

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

Attention: Mr Stephen Wallace, Director Planning and Environment

Dear Mr McMahon

Planning proposal (PP_2018_DREGI_003_00) – Additional Permitted Use at Lot 147 and Lot 148 DP753233, Warrie Road, Dubbo.

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* in respect of the planning proposal to allow an additional permitted use of a dwelling house in association with intensive livestock agriculture on Lots 147 and 148 DP753233, Warrie Road, Dubbo.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Having regard to the proposal and the adjoining and surrounding rural land it is recommended that Council should undertake a strategic review of this area.

Plan making powers were delegated to Councils by the Minister in October 2012. I have considered the nature of Council's planning proposal and have decided that Council is not to be the local plan-making authority at this time. This will allow for collaboration between Council, the Department and Parliamentary Counsel to draft an appropriate Additional Permitted Use provision. The Additional Permitted Use provision is to ensure the planning proposal's intended outcome being that the proposed dwelling house is to be a manufactured home style that is associated with the lamb finishing enterprise.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. 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. The request is to be forwarded to the Department of Planning and Environment (westernregion@planning.nsw.gov.au).

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 3.32(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 Tim Collins from the Department of Planning and Environment, Western Region office to assist you. Mr Collins can be contacted on 5852 6800.

Yours sincerely



25.10.18

Damien Pfeiffer
Director Regions, Western
Planning Services

Encl: Gateway determination