



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

Dear Mr McMahon

**Planning proposal PP\_2020\_DREGI\_001\_00 to amend Dubbo Local Environmental Plan 2011**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Schedule 1(5) of the Dubbo Local Environmental Plan 2011 to permit a pub with development consent, as an Additional permitted use on part Lot 501 DP 1255115 Boundary 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 have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Direction 6.3 Site Specific Provisions and Direction 4.3 Flood Prone Land are minor in accordance with the terms of the Directions. No further approval is required in relation to these Directions.

It is noted that Council has requested not 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 to be authorised as the local plan-making authority at this time.

The amending local environmental plan (LEP) is to be finalised within 6 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six (6) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department's Western Region Office ([westernregion@planning.nsw.gov.au](mailto:westernregion@planning.nsw.gov.au)) for administrative purposes.

All related files for the LEP amendment must be submitted to the Department via the Planning Portal Website at [www.planningportal.nsw.gov.au/reporting/online-submission-planning-data](http://www.planningportal.nsw.gov.au/reporting/online-submission-planning-data).

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 Ms Amanda Carnegie, Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms Carnegie can be contacted on 5852 6808.

Yours sincerely



12.11.20

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination  
Authorised plan-making reporting template