

Gateway Determination

Planning proposal (Department Ref: PP-2023-2616): permit camping ground as an additional permitted use at Muswellbrook Showgrounds, Rutherford Road, Muswellbrook.

I, the Director, Hunter and Northern at the Department of Planning, Housing and Infrastructure, 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 Muswellbrook Local Environmental Plan 2009 to permit camping ground as an additional permitted use at the Muswellbrook Showgrounds, Rutherford Road, Muswellbrook should proceed subject to the following:

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.

The LEP should be completed on or before 9 months of the Gateway determination date.

Gateway Conditions

1. 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 Guideline (August 2023) and must be made publicly available for a minimum of 20 working 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 Local Environmental Plan Making Guidelines (August 2023).
2. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act.
3. Update the planning proposal to remove any reference to Upper Hunter Strategic Regional Land Use Plan.
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).

Dated 20 August 2024

A handwritten signature in black ink, appearing to read 'J. Gray', is positioned above the printed name and title.

Jeremy Gray
Director, Hunter and Northern
Local Planning and Council Support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces