

Gateway Determination

Planning proposal (Department Ref: PP-2022-1580): to insert a new local clause to allow temporary workers' accommodation in certain zones

I, the Director, Western Region 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* (the Act) that an amendment to Narromine Local Environmental Plan (LEP) 2011 to allow temporary workers' accommodation in zones RU1 Primary Production, RU5 Village and R5 Large Lot Residential proceed subject to the following conditions:

1. Prior to community consultation, the planning proposal is to be updated:
 - a) to clearly state the intent of the proposal and remove the proposed draft clauses as these will be subject to Parliamentary Counsel drafting; and
 - b) to document the intent for the proposed temporary workers' accommodation provisions including the eligibility criteria, such as servicing requirements and consideration of environmentally sensitivity and hazards such as flood prone land, bushfire prone land, contaminated land and land with significant biodiversity values.

The updated planning proposal is to be forwarded to the Department of Planning and Environment via the Planning Portal for review and approval prior to commencing public exhibition.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days; and
 - (b) the planning proposal 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.
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 Act. 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. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act 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 applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed within **nine (9)** months.

Dated

21st day of June

2022.



Garry Hopkins
Director, Western Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning