

Dubbo Local Environmental Plan 2011 (Amendment No 8)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

MARK RILEY, GENERAL MANAGER, DUBBO CITY COUNCIL As delegate for the Minister for Planning

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1 Name of Plan

This Plan is Dubbo Local Environmental Plan 2011 (Amendment No 8).

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the following land:

- (a) land in Zone SP3 Tourist under *Dubbo Local Environmental Plan 2011*,
- (b) Part Lot 469, DP 1212783, Amadeus Avenue, Dubbo,
- (c) Part Lot 399, DP 1199356, Boundary Road, Dubbo,
- (d) Part Lots 5–7 and Lot 8, DP 1199962, Boundary Road and Wheelers Lane, Dubbo,
- (e) Lot 5, DP 1006205, Darling Street, Dubbo,
- (f) Lot 11, DP 1050240, Palmer Street, Dubbo (the former RAAF stores depot site).

4 Maps

The maps adopted by *Dubbo Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Dubbo Local Environmental Plan 2011

[1] Land Use Table

Insert "Shop top housing;" in alphabetical order in item 3 of Zone SP3 Tourist.

[2] Schedule 1 Additional permitted uses

Insert after clause 1:

2 Use of certain land at Darling Street, Dubbo

- (1) This clause applies to Lot 5, DP 1006205 at Darling Street, Dubbo.
- (2) Development for the purposes of a car park is permitted with development consent.

3 Use of certain land at Palmer Street, Dubbo

- (1) This clause applies to so much of Lot 11, DP 1050240 at Palmer Street, Dubbo (the former RAAF stores depot site) that is within 50 metres of the boundary between:
 - (a) the part of that land that is in Zone SP3 Tourist, and
 - (b) the part of that land that is in Zone R1 General Residential.
- (2) Development for the purposes permitted in Zone R1 General Residential is permitted with development consent on the land to which this clause applies that is in Zone SP3 Tourist.
- (3) Development for the purposes permitted in Zone SP3 Tourist is permitted with development consent on the land to which this clause applies that is in Zone R1 General Residential.
- (4) Development consent may be granted under this clause only if the consent authority is satisfied that:
 - (a) the development is not inconsistent with the objectives for development in both zones, and
 - (b) the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.