



Mr Michael McMahon
Chief Executive Officer
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Attention: Mr Steven Jennings, Manager Growth Planning

Dear Mr McMahon

Planning proposal (PP_2018_DREGI_003_00) – 4L Camp Road, Dubbo

I am writing in response to Council's request on 11 January 2018 for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and the planning proposal addendum received on 29 October 2019 in respect of the planning proposal to permit dwelling houses on Lot 8 DP 1063425 4L Camp Road, Dubbo.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I would like to commend Council for working through the strategic merit process to justify and provide the future direction for the land in the Camp Road Precinct through the Dubbo Employment Lands Strategy and the Camp Road Structure Plan.

I have agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions, 1.2 Rural Zones, 1.5 Rural Lands, 2.1 Environmental Protection Zones, 3.1 Residential Zones, 3.4 Integrating Land Use and Transport and 5.10 Implementation of Regional Plans. No further work is required in respect to these Directions

Council still needs to obtain agreement of the Department of Planning, Industry and Environment's Secretary to comply with the requirements of section 9.1 Directions 4.4 Planning for Bushfire Protection is justified in accordance with the terms of the Direction prior to the LEP being finalised. Consultation with NSW Rural Fire Service will assist Council in this regard.

Prior to placing the planning proposal on public exhibition, it is to be amended to include the matters identified in condition 1 of the Gateway determination.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have decided that Council is not to be the local plan-making authority at this time.

Condition 1(b) of the Gateway determination requires the planning proposal to incorporate the intent to include LEP acoustic mitigation controls for land between the existing mapped 55dBA noise contour and a 45dBA noise contour. Prior to the LEP being finalised noise investigations will need to be undertaken to determine the location of the 45dBA noise contour line.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made ten (10) weeks prior to the projected publication date.

All related files for LEP amendment, including PDF maps, Map Cover Sheet, planning proposal document and GIS data, if available, must be submitted to the Department via the Planning Portal Website at data.planningportal.nsw.gov.au. To submit the data, Council is required to create an account and log in using these details

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Tim Collins from the Department of Planning, Industry and Environment, Western Region office, to assist you. Mr Collins can be contacted on 5852 6800.

Yours sincerely



26.11.19

Damien Pfeiffer
Director, Western Region
Local and Regional Planning

Encl: Gateway determination