

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

Dear Ms Cameron,

**Planning Proposal PP\_2017\_LAKEM\_007\_00 to amend Lake Macquarie Local 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) on 14 September 2017 in respect of the Planning Proposal to 121-127 Wyee Road, Wyee from R2 Low Density Residential to B1 Neighbourhood Centre and introduce associated development controls.

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 Section 117 Direction 3.1 Residential Zones is justified in accordance with the terms of the Direction. Council will still need to obtain the agreement of the Department's Secretary to comply with the requirements of Section 117 Direction 1.1 Business and Industrial Zones. Council should ensure this occurs prior to the plan being made.

Plan making powers were delegated to Councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 6 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the

projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment.

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 Corrine Manyweathers to assist you. Ms Manyweathers can be contacted on (02) 4345 4404.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', with a stylized, flowing script.

12/10/2017

Monica Gibson

**Director Regions, Hunter  
Planning Services**

Encl: Gateway determination  
Written Authorisation to Exercise Delegation  
Delegated Plan Making Reporting Template