

Request for Initial Gateway Determination

Relevant Planning Authority Details

Dubbo Regional Council

Contact Person: Steven Jennings

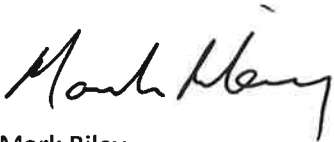
(02) 6801 4000 steven.jennings@dubbo.nsw.gov.au

Planning Proposal Details

Complete Planning Proposal attached

Planning Proposal – Proposed Rezoning and Alteration to Minimum Lot Size – Part Lot 2 DP 22685,
32R Benolong Road Dubbo.

Signed for and on behalf of the Relevant Planning Authority:



Mark Riley

Interim General Manager

Request for Initial Gateway Determination

Instructions to Users

When forwarding a planning proposal to the Minister under section 56(1), the relevant planning authority must provide the information specified on this form. This form and the required information should be sent to your local Regional Office. Please note one (1) electronic copy and two (2) hard copies of the completed Planning Proposal must be sent to your local Regional Office.

Relevant Planning Authority Details

Name of Relevant Planning Authority: **Dubbo Regional Council**
 Contact Person: **Steven Jennings**
 Contact Phone Number and Email Address: **(02) 6801 4000**
steven.jennings@dubbo.nsw.gov.au

Planning Proposal Details - Attachments

1. **LAND INVOLVED** (Lot 2 DP 22685, 32R Benolong Road Dubbo): **Attached/Completed ✓**
2. **MAPS (If applicable – 1 electronic and 2 hard copy)** **✓**
 - Location map showing the land affected by the proposed draft plan in the context of the LGA (tagged 'location map').
 - Existing zoning map showing the existing zoning of the site and surrounding land and proposed zoning change for the site/s (tagged 'comparative existing/proposed zoning')
3. **PHOTOS and other visual material (if applicable)** **NA**
 - Aerial photos of land affected by the Planning Proposal
 - Photos of land involved and surrounding land uses
4. **COMPLETE PLANNING PROPOSAL (1 electronic and 2 hard copy)** **✓**
 - All matters to be addressed in a planning proposal – including Director-General's requirements for the justification of all planning proposals (other than those that solely reclassify public land) in accordance with a 'Guide to preparing a planning proposal' are completed prior to forwarding to the Regional Office in the first instance. See attached pro-forma.
4. **PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL** **✓**
 - Council has considered the written planning proposal before it is sent to the Department of Planning.
 - Attached is Council's resolution to send the written planning proposal to the Department of Planning.



Signed for and on behalf of the Relevant Planning Authority

DATE: 31/10/16

PLANNING PROPOSAL – REZONING AND ALTERATION TO MINIMUM LOT SIZE – PART LOT 2 DP 22685, 32R BENOLONG ROAD DUBBO

Part 1 - Objectives or Intended Outcomes [see Page 7 of 'A guide to preparing a planning proposal]

The objective of this Planning Proposal is to amend the Dubbo Local Environmental Plan 2011 by rezoning an area of approximately 16 hectares within Lot 2 DP 22685, 32R Benolong Road, Dubbo from RU1 Primary Production to R5 Large Lot Residential. The Planning Proposal also seeks to amend the minimum allotment size for subdivision of the land from 800 hectares to 8 hectares.

Part 2 - Explanation of Provisions [see Page 7-8 of 'A guide to preparing a planning proposal]

The Planning Proposal seeks to amend the Dubbo Local Environmental Plan 2011 to enable the possible future subdivision of Lot 2 DP 22685, 32R Benolong Road, Dubbo to contain an existing dwelling on each proposed allotment. The proposed outcome will be achieved by:

- Amending the Dubbo LEP 2011 Land Zoning Map Sheet LZN_008 for part Lot 2 DP 22685, 32R Benolong Road, Dubbo; and
- Amending the Dubbo LEP 2011 Minimum Lot Size Map Sheet LSZ_008 for part Lot 2 DP 22685, 32R Benolong Road, Dubbo.

Part 3 - Justification

Section A - Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report? [see Page 9-11 of 'A guide to preparing a planning proposal]

The Planning Proposal is not the result of any strategic plan or report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way? [see Page 9-11 of 'A guide to preparing a planning proposal]

It is considered that the Planning Proposal is the best means of achieving the proposed outcome.

Section B - Relationship to strategic planning framework.

3. Is the planning proposal consistent with the objectives and actions contained within the applicable **regional or sub-regional strategy** (including the Sydney Metropolitan Strategy and exhibited draft strategies)? [see Page 11 of 'A guide to preparing a planning proposal]

There is no regional or sub-regional strategy applicable to the Planning Proposal.

4. Is the planning proposal consistent with the local council's **Community Strategic Plan**, or other **local strategic plan**? [see Page 13 of 'A guide to preparing a planning proposal']

It is considered that the Planning Proposal is broadly consistent with the provisions of the Dubbo 2036 Community Strategic Plan and the Dubbo Rural Areas Development Strategy (including the Dubbo Macquarie District Development Strategy).

5. Is the planning proposal consistent with applicable state **environmental planning policies**? [see Page 13-14 of 'A guide to preparing a planning proposal']

A number of State Environmental Planning Policies are applicable to the Planning Proposal. It is considered that nothing in the Planning Proposal will impact upon the aims and objectives of any SEPP.

6. Is the planning proposal consistent with applicable **Ministerial Directions** (s.117 directions)? [see Page 14-15 of 'A guide to preparing a planning proposal']

It is considered that the Planning Proposal is consistent with the following Section 117 Directions:

- Direction 3.1 Residential Zones;
- Direction 3.3 Home Occupations;
- Direction 6.1 Approval and Referral Requirements; and
- Direction 6.3 Site Specific Provisions.

It is considered that the Planning Proposal is inconsistent with the following Section 117 Direction/s, however, the inconsistency is of minor significance:

- Direction 1.2 Rural zones
- Direction 1.3 Mining, Petroleum Production and Extractive Industries.
- Direction 1.5 Rural lands
- Direction 2.1 Environmental protection zones
- Direction 3.4 Integrating land use and transport

Section C - Environmental, social and economic impact.

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal? [see Page 15 of 'A guide to preparing a planning proposal']

The Planning Proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? [see Page 16 of 'A guide to preparing a planning proposal']

It is considered that the Planning Proposal is unlikely to have any significant environmental effects.

9. How has the planning proposal adequately addressed any social and economic effects? [see Page 16-17 of 'A guide to preparing a planning proposal']

The Planning Proposal has not identified any adverse social or economic effects.

Section D - State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal? [see Page 17 of 'A guide to preparing a planning proposal']

The subject site contains two existing dwellings that would continue to be serviced by existing onsite water services and sewerage disposal systems. It is considered that the Planning Proposal is unlikely to require any additional infrastructure in the immediate locality.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal? [see Page 18 of 'A guide to preparing a planning proposal']

Note (1): Do State or Commonwealth own or have an interest in any of the land involved?

Note (2): The RPA must list the State and Commonwealth public authorities to be consulted.

At the present time no State or Commonwealth Agencies have been consulted or are required to be consulted. State and Commonwealth public authorities will be consulted in accordance with the Gateway determination and will be given at least 21 days to comment on the proposal.

Part 4 - Community Consultation [see Page 19 of 'A guide to preparing a planning proposal']

Council in consideration of the Planning Proposal resolved for the proposal to be placed on public exhibition for a period of no less than 28 days.

Part 5 – Risks to the Planning Proposal. [RPA must identify possible risks]

NOTE (1): RPA must identify strategic and operational risks that could adversely impact the progress of the planning proposal and the making of the plan within the required time frame. Examples of risks Council should consider include;

- State or Commonwealth public authority objection to the LEP
- Community objection to the LEP
- Time required to resolve public and or community objections
- Requirement to re-exhibit
- Requirement for a public hearing
- Missing Council meetings
- Delay in finalising the associated development control plan
- Department of Planning delay in resolving Standard Instrument policy and practice
- Department of Planning changing Standard Instrument policy and practice
- Council staff taking leave or resigning
- Council lack of resources (please specify e.g. Council does not have capacity to complete SI LEP mapping)

NOTE (2): If the RPA believes a risk will prevent the making of the plan within the required time frame the RPA should consider not lodging a planning proposal with the Department of Planning until the risk has been resolved.

Council has considered the potential risks to the Planning Proposal and considers that the Planning Proposal may have risks which could have a potentially adverse impact on the completion of the proposal within the required time frame, including:

- Community objection to the Planning Proposal;
- Missing Council meetings;

- Time required to address public and or community objections; and
- Council delay in SI LEP mapping due to Council staff taking leave.

Part 6 – Benchmark Timeframes for making the Plan.

Note: You cannot delete or alter any of the following statements except were directed to select an option.

1. The plan will be made within 6 months of the Gateway Determination date.
2. The Planning Proposal will be exhibited within 4 weeks of the Gateway Determination date.
3. Community Consultation will be completed 14 days from the last day the Planning Proposal must be exhibited
4. Public Authority Consultation will be completed within 35 days of the Gateway Determination date.
5. The RPA will request the Department to draft and finalise the LEP no later than 6 weeks prior to the projected making of the plan date specified in point 1.