

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-163):** to rezone land at 2-20 Telegraph Road, Young to facilitate the expansion of a steel fabrication business.

I, the Acting Director Southern Region at the Department of Planning and Environment, as delegate of the Minister for Planning and Housing, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Young Local Environmental Plan 2010 as described above should proceed subject to the following conditions:

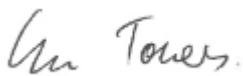
1. The planning proposal is to be updated prior to public exhibition to:
  - (a) Provide a concise and consistent document suitable for public exhibition.
  - (b) Clarify the explanation of the provisions that the site is proposed to be zoned IN1 General Industrial.
  - (c) Remove the proposed local clause map showing the application of the proposed Schedule 1 Additional Permitted Use provision.
  - (d) Ground truth/update the natural resource sensitivity – biodiversity, sensitive land and riparian corridor maps that apply to the site.
  - (e) Update the assessment of s.9.1 directions using the current Ministerial directions dated 28 February 2022 and include an assessment of the planning proposal against directions 3.2 Heritage Conservation, 4.1 Flooding and 4.3 Planning for Bushfire Protection.
  - (f) Provide community and agency consultation details and project timeline.
  - (g) Provide any details of any arrangements for funding for public infrastructure and other works.
2. Prior to public consultation, the revised planning proposal is to be forwarded to the Department for review and approval.
3. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) The planning proposal is categorised standard as described in the Local Environmental Plan Making Guidelines (Department of Planning, and Environment, 2021) and must be made publicly available for a minimum of 28 days; and
  - (b) The planning proposal 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 identified in Local Environmental Plan-Making Guidelines (Department of Planning and Environment, 2021).

4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - Transport for NSW
  - Department of Planning and Environment – Environment, Energy and Science
  - Environment Protection Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 days to comment on the proposal.

5. 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 EP&A 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).
6. Hilltops Council as planning proposal authority planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A 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 applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
7. The LEP should be completed on or before 25 March 2023

Dated 25<sup>th</sup> day of March 2022



**Graham Towers**

**Acting Director Southern Region**

**Local and Regional Planning**

**Department of Planning and  
Environment**

**Delegate of the Minister for Planning  
and Homes**