



Mr Stephen Harding
General Manager
Cabonne Council
PO Box 17
CABONNE NSW 2866

Attention: Heather Nicholls, Director Environmental Services

Dear Mr Harding

Planning proposal (PP_2018_CABON_001_00) to amend Cabonne Local Environmental Plan 2012 allow a truck wash facility as an additional permitted use on Lot 30 DP 130510 Market and Creosus Streets Molong.

I am writing in response to Council's request for a Gateway determination under section 3.34 of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 6 March 2018 in respect of the planning proposal to allow a truck wash facility as an additional permitted use on Lot 30 DP 130510 Molong.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Directions 1.2 Rural Zones and 1.5 Rural Lands are of minor significance in this case. No further approval is required in relation to these Directions.

I have determined not to issue a Council with authorisation to finalise the planning proposal due to Council being the owner of the subject land.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. 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.

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 Ms Amanda Carnegie to assist you. Ms Carnegie can be contacted on 02 6841 2180.

Yours sincerely



29.3.18

Damien Pfeiffer
Director Regions, Western
Planning Services

Encl: Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2018_CABON_001_00): to allow a truck wash facility as an additional permitted use on Lot 30 DP 130510 Corner Market & Creosus Streets, Molong.

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 Cabonne Local Environmental Plan (LEP) 2012 to allow a truck wash facility as an additional permitted use on Lot 30 DP 130510 Molong should proceed subject to the following conditions:

1. Community consultation is required under sections 2.22 and 3.34(2)(c) 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 LEPs* (Department of Planning & Environment August 2016).
2. Consultation is required with the following public authorities under section 3.34(2)(d) of the Environmental Planning and Assessment Act, 1979:
 - Office of Environment & Heritage (OEH)
 - Roads & Maritime Services

Each public authority 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.

3. 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 compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps 2015'.
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. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 29th day of March 2018.



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

Delegate of the Minister for Planning