

Request for Initial Gateway Determination

Relevant Planning Authority Details

Dubbo City 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 within the South East Precinct.

Signed for and on behalf of the Relevant Planning Authority:

A handwritten signature in black ink, appearing to read 'Mark Riley', is written over a light blue horizontal line.

Mark Riley

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 City 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 (If relevant - e.g. Street Address and Lot and Deposited Plan): | Attached/Completed ✓ |
| 2. | MAPS (<u>If applicable – 1 electronic and 2 hard copy</u>) <ul style="list-style-type: none"> ○ 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) <ul style="list-style-type: none"> ○ Aerial photos of land affected by the Planning Proposal ○ Photos of land involved and surrounding land uses | NA |
| 4. | COMPLETE PLANNING PROPOSAL (<u>1 electronic and 2 hard copy</u>) <ul style="list-style-type: none"> ○ <u>All</u> 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 <u>attached</u> pro-forma. | ✓ |
| 4. | PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL <ul style="list-style-type: none"> ○ Council has considered the written planning proposal before it is sent to the Department of Planning. ○ <u>Attached</u> 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: 31/10/14



PLANNING PROPOSAL PROPOSED REZONING WITHIN THE SOUTH EAST PRECINCT

Part 1 - Objectives or Intended Outcomes [see Page 2 of 'A guide to preparing a planning proposal]

The intention of the Planning Proposal is to provide greater flexibility and choice in residential land and housing product within the south east land release areas and the greater residential market of Dubbo. In particular, increasing the medium density and larger lot residential development options across the subject lands.

Part 2 - Explanation of Provisions [see Page 3-4 of 'A guide to preparing a planning proposal]

The Planning Proposal seeks to rezone a number of areas within the south- east residential area of the City from R2 Low Density Residential to R1 General Residential. The Planning Proposal also seeks to reduce the minimum allotment sizes for subdivision from 600 square metres to having no minimum allotment size.

The Planning Proposal is for a total of three (3) residential estates in the south- east sector of the City:

- Southlakes Estate;
- Magnolia Grove Estate; and
- Keswick on the Park Estate.

In addition, the Planning Proposal also includes rezoning of a small area of the Southlakes Estate from R1 General Residential to R2 Low Density Residential with the accompanying minimum allotment size for subdivision of 600 square metres.

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 5 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 5 of 'A guide to preparing a planning proposal]

It is considered that the Planning Proposal is the best means of achieving the proposed outcome on the land. The current zoning of the land as R2 Low Density Residential allows for the development of two (2) dwellings on one (1) allotment of land. Rezoning of the land will allow for a greater range of residential development outcomes, which currently cannot be realised in the R2 Low Density Residential zoning of the land.

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 6 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 7 of 'A guide to preparing a planning proposal]

It is considered that the Planning Proposal is consistent with the following key strategies:

- Dubbo 2036 Community Strategic Plan; and
- Dubbo Residential Areas Development Strategy.

5. Is the planning proposal consistent with applicable state **environmental planning policies**? [see Page 7 of 'A guide to preparing a planning proposal]

The Planning Proposal is consistent with all applicable State Environmental Planning Policies.

6. Is the planning proposal consistent with applicable **Ministerial Directions** (s.117 directions)? [see Page 7 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 3.4 Integrating Land Use and Transport;
- 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 Directions, however, the inconsistency is of minor significance:

- Direction 1.3 Mining, Petroleum Production and Extractive Industries;
- Direction 2.1 Environment Protection; and
- Direction 2.3 Heritage Conservation.

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 7-8 of 'A guide to preparing a planning proposal]

The Planning Proposal is unlikely to impact critical habitat, 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 8 of 'A guide to preparing a planning proposal]

It is considered that the Planning Proposal is unlikely to have any significant environmental effects. Issues in relation to environmental impacts are further discussed in the Planning Proposal.

9. How has the planning proposal adequately addressed any social and economic effects? [see Page 8 of 'A guide to preparing a planning proposal]

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

Section D - State and Commonwealth interests.

10. Is there adequate public infrastructure for the planning proposal? [see Page 8 of 'A guide to preparing a planning proposal]

Council's Technical Support Services has undertaken assessment of the Planning Proposal. Information was provided that the existing and proposed infrastructure required to be delivered as a component of the approved subdivisions of the subject lands will be suitable to accommodate the requirements of future development.

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 9 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. There are no known State or Commonwealth interests in the land subject to the Planning Proposal.

Council as a component of the Planning Proposal will undertake consultation with the State Government Primary Industries, Office of Environment and Heritage and the Office of Water.

Section E – Reclassification of Public Land. (Note: Only required if reclassifying public land. Delete this section if not applicable)

12. Is the planning proposal a result of any strategic study or report? [see Page 5 & 11 of 'A guide to preparing a planning proposal]

Not applicable.

13. Is the planning proposal consistent with the local council's community plan, or other local strategic plan?

Not applicable

14. If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished.

Not applicable.

15. The concurrence of the landowner, where the land is not owned by the relevant planning authority.

Not applicable.

Part 4 - Community Consultation [see Page 9 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 is satisfied that there are no significant risks, which will adversely impact on the completion of the proposal within the required time frame.

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 28 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.