

Mr Steve McDonald  
General Manager  
Upper Hunter Shire Council  
PO Box 208  
Scone NSW 2337

Dear Mr McDonald

**Planning proposal PP\_UPHUN\_2019\_002\_00 to amend Upper Hunter Local Environmental Plan 2013**

I refer to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 17 April 2019 in respect of the planning proposal to rezone land at Philip and Muffett Streets, Scone from R1 General Residential and RE2 Private Recreation to part IN1 General Industrial and part RE2 Private Recreation.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones and 3.1 Residential Zones are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The Department encourages Council to undertake an analysis of the industrial areas in Scone including supply and demand for industrial land and the interface with residential areas to the south as part of the Local Strategic Planning Statement. This may include this analysis being an action for Council prior to any further industrial zoning changes.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Ken Phelan to assist you. Mr Phelan can be contacted on 4904 2705.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', with a stylized, cursive script.

20/5/2019

**Monica Gibson**  
**Director Regions, Hunter**  
**Planning Services**

Encl: Gateway determination  
Authorised plan-making reporting template