

R2020-1  
ED20/171638  
NKA:JAF



12 October 2020

Mr D Pfeiffer  
Director Regions, Western  
Department of Planning, Industry and Environment  
PO Box 58  
DUBBO NSW 2830

Dear Mr Pfeiffer

**PLANNING PROPOSAL – ADDITIONAL PERMITTED USE FOR THE PURPOSES OF A PUB  
PROPERTY: LOT 407 DP 1248682, BOUNDARY ROAD, DUBBO**

A Planning Proposal request has been lodged with Council by Maas Group Properties in respect of the abovementioned property.

The Planning Proposal is seeking to amend Schedule 1(5) of the Dubbo Local Environmental Plan 2011 to allow an additional permitted use for the purposes of a pub at Lot 407 DP 1248682, Boundary Road, Dubbo.

The subject land was zoned B1 Neighbourhood Centre under Amendment 12 to the Dubbo Local Environmental Plan 2011 which was notified on 15 June 2018.

The pub is intended to be in the format of a gastropub with the focus on offering both quality food and drinks as opposed to the standard expectation of a regular pub setting. The Proponent has provided information that the proposed gastropub will be situated in the future neighbourhood shopping centre, which is yet to be the subject of a formal development application.

Council at its meeting on 28 September 2020 considered a report in relation to the subject Planning Proposal and resolved as follows:

- "1. That the Planning Proposal, as provided by the Proponent and included as Appendix 1 to the report of the Manager Growth Planning dated 29 June 2020, be endorsed.*
- 2. That Council support a minimum 28 day public exhibition period for the Planning Proposal.*

All communications to: **CHIEF EXECUTIVE OFFICER**

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3. *That Council not use its delegation under Section 59 of the Environmental Planning and Assessment Act, 1979 to draft the amendments to the Dubbo Local Environmental Plan 2011.*
4. *The following the completion of the public exhibition period, a further report be provided to Council detailing the results of public exhibition and for further consideration of the Planning Proposal."*

To clarify, it should be noted that the report mentioned in Council's resolution and dated 29 June 2020, was deferred at Council's meeting on 13 July 2020. This report was further considered and endorsed at Council's meeting on 28 September 2020 and accompanied by a copy of the original report with a revised date of 21 September 2020.

It should also be noted that Council resolved for the Planning Proposal to be publicly exhibited for a minimum period of 28 days. In addition, Council has chosen not to use its delegation as Council is the owner of the adjoining land to the north of the subject site.

A copy of the Planning Proposal, Council reports and supporting information is provided attached for your consideration.

Council requests that the Department provide a Gateway Determination for the Planning Proposal at its earliest convenience.

If you require any further information, please do not hesitate to contact Council's Growth Planner, Mr Nicholas Allatt, on 6801 4672 during normal office hours.

Yours faithfully



*Steven Jennings*  
Director Development and Environment

Attachments:

1. Appendix 1 – Applicant's Planning Proposal
2. Appendix 2 – Council Reports and Minutes
3. Appendix 3 – Project Timeline