



Phone: (02) 6392 3247

Fax: (02) 6392 3260

Contact: H. Nicholls

THE GENERAL MANAGER

POST OFFICE BOX 17

MOLONG 2866

Website: www.cabonne.nsw.gov.au

Email: council@cabonne.nsw.gov.au

Our Ref:

Doc ID: 901241

ABN: 41992 919 200

27 February 2018

Mr D Pfeiffer
Regional Director, Western
Department of Planning & Environment
PO Box 58
DUBBO NSW 2830

Dear Sir,

**REQUEST FOR GATEWAY DETERMINATION
PLANNING PROPOSAL FOR INCLUSION IN SCHEDULE 1 OF
CABONNE LOCAL ENVIRONMENTAL PLAN 2012
OF LOT 30 DP 130510, MARKET STREET, MOLONG,
FOR ADDITIONAL LAND USE PERMISSIBILITY TO PERMIT ESTABLISHMENT
OF A TRUCK WASH FACILITY**

Please find attached a Planning Proposal for inclusion of certain land at Molong to be included in the Cabonne Local Environmental Plan 2012, schedule 1, for the additional land use being the proposed establishment of a truck wash facility. The subject land is identified as being Lot 30 DP 130510, being an allotment of rural RU1 zoned land located to the immediate north of the town of Molong, having frontage to Market Street and the Mitchell Highway.

The application is to be initially lodged via email, with hard copies and a CD copy of the Planning Proposal and associated documentation to be provide under separate cover. Also attached to this correspondence is a copy of the department's checklist and evaluation criteria for delegation of plan making.

Council requests consideration of the Planning Proposal under the department's Gateway process. Should you have any further enquiries please contact the undersigned during business hours on 6392 3246.

Yours faithfully,

HJ Nicholls

DIRECTOR ENVIRONMENTAL SERVICES

Encl.

REQUEST FOR INITIAL GATEWAY DETERMINATION

Relevant Planning Authority Details

Name of relevant planning authority:	Cabonne Council
Contact Person:	Heather Nicholls
Contact phone number and email:	02 6392 3246 heather.nicholls@cabonne.nsw.gov.au

Planning Proposal Details – attachments

1. LAND INVOLVED

Lot 30 DP 130510, Market Street, Molong

Attached / completed

2. MAPS (1 electronic and 2 hard copy)

x

- Location map
- Existing zoning map

x

x

3. PHOTOS

- Aerial photos

x

4. COMPLETE PLANNING PROPOSAL

(1 electronic and 2 hard copy)

x

- Attached pro forma

x

5. PLANNING PROPOSAL HAS BEEN SUPPORTED BY COUNCIL

x

- Attached copy of report

x

Signed for and on behalf of Cabonne Council



28 February 2018

(NB Application will be initially submitted via email. Hard copies and CD of the documentation will be provided under separate cover via postal delivery.)

Attachment 4 – Evaluation criteria for the delegation of plan making functions

Local Government Area	Cabonne Shire Council
Name of draft LEP	Cabonne Local Environmental Plan 2012 - Amendment 8
Address of land	Lot 30 DP 130510, Market Street, Molong
Intent of draft LEP	To include Lot 30 DP 130510, Market Street, Molong in Schedule 1 of the Cabonne Local Environmental Plan 2012, for the purpose of establishment of a commercial truck wash facility.
Additional Supporting Points / information	Please refer to the attached Planning Proposal and also the council planning report.

Evaluation criteria for the issuing of an Authorisation

(NOTE – where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not Relevant	Agree	Disagree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Secretary?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments				
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	N			
Heritage LEPs				
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?	N			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?	N			
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?	N			

Reclassifications				
Is there an associated spot rezoning with the reclassification?		NA		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		NA		
Is the planning proposal proposed to rectify an anomaly in a classification?	N			
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		NA		
Has Council confirmed whether there are any trusts, estates, interests, dedications, conditions, restrictions or covenants on the public land and included a copy of the title with the planning proposal?		NA		
Has council confirmed that there will be no change or extinguishment of interests and that the proposal does not require the Governor's approval ?		NA		
Has the council identified that it will exhibit the planning proposal in accordance with the Department's Practice Note regarding <i>classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		NA		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		NA		
Spot Rezonings				
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?		NA		
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?		NA		
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		NA		
Does the planning proposal create an exception to a mapped development standard?		NA		
Section 73A matters				
Does the proposed instrument a) correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b) address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c) deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument	N Y Y			

<p>because they will not have any significant adverse impact on the environment or adjoining land?</p> <p>(Note – the Minister / GSC (or Delegate) will need to form an Opinion under section 73(A)(1)(c) of the Act in order for a matter in this category to proceed).</p>				
--	--	--	--	--