



Planning Proposal

Additional permitted land use of Lot 30 in DP 130510, corner Market Street and Creosus Street (Mitchell Highway/ SH 7), Molong – being land currently zoned RU1 Primary Production by Cabonne Local Environmental Plan 2012, to permit a truck wash facility.



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Introduction

This Planning Proposal seeks to amend the Cabonne Local Environmental Plan (LEP) 2012, to permit an additional land use, being a truck wash facility, upon the subject land. The land is described as Lot 30 DP 130510, Market Street, Molong, and has an area of 1.214ha.

This change will facilitate development of the land, situated adjacent to the Molong Sewerage Treatment plant, for a truck wash as part of the 'Fixing Country Truck Washes' state government initiative. The program aims to improve the productivity of heavy vehicles by enhancing the regional delivery of truck wash facilities and livestock effluent disposal facilities, and to improve biosecurity outcomes by cleaning out vehicles to minimise risk of outbreak of livestock disease.

The site at Molong has frontage to the Mitchell Highway and would be accessible to local and long haul livestock carrier, providing a truck wash facility available to livestock transporters that is accessible 24 hours a day. It would operate independent of the truck wash facilities situated at regional saleyards located at Carcoar, Forbes, Dubbo and Cowra.

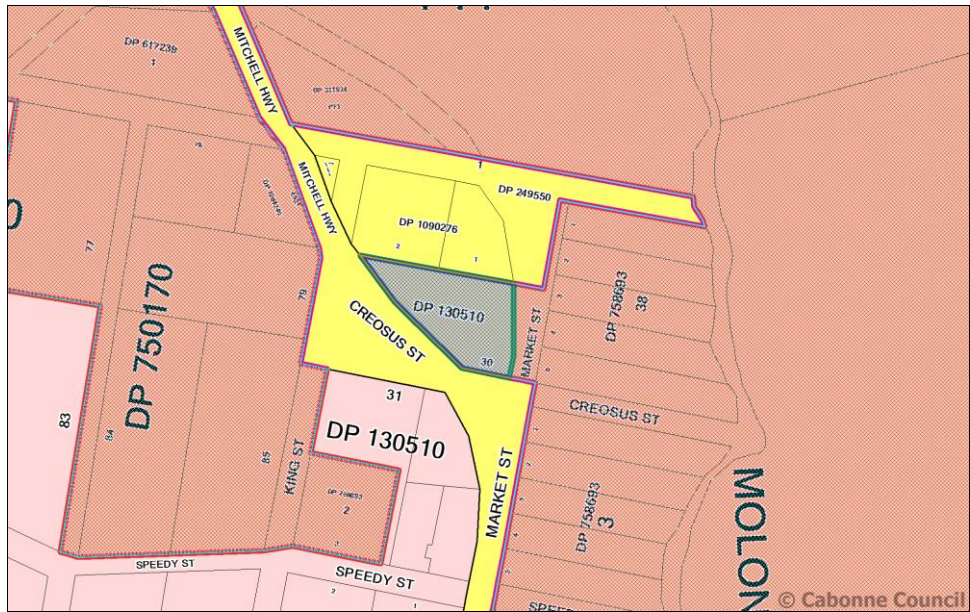
The land is ideally located, being adjacent to a sewer treatment plant, thereby permitting processing of truck wash wastewater and livestock effluent. Initially a single bay truck wash facility is proposed for the site, which may be extended if demand justifies expansion of the facility over time.

The Planning Proposal has been prepared in accordance with Section 55(3) of the Environmental Planning and Assessment Act 1979 (as amended) and guidelines 'A guide to preparing Planning Proposals' prepared by the NSW Department of Planning and Environment.

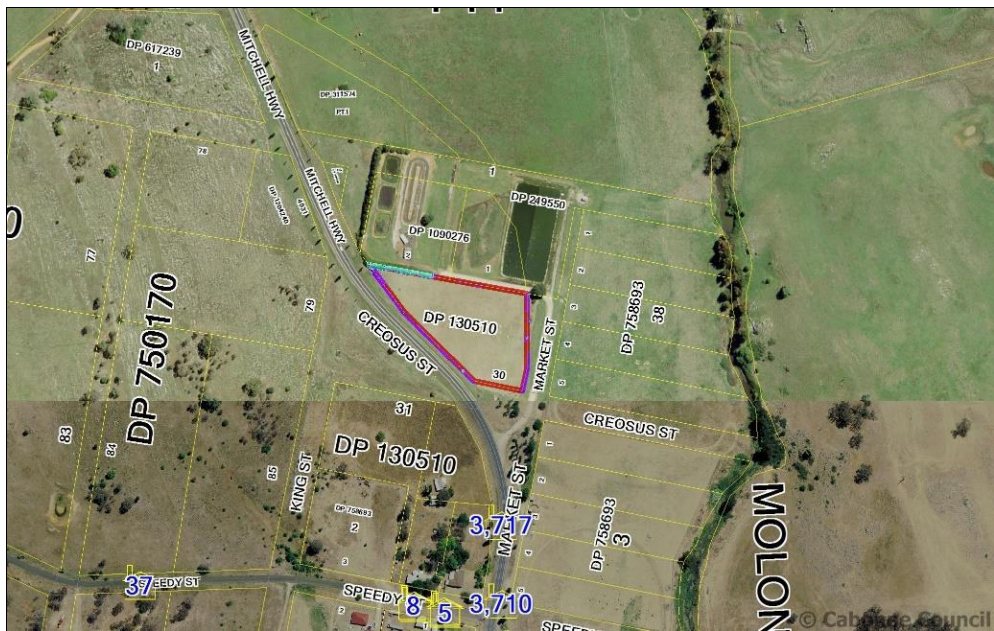
Council is seeking Delegated Authority to make the LEP and has included the delegated plan making report template and evaluation criteria with the request for a Gateway Determination.

Description of the site

The subject land is located approximately 2.4km north of Molong's town centre and adjoins the Molong Sewerage Treatment Plant to the north, farm land to the east, the Mitchell Highway and generally undeveloped Large Lot Residential land to the south. The allotment is vacant farm land, situated on undulating cleared grazing land, and is devoid of native vegetation. Vehicular access is currently provided to the site from Market Street. The site is owned by Cabonne Council.



Site plan



Aerial map of subject site and surrounding land

Part 1 – Objectives or intended outcomes

The intended objective of this Planning Proposal is to permit an additional land use upon the subject land, being a truck wash facility that would be located in close proximity to both the Mitchell Highway (SH 7) and the existing Molong Sewerage Treatment Plan. The intended outcome is to permit an additional use of the site, being a commercial truck wash facility. The subject land is ideally located on the northern outskirts of the town of Molong, having frontage to the Mitchell Highway and being adjacent to the adjacent sewerage treatment plant enabling the environmental processing of wastewater.

Part 2 – Explanation of provisions

The proposed provisions within the Planning Proposal will achieve the intended outcome by:

- Amending 'Schedule 1 – Additional permitted uses' of the Cabonne Local Environmental Plan 2012 to permit a truck wash upon Lot 30 DP 130510, Market Street, Molong subject to development consent.

The Planning Proposal will provide an accessible location for livestock transport vehicles, as part of a wider network of transport corridors, which will improve biosecurity and environmental safety to the State's agricultural activities.

Part 3 – Justification

This section of the Planning Proposal sets out the justification for the proposed outcomes and provisions, and the process for their implementation. The questions to which the information has been provided are taken from the Department of Planning and Environment's 'A guide to preparing Planning Proposals'.

Section A – Need for the Planning Proposal

A.1 Is the Planning Proposal a result of any strategic study or report?

The planning proposal is not the result of a specific study or report. Council has received grant funding from Transport for NSW under the Fixing Country Truck Washes program. The council has acquired the subject land due to its proximity adjacent to the existing Molong sewerage treatment plant, and the suitability of the site to contribute to the State's program to assist both local and long haul transport operators maintain adequate bio security and waste management strategies.

A2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The subject land is currently zoned RU1 Primary Production, and is situated adjacent to the Mitchell Highway (State Highway 7) and the Molong Sewerage Treatment Plant. Under the current zoning a commercial truck wash facility is not a permissible land use.

The objective of siting a truck wash on the subject land to service both local and long haul livestock trucking firms with a truck wash down facility, and the associated disposal of waste water and livestock effluent in an environmentally acceptable way (by waste water being treated at the adjacent sewerage treatment plant), can only be achieved by an amendment to the Cabonne Local Environmental Plan 2012 via a Planning Proposal.

Section B – Relationship to strategic planning framework

B1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plan or strategies)?

The planning proposal is consistent with the Blayney, Cabonne and Orange City council's Sub-regional rural and industrial land use strategy, July 2008. The sub strategy applies to rural, industrial and environmental zoned land. The strategy identifies the significance to the sub region of its agricultural and industrial sectors and the need to provide adequate infrastructure to support those industries and activities.

The Central West and Orana Regional Plan 2036 came into effect in June 2017. The planning proposal for establishment of a livestock transport truck wash facility at Molong is consistent with the Plan's *Goal 1: The most diverse regional economy in NSW, Direction 2: Grow the agribusiness sector and supply chains.*

B2 Is the planning proposal consistent with council's local strategy or other local strategic plan?

The Planning Proposal is consistent with the *Cabonne 2025 Community Strategic Plan* and the *Cabonne 2012 Settlement Strategy*.

The planning proposal supports the Community Strategic Plan outcome 1.1 A safe, efficient and quality urban and rural road system for vehicles and pedestrians on council's local, regional and state road network, and 1.4 Transport infrastructure meets agricultural needs to get goods to and from market. The proposal is also supported by Direction 5 Managing our natural resources, 5.3 Sustainable solid and liquid waste management practices are in place across Cabonne.

The Cabonne Settlement Strategy adopted in 2012 identifies Molong as a rural service centre meeting the needs of a larger catchment that extends throughout the northern part of Cabonne.

The strategy also indicates the need for a 400m buffer zone from the Molong Sewerage Treatment Plant (STP) and large lot residential development. Utilising the subject land for a truck wash provides for transport associated infrastructure with benefit of proximity to the STP.

The strategy identified land to the north of the Molong township in the vicinity of the subject site as future investigation as a Highway Related Service area. It was also noted that the area was a key entrance to Molong and requires improved design outcome to define the locality. The strategy supported in principle further investigation of the north Molong area to determine the potential for highway and light industrial land uses incorporating sound urban design and landscaping elements to protect the highway amenity on the approaches to the town.

B3 Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is consistent with State Environmental Planning Policies (SEPPs). Refer to Appendix C.

B4 Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

The planning proposal is consistent with relevant Ministerial Directions (s117 directions). Refer to Appendix D.

Section C – Environmental, Social and Economic Impacts

C1 Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the planning proposal?

The planning proposal for an additional use of the subject land relates to modified farm land and has been determined that flora / fauna assessment is not required.

C2 Are there any other environmental effects as a result of the planning proposal and how are they proposed to be managed?

Future development of the site will be undertaken in accordance with the relevant SEPPs and Cabonne LEP 2012.

C3 How has the Planning Proposal adequately addressed any social and economic benefits?

The change proposed will provide additional services and facilities to support agribusiness and sustainable environmental outcomes. Provision of a livestock truck wash will have economic benefit to local livestock transport businesses and the farms they service, as there will be cost savings resulting from accessing a local truck wash facility as an alternative to taking empty trucks to existing wash bay facilities currently associated with saleyard centres at Carocar, Forbes and Dubbo.

Section D – State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

The site is serviced by road, water, sewer, electricity and telecommunications infrastructure. The site is located 230m west of Molong Creek and is located on a rise. The site is not subject to flooding and can be managed to address stormwater drainage. The site has vehicular access to Market Street and then to the Mitchell Highway. Access to the proposed truck wash is to be from the existing street access being Market Street. Consultation with RMS is to be undertaken to determine that authority's requirements for provision of safe intersection design.

D2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Initial advice from the Department of Planning and Environment has indicated that a Planning Proposal would be an appropriate process to implement the proposal. No formal consultation has been carried out of other agencies at this time. Should the Gateway Determination identify any additional consultations, these would be undertaken.

Part 4 – Mapping

No changes are required to the Cabonne Local Environmental Plan 2012 mapping. Schedule 1 of the Cabonne LEP 2012 is to be amended as follows to enable that Lot 30 in DP 130510, corner Market Street and Creosus Street (Mitchell Highway/ SH 7), Molong, be included as follows:

Schedule 1 Additional permitted uses.

2. Use of certain land at Market Street, Molong

- (1) This clause applies to land at Market Street, Molong, being lot 30, DP 130510
- (2) Development for the purpose of a commercial premises (truck wash) is permitted with development consent

Part 5 – Community consultation

For the purpose of public notification of the planning proposal, it is considered that a 28 day exhibition period be held to ensure consultation with all stakeholders and any relevant government agencies.

The community consultation will involve:

- Notice in the local newspaper at the start of the exhibition period
- Notice on council's web site for the duration of the exhibition period
- Written notification sent to landowners adjacent to the subject land
- Written notification to the Roads & Maritime Services (RMS)

The written advice will contain:

- A brief description of the objectives or intended outcomes of the planning proposal
- An indication of the land affected by the planning proposal
- Information on where and when the planning proposal can be inspected
- The contact details of the council for receipt of submissions
- The closing date for submissions

During the public exhibition period the following documents will be placed upon public exhibition:

- The planning proposal
- The Gateway Determination
- Relevant council reports

The above mentioned documents will be available at the following locations during the public exhibition period:

- Cabonne Council office – 101 Bank Street, Molong,

A public hearing will not be required to be held upon conclusion of the public exhibition phase.

Public exhibition of the Planning Proposal would be carried out in accordance with the requirements of the Environmental Planning & Assessment Act, Environmental Planning Regulations and the Gateway Determination.

Part 6 – Project timeline

The anticipated project timeline for completion of the Planning Proposal is outlined below:

No	Task	Commencement	Completion
1	Gateway determination Obtain Gateway Determination	March 2018	April 2018
2	Public Exhibition Agency and community consultation to be undertaken as part of the formal public exhibition of the planning proposal in accordance with any conditions of the Gateway Determination	May 2018	May 2018
3	Consider submissions and document finalisation Council staff to consider, respond and report to council on any submissions received and issues raised, and make any relevant changes to the planning proposal. This process will determine amongst other things, the following: <ul style="list-style-type: none"> • Whether or not to endorse and/or support the planning proposal • Whether or not to endorse the planning proposal (as exhibited); or • Whether or not to endorse the planning proposal (as amended) 	June 2018	June 2018
5	Submission to the Department and/or Parliamentary Counsel Council to forward the planning proposal to the department and/or Parliamentary Counsel following public exhibition (including and changes made).	July 2018	August 2018
6	Notification Notification of LEP amendment being made	August 2018	August 2018

APPENDIX A

Planning report to Council 27 February 2018 and extract of minutes from that meeting

APPENDIX B

SUBJECT LAND PHOTOGRAPHS



Subject land – view across the site, north towards STP



Subject land – view to south towards Mitchell Highway



Subject land – view to the west



Farm land east of the subject land – view towards Molong Creek



From northern boundary of the subject land - towards adjacent
Sewerage Treatment Plant ponds

APPENDIX C

State Environmental Planning Policies (SEPP) checklist

No.	SEPP Title	Applicable to Planning Proposal	Consistency
1	Development Standards	No – does not apply to land in Cabonne Local Government Area (LGA) since implementation of Cabonne Local Environmental Plan (LEP) 2012	N/A
14	Coastal wetlands	Not applicable	N/A
21	Caravan Parks	Not applicable	N/A
26	Littoral rainforests	Not applicable	N/A
30	Intensive agriculture	Not applicable to proposal	Yes
33	Hazardous and Offensive industry	Not applicable to proposal	N/A
36	Manufactured home estate	Not applicable to proposal	N/A
44	Koala Habitat Protection	SEPP applies. Site is clear of any native trees. No koala habit on the site.	Yes
47	Moore Park Showground	Not applicable	N/A
50	Canal Estate Development	Not applicable	N/A
52	Farm dams and other works in land and waste management plan areas	Not applicable to proposal	N/A
55	Remediation of land	SEPP applies to the land. Site determined to be suitable for proposed development	Yes
62	Sustainable aquiculture	Not applicable to Planning Proposal.	N/A

64	Advertising and signage	SEPP applies to the land and future development.	N/A
65	Design Quality of residential flat development	Not applicable	N/A
70	Affordable housing	Not applicable	N/A
71	Coastal protection	Not applicable	N/A
	Affordable renting housing 2009	Not applicable	N/A
	Building Sustainability Index:BASIX 2004	Not applicable	N/A
	Education Establishments and Child Care Facilities 2017	Not applicable to proposal	N/A
	Exempt and Complying Development Codes 2008	SEPP applies to land. Not applicable to proposal.	Yes
	Housing for seniors and people with a disability 2004	Not applicable	N/A
	Infrastructure 2007	SEPP applies	Yes
	Integration and Repeals 2016	Applicable to LGA. Does not apply to proposal	N/A
	Kosciuszko National Park Alpine Resorts 2007	Not applicable	N/A
	Kurnell Peninsula 1989	Not applicable	N/A
	Mining, Petroleum Production and Extractive Industries	Applicable to LGA. Not applicable to proposal	Yes

	Miscellaneous Consent Provisions 2007	Applicable to LGA. Does not apply to proposal	N/A
	Penrith Lakes Scheme 1989	Not applicable	N/A
	Rural Lands 2008	Applicable	Yes
	State & regional development 2011	Not applicable	N/A
	State significant precincts 2005	Not applicable	N/A
	Sydney Drinking Water Catchment 2011	Not applicable	N/A
	Sydney Region Growth Centres 2006	Not applicable	N/A
	Three Ports 2013	Not applicable	N/A
	Urban Renewal 2010	Not applicable	N/A
	Vegetation in non-rural area 2017	Not applicable	N/A
	Western Sydney Employment Area 2009	Not applicable	N/A
	Western Sydney Parklands 2009	Not applicable	N/A

APPENDIX D – SCHEDULE OF SECTION 117 DIRECTIONS

1. Employment and resources			
No.	Direction Title	Compliance	Comment
1.1	Business and industrial zones	Yes	No impact by the proposal processing
1.2	Rural zones	Yes	No change of rural zoning
1.3	Mining, petroleum production and extractive industries	N/A	Does not affect the subject land
1.4	Oyster aquaculture	N/A	Does not affect the Cabonne LGA
1.5	Rural lands	Yes	No impact on minimum existing rural lot size
2. Environment and heritage			
2.1	Environmental Protection zones	N/A	Does not affect the subject land
2.2	Coastal protection	N/A	Does not affect the Cabonne LGA
2.3	Heritage conservation	Yes	Proposal does not alter existing provisions related to the conservation of heritage items.
2.4	Recreation vehicle area	N/A	Proposal does not affect existing restrictions upon development of land for RVs
2.5	Application of E2 and E3 zones and Environmental overlays in Far North Coast LEPs	N/A	Does not apply to LGA
3. Housing, infrastructure and urban development			
3.1	Residential zones	N/A	Proposal does not apply to residential area

3.2	Caravan parks and manufactured home estates	N/A	Proposal does not affect existing provisions
3.3	Home occupations	N/A	Proposal does not affect existing provisions
3.4	Integrated land use and transport		Provisions relating to integrated land use and transport would not be affected
3.5	Development near licensed aerodromes	N/A	Proposal does not affect the subject land
3.6	Shooting ranges		Proposal does not affect the subject land
4. Hazard and risk			
4.1	Acid sulphate soils	N/A	Proposal does not affect existing provisions
4.2	Mine subsidence and unstable land	N/A	Land is not affected by mine subsidence
4.3	Flood prone land	Yes	The subject land is not identified as flood prone land
4.4	Planning for bushfire protection	Yes	Does not affect the subject land
5. Regional Planning			
5.2	Sydney Drinking Water Catchments	N/A	Does not affect Cabonne LGA
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Does not affect Cabonne LGA
5.4	Commercial and retail development along the Pacific Highway, North Coast	N/A	Does not affect Cabonne LGA

5.8	Second Sydney Airport: Badgerys Creek	N/A	Does not affect Cabonne LGA
5.9	North west rail corridor strategy	N/A	Does not affect Cabonne LGA
5.10	Implementation of regional plans	Yes	Consistent with the Central West and Orana regional plan.
6. Local Plan Making			
6.1	Approvals and referrals required	Yes	The planning proposal is in accordance with the requirements of the s117 Direction
6.2	Reserving land for public purposes	N/A	Does not affect the proposal
6.3	Site specific provisions	Yes	The planning proposal is in accordance with the requirements of the s117 Direction
7. Metropolitan Planning			
7.1	Implementation of a plan for growing Sydney	N/A	Does not apply to LGA
7.2	Implementation of Greater Macarthur Land Release Investigation	N/A	Does not apply to LGA
7.3	Parramatta Road Corridor Urban Transformation Strategy	N/A	Does not apply to LGA
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Does not apply to LGA
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Does not apply to LGA
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Does not apply to LGA

