

Gateway Determination

Planning proposal (Department Ref: PP_2018_DREGI_003_00): to allow an additional permitted use on Lot 147 and Lot 148 DP 754331, Warrie Road, Dubbo to allow an additional permitted use for a dwelling house in association with intensive livestock agriculture.

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 Dubbo Local Environmental Plan (LEP) 2011 to allow an additional permitted use on Lot 147 and Lot 148 DP 754331, Warrie Road, Dubbo for a dwelling house in association with intensive livestock agriculture should proceed subject to the following conditions:

1. Prior to undertaking community consultation, the planning proposal is to be revised as follows:
 - a. Amend the planning proposal to state the clear intend of the proposed dwelling house being a manufactured home style dwelling that is linked directly to the lamb finishing enterprise and that Lots 147 and 148 DP 753233 being consolidated into as single allotment prior occupation of the dwelling house.
 - b. Amend the planning proposal to address the relevant directions in the Central West and Orana Regional Plan 2036.
 - c. Amend the planning proposal to address section 9.1 Direction 5.10 Implementation of Regional Plans.
2. 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)*.
3. Consultation is required with Department of Primary Industries – Agriculture under section 3.34(2)(d) of the *Environmental Planning and Assessment Act, 1979*. Department of Primary Industries – Agriculture is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. 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).
5. 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 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 25th day of October 2018.



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

Delegate of the Minister for Planning