



Contact: Trent Wink
Phone: (02) 4904 2700
Fax: (02) 4904 2701
Email: Trent.Wink@planning.nsw.gov.au
Postal: PO Box 1226, Newcastle NSW 2300

Our ref: PP_2010_MUSWE_001_00 (10/02054)
Your ref: Mathew Pringle

Mr Steve McDonald
General Manager
Muswellbrook Shire Council
PO Box 122
MUSWELLBROOK NSW 2333

Dear Mr McDonald,

Re: Revised Gateway Determination for a Planning Proposal to rezone the existing Muswellbrook Showground site at Maitland Street, Muswellbrook

I am writing in response to the Council's request for a revised Gateway Determination under section 56 (7) of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Muswellbrook Local Environmental Plan 2009 to rezone the existing Muswellbrook Showground site (Lot 400 DP 578684, Lot 22 DP 616590, Lot 10 DP 843828) from RE2 Private Recreation to part B2 Local Centre and part B5 Business Development.

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

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

The Department is in favour of Council's proposal to prepare a detailed masterplan for the site to determine appropriate planning controls, future staging and infrastructure requirements. The Department's Regional Planning Team will be able to provide a representative to attend future meetings to assist in the preparation of the masterplan.

Should you have any queries in regard to this matter, please contact Trent Wink of the Regional Office of the Department on 02 4904 2700.

Yours sincerely,

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_MUSWE_001_00): to rezone the existing Muswellbrook Showground site (Lot 400 DP 578684, Lot 22 DP 616590, Lot 10 DP 843828) from RE2 Private Recreation to part B2 Local Centre and part B5 Business Development.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Muswellbrook Local Environmental Plan 2009 to rezone the existing Muswellbrook Showground site (Lot 400 DP 578684, Lot 22 DP 616590, Lot 10 DP 843828) from RE2 Private Recreation to part B2 Local Centre and part B5 Business Development should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Roads and Traffic Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 25th day of August 2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning