

Gateway Determination

Planning proposal (Department Ref: PP-2021-3370): allow the establishment of an interim service station in residential zone under Schedule 1 Additional Permitted Use

I, the Director, Central Coast and Hunter Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Dungog Local Environmental Plan 2014* to allow an interim service station under Schedule 1 Additional Permitted Use should proceed subject to the following conditions:

1. The planning proposal should be updated prior to public exhibition to include a comprehensive, plain English explanation of the provisions.
2. Consultation is required with Hunter Water Corporation under section 3.34(2)(d) of the Act. The organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal is made publicly available for a minimum of **28 days**;
 - (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 as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018); and
 - (c) public exhibition is to commence by **1 December 2021**.
4. 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).
5. Given Council has not requested local plan-making delegations, Council has not been authorised to be the local plan-making authority to make this plan.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 7th day of July 2021.

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces