

## Gateway Determination

**Planning proposal (Department Ref: PP\_2020\_DREGI\_003\_00):** To rezone part of Lot 69 DP 259061 and part of Lot 1 DP 197736 from E3 Environmental Management to IN2 Light Industrial. Add “Light Industry (Movable Building Manufacturing)” as an additional permitted use on part Lot 31 DP 1263665, part Lot 1 DP 197736 and part Lot 69 DP 259061 under Schedule 1 of the Dubbo LEP 2011.

I, the Director, Western Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, I have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Dubbo Local Environmental Plan (LEP) 2011 to rezone part Lot 69 DP 259061 and part Lot 1 DP 197736 from E3 Environmental Management to IN2 Light Industrial and permit Light Industry (Moveable Building Manufacturing) with development consent, as an additional permitted use on part Lot 31 DP 1263665, part Lot 1 DP 197736 and part Lot 69 DP 259061 63 Fitzroy Street and 2R Gilgandra Road, Dubbo should proceed subject to the following conditions:

1. Prior to undertaking community consultation, the planning proposal should be updated to clearly state the land area of the sites that are proposed for rezoning and the additional permitted use.
2. 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with DPIE-Biodiversity and Conservation Division (BCD) under section 3.34(2)(d) of the Act. This agency consultation can be undertaken concurrently with the community consultation.
4. A public hearing is not required to be held into the matter by any person or body under section 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).
5. Given the nature of the planning proposal, Council is authorised as the local plan-making authority under section 3.36(2) of the Act.
6. The time frame for completing the LEP is to be **9 months** from the date of the Gateway determination.

Dated 11<sup>th</sup> day of December 2020.

A handwritten signature in black ink, appearing to read 'G. Hopkins', written in a cursive style.

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning, Industry and**  
**Environment**

**Delegate of the Minister for Planning**  
**and Public Spaces**