

Gateway Determination

Planning proposal (Department Ref: PP_2020_DUNGO_001_00): to permit a mountain bike park on Dungog Common Recreation Reserve and permit temporary events on Council public reserves and road reserves without consent.

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 permit a mountain bike park on Dungog Common Recreation Reserve with consent and permit temporary events on Council public reserves and road reserves without consent should proceed subject to the following conditions:

1. Prior to public consultation, the planning proposal is amended to:
 - (a) simplify objective 1 to state the planning proposal seeks to make a mountain bike park permissible on the Dungog Common Recreation Reserve; and
 - (b) qualify the proposed addition to Schedule 1 of *Dungog Local Environmental Plan 2014* to read, "Recreation facilities (outdoor), being a mountain bike park".
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal 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 as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act:
 - NSW Crown Lands;
 - Biodiversity Conservation Division; and
 - Karuah Local Aboriginal Land Council.

Each public authority/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.

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. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 1st day of February 2021.



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