

## Gateway Determination

**Planning proposal (Department Ref: PP\_2018\_DREGI\_001\_00):** to consolidate the Dubbo LEP 2011 and the Wellington LEP 2012 to create a single LEP for the Dubbo Regional Council local government area.

I, the Director Regions, Western at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act, 1979* that an amendment to consolidate Dubbo Regional's existing Local Environmental Plans (Dubbo LEP 2011 and Wellington LEP 2012) should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is to update the planning proposal to:
  - Add additional text to Statement of Objectives to clearly identify this is a consolidation of existing planning instruments and not a comprehensive review of planning controls;
  - Reflect and clarify Councils rationalisation criteria which will guide the drafting of a single consolidated Local Environmental Plan.
  - Update the planning proposal to include additional information to adequately demonstrate consistency (following rationalisation of the Local Environmental Plans) with the Section 9.1 Directions and relevant State Environmental Planning Policies.

The amended planning proposal is to be submitted to the Department of Planning and Environment for approval prior to undertaking community consultation.

2. Community consultation is required under sections 2.22 and 3.34(2)(c) of the *Environmental Planning and Assessment Act 1979* as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Environment August 2016)*.
3. Consultation is required with the following public authorities under section 3.34(2)(d) of the *Environmental Planning and Assessment Act, 1979* and/or to comply with the requirements of relevant section 9.1 Directions:
  - Department of Planning and Environment – Resources and Energy
  - Department of Primary Industries – Agriculture
  - Department of Industry – Land and Water
  - NSW Rural Fire Services
  - NSW Office of Environment and Heritage
  - NSW Roads and Maritime Services
  - Transport for NSW

- Dubbo Local Aboriginal Land Council
- Wellington Local Aboriginal Land Council

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

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 *Environmental Planning and Assessment Act, 1979*. 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. Prior to submission of the planning proposal under section 3.36 of the *Environmental Planning and Assessment Act, 1979*, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2017.
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 26<sup>th</sup> day of July 2018.



**Damien Pfeiffer**  
**Director Regions, Western**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning**