



# AGENDA

## PLANNING, DEVELOPMENT AND ENVIRONMENT COMMITTEE

### 13 MAY 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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<b>PDEC19/11 REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE - MEETING 11 MARCH 2019 (ID19/325)</b>	2
The Committee had before it the report of the Planning, Development and Environment Committee meeting held 11 March 2019.	
<b>PDEC19/12 BUILDING SUMMARY - MARCH 2019 (ID19/233)</b>	7
The Committee had before it the report dated 27 March 2019 from the Director Planning and Environment regarding Building Summary - March 2019.	
<b>PDEC19/13 BUILDING SUMMARY - APRIL 2019 (ID19/469)</b>	17
The Committee had before it the report dated 1 May 2019 from the Director Planning and Environment regarding Building Summary - April 2019.	
<b>PDEC19/14 ADDITIONAL PERMITTED USE - ANIMAL BOARDING OR TRAINING ESTABLISHMENT LOT 12 DP 1154493, 31 MERRILEA ROAD, DUBBO. (ID19/423)</b>	28
The Committee had before it the report dated 29 April 2019 from the Manager Strategic Planning Services regarding Additional Permitted Use - Animal Boarding or Training Establishment Lot 12 DP 1154493, 31 Merrilea Road, Dubbo.	



**DUBBO REGIONAL  
COUNCIL**

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## **Report of the Planning Development and Environment Committee - meeting 11 March 2019**

**AUTHOR: Administration Officer - Governance**  
**REPORT DATE: 26 March 2019**

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The Committee had before it the report of the Planning, Development and Environment Committee meeting held 11 March 2019.

### **RECOMMENDATION**

**That the report of the Planning, Development and Environment Committee meeting held on 11 March 2019, be noted.**



**REPORT  
PLANNING, DEVELOPMENT AND  
ENVIRONMENT COMMITTEE  
11 MARCH 2019**

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

**ALSO IN ATTENDANCE:**

The Chief Executive Officer, the Executive Manager Governance and Internal Control, the Governance Team Leader, the Community Support Officer, the Director Corporate Services, the Director Economic Development and Business, the Stakeholder Engagement Coordinator (K Galea), the Director Infrastructure and Operations, the Director Planning and Environment (S Jennings), the Manager Building and Development Services, the Senior Strategic Planner, the Senior Planner and the Director Community and Recreation.

Councillor S Lawrence assumed chairmanship of the meeting.

The proceedings of the meeting commenced at 5.30pm.

**PDEC19/6      REPORT OF THE PLANNING DEVELOPMENT AND ENVIRONMENT COMMITTEE  
- MEETING 11 FEBRUARY 2019 (ID19/153)**

The Committee had before it the report of the Planning, Development and Environment Committee meeting held 11 February 2019.

Moved by Councillor B Shields and seconded by Councillor J Diffey

**MOTION**

**That the report of the Planning, Development and Environment Committee meeting held on 11 February 2019, be noted.**

**CARRIED**

**PDEC19/7 BUILDING SUMMARY - FEBRUARY 2019 (ID19/131)**

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

Moved by Councillor A Jones and seconded by Councillor K Parker

**MOTION**

**That the report from the Director Planning and Environment dated 28 February 2019 be noted.**

**CARRIED**

**PDEC19/8 DRAFT DUBBO EMPLOYMENT LANDS STRATEGY - RESULTS OF PUBLIC AND STAKEHOLDER CONSULTATION AND EXHIBITION (ID18/1839)**

The Committee had before it the report dated 25 February 2019 from the Senior Strategic Planner regarding Draft Dubbo Employment Lands Strategy - Results of Public and Stakeholder Consultation and Exhibition. The Committee reports having met with Ms K Barber and Mr P Starr regarding this matter.

Moved by Councillor J Diffey and seconded by Councillor D Gumley

**MOTION**

- 1. That the draft Employment Lands Strategy as attached to the report of the Senior Strategic Planner dated 25 February 2019 as Appendix 1 be adopted.**
- 2. That an advertisement be placed in the local print media advising of Council's adoption of the Employment Lands Strategy.**
- 3. That on adoption of the draft Employment Lands Strategy, the Dubbo Commercial Areas Development Strategy, the Dubbo Institutional Areas Development Strategy and the Dubbo Industrial Areas Development Strategy be repealed.**
- 4. That a notice of repeal be included in local print media advising of the repeal of the Dubbo Commercial Areas Development Strategy, the Dubbo Industrial Areas Development Strategy and the Dubbo Institutional Areas Development Strategy.**
- 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 substantiative 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.**
- 8. That those who made submissions be acknowledged and advised of Council's determination in this matter.**

**CARRIED**

*Councillor J Ryan declared a pecuniary, significant interest in the matter now before the Committee and left the room and was out of sight during the Committee's consideration of this matter. The reason for such interest is that Councillor J Ryan owns a property on Camp Road and this item could potentially have a financial impact on the value of his property.*

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	
Councillor Etheridge	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Parker	
Councillor Shields	
<b>Total (7)</b>	<b>Total (0)</b>

**PDEC19/9     D19-25 - DUAL OCCUPANCY (ATTACHED)**  
**PROPERTY: LOT 168 DP 1145981 BOUNDARY ROAD, DUBBO**  
**APPLICANT: STEHAR PTY LTD**  
**DATE LODGED: 18 JANUARY 2019 (ID19/157)**

The Committee had before it the report dated 26 February 2019 from the Planner regarding D19-25 - Dual Occupancy (attached). The Committee reports having met with Mr H Klaassens and Ms C Grey regarding this matter.

Moved by Councillor K Parker and seconded by Councillor D Gumley

**MOTION**

- 1. That Development Application D19-25 for a Dual occupancy (attached) at Lot 168 DP 1145981 Boundary Road, Dubbo, be approved subject to the conditions of consent set out in Appendix 1 of the report dated 25 February 2019.**
- 2. That those people making submissions be advised of Council's determination in this matter.**

**CARRIED**

In accordance with s375A(2) of the Local Government Act 1993, a division was duly called, the following votes on the motion were recorded:

<b>FOR</b>	<b>AGAINST</b>
Councillor Diffey	
Councillor Etheridge	
Councillor Gumley	
Councillor Jones	
Councillor Lawrence	
Councillor Parker	
Councillor Ryan	
Councillor Shields	
<b>Total (8)</b>	<b>Total (0)</b>

**PDEC19/10 LEAVE OF ABSENCE**

Requests for leave of absence were received from Councillors D Grant and G Mohr who were absent from the meeting due to personal reasons.

Moved by Councillor A Jones and seconded by Councillor V Etheridge

**MOTION**

**That such requests for leave of absence be accepted and Councillor D Grant and G Mohr be granted leave of absence from this meeting.**

**CARRIED**

The meeting closed at 6.05pm.

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CHAIRMAN



## REPORT: Building Summary - March 2019

AUTHOR: Director Planning and Environment  
REPORT DATE: 27 March 2019  
TRIM REFERENCE: ID19/233

### 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 Planning and Environment dated 31 March 2019 be noted.**

*Stephen Wallace*  
Director Planning 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 March 2019 were as follows:

#### March 2019

Dwellings	8
Other residential development	5
(No. of units)	12

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 March 2019 and a comparison with figures 12 months prior and the total for the respective financial years, are as follows:

	<u>1 March 2019 – 31 March 2019</u>	<u>1 July 2018 – 31 March 2019</u>
No. of applications	42	558
Value	\$6,228,663	\$194,135,268
	<u>1 March 2018 – 31 March 2018</u>	<u>1 July 2017 – 31 March 2018</u>
No. of applications	64	595
Value	\$29,354,934	\$141,760,436

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 - March 2019
- 2 [↓](#) Approved Applications - 1 March 2019 to 31 March 2019
- 3 [↓](#) Approved Applications - 1 March 2018 to 31 March 2018
- 4 [↓](#) Approved Applications 1 July 2018 to 31 March 2019
- 5 [↓](#) Approved Applications - 1 July 2017 to 31 March 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				118
Multi unit housing	3	4	3	-	6	2	2	1	5				26
(No of units)	(4)	(7)	(5)	(-)	(11)	(29)	(4)	(1)	(12)				(73)

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



Civic Administration Building  
 P.O. Box 81 Dubbo NSW 2830  
 T (02) 6801 4000  
 F (02) 6801 4259  
 ABN 53 539 070 928

Print Date: 27/03/2019  
 Print Time: 9:36:08AM

**Approved Development & Complying Development Applications  
 by Dubbo Regional Council and Private Certifiers-Period 1/03/2019 - 31/03/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	13	2,474,884	8	2,336,084	5	138,800	8	
Dwelling - Secondary/Dual Occ Dwelling	2	883,000	2	883,000			4	
Dwelling - Dual Occupancy, one storey	1	921,440	1	921,440			2	
Medium Density Res - one/two storeys	2	1,360,000	2	1,360,000			6	
Garage/Carport/Roofed Outbuildings	18	299,839	17	291,159	1	8,680		
Fences/Unroofed Structures	1	6,000	1	6,000				
Swimming Pool	3	73,500	3	73,500				
Retail Building	1	50,000			1	50,000		
Office & Retail Building	1	80,000			1	80,000		
Subdivision - Commercial	1	80,000						
<b>Totals for Development Types</b>	<b>43</b>	<b>6,228,663</b>						

**Total Number of Applications for this period: 42**

\*\*\* 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: 27/03/2019  
 Print Time: 9:22:38AM

**Approved Development & Complying Development Applications  
 by Dubbo Regional Council and Private Certifiers-Period 1/03/2018 - 31/03/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	18	5,984,252	16	5,764,252	2	220,000	16	
Dwelling - Secondary/Dual Occ Dwelling	3	780,325	3	780,325			3	
Dwelling - Dual Occupancy, one storey	7	3,651,000	7	3,651,000			16	
Medium Density Res - one/two storeys	1	475,000	1	475,000			4	
Garage/Carport/Roofed Outbuildings	18	346,697	16	216,897	2	129,800		
Swimming Pool	4	95,658	4	95,658				
Retail Building	2	1,050,000	1	750,000	1	300,000		
Office & Retail Building	1	865,000			1	865,000		
Infrastructure - Transport, Utilities	2	310,000	2	310,000				
Community/Public Building	2	7,500,000	1	7,500,000	1			
Demolition	1	15,000	1	15,000				
Change of Use - Commercial	1	12,000	1	12,000				
Tourism Development	2	7,800,000	1	7,800,000	1			
Subdivision - Residential	9	30,000	4					3
Subdivision - Other	1	440,000						11
Miscellaneous	1	0	1					
<b>Totals for Development Types</b>	73	29,354,932						

**Total Number of Applications for this period: 64**

\*\*\* 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: 27/03/2019

Print Time: 9:24:48AM

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2018 - 31/03/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	173	52,588,078	138	48,718,859	35	3,869,219	138	1
Dwelling- Transportable/Relocatable	3	649,333	3	649,333			3	
Dwelling - Secondary/Dual Occ Dwelling	15	5,900,409	15	5,900,409			25	
Dwelling - Dual Occupancy, one storey	11	4,805,440	11	4,805,440			20	
Medium Density Res - one/two storeys	2	1,360,000	2	1,360,000			6	
Garage/Carport/Roofed Outbuildings	156	2,660,578	145	2,431,324	11	229,254	1	
Fences/Unroofed Structures	13	343,620	13	343,620				
Swimming Pool	77	2,044,168	76	2,014,263	1	29,905		
Office Building	4	1,531,385			4	1,531,385		
Retail Building	17	27,728,900	5	26,383,400	12	1,345,500		
Hotels	2	960,000			2	960,000		
Office & Retail Building	1	80,000			1	80,000		
Retail & Residential Building	1	34,987,150	1	34,987,150			27	
Factory/Production Building	3	1,224,037	2	1,114,037	1	110,000		
Warehouse/storage	12	6,629,671	8	5,924,500	4	705,171	1	
Infrastructure - Transport, Utilities	11	1,388,896	7	1,225,350	4	163,546		
Health Care Facility - Hospital	1	74,700			1	74,700		
Health Care Facility - Other	2	450,000	2	450,000				
Educational Building	4	2,014,592			4	2,014,592		
Entertainment/Recreational Building	2	193,000			2	193,000		
Community/Public Building	2	1,840,000	2	1,840,000				
Signs/Advertising Structure	7	181,050	4	79,050	3	102,000		

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2018 - 31/03/2019**

<b>Development Type</b>	<b>Number of Applications</b>	<b>Est. \$</b>	<b>New Developments</b>	<b>Est. \$</b>	<b>Additions and Alterations</b>	<b>Est. \$</b>	<b>New Dwellings</b>	<b>New Lots</b>
Demolition	6	154,000	4	114,000	2	40,000		
Home Business	1	5,000	1	5,000				
Child Care - Centre Based	1	1,000,000	1	1,000,000			1	
Change of Use - Commercial	4	382,500	1	7,000	3	375,500		
Change of Use - Industrial	2	15,000	2	15,000				
Agricultural Development	2	200,000	2	200,000				
Tourism Development	4	11,732,261	3	11,732,261	1			
Parks/Reserves	1	90,000	1	90,000				
Subdivision - Residential	19	7,284,500	5	3,844,500				158
Subdivision - Commercial	3	330,000						6
Subdivision - Rural	5	6,000	1		1			2
Miscellaneous	13	23,301,000	13	23,301,000				
<b>Totals for Development Types</b>	<b>580</b>	<b>194,135,268</b>						

**Total Number of Applications for this period: 558**

\*\*\* 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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ABN 53 539 070 928

Print Date: 27/03/2019

Print Time: 9:26:19AM

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2017 - 31/03/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	184	53,581,070	147	50,272,605	36	3,003,565	147	
Dwelling- Transportable/Relocatable	4	406,157	4	406,157			4	
Dwelling - Secondary/Dual Occ Dwelling	23	6,716,805	23	6,716,805			35	
Dwelling - Dual Occupancy, one storey	25	10,295,020	25	10,295,020			50	
Medium Density Res - one/two storeys	1	475,000	1	475,000			4	
Medium Density Res - Seniors Living SEPP	1	55,000			1	55,000		
Garage/Carport/Roofed Outbuildings	187	3,801,275	167	3,424,300	20	376,975	1	1
Fences/Unroofed Structures	8	211,584	8	211,584				
Swimming Pool	57	1,432,335	57	1,432,335				
Office Building	1	916,269	1	916,269				
Retail Building	29	12,989,302	5	5,180,000	24	7,809,302		
Hotels	1	10,000			1	10,000		
Motels	1	900,000	1	900,000				
Office & Retail Building	5	3,140,000			5	3,140,000		
Retail & Residential Building	1	8,600,000	1	8,600,000				
Factory/Production Building	4	835,640	2	463,500	2	372,140		
Warehouse/storage	6	4,426,320	5	4,301,320	1	125,000		
Infrastructure - Transport, Utilities	6	1,080,300	6	1,080,300				
Educational Building	3	5,290,600	2	4,190,600	1	1,100,000		
Community/Public Building	2	7,500,000	1	7,500,000	1			
Signs/Advertising Structure	4	131,000	4	131,000				
Demolition	11	537,000	11	537,000				

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2017 - 31/03/2018**

<b>Development Type</b>	<b>Number of Applications</b>	<b>Est. \$</b>	<b>New Developments</b>	<b>Est. \$</b>	<b>Additions and Alterations</b>	<b>Est. \$</b>	<b>New Dwellings</b>	<b>New Lots</b>
Change of Use - Commercial	8	36,000	4	34,000	4	2,000		
Agricultural Development	1	0	1					
Tourism Development	4	10,815,000	3	10,815,000	1			
Subdivision - Residential	39	1,171,750	8					10
Subdivision - Commercial	1	20,000						
Subdivision - Industrial	1	0						
Subdivision - Rural	5	0	1					2
Subdivision - Other	1	440,000						11
Miscellaneous	18	5,947,009	16	5,925,009	2	22,000		
<b>Totals for Development Types</b>	<b>642</b>	<b>141,760,436</b>						

**Total Number of Applications for this period: 595**

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

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





## REPORT: Building Summary - April 2019

AUTHOR: Director Planning and Environment  
REPORT DATE: 1 May 2019  
TRIM REFERENCE: ID19/469

### 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 Planning and Environment dated 30 April 2019 be noted.**

*Stephen Wallace*  
Director Planning 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 April 2019 were as follows:

#### April 2019

Dwellings	11
Other residential development	7
(No. of units)	25

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 April 2019 and a comparison with figures 12 months prior and the total for the respective financial years, are as follows:

	<u>1 April 2019 – 30 April 2019</u>	<u>1 July 2018 – 30 April 2019</u>
No. of applications	47	621
Value	\$99,832,131	\$296,490,144
	<u>1 April 2018 – 30 April 2018</u>	<u>1 July 2017 – 30 April 2018</u>
No. of applications	65	660
Value	\$25,244,177	\$167,004,613

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 - April 2019
- 2 [↓](#) Approved Applications - 1 April 2019 - 30 April 2019
- 3 [↓](#) Approved Applications - 1 April 2018 - 30 April 2018
- 4 [↓](#) Approved Applications - 1 July 2018 - 30 April 2019
- 5 [↓](#) Approved Applications - 1 July 2017 to 30 April 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			129
Multi unit housing	3	4	3	-	6	2	2	1	5	7			33
(No of units)	(4)	(7)	(5)	(-)	(11)	(29)	(4)	(1)	(12)	(25)			(98)

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



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Print Date: 1/05/2019

Print Time: 10:23:57AM

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/04/2019 - 30/04/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	12	3,887,900	12	3,887,900			12	
Dwelling - Secondary/Dual Occ Dwelling	6	1,857,000	6	1,857,000			12	
Medium Density Res - one/two storeys	1	2,717,065	1	2,717,065			13	
Garage/Carport/Roofed Outbuildings	11	161,459	9	129,559	2	31,900		
Fences/Unroofed Structures	1	5,000	1	5,000				
Swimming Pool	3	79,518	3	79,518				
Retail Building	1	2,500,000	1	2,500,000				
Motels	1	13,007			1	13,007		
Office & Retail Building	1	50,000			1	50,000		
Retail & Residential Building	1	84,361,182	1	84,361,182				
Infrastructure - Transport, Utilities	2	140,000	2	140,000				
Home Business	1	3,000			1	3,000		
Change of Use - Commercial	1	10,000	1	10,000				
Change of Use - Industrial	2	80,000			2	80,000		
Tourism Development	1	3,000,000	1	3,000,000				
Subdivision - Residential	1	0						46
Subdivision - Rural	3	7,000	2					23
Subdivision - Other	1	140,000	1	140,000				
Miscellaneous	1	1,100,000	1	1,100,000				

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/04/2019 - 30/04/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
<b>Totals for Development Types</b>	<b>51</b>	<b>100,112,131</b>						

**Total Number of Applications for this period: 48**

\*\*\* 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 1/04/2018 - 30/04/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	25	6,739,335	20	6,481,105	5	258,230	20	
Dwelling- Transportable/Relocatable	1	261,945	1	261,945			1	
Dwelling - Dual Occupancy, one storey	1	440,000	1	440,000			2	
Garage/Carport/Roofed Outbuildings	22	458,652	22	458,652				
Swimming Pool	6	143,640	6	143,640				
Hotels	1	7,740,000			1	7,740,000		
Warehouse/storage	2	1,033,000	2	1,033,000				
Educational Building	1	6,957,605			1	6,957,605		
Agricultural Development	1	0	1					
Subdivision - Residential	3	1,320,000	1	780,000				26
Subdivision - Other	1	0						2
Miscellaneous	2	150,000	2	150,000				
<b>Totals for Development Types</b>	<b>66</b>	<b>25,244,177</b>						

**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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**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2018 - 30/04/2019**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	187	57,040,333	152	53,171,114	35	3,869,219	152	
Dwelling- Transportable/Relocatable	3	649,333	3	649,333			3	
Dwelling - Secondary/Dual Occ Dwelling	21	7,757,409	21	7,757,409			37	
Dwelling - Dual Occupancy, one storey	12	5,465,440	12	5,465,440			22	
Medium Density Res - one/two storeys	3	4,077,065	3	4,077,065			19	
Garage/Carport/Roofed Outbuildings	170	2,854,927	157	2,593,773	13	261,154	1	
Fences/Unroofed Structures	14	348,620	14	348,620				
Swimming Pool	83	2,203,186	82	2,173,281	1	29,905		
Office Building	6	1,845,385	1	14,000	5	1,831,385		
Retail Building	19	30,498,900	6	28,883,400	13	1,615,500		
Hotels	2	960,000			2	960,000		
Motels	1	13,007			1	13,007		
Office & Retail Building	2	130,000			2	130,000		
Retail & Residential Building	2	119,348,332	2	119,348,332			27	
Factory/Production Building	2	1,114,037	2	1,114,037				
Warehouse/storage	13	6,739,671	8	5,924,500	5	815,171	1	
Infrastructure - Transport, Utilities	15	1,849,896	11	1,686,350	4	163,546		
Health Care Facility - Hospital	1	74,700			1	74,700		
Health Care Facility - Other	2	450,000	2	450,000				
Educational Building	4	2,014,592			4	2,014,592		
Entertainment/Recreational Building	2	193,000			2	193,000		
Community/Public Building	2	1,840,000	2	1,840,000				



**Approved Development & Complying Development Applications**  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2018 - 30/04/2019

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Signs/Advertising Structure	7	181,050	4	79,050	3	102,000		
Demolition	6	154,000	4	114,000	2	40,000		
Home Business	3	9,000	1	5,000	2	4,000		
Child Care - Centre Based	1	1,000,000	1	1,000,000			1	
Change of Use - Commercial	5	392,500	2	17,000	3	375,500		
Change of Use - Industrial	4	95,000	2	15,000	2	80,000		
Agricultural Development	2	200,000	2	200,000				
Tourism Development	5	14,732,261	4	14,732,261	1			
Parks/Reserves	1	90,000	1	90,000				
Subdivision - Residential	20	7,284,500	5	3,844,500				158
Subdivision - Commercial	3	330,000						6
Subdivision - Rural	8	13,000	3		1			23
Subdivision - Other	1	140,000	1	140,000				
Miscellaneous	15	24,401,000	15	24,401,000				
<b>Totals for Development Types</b>	<b>647</b>	<b>296,490,144</b>						

**Total Number of Applications for this period: 621**

\*\*\* 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 1/07/2017 - 30/04/2018**

Development Type	Number of Applications	Est. \$	New Developments	Est. \$	Additions and Alterations	Est. \$	New Dwellings	New Lots
Dwelling - single	209	60,320,405	167	56,753,710	41	3,261,795	167	
Dwelling- Transportable/Relocatable	5	668,102	5	668,102			5	
Dwelling - Secondary/Dual Occ Dwelling	23	6,716,805	23	6,716,805			35	
Dwelling - Dual Occupancy, one storey	26	10,735,020	26	10,735,020			52	
Medium Density Res - one/two storeys	1	475,000	1	475,000			4	
Medium Density Res - Seniors Living SEPP	1	55,000			1	55,000		
Garage/Carport/Roofed Outbuildings	209	4,259,927	189	3,882,952	20	376,975	1	1
Fences/Unroofed Structures	8	211,584	8	211,584				
Swimming Pool	63	1,575,975	63	1,575,975				
Office Building	1	916,269	1	916,269				
Retail Building	29	12,989,302	5	5,180,000	24	7,809,302		
Hotels	2	7,750,000			2	7,750,000		
Motels	1	900,000	1	900,000				
Office & Retail Building	5	3,140,000			5	3,140,000		
Retail & Residential Building	1	8,600,000	1	8,600,000				
Factory/Production Building	4	835,640	2	463,500	2	372,140		
Warehouse/storage	8	5,459,320	7	5,334,320	1	125,000		
Infrastructure - Transport, Utilities	6	1,080,300	6	1,080,300				
Educational Building	4	12,248,205	2	4,190,600	2	8,057,605		
Community/Public Building	2	7,500,000	1	7,500,000	1			
Signs/Advertising Structure	4	131,000	4	131,000				
Demolition	11	537,000	11	537,000				

**Approved Development & Complying Development Applications  
by Dubbo Regional Council and Private Certifiers-Period 1/07/2017 - 30/04/2018**

<b>Development Type</b>	<b>Number of Applications</b>	<b>Est. \$</b>	<b>New Developments</b>	<b>Est. \$</b>	<b>Additions and Alterations</b>	<b>Est. \$</b>	<b>New Dwellings</b>	<b>New Lots</b>
Change of Use - Commercial	8	36,000	4	34,000	4	2,000		
Agricultural Development	2	0	2					
Tourism Development	4	10,815,000	3	10,815,000	1			
Subdivision - Residential	42	2,491,750	9	780,000				36
Subdivision - Commercial	1	20,000						
Subdivision - Industrial	1	0						
Subdivision - Rural	5	0	1					2
Subdivision - Other	2	440,000						13
Miscellaneous	20	6,097,009	18	6,075,009	2	22,000		
<b>Totals for Development Types</b>	<b>708</b>	<b>167,004,613</b>						

**Total Number of Applications for this period: 660**

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

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



**REPORT: Additional Permitted Use -  
Animal Boarding or Training  
Establishment Lot 12 DP 1154493, 31  
Merrilea Road, Dubbo.**

**AUTHOR:** Manager Strategic Planning Services  
**REPORT DATE:** 29 April 2019  
**TRIM REFERENCE:** ID19/423

**EXECUTIVE SUMMARY**

The Planning Proposal (R2019-1) was lodged 16 January 2019 with Council by the owners of Lot 12 DP 1154493, 31 Merrilea Road, Dubbo.

The Planning Proposal has sought to create an additional permitted use for the purposes of an animal boarding or training establishment, which includes the training of race horses as a commercial business on the subject land.

The subject land was previously zoned 6(c) Commercial Recreation under the provisions of the former Dubbo Local Environmental Plan 1998 - Urban Areas. Use of the land for the purposes of an animal boarding or training establishment was previously allowable on the land subject to development consent.

Council at its meeting on 24 July 2017 considered a report in respect of the Planning Proposal and resolved as follows:

- “1. That Council supports the Planning Proposal to include an animal boarding or training establishment as an additional permitted use on Lot 12 DP 1154493, 31 Merrilea Road, Dubbo.*
- 2. That Council supports a minimum 28 day public exhibition period for the Planning Proposal.*
- 3. That Council resolves to use its delegation under Section 2.4 of the Environmental Planning and Assessment Act, 1979 to draft the amendments to the Dubbo Local Environmental Plan 2011.*
- 4. That following completion of the public exhibition period, a further report be provided to Council detailing the results of the public exhibition period.”*

The Planning Proposal was placed on public exhibition from 13 March 2019 until 12 April 2019. No submissions were received in respect of the Planning Proposal. This report provides a summary of the public exhibition process.

It is recommended that Council support the proposed amendment to the Dubbo Local Environmental Plan (LEP) 2011 without any variation, and that a request be made to Parliamentary Counsel to draft and finalise the amendment to the LEP.

#### **FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from this report.

#### **POLICY IMPLICATIONS**

Approval by Council of the subject Planning Proposal will ultimately lead to an amendment to the Dubbo Local Environmental Plan 2011.

#### **RECOMMENDATION**

- 1. That the Planning Proposal amend the Dubbo Local Environmental Plan 2011 to allow the additional permitted use of animal boarding or training establishment, be endorsed.**
- 2. That Council request Parliamentary Counsel to prepare the draft Amendment to the Dubbo Local Environmental Plan 2011 under Section 3.36 (2) of the Environmental Planning and Assessment Act, 1979.**
- 3. That following receipt of an Opinion from Parliamentary Counsel that the Plan be made, that the Chief Executive Officer request gazettal of the Plan.**

*Steven Jennings*  
Manager Strategic Planning Services

## BACKGROUND

The Planning Proposal was lodged on 16 January 2019, by the owners of Lot 12 DP 1154493, 31 Merrilea Road, Dubbo. The Planning Proposal has sought to create an additional permitted use of an animal boarding or training establishment, which includes the training of race horses as a commercial business.

The subject land was previously zoned 6(c) Commercial Recreation under the provisions of the former Dubbo Local Environmental Plan 1998 - Urban Areas. Use of the land for the purposes of an animal boarding or training establishment was previously allowable on the land subject to development consent.

Council at its meeting on 24 July 2017 considered a report in respect of the Planning Proposal and resolved as follows:

- "1. That Council supports the Planning Proposal to include an animal boarding or training establishment as an additional permitted use on Lot 12 DP 1154493, 31 Merrilea Road, Dubbo.*
- 2. That Council supports a minimum 28 day public exhibition period for the Planning Proposal.*
- 3. That Council resolves to use its delegation under Section 2.4 of the Environmental Planning and Assessment Act, 1979 to draft the amendments to the Dubbo Local Environmental Plan 2011.*
- 4. That following completion of the public exhibition period, a further report be provided to Council detailing the results of the public exhibition period."*

The Planning Proposal was placed on public exhibition from 13 March 2019 until the 12 April 2019. This report provides a summary and results of Council's public exhibition process.

## REPORT

### 1. Gateway Determination

The Department of Planning and Environment issued a Gateway Determination for the Planning Proposal on 5 March 2019. The Gateway Determination included the following conditions:

- "1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:*
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and*
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as*

*identified in section 5.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2016).*

2. *Consultation is required with the Office of Environment and Heritage under section 3.34(2)(d) of the Act. The Office of Environment and Heritage is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.*
3. *A public hearing is not required to be held into the matter by any person or body under sections 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).*
4. *The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:*
  - (a) The planning proposal authority has satisfied all the conditions of the Gateway determination;*
  - (b) The planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistent are justified; and*
  - (c) There are no outstanding written objections from public authorities.*
5. *Prior to the submission of the planning proposal under section 3.36 of the Act, the final LEP maps must be prepared and be compliant with the Department's Standard Technical Requirements for Spatial Datasets and Maps' 2017.*
6. *The time frame for completing the LEP is to be 12 months following the date of the Gateway determination."*

## **2. Public Exhibition**

In accordance with the conditions of the Gateway Determination, the Planning Proposal and supporting documentation were placed on public exhibition from 13 March 2019 until 12 April 2019, inclusive.

The Planning Proposal was displayed at the Dubbo Branch of the Dubbo Regional Council, the Dubbo Branch of the Macquarie Regional Library and on Council's website. An advertisement was also placed in local print media on 13 March 2019.

No submissions were received from the public in respect of the Planning Proposal.

## **3. State Public Agency Consultation**

The Gateway Determination required Council to undertake consultation with the Office of Environment and Heritage (OEH). The submission provided by the OEH is provided here in **Appendix 1**. The following information details the issues raised in the submission, including a relevant comment.

(a) Office of Environment and Heritage (OEH)

Council received a submission from the OEH dated 3 April 2019, which provided the following in respect of the Planning Proposal:

- *“OEH understands that the current zoning of the land is E3 Environmental Management, and the purpose of animal boarding or training establishment is a prohibited form of development. The proponent seeks to allow the additional permitted use on their land. It is noted that the proponent is proposing to modify the existing sheds to include stabling infrastructure for up to 20 horses.*
- *The objective of the E3 zone includes “to ensure development is compatible with the flood hazard to the Macquarie and Talbragar Rivers; and to ensure development does not create outbreaks of saline lands or exacerbate the existence of existing saline lands”. This is particularly relevant to this proposal as the northern boundary of the subject site is adjacent to Troy Creek.*
- *OEH does not object to the additional use proposal, but we do recommend that the boarding facilities are restricted to the existing sheds. The construction of additional buildings, particularly within the land contained within the Flood Planning Area on the Flood Planning Map in the Dubbo LEP, may impact on flood behaviour and therefore not conform to the objectives of the zone.”*

Comment:

Council notes that no objections were made in respect of the Planning Proposal. It is also noted that the requirements of the OEH in respect of the development footprint will not dictate future development on the subject site. Part of the subject land is located within the flood planning area as indicated by the flood mapping under the Dubbo Local Environmental Plan (LEP) 2011. If a proponent wants to undertake any development on this part of the site, a site-specific flood study must be prepared and lodged with any future development application in compliance with Clause 7.1 Flood planning under the Dubbo LEP 2011.

The objectives of Clause 7.1 Flood Planning are as follows:

- “(a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impact on flood behaviour and the environment.”*

**4. Legal Drafting of the LEP**

Subject to endorsement of the Planning Proposal by Council, a request will be provided to Parliamentary Counsel seeking preparation of the draft Dubbo Local Environmental Plan under section 3.36(1) of the Environmental Planning and Assessment Act, 1979.



Parliamentary Counsel will liaise directly with Council about the content of the draft amendment. Once the content of the draft Plan is finalised, Council will receive an Opinion from Parliamentary Counsel stating that the Plan could be made.

## **5. Making the LEP**

As delegate for the Planning Proposal, Council is required to give consideration as to whether the Plan should be made with or without variation, following this consideration, a copy of the Planning Proposal and all relevant documentation is required to be provided to the Department of Planning and Environment with a request for the Plan to be notified. The Department of Planning and Environment will then arrange for Parliamentary Counsel to notify the Plan on the NSW Legislation website.

The amendment to the Dubbo LEP would come into force on the day it is published on the NSW Legislation website as Amendment No. 16 to the Dubbo LEP 2011.

### **SUMMARY**

The Planning Proposal (R2019-1) was lodged with Council on 16 January 2019 by the owners of Lot 12 DP 1154493, 31 Merrilea Road, Dubbo, seeking to amend the Dubbo LEP 2011.

The Proposal seeks to amend the Dubbo LEP to allow the additional permitted use of animal boarding or training establishment at Lot 12 DP 1154493, 31 Merrilea Road, Dubbo.

The Planning Proposal is considered to be consistent with Dubbo Industrial Areas Development Strategy, Section 9.1 Directions and State Environmental Planning Policy (Rural Lands).

It is recommended that Council support the Planning Proposal to amend the Dubbo LEP 2011.

Appendices:

- [1](#) Office of Environment & Heritage Submission - Planning Proposal - 31 Merrilea Road Dubbo



DOC19/262408

Mr Nicholas Allatt  
Strategic Planner  
Dubbo Regional Council  
council@dubbo.nsw.gov.au  
Attention: nicholas.allatt@dubbo.nsw.gov.au

Dear Nicholas

**Planning Proposal - 31 Merrilea Road, Dubbo**

I refer to a letter from Dubbo Regional Council dated 18 March 2019 to the Office of Environment and Heritage (OEH) inviting comments on the Planning Proposal to amend the Dubbo Local Environmental Plan 2011 to permit the additional use of animal boarding or training establishment at 31 Merrilea Road, Dubbo.

OEH understands that the current zoning of the land is E3 Environmental Management, and the purpose of animal boarding or training establishment is a prohibited form of development. The proponent seeks to allow the additional permitted use on their land. It is noted that the proponent is proposing to modify the existing sheds to include stabling infrastructure for up to 20 horses.

The objective of the E3 zone includes "to ensure development is compatible with the flood hazard to the Macquarie and Talbragar Rivers; and to ensure development does not create outbreaks of saline lands or exacerbate the existence of existing saline lands". This is particularly relevant to this proposal as the northern boundary of the subject site is adjacent to Troy Creek.

OEH does not object to the additional use proposal, but we do recommend that the boarding facilities are restricted to the existing sheds. The construction of additional buildings, particularly within the land contained within the Flood Planning Area on the Flood Planning Map in the Dubbo LEP, may impact on flood behaviour and therefore not conform to the objective of the zone.

If you have any further questions about this issue please contact Renee Shepherd, Senior Conservation Planning Officer on 02 6883 5355 or [renee.shepherd@environment.nsw.gov.au](mailto:renee.shepherd@environment.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink that reads 'Samantha Wynn'.

**SAMANTHA WYNN**  
Senior Team Leader Planning, North West  
Conservation and Regional Delivery

3 April 2019

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