions contain information relevant to the application, project or policy. This section outlines the minimum information which must be included in submissions.

3. Development Control Plan (DCP) Notification Requirements

Currently, Council uses both the Dubbo Development Control Plan 2013 and Wellington Development Control Plan 2013 to determine how and when notification of certain Development Applications will be notified to the community. Adoption of the CPP by Council will repeal the relevant notification chapters in both DCPs and become the sole guide for how and when Council engages with the community with respect to planning related matters.

On adoption of the CPP, the following sections of the DCP will be repealed:

- Chapter 2.1 Notification of Development within the Dubbo Development Control Plan 2013; and
- Chapter A11 Notification and advertising of Development Applications within the Wellington Development Control Plan 2013.

4. Future Direction

Following consideration of the draft CPP by Council, it is recommended that the draft CPP be placed on public exhibition for a minimum period of 28 days where the views of the community will be sought.

Following completion of the public exhibition period of not less than 28 days, it is recommended that a further report be presented to Council addressing the outcomes of the public exhibition period and any submissions received.

SUMMARY

The Community Participation Plan (CPP) outlines in a single, easy to read document, how and when Council will engage with the community across their relevant planning functions. The planning functions refer to Development Applications lodged with Council and Strategic Planning including Local Strategic Planning Statements, Local Environmental Plans, Development Control Plans, strategic land use plans and policies.

The CPP, once adopted, will repeal the notification requirements for Development Applications contained in the Dubbo Development Control Plan 2013 and Wellington Development Control Plan 2012.

It is recommended that the draft CPP be placed on public exhibition for a period of not less than 28 days to seek feedback from the community and relevant stakeholders. Following completion of the public exhibition period, it is recommended that a further report be presented to Council addressing the outcomes of the public exhibition period and any submissions received.

Appendices:

[1](#) Draft Community Participation Plan



Draft Community Participation Plan

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COMMUNITY PARTICIPATION PLAN

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PART 1. INTRODUCTION

1.1 What is a Community Participation Plan?

A Community Participation Plan (CPP) outlines in a single, easy to read document, how and when Council will engage with the community across planning functions. This CPP encourages Council and the community to interact in an informed, meaningful and transparent manner when considering Strategic Plan making and Development Assessment functions and activities.

The extent of community participation will vary on the community, the size of the proposal and the extent of the potential impacts of the proposal. This CPP provides guidance on how the community can have a say in different types of planning processes. The aims of the CPP are to provide transparency and clarity for the community, to understand its role in different planning functions.

It is generally acknowledged that community participation in the planning system encourages better outcomes for residents, business, industry and the community.

Dubbo Regional Council being an amalgamated Council previously had Development Applications notification requirements within two (2) separate documents including the Dubbo Development Control Plan 2013 and the Wellington Development Control Plan 2012.

This plan provides a consolidated set of community participation requirements for the notification or advertisement of Development Applications within the Dubbo Regional LGA. This CPP will supersede each section of DCP's which relates specifically to the notification and advertisements of Development Applications.

1.2 Purpose of the Community Participation Plan

The purpose of the CPP is to:

- Encourage community confidence in planning processes undertaken by Council.
- To encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- Provide the community with opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- Allow early consultation to ensure members of the community who area affected by proposed major development will be consulted by the proponent before an application for planning approval is made.
- Grow a shared sense of purpose, direction and understanding of planning functions and directions.
- Provide an effective process of engagement between Council and the community, which embraces the community's knowledge, ideas and expertise.

1.3 Objectives of the Community Participation Plan

The objectives of the CPP are:

- To provide information that is easily accessible and in plain English.
- To ensure our strategic planning reflects the aspirations of our community and partners.
- To meet statutory obligations regarding notification, exhibition and decisions of Council on relevant planning materials.
- To ensure the needs and concerns of the community are identified and addressed wherever possible.
- To provide engagement material which is inclusive, transparent and encourages fair participation.
- To notify adjoining and/or adjacent owners where Council considers that the proposal may have an impact on them.
- To ensure consistency to the manner in which Council considers development applications.
- To enhance opportunities for all members of the community to participate in planning decisions to achieve better planning outcomes.
- To ensure the community understands how they can participate in planning decisions.

1.4 Planning Framework

Planning functions in New South Wales are largely governed by the State Statutory Legislation Instruments such as:

- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Local Government (General) Regulation 2005

This Plan has been prepared to satisfy the requirements of Division 6 Community Participation of the Environmental Planning and Assessment Act 1979 (EP & A Act). In particular, the Plan has been prepared having regard to the matters included in Section 2.23(2) of the EP & A Act. These matters relate to community participation being inclusive, relevant, timely and meaningful.

1.5 Planning functions this Community Participation Plan applies to

The CPP applies to the Dubbo Regional Local Government Area (LGA). The community participation methods and approaches will reach different communities within the Dubbo Regional LGA dependent on the size of proposal and potential impacts of such proposal.

Planning matters that fall under the responsibility of other planning authorities (such as State Significant Development Assessed by the NSW Government) are subject to the relevant CPP adopted by that authority.

The aims of the CPP are to provide transparency and clarity for the community to understand its role in different planning functions. For the purposes of this CPP, planning functions have been identified as either Statutory or Strategic.

Statutory Planning	The assessment of Development Applications lodged with Council, primarily under the provisions of the Environmental Planning and Assessment Act, 1979.
Strategic Planning	<p>Sets the desired outcomes and provides direction on how to achieve them. The strategic planning function enables development and assists in managing growth and change. Strategic Planning projects include:</p> <ul style="list-style-type: none"> • Community Participation Plans. • Local Strategic Planning Statements. • Planning Proposals. • Development Control Plans. • Developer Contributions Plans. • Master Plans. • Structure Plans and, • Policies relating to Development and Environment. • Community Strategic Plan

1.6 What is Community Engagement

Community engagement is the process of involving people in the decisions that affect their lives and environment. It is proactive and ongoing, promoting open discussion and shared responsibilities for decisions. Community engagement can involve a broad variety of activities from informing (reflecting a low level of engagement) through to active participation or collaboration (reflecting a high level of engagement). An overview of the level of activities are:

- Informing** To provide balanced and objective information to the community in a timely manner
- Consultation** To obtain feedback on analysis, issues, alternatives and decisions
- Involvement** To work with the public to make sure that concerns and aspirations are considered and understood
- Collaboration** To partner with the public in each aspect of the decision-making



PART 2. NOTIFICATION REQUIREMENTS AND TIMEFRAMES

2.1 Introduction

Schedule 1 of the EP & A Act outlines the statutory minimum requirements for public exhibition of strategic planning documents and statutory Development Applications.

Table 1 and Table 2 provides guidance for minimum exhibition timeframes and if written notice and council website notice is required. All applications, projects and policies will be notified in the following ways:

2.1 Statutory Planning Functions

The level of community participation for statutory planning functions, such as Development Applications, will depend upon the expected impact, scale and type of development.

Table 1: Statutory Planning Services Community Participation Requirements

Application	Minimum Days	Written Notice	Application Tracker
Development Applications	14 Development Applications considered to have negligible impacts are not required to be notified (see notes on page 8)	✓	✓
Integrated Development Applications	14	✓	✓
Designated Development Applications	28	✓	✓
Modified Development Applications			
Section 4.55 (1) Minor error, misdescription or miscalculation	No requirement		✓
Section 4.55 (1A) Minimal Environmental Impact	If original application was notified and relevant submission was received 14 days. If no submissions were received, no requirement	✓ If original application was notified and submission(s) received	✓
Section 4.55 (2) Other modifications	Same as original Development Application	Same as original Development Application	✓
Environmental Impact Statement obtained under Division 5.1 EP&A Act	28	✓	✓

Circumstances where Development Applications require notification in local print media

If a Development Application is lodged for a land use listed below in Table 2, an advertisement is required to be placed in Local Print Media. This requirement may be satisfied by notification via an online platform, including Council's website and Application Tracker.

Table 2: Development Applications required to be notified in local print media

- | | | |
|---------------------------------------|------------------------------------|---------------------------------------|
| • Air transport facilities | • Gas pipelines | • Sewerage treatment |
| • Aquaculture | • Hazardous industries | • Sex services premise |
| • Biosolids treatment facilities | • Hazardous storage establishments | • Waste disposal facilities |
| • Boarding house | • Helipads | • Waste or resource transfer stations |
| • Caravan park | • Heliports | • Water recycling facilities |
| • Medical centres | • Highway service centres | • Water reticulation systems |
| • Hotel or motel accommodation | • Hospitals | • Water storage facilities |
| • Subdivision with more than 200 lots | • Manufacture home estates | • Water treatment facilities |
| • Correctional centres | • Mining (open cut) | • Liquid fuel depot |
| • Crematoriums | • Mining (underground) | • Livestock processing industry |
| • Educational establishments | • Petroleum production | • Offensive industry |
| • Electricity generating works | • Places of public worship | • Resource recovery facility |
| • Entertainment facilities | • Pubs | • Stock and sale yards |
| • Extractive industries | • Recreation facilities (major) | • Offensive storage establishment |
| | • Registered clubs | |
| | • Restricted premise | |

*For definitions of these land use activities, please see the relevant Local Environmental Plan.

Circumstances where notification is not required

Some minor development is of a scale and nature that does not require formal notification of neighbouring properties. Provided the proposal complies with all applicable development controls (LEP, DCP & other relevant policies) and/or is considered unlikely to detrimentally impact neighbouring properties, no formal notification period applies.

This applies to development such as:

- Residential dwellings.
- Alterations and additions.
- Residential sheds and garages.
- Rural buildings.
- Landscaping.
- Fences.
- Pools.
- Change of use.
- Strata subdivisions of existing developments.
- Boundary adjustments where no additional lots are created.

Note:

- Development Applications may be notified for longer than the minimum days if deemed necessary.
- Notification periods may be extended in consideration of the mailing process aiming to ensure that people notified receive the full notification period to consider the proposal.
- Timeframes are in calendar days and include weekends.
- If the exhibition period is due to close on a weekend or a public holiday. The exhibition may finish on the next available work day.
- The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition.

2.3 Exempt and Complying Development

Some development, such as exempt and complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, does not allow opportunities for community engagement.

2.4 Strategic Planning Functions

The level of community participation for Strategic Planning projects will depend upon the expected impact, the scale and the type of project.

Table 3: Strategic Planning Community Participation Requirements

Application/Project/Policy	Minimum Days	Written Notice	Website
Community Participation Plans	28		✓
Local Strategic Planning Statements	28		✓
Planning Proposals (Gateway Determination)	28 (Gateway Determination requirements may change the minimum)	✓	✓
Development Control Plans	28	✓	✓
Developer Contribution Plans	28	✓	✓
Planning Agreements	28	✓	✓
Re-classification of Public Land	28	✓	✓
Master/Precinct Plans	28	✓	✓
Structure Plan	28	✓	✓
Planning/Land use Policies	28	✓	✓
Land use strategies	28	✓	✓

Circumstances where a Community Engagement Strategy is required

Dependent on the level of complexity of a project, the number of directly impacted community members, the project will have monetary impacts and the anticipated level of importance for the community. If deemed appropriate by Director Development and Environment, a community and stakeholder engagement strategy, prepared specifically for the individual project may be required. The strategy would aim to ensure that the participation level of community collaboration is achieved.

The engagement plan includes the activities and methodology for providing feedback to the stakeholders. This may include the use of a number of the following activities (this list is not comprehensive list, consultation activities not listed may still be used).

- Social media posts;
- Local print media notices;
- Letter box flyer;
- Council website;
- Public displays in the relevant Civic Administration Building, library and popular community locations (i.e. cafés);
- Workshops and focus groups;
- Public meetings and information sessions;
- Discussion papers;
- Councillor briefing sessions;
- Pop up stall at event, markets and in popular community areas;
- Information sessions;
- Surveys; and
- Drop-in sessions.

For projects where the collaboration level of participation is achieved, it is expected that two (2) public exhibitions will occur. This would include the initial 'blank page' consultation asking the community for their thoughts on a matter. The collation of this data would be used to inform the draft project. The second consultation being public exhibition of the draft document.



Minimum Participation Activities

For projects which are not required to have a dedicated Community Engagement Strategy, Council will undertake a number of participation activities to ensure that the participation level of consultation is achieved. The following activities are undertaken as a minimum for all Strategic Planning projects.

- Public displays in the relevant Civic Administration Building, library and popular community locations (i.e. cafés).
- Council website.
- Local print media notices.
- Written notification if residents are directly impacted by proposal.
- Responsible officer to answer enquiries.

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PART 3. COMMUNITY PARTICIPATION IN THE PLANNING PROCESS

3.1 Our approach to Community Engagement

Community engagement is a planned process with the specific purpose of working with identified groups of people, whether they are connected by geographic location, special interest, or affiliation or identify to address issues affecting their well-being.

Community engagement can take many forms and the International Association for Public Participation (IAP2) has developed the 'IAP2 public participation spectrum' to help groups define the public's role in any public participation process.

The spectrum of community engagement has been designed to assist in determining the most appropriate level of participation of the public. The spectrum show that differing levels of participation are legitimate depending on the goals, time frames, resources and levels of concern in the decision to be made. However, and most importantly, the spectrum sets out the goal being made to the public at each level.

While the IAP2 Spectrum for Public Participation has been adopted for this framework, within the context of Local Government, the highest level of 'Empower' will rarely be achievable or appropriate. The spectrum notes that the level of 'Empower' places the "final decision-making in the hands of the public". As elected representatives for the community, final decisions will ultimately rest with the elected Councilors.

'Consider' and 'Determine' have been included within the statutory planning approach to provide a more practical approach as to how development applications are considered and determined, with respect to the Environmental Planning and Assessment Act, 1979.

a) Statutory Planning Approach



	Inform	Consult	Consider	Determine
Goal	We will tell you about applications and give you accurate and relevant information.	We will keep you informed, listen to and acknowledge your concerns and aspirations.	We will consider your submission when assessing the application.	We will let you know the decision regarding the application.
When	As soon as practical following the application's lodgment.	Consultation will continue for 14 days as specified in the notification letter.	After the exhibition period the application will be formally assessed by Council.	After the determination has been made.
Example Techniques	<ul style="list-style-type: none"> Written notification Online Application Tracker Newspaper advertisements (if required under Section 2.3 of this CPP) 	<ul style="list-style-type: none"> Reviewing Documentation by Application Tracker Making Submission 	<ul style="list-style-type: none"> Council development assessment process 	<ul style="list-style-type: none"> Written letter Application tracker Notice of decision in local newspaper

b) Strategic Planning Approach



	Inform	Consult	Involve	Collaborate
Goal	To provide balanced and objective information in a timely manner	To obtain feedback on analysis, issues, alternatives and decisions	To work with the public to make sure that concerns and aspirations are considered and understood	To partner with the public in each aspect of the decision-making
When	Across the entire project, however, will usually be upfront, on adoption of a draft plan and adoption of the final plan.	Could be prior to developing a draft plan, and/or on adoption of a draft plan for exhibition	At a series of stages within a project that seek feedback and explain involving outcomes.	Multiple opportunities across the projects.
Example Techniques	<ul style="list-style-type: none"> • Council website • Social media • Written notification • Advertisements 	<ul style="list-style-type: none"> • Surveys • Drop-in sessions • Markets 	<ul style="list-style-type: none"> • Community workshops • Targeted workshops • Information sessions 	<ul style="list-style-type: none"> • Working groups • Stakeholder meetings • Surveys • Submissions

3.1 Submission Process

Written submissions received during the exhibition period will be considered as part of the assessment of the application. No determination of any matters will be made before the conclusion of the exhibition period.



3.2 Making a submission

It is important that submissions contain information relevant to the application, project or policy. Council officers are required to assess proposals on planning grounds identified within the planning framework. Issues such as moral objection, commercial competition or personal circumstance of an applicant or objector cannot be given weight in Council's assessment. At a minimum submission must:

- Clearly identify the matter to which the submission relates
- State the grounds for support or objections with adequate details as to reasons
- Include appropriate contact details

Late submissions may be considered at Council's discretion until a determination has been made.

Submission can be:

Posted: PO Box 81, DUBBO NSW 2830

Emailed: council@dubbo.nsw.gov.au

Dubbo drop in: Crn Church and Darling Street, DUBBO

Wellington drop in: Crn Nanima Crescent and Warne Street, WELLINGTON

All submissions should be addressed to The Chief Executive Officer.

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GLOSSARY

Planning term	Definition
Contribution plans	A plan developed by councils for the purpose of gaining financial contributions from new development towards the cost of new and upgraded public amenities and/or services required to accommodate the new development
Designated development	Designated Development refers to developments that are high-impact developments (e.g. likely to generate pollution) or are located in or near an environmentally sensitive area.
Development application	Development application refers to developments require consent pursuant to the Environmental Planning and Assessment Act.
Development control plans	A plan that provides detailed planning and design guidelines to support the planning controls in a LEP
Gateway determination	A gateway determination is issued by the Department of Planning, Industry and Environment following an assessment of the strategic merit of a proposal to amend or create an LEP and allows for the proposal to proceed to public exhibition
Local environmental plan (LEP)	An environmental planning instrument developed by a local planning authority, generally a council. An LEP sets the planning framework for a Local Government Area
State Environmental Planning Policy (SEPP)	An environmental planning instrument developed by the Department, that relates to planning matters that are state significant or are applicable across the state
Local Government Area (LGA)	A Local Government Area is an administrative division of the Country that Local Government is responsible for.
Environmental Planning and Assessment Act 1979	The Environmental Planning and Assessment Act 1979 sets out the laws under which planning in New South Wales takes place.



REPORT: Miriam Hill Estate Draft Development Control Plan - 1R Old Dubbo Road, Dubbo

AUTHOR: Growth Planner
REPORT DATE: 20 September 2019
TRIM REFERENCE: ID19/823

EXECUTIVE SUMMARY

Council has been provided with a draft, site-specific Development Control Plan by consultant, Claire Johnson Planning and Development on behalf of Neil and Jennifer O'Connor, landowners of Lot 1 DP 807767, 1R Old Dubbo Road, Dubbo (**Appendix 1**). The subject land is situated in the South-West Dubbo Residential Urban Release Area under the provisions of the Dubbo Local Environmental Plan (LEP) 2011.

The draft Development Control Plan (DCP) has been prepared as a requirement of Clause 6.3 of the Dubbo LEP to facilitate development of the subject land. The DCP is required to be prepared prior to any development on the land, including development for the purpose of residential land subdivision.

This draft DCP has been prepared utilising a similar structure, form and content as the Dubbo Development Control Plan 2013 (DCP 2013). It is considered that this will aid in the understanding of the Plan by Dubbo's building and development industry and ensure a level of parity is provided between the expectations of the Dubbo DCP 2013 and the draft DCP.

The draft DCP has been prepared in a number of separate components which are consistent with the structure of the Dubbo DCP 2013. The draft DCP consists of the following components:

- Introduction;
- Residential Subdivision; and
- Residential Design.

This report recommends that the draft Miriam Hill Estate DCP be adopted by council for the purpose of public exhibition and for the draft DCP to be placed on public display in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 for a period of not less than 28 days.

Following completion of the public exhibition period, a further report will be provided to Council for consideration.

FINANCIAL IMPLICATIONS

The proponent has paid a fee of \$10,000 to Council in accordance with Council's Revenue Policy for the preparation and assessment of a site-specific Development Control Plan.

POLICY IMPLICATIONS

If adopted by Council, the draft Miriam Hill Estate Development Control Plan will form a Council Policy document that will guide future development on the subject site. The Development Control Plan will be required to be considered by Council in the assessment and determination of any future development applications on the subject land.

RECOMMENDATION

- 1. That the draft Miriam Hill Estate Development Control Plan, as provided here in Appendix 1, be adopted for the purpose of public exhibition.**
- 2. That the draft Miriam Hill Estate Development Control Plan be placed on public exhibition for a period of not less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act, 1979.**
- 3. That following completion of the public exhibition process, a further report be provided to Council for consideration.**

Stefanie Presland
Growth Planner

BACKGROUND

The draft DCP is proposed to apply to Lot 1 DP 807767, 1R Old Dubbo Road as shown in Figure 1. The subject land covers an area of 2.35 Hectares and is zoned R2 Low Density Residential under the provisions of the Dubbo Local Environmental Plan (LEP) 2011. The land has a minimum allotment size for subdivision of 600m² under the provision of the Dubbo LEP 2011. The land is located within the South East Residential Urban Release Area in the Dubbo LEP 2011.

An indicative Subdivision Layout Plan has been provided by the owners of the subject land to assist Council officers in preparation of this draft DCP. The indicative subdivision layout shows there could potentially be 10 additional lots. The majority of lots range in area from 683m² to 1,070m² with one (1) lot being 7,133m², containing an existing dwelling.

The draft Development Control Plan (DCP), which is the subject of this report will ultimately guide future subdivision and development of the land.



Figure 1. Subject Area

REPORT

1. Dubbo Local Environmental Plan (Dubbo LEP) 2011

Part 6 of the Dubbo LEP 2011 provides specific requirements for the development of land situated within defined Residential Urban Release Areas (URAs). In particular, Clause 6.3 of the Dubbo LEP 2011 states the following:

“6.3 Development control plan

- (1) *The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*
- (2) *Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*
- (3) *The development control plan must provide for all of the following:*
 - (a) *a staging plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,*
 - (b) *an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*
 - (c) *an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*
 - (d) *a network of passive and active recreational areas,*
 - (e) *stormwater and water quality management controls,*
 - (f) *amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*
 - (g) *detailed urban design controls for significant development sites,*
 - (h) *measures to encourage higher density living around transport, open space and service nodes,*
 - (i) *measures to accommodate and control appropriate neighbourhood commercial and retail uses,*
 - (j) *suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.”*

Accordingly, a site-specific Development Control Plan is required to be prepared in accordance with Clause 6.3 prior to any subdivision of land situated in a Residential Urban Release Area.

2. Miriam Hill Estate Development Control Plan

Consultant, Claire Johnson Planning and Development on behalf of Neil and Jennifer O'Connor, landowners of Lot 1 DP 807767, 1R Old Dubbo Road, Dubbo have prepared a draft site-specific DCP (**Appendix 1**) in accordance with Clause 6.3 of the Dubbo LEP 2011 to facilitate development of the subject land.

The draft DCP has been prepared utilising a similar structure, form and content as the Dubbo Development Control Plan 2013 (Dubbo DCP 2013). It is considered that this will aid in a better understanding of the Plan by the Building and Development Industry and ensure a level of parity is provided between the expectations of the Dubbo DCP 2013 and the draft DCP.

The draft DCP has been prepared in a number of separate components, which is consistent with the structure of the Dubbo DCP 2013. The draft DCP consists of the following components:

- Introduction;
- Residential Subdivision; and
- Residential Design.

The following provides a brief summary of the various components of the draft Development Control Plan:

(a) Part 1 – Introduction

This section of the draft DCP provides a number of administrative components required by the provisions of the Environmental Planning and Assessment Act, 1979 and details where this specific Plan will be applicable to development undertaken.

In addition, this section also specifies how Council will publicly notify any residential development applications undertaken on the subject lands.

(b) Part 2 – Residential Development and Subdivision

Residential Subdivision Controls (Dwellings and Dual Occupancy)

This section of the draft DCP guides and provides specific requirements to assist in the undertaking of residential subdivision of the subject lands. The role of this section is to also ensure the design of subdivisions take into account planning and infrastructure provision in the following areas:

Element 1	Neighbourhood design
Element 2	Lot layout
Element 3	Public open space and landscaping
Element 4	Infrastructure

Element 5	Street design and road hierarchy
Element 6	Stormwater management
Element 7	Water quality management

Residential Design (Dwellings and Dual Occupancy)

This section of the draft DCP guides and provides specific requirements to assist in the planning, design and undertaking of residential development. The role of this section (and indeed the draft DCP) is not to provide prescriptive standards for how development should look; it is to ensure development proponents can be guided in understanding how site responsive design should be undertaken. This section of the draft Plan provides guidance across a number of elements including the following:

Element 1	Streetscape character
Element 2	Building setbacks
Element 3	Solar access
Element 4	Private open space and landscaping
Element 5	Infrastructure
Element 6	Visual and acoustic privacy
Element 7	Vehicular access and car parking
Element 8	Waste management
Element 9	Site facilities
Element 10	Signage
Element 11	Non-residential uses

3. Future Direction

Following Council's consideration of the report, the draft DCP is required to be placed on public exhibition for a period of no less than 28 days in accordance with the requirements of the Environmental Planning and Assessment Act, 1979. In addition, Council will also notify adjoining and adjacent property owners of the public exhibition.

Following completion of the public exhibition period, a further report will be provided to Council for consideration.

It should be noted that in accordance with Clause 6.3 of the Dubbo LEP 2011, Council cannot grant approval to any development undertaken on the subject land until the draft DCP has been publicly exhibited and adopted by Council.

SUMMARY

Consultant, Claire Johnson Planning and Development on behalf of Neil and Jennifer O'Connor, landowners of Lot 1 DP 807767, 1R Old Dubbo Road, Dubbo has prepared a draft site-specific Development Control Plan in accordance with Clause 6.3 of the Dubbo LEP 2011 to facilitate development of the Miriam Hill Estate.

This report recommends that the draft Miriam Hill Estate Development Control Plan be adopted by Council for the purposes of public exhibition and for the draft DCP to be placed on public display in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 for a period of no less than 28 days.

Appendices:

1 [↓](#) Draft - Miriam Hill Estate - Development Control Plan



Development Control Plan

Miriam Hill Estate

Lot 1 DP 807767

1R Old Dubbo Road, Dubbo

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Part 1 Introduction

1.1 Name and Application of this Plan

This Development Control Plan (DCP) is known as the Miriam Hill Estate Development Control Plan (the Plan).

1.2 Purpose of this Plan

The purpose of this Plan is to:

- Provide guidance to developers/applicants/builders in the design of development proposals for land to which this Plan applies.
- Communicate the planning, design, environmental objectives and controls against which the Consent Authority will assess development applications in the Miriam Hill Estate.
- Promote the achievement of residential amenity and an attractive neighbourhood by encouraging quality urban design outcomes to meet environment, social and economic suitability.
- Reinforce the aims and objectives of the R2 Low Density Residential Zone under the provisions of the Dubbo Local Environmental Plan 2011.
- Promote quality urban design outcomes within the context of environmental, social and economic sustainability.
- Provide guidance on the orderly and efficient development of Miriam Hill Estate.

1.3 Statutory Context

This Plan has been prepared by Council in accordance with Section 3.43 of the Environmental Planning and Assessment Act, 1979 (the Act) and Part 3 of the Environmental Planning and Assessment Regulation, 2000 (the Regulation).

The Plan was adopted by Council and commenced on

The Plan should be read in conjunction with the Dubbo Local Environmental Plan 2011 and the Dubbo Development Control Plan 2013 (DCP).

1.4 Application of Plan

This DCP applies to land known as 'Miriam Hill Estate' being land identified (outlined red) as Lot 1 DP 807767, 1R Old Dubbo Road and as shown in Figure 1.



Figure 1. Area to which this Plan applies

1.5 Background

This Plan has been written to guide residential development of the subject land. The development controls provided here rely on the proponents demonstrating how development of the land meets the objectives of each relevant element and the associated performance criteria.

1.6 Relationship to other plans and documents

Under the Act, Council is required to take into consideration the relevant provisions of this Plan in determining an application for development on land to which this Plan applies.

In the event of any inconsistency between an Environmental Planning Instrument (EPI) and this Plan, the provisions of the EPI will prevail.

Council in the assessment of a development application will consider all matters specified in Section 4.15 (previously S79C) of the Act. Compliance with any EPI or this Plan does not infer development consent will be granted.

1.7 How to use this Plan

When preparing a development application, all relevant sections of the Plan are required to be considered.

The majority of sections in the Plan incorporate design elements that are required to be considered and addressed by a proponent in the design process.

Each section of the Plan has a consistent format to allow for ease of use and understanding. The objectives of each section are stated at the top of the page and the proposed development is required to focus on satisfying these objectives.

Below the objectives is a table with two columns. The column on the left outlines the aim of the design element, while the column on the right offers default design guidelines that an applicant can choose to use in their development in lieu of designing to satisfy the intent of the column on the left.

In summary, the column on the left provides more flexibility in design, while the column on the right provides standard solutions that are acceptable to Council.

If a proponent chooses not to use the ‘Acceptable Solutions’ in the right hand column, written detail must be provided with any development application of how the design satisfies the ‘Performance Criteria’ in the left hand column.

An example of how an element of the Plan is structured has been provided below.

Performance criteria	Acceptable solutions
The streetscape character objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
Built form P1 The frontage of buildings and their entries are readily apparent from the street.	A1.1 Buildings adjacent to the public street, address the street by having a front door or living room window facing the street.

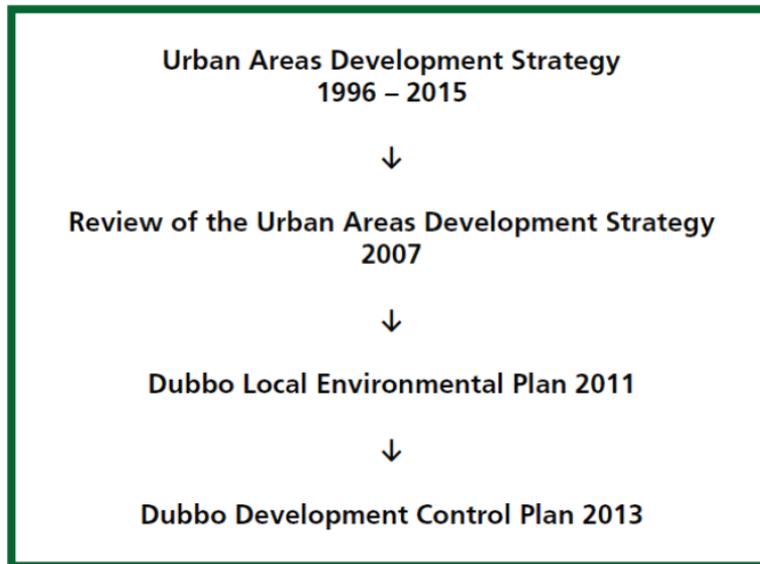
1.8 Strategic Context

Dubbo Urban Areas Development Strategy 1996

The Dubbo Urban Areas Development Strategy 1996 has facilitated the creation of a range of lifestyle options for the urban area of the city. Through the restriction of urban development to a defined area, Council is seeking to protect the long-term future of agricultural land located beyond the urban area.

These lifestyle options have been developed through the Dubbo Urban Areas Development Strategy (UADS) adopted by Council in 1996 and the Review of the UADS adopted by Council in 2007. The Dubbo Local Environmental Plan (LEP) 2011 facilitates achievement of the Strategy components in zoning land for the sustainable development of the city.

The following figure details the context of the planning documents applicable to residential lands.



The Dubbo Urban Areas Development Strategy consists of the following components:

- Residential Areas Development Strategy;
- Employment Lands Strategy
- Recreational Areas Development Strategy; and
- Future Directions and Structure Plan

The Urban Areas Development Strategy was created to manage the development and conservation of land within the urban area of the city through ensuring the Central Business District is at the centre of the City.

The Employment Lands Strategy was adopted by Council on 11 March 2019 and provides the strategic direction for all commercial, industrial and institutional lands within the Dubbo city urban area. Adoption of the Employment Lands Strategy repealed the Commercial Areas Development Strategy, Industrial Areas Development Strategy and Institutional Areas Development Strategy.

The Residential Areas Development Strategy facilitates further residential development being undertaken in west Dubbo to encourage the centralisation of Dubbo city surrounding the Central Business District. The Strategy includes extensive areas in north-west and south-west Dubbo as being suitable for further residential development to incorporate the following:

North-west sector – 2,600 lots (approximately)
South-west sector – 3,281 lots (approximately)

The Dubbo Local Environmental Plan 2011 offers a range of lot sizes in the West Dubbo Urban Release Areas, ranging from 600 square metres to 20 ha. This ensures a variety of lifestyle opportunities can be provided within a close proximity to the city centre.

The Strategy also allows for infill subdivision opportunities in the south-east sector with the Dubbo LEP 2011 allowing for the potential development of 1,059 lots within this sector. The subdivision considered by this Plan is in the south-east sector.

The Strategy does not provide for any further reduction in the minimum lot size for subdivision in the eastern sector of the city based on centralisation of the Central Business District to the west, environmental constraints, infrastructure provision and transport requirements.

1.9 Notification of Development

Council will generally not publicly notify any development applications for residential accommodation within the area to which the Plan applies. However, if in the opinion of the Council a proposed development could impact the amenity of surrounding development, Council may publicly notify and/or advertise the development application in the local print media.

Any development application received by Council for non-residential development will be publicly notified to adjoining and adjacent property owners in the immediate locality who in the opinion of Council may be impacted by the proposed development.

Part 2 Residential Development and Subdivision

Residential Subdivision Controls (Dwellings and Dual Occupancy)

This section is designed to encourage current 'best practice' solutions for the design of residential subdivision on the subject land. The achievement of a pleasant, safe and functional subdivision is the main objective for design of any subdivision on the land.

This section lists subdivision design elements under the following headings:

- Element 1 Neighbourhood design
- Element 2 Lot layout
- Element 3 Landscaping
- Element 4 Infrastructure
- Element 5 Street design and road hierarchy
- Element 6 Stormwater management
- Element 7 Water quality management

Each design element has been structured so that it contains:

- 'Objectives' for each design element that describe the required outcomes;
- 'Performance criteria' which outlines the range of matters which shall be addressed to satisfy the objectives (i.e. the performance criteria explains how an objective is to be achieved);

Note: Not all performance criteria will be applicable to every development.

- 'Acceptable Solutions' which are specific measures which illustrate one way of meeting both the performance criteria and objectives of an element. They are examples only and are not mandatory; and
- 'References' to relevant clauses of the Dubbo LEP 2011, other relevant legislation, Council policies and literature relevant to the design element.

Element 1. Neighbourhood Design

Objectives

- To provide a neighbourhood that offers opportunities for social interaction;
- To encourage aesthetically pleasing neighbourhood design that caters for a broad diversity of housing needs;
- To ensure motor vehicles do not dominate the neighbourhood;
- To establish a clear residential structure that facilitates a ‘sense of neighbourhood’ and encourage walking and cycling within the estate and connections into adjoining estates; and
- To encourage a subdivision design which is sympathetic to the local heritage item onsite.

Performance criteria	Acceptable solutions
The streetscape character and building design objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Natural and cultural features in the area are emphasised and enhanced in the design of the subdivision.	A1.1 Where practicable, natural vegetation are retained is emphasised in the design of the subdivision.
P2 The subdivision layout provides for community focal points and public open space that promotes social interaction.	A2.1 Pedestrian connectivity is maximised within the development with a particular focus on pedestrian routes connecting to public open space, walking tracks, bus stops and recreation facilities in the extended locality.
P3 Neighbourhood design provides for passive surveillance of residences and public areas to enhance personal safety and minimise the potential for crime.	A3.1 Layout of the subdivision minimises narrow pedestrian pathways between or behind development. A3.2 The subdivision layout enhances legibility and way-finding through an easily-understood street layout. A3.3 The subdivision is designed with high levels of physical connectivity for pedestrians, cyclists and vehicles.
P4 Street networks provide good external connections for local vehicle, pedestrian and cycle movements. Street design promotes functional movement while limiting speed and detours through traffic.	A4.1 The subdivision development is designed to allow the future road connectivity link between this estate and future adjoining residential estates.

Performance criteria The streetscape character and building design objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Street design allows for connectivity links with adjoining future residential development.	
P5 The Subdivision Layout is designed to provide an appropriate curtilage around the local heritage item 'Miriam'.	A5.1 A Heritage Impact Statement is submitted with any development application for subdivision of the land.

Element 2. Lot Layout

Objectives

- To provide a range of lot sizes to suit a variety of household types and requirements whilst considering the characteristics of the surrounding locality; and
- To create attractive residential streets by carefully planning the location of garages and driveways within street frontages and improving the presentation of dwelling houses.

Performance criteria	Acceptable solutions
The lot layout objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Lot frontage</p> <p>P1 Where practicable, subdivision is designed to optimise outlook and proximity to public open space and to utilise the rural outlook of the land.</p>	There is no applicable Acceptable Solution to this Performance Criteria.
<p>Lot Types</p> <p>P2 Lots shall be provided with varying dimensions and street frontages to encourage a variety of housing types and styles.</p>	There is no applicable Acceptable Solution to this Performance Criteria.
<p>P3 A variety in dwelling size, type and design is provided to promote housing choice and create attractive streetscapes with distinctive character.</p>	<p>A3.1 Lots should generally be rectangular in shape.</p> <p>Where lots are an irregular shape, they are to be of a sufficient size and orientation to enable siting of a dwelling house in compliance with the controls contained in this Plan.</p> <p>A3.2 Optimal lot orientation is east-west, or north-south where the road pattern requires. Exceptions to the preferred lot orientation may be considered where factors such as topography or drainage lines prevent achievement of the preferred orientation.</p> <p>A3.3 Lot size and shape take into account the slope of the land and minimise earthworks/retaining walls associated with dwelling construction.</p>

Performance criteria The lot layout objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P5 The visual impact to the streetscape of battle-axe entry ways and driveways should be ameliorated, where possible.	A5.1 There is no applicable Acceptable Solution to this Performance Criteria.
Corner Lots P6 To ensure corner lots are of sufficient dimensions and size to enable residential controls to be met.	A6.1 Corner lots are to be designed to allow residential accommodation to positively address both street frontages as indicated in Figure 2. A6.2 Garages on corner lots are encouraged to be accessed from the secondary street frontage.

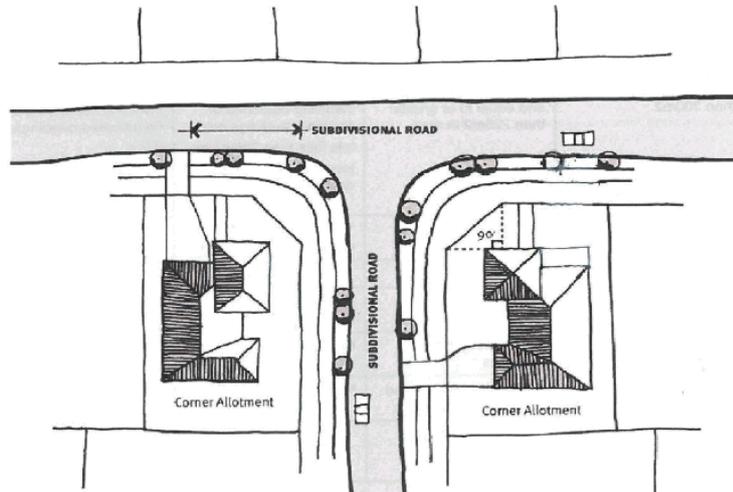


Figure 2. Corner lots

Element 3. Landscaping

Objectives

- To provide landscaping that contributes to the identity and environmental health of the community; and
- To ensure streetscape components do not detrimentally affect solar access to individual dwellings.

Performance criteria The public open space and landscaping objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Landscaping – General</p> <p>P1 Landscaping is designed and located to not impact built infrastructure.</p>	<p>A1.1 Landscaping is provided in accordance with the requirements of a landscaping schedule that has been approved by Council’s Liveability Division.</p>
<p>P2 Landscaping is undertaken in an environmentally sustainable manner which limits the time and costs associated with maintenance.</p>	<p>A2.1 Species selected are suitable for the local climate.</p> <p>A2.2 Species selected require a minimal amount of watering.</p> <p>A2.3 Landscaping does not impact ground-water levels by encouraging over-watering resulting in groundwater level increases or the pollution of waters.</p>
<p>Existing Vegetation</p> <p>P3 The subdivision is of a design that limits the amount of existing/native vegetation being removed.</p>	<p>P3.1 Existing native trees are retained wherever possible.</p> <p>P3.2 Documentation is to accompany any Development Application which highlights that any relevant vegetation and biodiversity legislation is complied with.</p>
<p>Street Trees</p> <p>P4 Street trees are selected to provide summer shading while not impeding solar access to dwellings in winter.</p>	<p>A4.1 Street trees are provided in accordance with the requirements of Council’s Liveability Division generally and any applicable Tree Planting Standards.</p>

Performance criteria	Acceptable solutions
The public open space and landscaping objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A4.2 Deciduous trees are selected where shadows adversely impact solar access.</p> <p>A4.3 Taller tree species are planted on the northern side of east-west aligned streets, shorter species are planted on the southern side.</p> <p>A4.4 Indigenous species or species with a proven tolerance to the local climate and conditions that preserve solar access of adjoining properties are provided.</p> <p>A4.5 Plantings with low maintenance and low water consumption are provided.</p> <p>A4.6 Evergreen species for windbreaks and planting along the south or west side of the area are protected against wind.</p>
<p>Fencing</p> <p>P5 Continual lengths of solid fencing along open space areas is avoided.</p> <p>Fencing along the rail corridor prevents unauthorised entry.</p>	<p>A5.1 For any private allotment having a boundary with an area of public open space, open style fencing, low hedges or permeable vegetation shall be provided along the boundary.</p> <p>A5.2 Fencing is provided along the rail corridor which is 1.8m in height and provides delineation between the estate alignment and the rail corridor. Landscaping will be used to provide a permeable vegetation barrier to soften the visual impact of the fencing.</p>

A landscape plan is required to be submitted with any development application for subdivision of the land, where land may be sought to be dedicated to Council. Table 1 specifies the level of information required to be included on the landscape plan:

Minimum information standard

A separate landscape plan and planting schedule including the following:

1. Any land proposed to be dedicated to Council and the location of the landscaping on that site.
2. Scientific name of all plant material.
3. Height and characteristics of plant material at maturity.
4. Status of landscaping at planting.
5. Specification of a maintenance regime.
6. Specification of irrigation systems for maintenance of landscaping referencing Council's current standards.
7. Planting specifications showing staking, hole preparation, depth and root control devices.
8. Provision for mulching.
9. Specification that a horticultural professional will supervise implementation of the works in the landscape plan.
10. The plan shall be drawn to a recognised scale.

The landscape plan and supporting information shall be prepared by a suitably qualified and experienced horticultural professional or landscape architect.

Element 4. Infrastructure

Objectives

- To ensure the estate is serviced with essential services in a cost-effective and timely manner;
- To ensure the estate is adequately serviced with water and sewerage infrastructure; and
- To ensure any subdivision and development on the land adequately plans for the provision of required stormwater infrastructure in accordance with the requirements of Council.

Performance criteria	Acceptable solutions
The infrastructure objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Utilities</p> <p>P1 Design and provision of utility services including sewerage, water, electricity, gas, street lighting and communication services are cost-effective over their lifecycle and incorporate provisions to minimise adverse environmental impacts in the short and long term.</p>	<p>A1.1 The design and provision of utilities services conforms to the requirements of Dubbo Regional Council and all relevant service authorities.</p> <p>A1.2 Water and sewerage services are to be provided to each allotment at the full cost of the developer.</p> <p>A1.3 Water and sewerage services are to be designed and constructed in accordance with the requirements of NAT-SPEC (Dubbo Regional Council version) Development Specification Series – Design and Development Specification Services – Construction.</p> <p>A1.4 Electricity supply is provided via underground trenching in accordance with the requirements of the energy supply authority.</p> <p>A1.5 Activities near or within Electricity Easements or close to Electricity Infrastructure comply with ISSC 20, Guideline for the Management of Activities within Electricity Easements and Close to Electricity Infrastructure 2012.</p>

Performance criteria The infrastructure objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Common Trenching P2 Compatible public utility services are located in common trenching in order to minimise the land required and the costs for underground services.	A2.1 Services are located next to each other in accordance with Council's policy for trenching allocation in footways (Standard Drawing 5268).
Availability of Services P3 Water supply and sewerage networks are available, accessible, easy to maintain and are cost-effective based on life cycle costs.	A3.1 Council will not consent to the subdivision of land until adequate water supply and facilities for sewage and drainage are available or until arrangements satisfactory to Council have been made for the provision of such supply and facilities. A3.2 Council considers that further investigation by the proponent is required to ascertain how the estate will be connected to Council gravity sewer and potable water supply. A3.3 Development is to be carried out within the water supply and sewer catchment as described by Council's Section 64 Policy for Water and Sewerage.

Element 5. Street Design and Road Hierarchy

Objectives

- To ensure streets fulfil their designated function within the street network;
- To facilitate public service utilities;
- Encourage street designs that accommodate drainage systems; and
- Create safe and attractive street environments.

Performance criteria	Acceptable solutions
The street design and road hierarchy objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Function and Width</p> <p>P1 The street reserve width is sufficient to cater for all street functions.</p> <ul style="list-style-type: none"> - Safe and efficient movement of all users, including pedestrians and cyclists; - Provision for parked vehicles; - Provision for landscaping; and - Location, construction and maintenance of public utilities. 	<p>A1.1 The road hierarchy complies with the South-East Dubbo Residential Release Strategy Residential Release Strategy.</p> <p>A1.2 The road hierarchy is designed and constructed in accordance with Aus-Spec (Dubbo Regional Council version).</p> <p>A1.3 Road reserve widths are in conformity with the Dubbo Road Transportation Strategy to 2045 (or its subsequent replacement). Roads within any subdivision on the land shall be constructed in accordance with Council's requirements.</p> <p>A1.4 The road layout provides appropriate connectivity as approved by Council, between adjoining residential land for both vehicular and pedestrian movement.</p> <p>A1.5 No direct vehicular access from any of the proposed lots will be permitted onto Old Dubbo Road.</p>
<p>P2 The verge width is sufficient to provide for special site conditions and future requirements.</p>	<p>A2.1 The verge width is increased where necessary to allow space for:</p> <ul style="list-style-type: none"> - Larger scale landscaping; - Future carriageway widening; - Retaining walls; - Cycle paths; and

Performance criteria	Acceptable solutions
The street design and road hierarchy objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria: - Overland flow paths.
Design for Safety P3 Street design caters for all pedestrian users including the elderly, disabled and children by designing streets to limit the speed motorists can travel.	There is no Acceptable Solution for this Performance Criteria.
Driveway Access P4 Driveway egress movements do not create a safety hazard.	A4.1 Motorists can enter or reverse from a residential lot in a single movement. A4.2 Driveways and vehicular access to lots do not directly access Old Dubbo Road.
Geometric Design P5 Bus routes have a carriageway width that: <ul style="list-style-type: none"> - Allows for the movement of buses unimpeded by parked cars; - Safely accommodates cyclists; and - Avoids cars overtaking parked buses. 	A5.1 The geometry of streets identified as bus routes provides suitable turning, stopping sight distance, grade and parking for buses.
P6 Geometric design for intersections, roundabouts and slow points is consistent with the vehicle speed intended for each street.	A6.1 Sufficient area is provided at the head of cul-de-sacs for waste disposal vehicles to make a three point turn.
P7 Car parking is provided in accordance with projected need determined by: <ul style="list-style-type: none"> - The number and size of probable future dwellings. - The car parking requirements of likely future residents. - Availability of public transport. - Likely future onsite parking provisions. 	There is no applicable Acceptable Solution to this Performance Criteria

Performance criteria The street design and road hierarchy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<ul style="list-style-type: none"> - Location of non-residential uses such as schools/shops - The occasional need for overflow parking. 	
P8 Car parking is designed and located to: <ul style="list-style-type: none"> - Conveniently and safely serve users, including pedestrian, cyclists and motorist. - Enable efficient use of car spaces and access ways including adequate manoeuvrability between the street and lots. - Fit in with adopted street network and hierarchy objectives and any related traffic movement plans. - Be cost effective. - Achieve relevant streetscape objectives 	There is no applicable Acceptable Solution to this Performance Criteria

Element 6. Stormwater Management

Objectives

- To provide major and minor drainage systems which:
 - Adequately protect people, the natural and built environments to an acceptable level of risk and in a cost effective manner in terms of initial costs and maintenance; and
 - Contribute positively to environmental enhancement of catchment areas.
- To manage any water leaving the site (during construction and operation) with stormwater treatment measures.

Performance criteria	Acceptable solutions
The stormwater management objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Stormwater infrastructure is provided on the land in accordance with the requirements of Council.	A1.1 An independent stormwater drainage Strategy shall be prepared on behalf of the proponent with any Development Application for subdivision that detail how the projected stormwater volumes can be managed on the subject land and through to receiving waters.
P2 Post development peak flows (up to 100 year ARI storm events) are limited to 'pre-development' levels.	A2.1 Water sensitive urban design or onsite bio-retention in the form of rain gardens, swales and absorption trenches are amalgamated into the design of the road network.
P3 The stormwater drainage system has the capacity to safely convey stormwater flows resulting from the relevant design storm under normal operating conditions, taking partial minor system blockage into account.	<p>A3.1 The design and construction of the stormwater drainage system is in accordance with the requirements of Australian Rainfall and Runoff 1987 and Aus-Spec (Former Dubbo Regional Council version) Development Specification Series – Design and Development Specification Series – Construction.</p> <p>A3.2 Infrastructure plans for the subdivision of the land shall show all minor and major stormwater systems clearly defined and identified.</p>

Performance criteria The stormwater management objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>Minor systems for residential areas are designed to cater for the 10 year ARI, whilst 'major' systems are to be designed to cater for the 1-in-100 year storm event. 1 in 100 year storm event. These systems are to be evident as 'self-draining' without impacting or flooding of residential houses etc.</p> <p>A3.3 No additional stormwater flows are to be directed towards the rail corridor.</p>
P5 The stormwater system/drainage network is designed to ensure that there are no flow paths which would increase risk to public safety and property.	There is no applicable Acceptable Solution to this Performance Criteria.
P6 The system design allows for the safe passage of vehicles at reduced speeds on streets which have been affected by run-off from the relevant design storm.	A6.1 The system allows for the safe passage of vehicles at reduced speeds on streets which have been affected by run-off from a 20% AEP event.
<p>Site Drainage</p> P5 The design and layout of the subdivision provides for adequate site drainage.	<p>A5.1 Where site topography prevents the discharge of stormwater directly to the street gutter or a Council controlled piped system, inter-allotment drainage is provided to accept run-off from all existing or future impervious areas that are likely to be directly connected.</p> <p>A5.2 The design and construction of inter-allotment drainage system are in accordance with the requirements of Australian Rainfall and Runoff (1987) and Aus-Spec (Former Dubbo City Council version) Development Specification Series – Design and</p>

Performance criteria The stormwater management objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	Development Specification Series – Construction.

Element 7. Water Quality Management

Objective

- To provide water quality management systems which:
 - Ensures that disturbance to natural stream systems is minimised, and;
 - Stormwater discharge to surface and underground receiving waters, during construction and in developing catchments, does not degrade the quality of water in the receiving areas.

Performance criteria	Acceptable solutions
The water quality management objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Adequate provision is made for measures during construction to ensure that the land form is stabilised and erosion is controlled.	A1.1 An Erosion and Sediment Control Plan is prepared by suitably qualified professionals using the 'Blue Book – Managing Urban Stormwater: Soils and Construction' and provided to Council with the subdivision Construction Certificate.
P2 The system design optimises the interception, retention and removal of water-borne pollutants through the use of appropriate criteria prior to their discharge to receiving waters.	A2.1 The Erosion and Sediment Control Plan is to comply with the document 'Managing Urban Stormwater: Soils and Construction', produced by NSW Department of Housing.

Residential Design (Dwellings and Dual Occupancy)

This section is designed to encourage 'best practice' solutions and clearly explain requirements for the development of dwelling houses and dual occupancy development (attached or detached).

The objectives of this section are:

- To facilitate a mix of dwelling sizes complementing the character of the area and that provide accommodation for all sectors of the community; and
- To facilitate low density residential accommodation with an economic use of infrastructure.

This section lists design elements under the following headings:

- Element 1 Streetscape character
- Element 2 Building setbacks
- Element 3 Solar access
- Element 4 Private open space and landscaping
- Element 5 Infrastructure
- Element 6 Visual and acoustic privacy
- Element 7 Vehicular access and car parking
- Element 8 Waste management
- Element 9 Site facilities
- Element 10 Signage
- Element 11 Non-residential uses

Each design element has been structured so that it contains:

- 'Objectives' describing the required outcomes;
- 'Performance criteria' outlining the range of matters that need to be addressed to satisfy the objectives (i.e. the performance criteria explains how an objective is to be achieved);

Note: Not all performance criteria will be applicable to every development.

- 'Acceptable solutions' are specific measures which illustrate one way of meeting both the performance criteria and objectives of an element. They are examples only and are not mandatory; and
- 'References' to relevant clauses of the Dubbo LEP 2011, other relevant legislation, Council policies and literature relevant to the design element.

Element 1. Streetscape Character

Objectives

- To design residential housing in-keeping with the desired future streetscape and neighbourhood character.

Performance criteria	Acceptable solutions
The streetscape character objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Built form</p> <p>P1 The frontage of buildings and their entries are apparent from the street.</p>	<p>A1.1 Habitable Buildings address the street by having a front door facing the street.</p> <p>A1.2 Where dual occupancies are situated on corner blocks, the development is designed to face each street frontage.</p> <p>A1.3 Dual occupancy development shall not be designed as ‘mirror reversed’.</p>
<p>P2 The development is to be designed to respect and reinforce the positive characteristics of the neighbourhood, including:</p> <ul style="list-style-type: none"> - Built form; - Bulk and scale; - Vegetation; and - Topography. 	<p>A2.1 Design elements to consider include:</p> <ul style="list-style-type: none"> - Massing and proportions; - Roof form and pitch; - Façade articulation and detailing; - Window and door proportions; - Features such as verandahs, eaves and parapets; - Building materials, patterns, textures and colours; - Decorative elements; - Vehicular footpath crossing (location and width); - Fence styles; and - Building setbacks.
<p>P3 Walls visible from the street are adequately detailed for visual interest.</p>	<p>A3.1 This may be achieved by recesses, windows, projections or variations of colour, texture or materials.</p> <p>A3.2 Walls longer than 15 m are articulated with a variation of not</p>

Performance criteria The streetscape character objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	less than 600 mm for a minimum length of 4 m.
P4 Garages and parking structures (carports) are sited and detailed to ensure they do not dominate the street frontage, integrate with features of the dwelling and do not dominate views of the dwelling from the street.	A4.1 Garages or parking structures are located in line with or behind the alignment of the front façade/entrance of the dwelling, with a minimum setback of 5.5 m (see Element 2 – Building Setbacks), where the street frontage is in excess of 12 m. A4.2 The width of a garage door or parking structure facing the street shall not be greater than 50% of the total width of the front of the building, for an allotment in excess of 12m in width, measure at the street frontage.
Fencing	
P5 Fencing is consistent with the existing character of the area.	A5.1 Fences shall take elements from neighbouring properties where elements are representative of the character of the street.
P6 Front fences enable outlook from the development to the street or open space to facilitate surveillance and safety.	A6.1 Front fences have a maximum height of 1.2 m if solid or less than 20% transparent and 1.5 m if greater than 50% transparent. A6.2 A front fence on the secondary frontage may have a maximum height of 1.8 m for 50% of the length of the boundary to the secondary road, which is measured from the corner splay of the primary road boundary. In addition, <ul style="list-style-type: none"> - The fence is constructed of materials which are consistent with those used in development on the site and adjoining developments; and

Performance criteria The streetscape character objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<ul style="list-style-type: none"> - The fence is softened with the use of landscaping.
<p>P8 Fencing style and materials reflect the local streetscape and do not cause undue overshadowing of adjoining development.</p> <p>Note: Barbed/razor wire or electrified fencing in residential areas is not permitted.</p>	<p>A8.1 Side fences on corner allotments are setback and/or articulated to provide for vegetation screening to soften the visual impact of the fence.</p> <p>A8.2 Side fences forward of the building line are not constructed of solid metal panels or chain wire fencing (including factory pre-coloured materials).</p>
<p>P9 Fencing on corner allotments does not impede motorists' visibility at the intersection.</p>	<p>A9.1 Fencing is either splayed, setback, reduced in height or transparent to maintain visibility for motorists.</p>
<p>P10 Gates are designed to ensure pedestrian and motorist safety.</p> <p>Note: Gates are not permitted to open across the footpath (Clause 18, Roads Regulation 2018).</p>	<p>A10.1 Where a driveway is provided through a solid fence, adequate visibility for the driver is maintained.</p>
<p>Heritage</p> <p>P11 New building design for any properties adjoining a heritage item shall relate to the significance and the character of the heritage item.</p>	<p>A11.1 If new buildings adjoin a heritage item, the application to build will be accompanied by an analysis (Heritage Management Document or Heritage Impact Assessment) of how the new buildings relate to the heritage item.</p> <p>A11.2 New buildings adjoining a heritage item are designed in a contemporary manner that is sympathetic to the heritage item.</p>
<p>P12 In designing new buildings adjoining a heritage item, the size, shape and height shall reflect the predominant</p>	<p>A12.1 Differences in building height between existing buildings and new development is not more than one</p>

Performance criteria The streetscape character objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
height and proportions of the heritage item.	storey when viewed from the public street.
P13 Development shall visually relate to the streetscape of the heritage item.	A13.1 Development shall not visually dominate or obscure views or sightlines to the heritage item. A13.2 Development shall enhance and complement the streetscape and amenity of the heritage item.
P14 Fencing adjoining a heritage item is in keeping with the existing character of the heritage item.	A14.1 New fencing shall be simple, compatible in height and of suitable material and spacing to the building and the heritage item. The exact reproduction of traditional fence styles should be avoided.

Element 2. Building Setbacks

Objectives

- To ensure that the setback of a building from the property boundaries, the height and length of walls, site coverage and visual bulk are appropriate for a low density residential neighbourhood; and
- To ensure habitable rooms of dwellings and private open space within the development and in adjacent development can receive adequate sunlight, ventilation and amenity.

<p>Performance criteria The building setback objectives may be achieved where:</p>	<p>Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:</p>
<p>P1 Front Boundary Setback – Dwellings and ancillary structures The setback of development from the front boundary of the allotment is consistent with the desired low density character of the subdivision.</p> <p>Note: The setback is measured from the property boundary to the first vertical structural element of the development. No portico, posts, etc shall be any closer than the stated setback.</p> <p>Note: This applies to a dwelling house and any ancillary structure that is attached or detached to a dwelling house.</p>	<p>Primary Frontage A1.1 Minimum setback of 4.5 m from the front property boundary where no streetscape setback has been established.</p> <p>Secondary Frontage A1.2 The secondary (side) setback is 3 m. Where the corner is splayed, residential development is designed accordingly.</p>
<p>P2 Side and rear boundary setbacks – dwellings The setback of development from the side and rear boundaries of the allotment is consistent with the desired low density character of the subdivision.</p> <p>Note: The setback is measured from the property boundary to the first vertical structural element of the development. No portico, posts etc. shall be any closer than the stated setback.</p>	<p>A2.1 Residential development is setback such that it complies with the requirements of the Building Code of Australia (BCA).</p>

<p>Performance criteria The building setback objectives may be achieved where:</p>	<p>Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:</p>
<p>P3 Front boundary setback – garages and carports The location of garages and carports does not diminish the attractiveness of the streetscape, does not dominate views of the dwelling from the street and integrates with features of associated dwellings.</p>	<p>Primary frontage A3.1 Garages and carports are setback a minimum of 5.5 m from the front property boundary and in line with or behind the alignment of the front façade of the dwelling.</p> <p>Secondary frontage A3.2 Garages and carports on secondary frontages of corner allotments may extend beyond the alignment of the secondary façade of the dwelling and shall achieve a minimum 5.5 m setback from the secondary property boundary (see Figure 3).</p>
<p>P4 Side and rear boundary setbacks – garages and carports The location of garages and carports does not diminish the attractiveness of the locality and integrates with features of associated dwellings.</p>	<p>A4.1 Garages and carports are setback such that they comply with the requirements of the Building Code of Australia.</p> <p>Where a garage or carport is provided on a secondary street frontage, the regular building setback requirements of this Plan are applicable.</p>

PRIMARY FRONTAGE

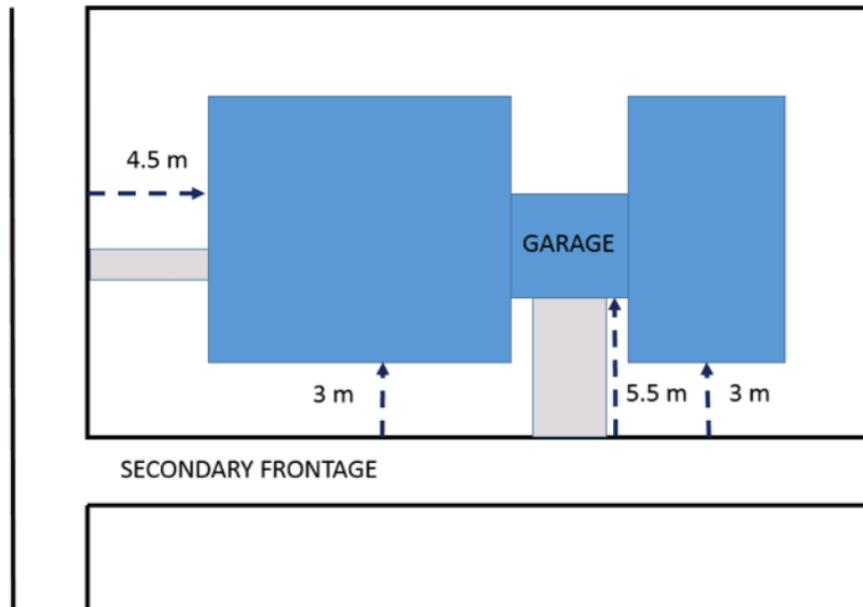


Figure 3. Corner allotment with the main entry to the primary road and the garage to the secondary road, with a setback minimum of 5.5 metres

Element 3. Solar Access

Objectives

- To ensure all development provides an acceptable level of solar access for occupants; and
- To ensure development does not significantly impact on the solar access and amenity of adjoining and adjacent allotments.

Performance criteria	Acceptable solutions
The solar access objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Solar Access</p> <p>P1 Development is designed to ensure solar access is available to habitable rooms, solar collectors (photovoltaic panels, solar hot water systems etc.) private open space and clothes drying facilities.</p> <p>Note 1: Council requires the submission of a shadow diagram to demonstrate the impact of overshadowing on adjoining and adjacent allotments for any residential development above single storey.</p> <p>Shadow diagrams are to be prepared for 9 am, 12 noon and 3 pm on 22 June. The shadow diagrams are to demonstrate the extent of overshadowing of the proposed and existing development on the subject land and adjacent sites.</p>	<p>A1.1 Dwellings are sited in accordance with Figure 5.</p> <p>A1.2 On east/west orientated lots, the setback on the north-side of the lot is increased to allow for maximum solar access to habitable rooms located on the north-side of the dwelling.</p> <p>A1.3 A roof area sufficient to meet the space requirements for a solar hot water service is provided where it faces within 20° of north and receives direct sunlight between the hours of 9 am and 3 pm on 22 June.</p> <p>A1.3 Outdoor clothes drying area are located to ensure adequate sunlight and ventilation are provided between the hours of 9am and 3pm on 22 June to a plan of 1m above the finished ground-level under the drying lines.</p>
<p>P2 Development does not reduce the level of solar access currently enjoyed by adjoining or adjacent allotments.</p>	<p>A2.1 Habitable rooms of adjoining development receive a minimum of four hours solar access between the hours of 9 am and 3 pm on 22 June.</p>

Performance criteria The solar access objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A2.2 The solar impact of development shall be shown with the submission of shadow diagrams taken on 22 June (winter solstice).</p> <p>A2.3 Principal Private Open Space (PPOS) of adjoining and adjacent development receives a minimum of four hours solar access over 75% of the principal private open space area between 9am and 3pm on 22 June.</p> <p>A2.3 Landscaping is designed to ensure that when mature, required areas of private open space or established BBQ/ pergola areas on adjoining allotments maintain solar access on 22 June.</p>

House orientation not encouraged

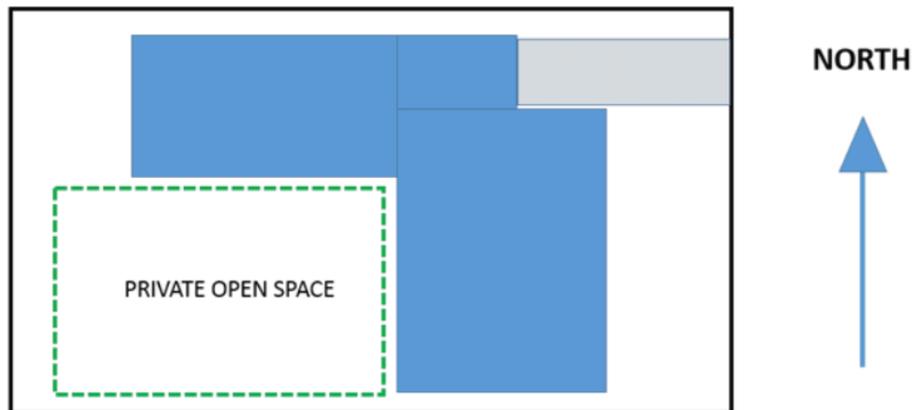


Figure 4. Siting of dwellings on east/west lots

Rationale

A dwelling built close to the northern boundary results in little to no winter sunlight being able to enter habitable rooms in the dwelling. The location of the house increases the shading of the private open space area.

House orientation encouraged

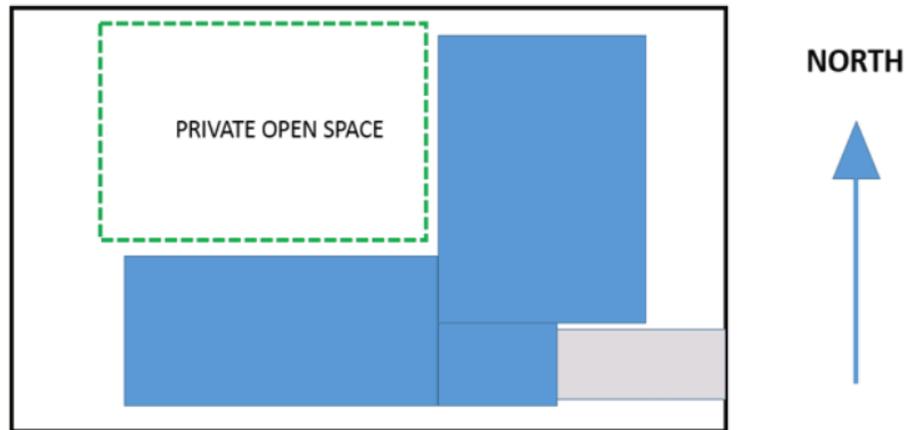


Figure 5. Siting of dwellings on east/west lots

Rationale

A dwelling built close to the southern boundary enables winter sunlight to enter habitable rooms in the dwelling. Good solar access is available to private open space during winter.

Element 4. Private Open Space and Landscaping

Objectives

- To provide private outdoor open space that is well-integrated with the development and is of sufficient area to meet the needs of occupants;
- To provide a pleasant, safe and attractive level of residential amenity; and
- To ensure landscaping is appropriate in nature and scale for the site and the local environment.

Performance criteria	Acceptable solutions
The private open space and landscaping objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Private Open Space</p> <p>P1 Private open space is of an area and dimension facilitating its intended use.</p> <p>Note: See Element 3 – Solar Access requirements for private open space development in the estate.</p>	<p>A1.1 Dwelling houses and dual occupancy developments shall have a Principal Private Open Space (PPOS) area, in addition to the general Private Open Space (POS).</p> <p>A1.2 The PPOS area has a minimum area per dwelling of 25 m² and a minimum dimension of 5 m. This area can include covered (not enclosed) outdoor entertainment areas.</p> <p>A1.3 Dwelling houses and dual occupancies have an overall minimum POS area (including PPOS) of 20% of the site area (excluding the area located forward of the building line).</p>
<p>P2 Private open space is easily accessible by the occupants of the development and provides an acceptable level of privacy.</p>	<p>A2.1 All Principal Private Open Space (PPOS) is directly accessible from the main living area.</p> <p>A2.2 All private open space is located behind the front building line and is screened to provide for the privacy of occupants and the occupants of adjoining properties.</p>

<p>Performance criteria The private open space and landscaping objectives may be achieved where:</p>	<p>Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:</p>
<p>Landscaping P3 Landscaping is provided at a scale and density which is appropriate for the development.</p>	<p>A3.1 Landscaping is provided in accordance with the requirements of the Landscaping Schedule.</p> <p>A3.2 The height and density of vegetation at maturity should be suitable to screen and soften the development.</p> <p>A3.3 A landscape plan is required to be provided for assessment with the lodgement of development applications for dual occupancy developments.</p>
<p>P4 Landscaping is located to not impact infrastructure, development on the site or development adjoining the site.</p>	<p>A4.1 Species are selected and located taking into consideration the size of the root zone of the tree at maturity and the likelihood of potential for the tree to shed/drop material.</p> <p>A4.2 Landscape species are selected and located to ensure the amenity of adjoining and adjacent properties is not impacted.</p> <p>This shall ensure that inappropriate vegetation is not provided that reduces the level of solar access enjoyed by adjoining and adjacent properties and is likely to provide any safety impacts to residents.</p>
<p>P5 Landscaping activities are undertaken in an environmentally sustainable manner which limits the time and costs associated with maintenance.</p>	<p>A5.1 Species selected are suitable for the local climate.</p> <p>A5.2 Species selected require a minimal amount of watering.</p> <p>A5.3 Landscaping does not impact ground-water levels by over watering resulting in ground-water</p>

Performance criteria The private open space and landscaping objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	level increases or the pollution of waters. A5.4 Existing native trees are retained when possible. A5.5 Landscaping is provided with a timed watering system and moisture meter to determine if watering is required. A5.6 Sensors are used to control watering systems.

Landscaping Schedule

A Landscaping Plan is required to be submitted with a Development Application for a dual occupancy development. The table below shown below specifics the level of information required to be included for landscape plans:

Minimum information standard
Details of ground cover and landscaping shown on the site plan including the following: <ul style="list-style-type: none"> • Location of landscaping on the site. • Scientific name of all plant material. • Height and characteristics of plant material at maturity. • Status of landscaping at plantings. • Specification of a maintenance regime. • The plan shall be drawn to a recognised scale. The landscape plan shall be prepared by a building design professional or appropriately qualified and experienced professional preparing the development plans.

Element 5. Infrastructure

Objectives

- To encourage residential development in the estate where it can take advantage of existing physical and social infrastructure;
- To ensure infrastructure has the capacity or can be economically extended to accommodate new residential development;
- To efficiently provide development with appropriate physical services; and
- To minimise the impact of increased stormwater run-off to drainage systems.

Performance criteria The infrastructure objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
P1 Residential development shall not overload the capacity of public infrastructure including reticulated services, streets, open space and human services.	A1.1 Physical infrastructure is provided by the proponent in accordance with the former Dubbo City Council's adopted version of NAT Spec and relevant policies.
P2 Design and layout of residential development provides space (including easements) and facilities to enable efficient and cost-effective provision of telecommunication services.	A2.1 Development is connected to a telecommunication system provided in accordance with the requirements of the appropriate authority.
P3 The development is connected to reticulated sewerage, water supply and electricity systems and to natural gas where available.	<p>A3.1 Development is connected to Council's reticulated water supply, stormwater drainage and sewerage system to the former Dubbo City Council's adopted version of AUSPEC and relevant policies (including separate water meters where the development is to be subdivided).</p> <p>A3.2 Development is located where ready access to an electricity supply is available or where electricity supply can be easily extended.</p>

Element 6. Visual and Acoustic Privacy

Objectives

- To limit overlooking of private open space and views into neighbouring development;
- To substantially contain noise within each dwelling and to limit noise from communal areas or shared facilities affecting nearby dwellings; and
- To protect internal living and sleeping areas from inappropriate levels of external noise.

Performance criteria	Acceptable solutions
The visual acoustic and privacy objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Visual Privacy</p> <p>P1 Private open spaces and living rooms of adjacent residential accommodation are protected from direct overlooking by an appropriate layout, screening device and distance.</p> <p>Note: No screening is required if:</p> <ul style="list-style-type: none"> - Bathrooms, toilets, laundries, storage rooms or other non-habitable rooms have translucent glazing or sill heights of at least 1.5 m. - Habitable rooms having sill heights of 1.5 m or greater above floor level or translucent glazing to any window less than 1.5 m above floor level. - Habitable rooms facing a property boundary have a visual barrier of at least 1.5 m high (fences and barriers other than landscaping are not to be any higher than 1.8 m) and the floor level of the room is less than 0.6 m above the level of the ground at the boundary. 	<p>A1.1 Windows of habitable rooms with an outlook to habitable room windows in adjacent development within 10 m:</p> <ul style="list-style-type: none"> - Are offset a minimum distance of 1 m from the edge of the opposite window in the proposed development; - Have a sill height of 1.5 m above floor level; - Have a fixed obscure glazing in any window pane below 1.5 m above floor level; or <p>A1.2 Screens are solid, translucent or perforated panels or trellis which:</p> <ul style="list-style-type: none"> - Have a minimum of 25% openings; - Are permanent and fixed; - Are of durable materials such as galvanised steel, iodised aluminium or treated timber; and <p>A1.3 Windows and balconies of residential accommodation shall be designed to prevent overlooking of more than 50% of the private open space of any adjoining residential accommodation.</p>

Performance criteria The visual acoustic and privacy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Acoustic Privacy</p> <p>P2 The transmission of noise to and the impact upon habitable rooms within the proposed development and adjoining and adjacent development is minimised.</p>	<p>A2.1 Living rooms or garages of residential development does not adjoin or abut bedrooms if adjacent to residential development.</p> <p>A2.2The plumbing of residential development and is separate and contained sufficiently to prevent transmission of noise.</p> <p>A2.3 Electrical, mechanical or hydraulic equipment or plant generating a noise level no greater than 5dBA above ambient L90 sound level at the boundary of the property.</p> <p>A2.4Residential development is constructed to ensure habitable rooms are not exposed to noise levels in excess of the standards contained in the relevant Australian Standard(s) including AS 3671 – Road Traffic.</p>

Performance criteria The visual acoustic and privacy objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Rail Noise Impacts</p> <p>P3 Development of the land is not unreasonably impacted by noise associated with use of the Dubbo-Molong Rail Corridor.</p>	<p>A3.1 The development complies with the requirements of State Environmental Planning Policy (infrastructure) 2007 and the Development near Rail Corridors and Busy Roads –Interim Guideline (2008) (or its equivalent).</p> <p>A3.2 All residential buildings located within 25m of the rail corridor (Zone B) require standard noise mitigation measures consistent with Category 2 Noise Control Treatments (interim Guideline C) which include:</p> <ul style="list-style-type: none"> - Windows/sliding doors – openable with minimum 6mm monolithic glass and full perimeter acoustic seals - Wall construction 110mm brick, 90mm timber stud frame, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally. - Roof – Pitched concrete or terracotta tile or metal sheet rood sheeting with sarking, 10mm plasterboard ceiling fixed to ceiling joists, R2 insulation batts in roof cavity. - Entry Door -40mm solid core timber door fitted with full perimeter acoustic seals. - Floor – 1 layer of 19mm structural floor boards, timber joists on piers or concrete slab on floor on ground.

Element 7. Vehicular access and car parking

Objectives

- To provide adequate and convenient parking for residents, visitors and service vehicles;
- To ensure street and access ways provide safe and convenient vehicle access to dwellings and can be efficiently managed; and
- To avoid parking and traffic difficulties in the development and the neighbourhood.

Performance criteria	Acceptable solutions
The vehicular access and car parking objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Parking Provision</p> <p>P1 Car parking is provided according to projected needs, the location of the land and the characteristics of the immediate locality.</p>	<p>A1.1 Dwelling houses and dual occupancy development provides the following vehicle parking:</p> <ul style="list-style-type: none"> - One bedroom dwelling – one car parking space per dwelling, situated behind the front building setback; and - Dwelling with two or more bedrooms – two car parking spaces per dwelling.
<p>Design</p> <p>P2 Car parking facilities are designed and located to conveniently and safely serve users including pedestrians, cyclists and vehicles.</p>	<p>A2.1 The dimensions of car spaces and access comply with AS2890.1.</p> <p>A2.2 Access ways and driveways are designed to enable vehicles to enter the designated parking space in a single turning movement and leave the space in no more than two turning movements.</p> <p>A2.3 The design and appearance of garages and carports shall:</p> <ul style="list-style-type: none"> - Be in line with or behind the alignment of the front façade of the dwelling (noting that they cannot be less than 5.5 m from the front property boundary in the R2 zone); - Garages and carports on secondary frontages of corner

Performance criteria The vehicular access and car parking objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	allotments may extend beyond the alignment of the secondary façade of the dwelling but shall achieve a minimum 5.5 m setback from the secondary property boundary; <ul style="list-style-type: none"> - Lots with a narrow frontage of 15 m or less have a single width garage/carport; - Large parking areas are broken up with trees, buildings or different surface treatments; - Parking is located so that the front windows of a dwelling are not obscured; - The dwelling design highlights the entry and front rooms rather than the garage; and - Garages are located under the roof of two-storey dwellings.
Emergency Vehicle Access P3 Standing and turning areas for service, emergency or delivery vehicles are provided where access to any dwelling from a public street is remote or difficult.	A3.1 Access ways are designed to cater for an 'AUSTROADS 8.8 m length Design Service Vehicle'.
Surface Treatment P4 Driveways, car parks and access points are designed to ensure appropriate access is provided.	A4.1 Car spaces, accessways and driveways are formed, defined and drained to a Council drainage system and surfaced with: <ul style="list-style-type: none"> - An all-weather seal such as concrete, coloured concrete, asphalt or mortared pavers. - Stable, smooth, semi-porous paving material (such as brick, stone or concrete pavers) laid to the paving standard of light vehicle use.

Element 8. Waste Management

Objective

- To ensure waste disposal is carried out in a manner which is environmentally responsible and sustainable.

Performance criteria	Acceptable solutions
The waste management objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Domestic Solid Waste</p> <p>P1 Domestic solid waste is disposed of in an environmentally responsible and legal manner.</p>	<p>A1.1 Residential development shall participate in Council’s garbage and recycling materials collection service.</p> <p>A1.2 Recycling of wastes such as paper (mulch in garden), plastics, glass and aluminium.</p> <p>A1.3 Reuse of waste such as timber.</p> <p>A1.4 Dispose of waste to a Council-approved waste facility or transfer station.</p> <p>A1.5 Organic waste shall be composted.</p>
P2 The amount of liquid waste generated is minimised	A.2.1 Dual flush toilet systems and water saving fittings and appliances shall be used.
P3 Adequate space is provided to store waste collection bins in a position which will not adversely impact upon the amenity of the area.	A3.1 Waste collection bins are stored behind the building line.
P4 New buildings are constructed on land where the risk of harm to human health is low.	A4.1 State Environmental Planning Policy No 55 Remediation of Land is considered where potentially contaminating items or activities have historically been undertaken (e.g historical septic tanks on the land).

Element 9. Site Facilities

Objective

- To ensure that site facilities are functional, readily accessed from dwellings, visually attractive, blend in with the development and street character and require minimal maintenance.

Performance criteria The site facilities objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
Mail Boxes P1 Mail boxes are located for convenient access by residents and the delivery authority.	A1.1 Individual mail boxes are located to each ground-floor entry of residential accommodation or a mail box structure is located close to the major pedestrian entrance to the site.
Antennae P2 Telecommunications facilities are provided to serve the needs of residents and do not present any adverse visual impacts	A2.1 The number of television antennae and other receiving structure is kept to a minimum, or where appropriate, a receiver is provided to serve all dwellings within a single building.

Element 10. Signage

Objectives

- The residential character of the locality is maintained; and
- Any signage is appropriate for the locality and does not detract from the development or the street character.

Performance criteria	Acceptable solutions
The signage objectives may be achieved where:	The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Signage</p> <p>P1 Signs are appropriate for the nature of the business and the locality.</p>	<p>A1.1 Signage shall:</p> <ul style="list-style-type: none"> - Be non-moving; - Relate to the lawful use of the building (except for temporary signs) on which the sign is located; - Not be detrimental to the character and functioning of the building; - Not cover mechanical ventilation inlet or outlet vents; - Not obstruct the sight line of vehicular traffic; - Not obstruct pedestrian traffic; and - Not be illuminated or flashing.
<p>Business Identification Signage</p> <p>P2 Signs are appropriate for the nature of the business and the locality.</p>	<p>A2.1 Home-based child care, home business, home industry and home occupation development signage shall:</p> <ul style="list-style-type: none"> - Meet the general requirements for signage (P1); - Have one sign per premises. - Have a maximum area — 0.75 m²; and - Not advertise specific products or brands. <p>Note: Signs meeting the above requirements will not require development approval.</p>

Performance criteria The signage objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<p>A2.2 Permissible non-residential development signage shall:</p> <ul style="list-style-type: none"> - Meet the general requirements for signage (P1); - Have one sign per premises; and - Have a maximum area 1.5 m². <p>Note: Signs meeting the above requirements will not require development approval.</p>
<p>Real Estate Signs (Advertising Premises or Land Sale or Rent)</p> <p>P3 Signs are appropriate for the residential locality and are of a temporary nature.</p>	<p>A3.1 Real estate signage shall:</p> <ul style="list-style-type: none"> - Meet the general requirements for signage (P1); - Have a maximum area—3 m²; and - Be removed within seven days after the premises or land is sold or let. <p>Note: Signs meeting the above requirements will not require development approval.</p>
<p>Temporary Signs (Special Events)</p> <p>P4 Signs are appropriate for the residential locality and are of a temporary nature.</p>	<p>A4.1 Temporary (special events) signage shall:</p> <ul style="list-style-type: none"> - Meet the general requirements for signage (P1); - Have a maximum of two signs onsite; - Have a maximum one sign off site, which if located in a road reserve shall be acceptable to the relevant road authority in terms of location, traffic and pedestrian safety; - Have a maximum area 1.5 m² and maximum height of 1.5 m;

Performance criteria The signage objectives may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
	<ul style="list-style-type: none">- Not include commercial advertising apart from the name of any event sponsors; and- Not be displayed earlier than one month before or later than two days after the event. <p>Note: Signs meeting the above requirements will not require development approval.</p>

Element 11. Non-Residential Uses

Objective

- To ensure non-residential development is of a type, scale and character which will maintain an acceptable level of amenity.

Performance criteria The non-residential uses objective may be achieved where:	Acceptable solutions The acceptable solutions illustrate one way of meeting the associated performance criteria:
<p>Amenity</p> <p>P1 Non-residential use does not result in detrimental impacts to residential amenity having regard to traffic, parking, noise, odour, signage and safety.</p>	<p>A1.1 The level of noise and volume of traffic is not greater than the expected level associated with the regular activities of a residential area.</p> <p>A1.2 Car parking is provided and designed appropriate for the site, such that adequate off-street car parking will be provided so that it can be demonstrated that there will be no requirement for on-street car parking.</p> <p>A1.3 Traffic can manoeuvre in and out of the site in a forward direction.</p> <p>A1.4 Noise from the development does not exceed the background noise level (LA90) by more than 5dB(A) during approved business hours and does not exceed the background noise level at any frequency outside approved business hours.</p> <p>A1.5 Hours of operation are to be restricted to normal business hours.</p> <p>A1.6 The scale and character of non-residential buildings is compatible with the residential nature of the locality.</p>