



Mr Glenn Handford
General Manager
Great Lakes Council
PO Box 450
FORSTER NSW 2428

Our ref: PP_2015_GLAKE_007_00 (15/12882)
(QA383768)
Your ref: SP-PP-14

Att: Rebecca Underwood

Dear Mr Handford,

Planning proposal to amend Great Lakes Local Environmental Plan 2014

I am writing in response to your Council's letter dated 25 August 2015 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") and additional information received on 12 December 2015 in respect of the planning proposal to rezone land at Hawks Nest village centre.

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 the planning proposal's inconsistencies with S117 Direction 1.1 Business and Industrial Zones are of minor significance. No further approval is required in relation to this Direction.

I understand that Council has sought delegation to make this plan. Having considered the planning proposal, I have decided not to authorise Council to exercise its delegation to make this plan at the present time.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following 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 6 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 EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Dylan Meade from the Hunter office to assist you. Mr Meade can be contacted on (02) 4904 2718.

Yours sincerely,



Garry Hopkins
Acting General Manager
Hunter and Central Coast Region
Planning Services

4.1.2016

Encl:
Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2015_GLAKE_007_00): to rezone land and introduce other provisions at Hawks Nest Village.

I, the Acting General Manager, Hunter and Central Coast Region at Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Great Lakes Local Environmental Plan (LEP) 2014 to rezone land and introduce other provisions at Hawks Nest Village should proceed subject to the following conditions:

1. Prior to exhibition, Council is to consult with the Office of Environment and Heritage in regards to the date and methodology of the 'Hawks Nest 3A Business Zone Review and Strategy (2004)' and any other studies used to inform the boundaries of the proposed E2 Environmental Conservation Zone.
 2. Prior to exhibition, Council is to provide additional information in regards to the inconsistency with Clause (4) of Direction 4.3 Flood Prone Land.
 3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning & Environment 2013)* and must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning 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 section 5.5.2 of *A Guide to Preparing LEPs (Department of Planning & Environment 2013)*.
 4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - NSW Office of Environment and Heritage
 - NSW Rural Fire Service (S117 Direction 4.4)
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).

6. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 4th day of January 2016.



**Garry Hopkins
Acting General Manager
Hunter and Central Coast Region
Planning Services
Department of Planning and
Environment**

Delegate of the Minister for Planning