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Our Ref:

Doc ID: 1011447

ABN: 41992 919 200

9 May 2019

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 WITHIN SCHEDULE 1 OF AN
ADDITIONAL LAND USE BEING SENIORS HOUSING
AT 59 QUEEN STREET, MOLONG - LOT 109 DP 652726
CABONNE LOCAL ENVIRONMENTAL PLAN 2012 (AMENDMENT 10)**

Please find attached a Planning Proposal to amend the Cabonne Local Environmental Plan 2012 to add an additional permitted use to Schedule 1 of that plan to enable development of a seniors' housing development on Lot 109 DP 652726, 59 Queen Street, Molong.

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.

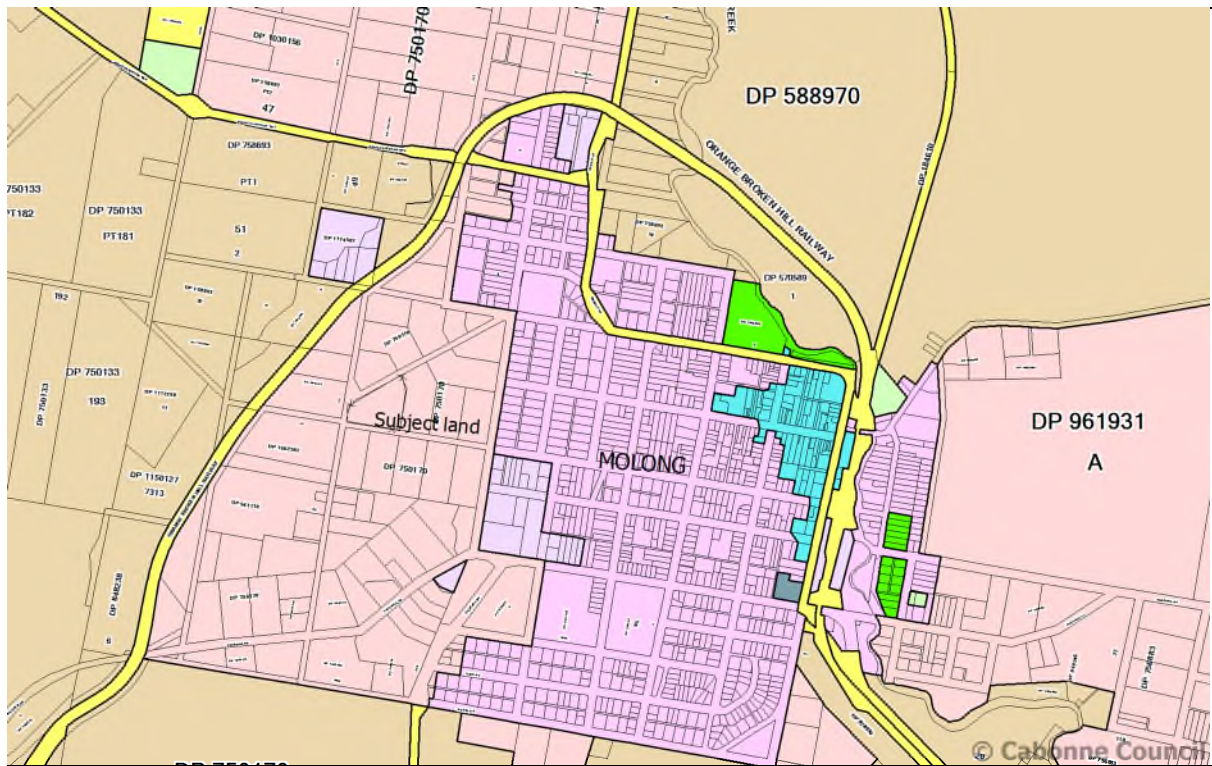
Council requests consideration of the Planning Proposal under the department's Gateway process. Should you have any further enquiries please contact the undersigned during business hours on 6392 3246.

Yours faithfully,

HJ Nicholls

DIRECTOR ENVIRONMENTAL SERVICES

Encl.



Location map



Aerial map

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 109 DP 652726, 59 Queen 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



6 May 2019

(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 10
Address of land	Lot 109 DP 652726, 59 Queen Street, Molong
Intent of draft LEP	To amend Cabonne Local Environmental Plan 2012 to add an additional permitted use to Schedule 1 of that plan to enable development of a seniors housing 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?		NA		
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 Rezoning				
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 mis-description, 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 because they will not have any significant adverse impact	N Y Y			

on the environment or adjoining land? (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).				
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PROJECT TIMELINE – 59 QUEEN STREET, MOLONG
PLANNING PROPOSAL

No	Task	Commencement	Completion
1	Gateway Determination Obtain Gateway Determination	May 2019	May 2019
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	June 2019	July 2019
3	Consider submissions and document finalization Following the public exhibition council staff are 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) 	August 2019	August 2019
4	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)	September 2019	September 2019
5	Notification Notification of LEP amendment being made	October 2019	October 2019

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the department following receipt of the planning proposal
- The department will fill in the details of tables 1 and 3
- RPA is to fill in details in Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to Table 2 to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the department's publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the department with the RPA's request to have the LEP notified

Table1 – to be completed by the department

Stage	Date/details
Planning Proposal Number	
Date sent to department	
Date considered at LEP Review Panel	
Gateway Determination date	

Table 2 – To be completed by the RPA

Stage	Date/details	Notified Reg off
Dates draft LEP exhibited		
Date of public hearing(if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date council resolved to adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DP & I requesting notification		

Table 3 – to be completed by the department

Stage	Date/ details
Notification date and details	

Additional relevant information: