

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_MIDWR\_002\_00): to include the subject land as an additional permitted use to permit with consent an animal boarding or training establishment and increase the minimum lot size.***

I, the Director Regions, Western at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act, 1979* that an amendment to the Midwestern Local Environmental Plan (LEP) 2012 to include the subject site as an Additional Permitted Use and increase to the minimum lot size affecting the land should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the *Environmental Planning and Assessment Act, 1979* as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing Local Environmental Plans (Department of Planning & Environment August 2016)*.
- No consultation is required with agencies.
2. 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 *Environmental Planning and Assessment Act, 1979*. 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).
3. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the *Environmental Planning and Assessment Act, 1979* subject to the following:
  - a. the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - b. the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - c. there is no outstanding written objection from public authorities.
4. Prior to submission of the planning proposal under section 3.36 of the *Environmental Planning and Assessment Act, 1979*, the final LEP maps must be



5. prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2017.
6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 1<sup>st</sup> day of November 2018.

**Damien Pfeiffer**  
**Director Regions, Western**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**