

R2016-5 Part 1
Parcel 24261
NA:EMMX

1 February 2018



Mr Damien Pfeiffer
Director Regions, Western
Department of Planning and Environment
PO Box 58
DUBBO NSW 2830

Dear Mr Pfeiffer

PLANNING PROPOSAL R2016-5 – PROPOSED REZONING AND ALTERATION TO MINIMUM LOT SIZES – LOT 503 DP 1152321, LOT 478 DP 1232748, LOT 14 DP 1225930, LOT 15 DP 1225930, LOT 12 DP 1207280, LOT 399 DP 1199356, WHEELERS LANE DUBBO, BOUNDARY ROAD DUBBO, 32 AZURE AVENUE DUBBO AND 34 AZURE AVENUE DUBBO

I refer to the above Planning Proposal and the Gateway Determination received on 25 August 2017.

The purpose of this correspondence is to request the Department to prepare a draft Local Environmental Plan in respect of the subject Planning Proposal. It should be noted that Council was not provided with delegations to process the Planning Proposal.

In accordance with the Gateway Determination, the Planning Proposal was placed on public exhibition from 31 August 2017 to 29 September 2017, for a period of 29 days.

A total of five (5) submissions were received during the public exhibition period. One (1) submission was received from the general public and four (4) submissions were received from the following public authority and organisations:

- Office of Environment and Heritage (OEH);
- Department of Primary Industries – Water;
- Roads and Maritime Services; and
- Dubbo Local Aboriginal Lands Council.

Council at its meeting on 19 January 2018, considered a report including the results of the public exhibition period. In consideration of the report Council resolved as follows:

- "1. That the Planning Proposal, as exhibited, to undertake the following amendments to the Dubbo Local Environmental Plan 2011 be adopted by Council:*



All communications to: **THE GENERAL MANAGER**

ABN 53 539 070 928

PO Box 81 Dubbo NSW 2830

T (02) 6801 4000 **F** (02) 6801 4259 **E** council@dubbo.nsw.gov.au

Civic Administration Building Church St Dubbo NSW 2830

W dubbo.nsw.gov.au

PRINCE ALBERT

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- *That part of the subject land be rezoned from R2 Low Density Residential to R1 General Residential; B1 Neighbourhood Centre and the existing RE1 Public Recreation zone be reconfigured;*
 - *That minimum lot sizes be changed from existing 600m² and 4000m² to a range of no minimum lot sizes, 450m², 600m², 800m² and 2000m²;*
 - *That land situated to the south of the indicative location of the Southern Distributor be zoned RU2 Rural Landscape;*
 - *That the area of land proposed to be zoned B1 Neighbourhood Centre be subject to a suitable provision in the Dubbo Local Environmental Plan 2011 that limits the total retail floor space of any centre to 5,000m²; and*
 - *That the additional use of Recreational Facility (Indoor) be permitted on the subject area of the land proposed to be zoned B1 Neighbourhood Centre under the provisions of the Dubbo Local Environmental Plan 2011.*
2. *That Council request the Department of Planning and Environment to prepare the draft amendment to the Dubbo Local Environmental Plan 2011 and provide Council with an Opinion that the Plan be made.*
 3. *That following receipt of an Opinion from the Department that the Plan be made, that the General Manager request gazettal of the Plan.*
 4. *That those who made a submission be thanked and advised of Council's determination in this matter."*

A copy of the report considered by Council, including submissions received during the public exhibition period is enclosed.

Council requests that the Department prepare a draft Local Environmental Plan at its earliest convenience for the subject Planning Proposal and seek an Opinion from Parliamentary Counsel as to whether the draft Plan can be legally made.

Council officers are available to assist in the interpretation of the Planning Proposal and the intent of the provisions, should that be necessary.

Should you require any further information, please do not hesitate to contact Council's Manager Strategic Planning Services, Steven Jennings, on 6801 4000 during normal working hours.

Yours faithfully



Melissa Watkins

Director Planning and Environment