

## Gateway Determination

***Planning proposal (Department Ref: PP\_2018\_DUNGO\_002\_00): to rezone 2 Chapman Street Dungog from SP2 Rail Infrastructure Facility to R1 General Residential.***

I, the Director Regions, Hunter at the Department of Planning and Environment, as delegate of the Minister for Planning, 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 (LEP) 2014 to rezone 2 Chapman Street Dungog from SP2 Rail Infrastructure Facility to R1 General Residential zone should proceed subject to the following conditions:

1. 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 classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment 2016) and must be made publicly available for a minimum of **14 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
2. No consultation is required with public authorities/organisations under section 3.34(2)(d) of the Act
3. 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).
4. Given that Dungog Council has not accepted the Minister delegations, Council should not be authorised to be the local plan-making authority to make this plan.



5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 2<sup>nd</sup> day of October 2018.

**Monica Gibson**  
**Director Regions, Hunter**  
**Planning Services**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**