



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2011_MUSWE_001_00 (11/04341)
Your ref: LEP Amendment 6

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

Dear Mr McDonald,

Re: Planning Proposal to amend the land use table to permit “emergency services facilities” in the RE1 Public Recreation zone

I am writing in response to your Council's letter dated 17 February 2011 requesting a Gateway Determination under section 56 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 amend the land use table to permit “emergency services facilities” in the RE1 Public Recreation zone.

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 3 months of the week following the date of the Gateway Determination. As it has been determined that this is a minor amendment, the Department will commence drafting the instrument immediately. The Regional Planning Team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

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.

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_2011_MUSWE_001_00): to amend the Muswellbrook Local Environmental Plan 2009 to amend the land use table to permit "emergency services facilities" in the RE1 Public Recreation zone.

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 amend the land use table to permit "emergency services facilities" in the RE1 Public Recreation zone should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act").
2. No consultation is required with State or Commonwealth public authorities under Section 56(2)(d) of the EP&A Act.
3. No public hearing is to be held into the matter under section 56(2)(e) of the EP&A Act.
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 28th day of March 2011.



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