

Gateway Determination

Planning proposal (Department Ref: PP-2024-1236): *Rezone land and remove minimum lot size development standards at lot 101 DP 1301426, Boundary Road Dubbo.*

I, the Acting Director, Southern, Western and Macarthur Region, Local Planning and Council Support, at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Dubbo Regional Local Environmental Plan 2022 to rezone land and remove the minimum lot size development standards at Boundary Road Dubbo should proceed subject to the following

Gateway Conditions

1. Prior to Public Exhibition, the planning proposal is to be amended to include:
 - (a) Rural Fire Service is to be consulted on the planning proposal in relation to Direction 4.3 Planning for Bushfire Protection and take into account any comments made.
 - (b) The planning proposal is to be amended to reflect the correct site address of lot 101 DP 1301426
 - (c) The proposed Minimum Lot Size Map is to be included in the planning proposal
 - (d) Assessment against Objective 10 – Protect Australia first Dark Sky Park (Section 5.3.2) to reflect the correct distance of 120km from the Observatory, the requirements of Dubbo Regional LEP and remove reference to Narromine LEP.
2. Public Exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service
 - NSW Environment Protection Authority

- Transport for NSW
- NSW Resources
- Jemena
- Essential Energy

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working 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 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. Prior to finalisation, a stormwater strategy is required to be prepared for the subject site.
6. The LEP should be completed on or before 21 July 2025.

Dated 18 November 2024



Chantelle Chow
A/Director, Southern, Western and Macarthur
Region
Local Planning and Council Support
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public
Spaces