



Mr Anthony McMahon
General Manager
Hilltops Council
Locked Bag 5
YOUNG NSW 2594

Dear Mr McMahon

**Planning Proposal PP_2018_HILLT_001_00 to amend Young Local
Environmental Plan 2010**

I am writing in response to Council's request for a Gateway determination under Section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to insert Vehicle sales or hire premises in Schedule 1 of the Young LEP 2010 as a permissible use.

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 inconsistencies with Section 9.1 Direction 3.1 Residential Zones is of minor significance. No further approval is required in relation to this Direction.

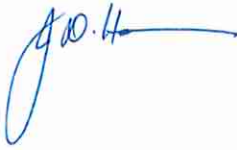
It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Ann Martin to assist you. Ms Martin can be contacted on (02)42249466.

Yours sincerely



29.03.2018

Jeffrey Horn

**Acting Director Regions, Southern
Planning Services**

Encl: Gateway Determination
Delegated Plan Making Reporting Template



Gateway Determination

Planning proposal (Department Ref: PP_2018_HILLT_001_00): to insert in Schedule 1 of Young LEP 2010 Vehicle sales or hire premises as a permitted use on Lot 2A DP 976203 Wombat Street, Young and insert Car park as a permitted use on Lot 9 Sec 57 DP 759144 Murringo Street, Young.

I, the Acting Director, Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 3.34 of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Young Local Environmental Plan (LEP) 2010 as described above should proceed subject to the following conditions:

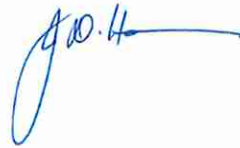
1. Community consultation is required under section 3.22 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing Local Environmental Plans (Department of Planning and Environment 2016)*.

No consultation is required with public authorities under section 3.34(2)(d) of the Act

2. 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 Act. 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).
3. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - a. the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - b. the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - c. there are no outstanding written objections from public authorities.

4. The timeframe for completing the LEP is to **6 months** from the week following the date of the Gateway determination.

Dated 29th day of March 2018



29.03.2018

Jeffrey Horn

**Acting Director Regions, Southern
Planning Services**

**Delegate of Secretary of the Department
of Planning and Environment**

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

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

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2018_HILLT_001_00
Date Sent to DP&E under 3.33	12 January 2018, additional information provided 23 February
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	

Table 2 – To be completed by the PPA

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		
Have changes been made to the draft LEP after obtaining final PC opinion?	YES NO	
Date LEP made by GM (or other) under delegation		
Date sent to DPE requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: