

29 July 2024

Department of Planning Housing and Infrastructure
Regional Hunter and Northern – Local and Regional Planning
hunter@planning.nsw.gov.au

Dear Sir/Madam

Subject: Request for Gateway Alteration- PP-2022-3016- 1377 Hue Hue Road Wyee

I refer to the previous Gateway Determination Alterations (20 March 2024 - IRF24/238 and 6 June 2024 - IRF24/1246) for the planning proposal PP-2022-3016, 1377 Hue Hue Road, Wyee. The previous Gateway alteration requests were due to unanticipated delays in issuing the initial Gateway Determination and post- Gateway agency consultation. However, Council is now seeking a further alteration to condition six (6) of the Gateway Determination to allow time to finalise a Planning Agreement (PA) for the dedication of the C2 Environmental Conservation land and to re-exhibit the planning proposal and associated Wyee West DCP amendment.

Firstly, Council staff made an error by not directly notifying the adjoining landowners of the original public exhibition period in accordance with the Departments LEP Making Guidelines (the guidelines) and Council's Community Participation Plan. Hence, the planning proposal and DCP amendment needs to be re-exhibited.

Secondly, a PA is required to secure necessary offsets and enable Council to meet the requirements of *s9.1 Ministerial Direction 3.1 Conservation Zones* and the *Biodiversity Act 2016*. The PA is needed to support the planning proposal and improve the biodiversity outcome of the C2 Environmental Conservation land rather than result in a net loss in land zoned for conservation.

Negotiations regarding the PA are progressing but the PA is yet to be formally resolved. Once resolved, the PA will be exhibited separately to allow the planning proposal and DCP amendment to be re-exhibited while the PA is being finalised.

Due to the Local Government elections in September, there are no Council meetings between mid-August and mid-October. I am anticipating reporting the outcome of both exhibitions (planning proposal and PA) back to one of the first full Council meetings in November 2024 and looking to progress the planning proposal to finalisation of soon thereafter.

I appreciate that numerous Gateway alternations is unusual. However, the most timely result for the planning proposal and ultimately new housing on the site, will result from an extension to the Gateway Determination timeframe as opposed to re-lodgement of a new planning proposal.

For the above reasons, I am requesting that Gateway Determination condition number six (6) to be amended as follows:

Stage	Proposed timeframes
Re-Exhibition (planning proposal and DCP amendment)	01/08/2024 till 28/08/2024
Public Exhibition of PA	*31/08/2024 till 30/08/2024 *Dependant on agreement being reached for the PA
Post Exhibition	30/09/2024 till *11/11/2024 (*anticipated date of Council meeting. Note: Council resumes on mid-October 2024 after elections)
Finalisation	13/12/2024

Should you require further information on the matters raised in this letter, please contact Ms Mashal Moughal (Strategic Land Planner) on 4921 0556 or at mmoughal@lakemac.nsw.gov.au.

Yours faithfully,



Wes Hain
Manager Strategic Planning