



Mr Andrew Hopkins
General Manager
Cabonne Council
PO Box 17
MOLONG NSW 2866

14/09707

Attention: Ms Heather Nicholls

Dear Mr Hopkins

Planning Proposal (PP_2014_CABON_001_00) – reclassification of land at Molong

I refer to your letter of 16 May 2014 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to reclassify land from community to operational land at 6 Gidley Street and 10 William Street, Molong .

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

Council is reminded of its obligation for undertaking a public hearing in relation to the proposed reclassification of land in accordance with the Department's Practice Note PN09-003, *Classification and reclassification of public land through a local environmental plan*.

The Minister delegated plan making powers to Councils in October 2012. It is noted that Council has accepted this delegation. I have considered the nature of Council's planning proposal and have decided to issue authorisation for Council to exercise delegation to make this plan (**Attachment 1**). This authorisation is based on the submitted information that no approval of the Governor is required to discharge interests on the lands.

The amended LEP is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office (parliamentary.counsel@pco.nsw.gov.au) 6 weeks prior to the projected publication date. A copy of the request should be forwarded to Planning and Environment (planmaking.monitoring@planning.nsw.gov.au) for administrative purposes.

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 57(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

In accordance with "*A Guide for the preparation of local environmental plans*" attachment 5 – Delegated plan making reporting template (**Attachment 2**) is enclosed for Council's information. Table 2 of the attachment is to be completed and included in Council's section 59 submission.

Should you have any further enquiries about this matter, I have arranged for Ryan Thomas, Growth Planning (DP&E) - Regional Growth Planning - Western Region (DP&E), at the Department of Planning and Environment to assist you. Mr Thomas can be contacted on telephone number 02 6841 2180.

Yours sincerely

A. W. Albury 25-6-2014

Ashley Albury
General Manager, Western Region
Growth Planning
Department of Planning and Environment

Encl.

Attachment 1 – Written Authorisation to Exercise Delegation

Attachment 2 – Delegated plan making reporting template



Gateway Determination

Planning proposal (Agency Ref: PP_2014_CABON_001_00) to reclassify land at Lot 1 DP730639, 6 Gidley Street Molong and Lot 5 DP 1076034, 10 William Street Molong from 'community' to 'operational' land.

I, the General Manager, Western Region Team at Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning & Assessment Act 1979* (EP&A Act) that an amendment to the Cabonne Local Environmental Plan (LEP) 2012 to reclassify land from 'community' to 'operational' at *Lot 1 DP 730639* and *Lot 5 DP 1076034* without changing interests should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act 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 specification 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* (Planning and Infrastructure 2013)
2. That consultation is not required with public authorities under section 56(2)(d) of the EP&A Act.
3. Council is to ensure that the material and information specified in Attachment 2 of PN 09-003 *Classification and reclassification of public land through a local environmental plan* (Department of Planning 2009), is provided during the exhibition of the planning proposal.
4. That a public hearing on the reclassification of the subject land in accordance with section 29 of the Local Government Act 1993 and section 57 of the EP&A be held after completion of the public exhibition period.
5. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway Determination.

Dated 25 day of June 2014.

Ashley Albury
General Manager, Western Region
Growth Planning
Department of Planning and Environment
Delegate of the Minister for Planning



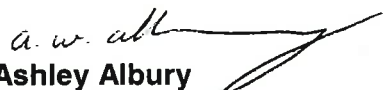
WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Cabonne Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_CABON_001_00	To reclassify land at Lot 1 DP 730639, 6 Gidley Street Molong and Lot 5 DP 1076034, 10 William Street Molong to operational land.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 25 June 2014


Ashley Albury
General Manager, Western Region
Growth Planning
Department of Planning and Environment

Delegate of the Minister for Planning
