

Mr Mark Riley
General Manager
Dubbo Regional Council
PO Box 81
DUBBO NSW 2830

Attention: Mr Steven Jennings, Manager – City Strategy Services

Dear Mr Riley,

Planning Proposal [PP_2017_DREGI_003_00] to amend Dubbo Local Environmental Plan 2011 – Housekeeping amendments (12 items)

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 15 September 2017 in respect of the Planning Proposal to make housekeeping amendments to the Dubbo LEP 2011.

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistencies with Section 117 Directions 2.1 Environmental Protection Zones and 4.3 Flood Prone Land are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions. The inconsistency with Section 117 Direction 4.4 Planning for Bushfire Protection can be addressed after consultation with NSW Rural Fire Service and provided with the section 59 submission - refer to Condition 2.

I have considered Council's resolution not to exercise delegation in this instance and agree not to issue an authorisation to exercise delegation.

Please note the final drafting of the proposed clauses will be subject to Parliamentary Counsel and the wording may change from that proposed by Council.

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 and Environment to draft and finalise the LEP should be made 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 <https://www.planningportal.nsw.gov.au/planning-tools/online-submission-planning-data>. 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 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Mr Deniz Kilic of the Departments Western Region Office to assist you. Mr Kilic can be contacted on (02) 6841 2180.

Yours sincerely



3.10.17

Katrine O'Flaherty
**Director Regions, Western
Planning Services**

Encl: Gateway Determination