Gateway Determination

***Planning proposal (Department Ref: PP-2026-1346)**: Reclassify Lot 101 DP 1319117, 97 Hill Street, Scone from community to operational.*

I, the Acting Director, Hunter and Northern Region 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 Upper Hunter Local Environmental Plan 2013 to reclassify Lot 101 DP 1319117, 97 Hill Street, Scone from community to operational 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 the applicable Ministerial Direction – Local Plan Making priorities 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 within nine (9) months of the date of the Gateway determination.

Gateway Conditions

1. Prior to public exhibition the planning proposal is to be updated to detail how any fees arising from the lease or licencing of the land to the Golf Club will be used by Council.

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 Guideline* (Department of Planning, Housing and Infrastructure, July 2026) 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 Guideline* (Department of Planning, Housing and Infrastructure, July 2026).

   (c) a copy of the Practice Note PN 16-001 Classification and reclassification of public land through a local environmental plan is to be included in the public exhibition material.

3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the Act or to comply with the requirements of applicable Ministerial Direction – Local Plan Making priorities under section 9.1 of the Act.

4. Council must hold a public hearing in respect of the planning proposal to reclassify community land as operational land in accordance with the requirements of the *Local Government Act 1993*. A period of at least 21 days after the exhibition period has ended is to be given before the hearing.

5. Council must ensure that all relevant obligations in relation to the reclassification of public land through a local environmental plan are undertaken in accordance with the *Local Environmental Plan Making Guidelines* (Department of Planning, Housing and Infrastructure, July 2026), Practice Note PN16-001 Classification and reclassification of public land through a local environmental plan and Practice Note No. 1 (Revised) May 2000 – Public Land Management.

Dated 30 September 2026

Lucy Walker
A/Director, Hunter and Northern Region
Local Planning and Council Support
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces