

Ms Movren Cameron
Chief Executive Officer
Lake Macquarie City Council
Box 1906
RMC NSW 2310

Att: Joanne Marshall

Dear Ms Cameron,

Planning Proposal PP_2017_LAKEM_006_00 to amend Lake Macquarie Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under Section 56 of the *Environmental Planning and Assessment Act 1979* (the Act).

As delegate of the Minister for Planning, I have now determined the Planning Proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the Planning Proposal's inconsistency with S 117 Direction 6.2 Reserving Land for Public Purposes is of minor significance. In relation to Direction 6.2, I have agreed to the reduction of land for public purposes on the basis of the land's existing undeveloped nature and that it is no longer needed for a road. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of Section 117 Direction 4.2 Mine Subsidence and Unstable Land. Council should ensure this occurs prior to community consultation.

I have considered Council's request that delegation not be granted and have determined not to issue an authorisation for the following reason: that the Planning Proposal involves a reclassification of Council-owned Community Land.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the Planning Proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 8 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under Section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any further enquiries about this matter, I have arranged for Ms Jocelyn McGarity to assist you. Ms McGarity can be contacted on (02) 4904 2702.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', written in a cursive style.

21/9/2017

Monica Gibson

**Director Regions, Hunter
Planning Services**

Encl: Gateway Determination