

Gateway Determination

Planning proposal (Department Ref: PP-2023-2169): Reclassification of four parcels of public land in Scone

I, the Director, Central Coast and Hunter at the Department of Planning 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 *Upper Hunter Local Environmental Plan 2013* to reclassify four parcels of public land in Scone should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to exhibition for the text and table in the Explanation of Provisions to note that interests will not change.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2023);
 - (c) exhibition must commence within 3 months following the date of the gateway determination.
3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.
4. A public hearing is required to be held into the matter in accordance with Section 29 of the *Local Government Act 1993* and the department's Practice Note PN 16-001
5. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
 - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The local environmental plan should be completed on or before 13 December 2024.

Dated 30 day of November 2023.

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
Planning, Land Use Strategy and Housing
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces