

Planning Proposal Report

113 Wyndham Way, Eleebana

Proposal Title: 113 Wyndham Way, Eleebana

Proposal Summary: The proposal intends to protect environmentally sensitive land and allow residential

development to occur at 113 Wyndham Way, Eleebana. It is proposed to rezone 1.4 ha of the subject site to R2 Low Density Residential and 10.5 ha to E2 Environmental Conservation.

PP Number : PP_2013_LAKEM_008_00 Dop File No : 13/09931

Proposal Details

Date Planning 12-Jun-2013 LGA covered : Lake Macquarie

Proposal Received:

Region : Hunter RPA : Lake Macquarie City Council

State Electorate: CHARLESTOWN Section of the Act: 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street: 113 Wyndham Way

Suburb: Eleebana City: Postcode: 2282

Land Parcel: Lot 414 DP 866775

DoP Planning Officer Contact Details

Contact Name : Dylan Meade
Contact Number : 0249042718

Contact Email: dylan.meade@planning.nsw.gov.au

RPA Contact Details

Contact Name : Vanessa Hitchcock

Contact Number : 0249210585

Contact Email: vhitchcock@lakemac.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre: N/A Release Area Name: N/A
Regional / Sub Lower Hunter Regional Consistent with Strategy: Yes

Regional Strategy: Strategy

MDP Number : Date of Release :

Area of Release (Ha): 1.40 Type of Release (eg Residential

Residential / Employment land):

No. of Lots: 30 No. of Dwellings 4

(where relevant):

Gross Floor Area: 0 No of Jobs Created: 0

The NSW Government Yes

Lobbyists Code of Conduct has been complied with:

If No, comment:

Have there been No

meetings or

communications with registered lobbyists?:

If Yes, comment:

Supporting notes

Internal Supporting Notes :

The Department received Section 54(4) under the former plan-making provisions to 'rezone land at Eleebana from 10 Investigation, 2(1) Residential and 6(1) Open Space to appropriate zones to support urban development and conservation'. The DG on 28 August 2008 advised that a local environmental study (LES) should be prepared for the site.

It is understood that Council did not request the draft LEP be converted into a planning proposal in July 2009 with the introduction of the current plan making provisions. The draft LEP was not converted to a planning proposal.

An LES was finalised on 23 August 2010. The LES did not investigate the western portion of the site due to the presence of EEC on this portion of the land; it had already been decided by Council to rezone this area of land to environmental protection.

Council previously undertook Section 62 Consultation during preparation of the LES. This planning proposal identifies different residential zone locations compared those contained in the LES.

External Supporting

Notes:

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The statement of objectives provided explains that the proposal intends to permit

residential development on part of Council owned land and to conserve the remainder of

the land. This is supported.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment: The explanation of provisions provided explains that the proposal will be achieved

through an amendment to the zoning map of either the Lake Macquarie LEP 2004 or

(depending on timing) the Lake Macquarie LEP 2013. This is supported.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA: 2.1 Environment Protection Zones

* May need the Director General's agreement

3.2 Caravan Parks and Manufactured Home Estates

4.2 Mine Subsidence and Unstable Land

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006: Yes

d) Which SEPPs have the RPA identified? SEPP No 19—Bushland in Urban Areas

SEPP No 44—Koala Habitat Protection SEPP No 71—Coastal Protection

e) List any other matters that need to be considered:

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain:

Mapping Provided - s55(2)(e)

Is mapping provided? Yes

If No, comment:

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment: The proposal indicates a 28 day exhibition period will be undertaken. This is supported.

The planning propsal contains a project plan which indicates the plan will be finalised by December 2013. Given issues relating to threatened species, it is considered a 12

month time frame is more suitable.

Additional Director General's requirements

Are there any additional Director General's requirements? No

If Yes, reasons:

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment:

Proposal Assessment

Principal LEP:

Due Date: November 2013

Comments in

The Lake Macquarie LEP 2013 is due for completion by November 2013.

relation to Principal

LEP:

Assessment Criteria

Need for planning proposal :

1. Is the planning proposal a result of any strategic study or report?

The proposal is the result of an Local Environmental Study (LES) prepared in accordance with the Department's specifications. These specifications were outlined by the Department in a response to Council's Section 54(4) Notification under the former plan-making provisions on 28 August 2008.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes or is there a better way?

It is considered that a planning proposal is the best means of facilitating residential development while protecting environmental sensitive areas.

3. Is there a community benefit?

A Social Impact Assessment was prepared as part of the LES. The SIA concluded that the proposed development assist in meeting the target for an additional 7,000 infill dwellings for the LGA under the Lower Hunter Regional Strategy, as well as providing housing for the predicted increase in population in the Lake Macquarie LGA. It is considered that the proposal will result in a net community benefit.

Consistency with strategic planning framework:

LOWER HUNTER REGIONAL STRATEGY (LHRS)

The LHRS identifies the subject site as within an existing urban area. The planning proposal is considered consistent with the LHRS, specifically actions relating to Councils revising their LEPs to be consistent with the identified urban footprint and promotion of consolidation.

LOCAL PLANNING STRATEGIES

The Lake Macquarie Lifestyle 2030(not endorsed) identifies the subject site as an urban area. The proposal is considered consistent with the local planning strategy.

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

*SEPP 19 - Bushland in Urban Areas

The proposal is considered consistent with the aims of this SEPP through the proposed rezoning of 10.4 ha of land to E2 which will enable the protection and preservation of bushland within urban areas. The proposal is considered specifically consistent with aims relating to:

- the retention of bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term, and
- · the protection of wildlife corridors and vegetation links with other nearby bushland.

SEPP 44 - Koala Habitat Protection

The planning proposal indicates that the subject site contains Koala food tree species, listed in Schedule 2 of SEPP 44 (Grey Gum Eucalyptus punctata, Swamp Mahogany E. robusta and Forest Red Gum E. tereticornis). The proposal is considered consistent with the SEPP as the area in which these species occur is proposed to be zoned for conservation purposes.

SEPP 71 - Coastal Protection

The subject site is within the coastal zone. The proposal is considered to be consistent with the provisions of this SEPP as the visual amenity of the coast is protected and public access to and along coastal foreshores will not be affected.

SECTION 117 DIRECTIONS

The following S.117 Directions are considered applicable to the proposal:

*2.1 Environment Protection Zones

The planning planning proposal is considered inconsistent with this Direction as it does not include provisions that facilitate the protection and conservation of environmentally sensitive areas. The proposal identifies the entire site as containing

environmentally sensitive areas, and although the majority (10.5 ha) is proposed to protected through rezoning to E2 Environmental Conservation, 1.4 ha is proposed to be rezoned to R2 Low Density Residential.

The proposal's inconsistency with this Direction cannot be justified by the LES (being a study prepared in support of the planning proposal which gives consideration to the objectives of this direction) as the location of the proposed residential zone in the planning proposal is different from the location of the residential are identified in the LES (shown in attached 'Map LES and PP boundaries'). Although, the planning proposal proposes to rezone a smaller area of land to residential compared with the LES (which identified 2.4 ha as suitable for residential development), the proposed residential zone in the planning proposal potentially has a greater impact on a regionally significant community of Tetratheca juncea.

It is understood the proposed residential area in the LES has been modified to enable existing infrastructure to be utilised, and to avoid impacts on Hunter Water sewerage infrastructure. The modified location of the proposed residential development may result in a reduced impact on the environmentally sensitive land from infrastructure provision. It should also be noted that the proposal results in an increase in environmental zoned land. The planning proposal will result in 1.4 ha of the site zoned residential, which is a reduction from the 3.4 ha currently zoned residential.

It is recommended that Council undertakes consultation with OEH to determine if the inconsistency with this Direction is justified or of minor significance, and if the proposed residential zone in the PP maintains biodiversity outcomes for the site.

*3.2 Caravan Parks and Manufactured Home Estates

The proposal is inconsistent with this Direction as by rezoning land from 6a Open Space to R2 and E2 it does not retain provisions that permit development for the purposes of a caravan park to be carried out on. It is considered that the inconsistency is of minor significance as the proposal only results in a loss of 2ha of 6a Open Space, and the existing zoning is not configured to practically allow development of a caravan park

*4.2 Mine Subsidence and Unstable Land

As the planning proposal permits development on land that is within the Lake Macquarie Mine Subsidence District, Council must consult the Mine Subsidence Board as per the requirements of this Direction.

*4.3 Flood Prone Land

The planning proposal indicates that part of the site is flood affected. The planning proposal is considered consistent with this Direction as it does not propose to zone flood affected land to residential.

*4.4 Planning for Bushfire Protection

The RFS previously provided comments under Section 62 of the former plan-making provisions, and did not object to the draft LEP. However as the planning proposal will affect land mapped as bushfire prone land, Council must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation.

Environmental social economic impacts :

ENVIRONMENTAL

The proposal indicates that development of the part of the site will impact upon two species listed as vulnerable (squirrel glider and tetratheca juncea) under the Threatened Species Conservation Act 1995.

The proposal indicates that the squirrel glider has not been recorded on the site in ecological studies since 1995, however, the proposed residential area contains habitat trees associated with squirrel glider. It is considered the loss of 1.4 ha will result in a minor impact, as the majority of the site's squirrel glider habitat trees, as well as a regionally significant squirrel glider corridors, will be rezoned to E2.

The proposal indicates that the area proposed to be rezoned for residential purposes has

been cited to minimise disturbance to known tetratheca juncea and aims to achieve 78% retention. This is within the retention rate outlined by Lake Macquarie City Council Tetratheca juncea Conservation Management Plan. However, it is unclear if the retention rate applies to the proposed residential area identified in the LES, or in this planning proposal.

It is recommended that Council consult with the OEH to determine impacts upon species identified in the Threatened Species Conservation Act 1995. Consultation should occur prior to exhibition in case the outcomes of discussions with OEH require Council to amend the residential zone boundaries.

SOCIAL AND ECONOMIC

As discussed, the SIA prepared as part of the LES concluded that the proposed development will assist in providing housing for the predicted increase in population in the Lake Macquarie LGA. The development will also result in positive economic impacts associated with increased employment from housing construction.

Assessment Process

Proposal type: Consistent Community Consultation 14 Days

Period:

Timeframe to make

12 months

Delegation: DDG

LEP:

Public Authority Office of Environment and Heritage

Consultation - 56(2)(d): Mine Subsidence Board

NSW Rural Fire Service

Is Public Hearing by the PAC required?

(2)(a) Should the matter proceed? Yes

If no, provide reasons:

Resubmission - s56(2)(b): No

If Yes, provide reasons:

Identify any additional studies, if required :

If Other, provide reasons:

An LES was finalised on 23 August 2010, with a number of studies prepared in support of the proposal. Although, the planning proposal modifies the location of the proposed residential area, no further studies are considered necessary to support the proposal.

Identify any internal consultations, if required:

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? Yes

If Yes, reasons: It is considered that the site be identified as an Urban Release Area to ensure satisfactory

arrangements are in place for state infrastructure.

Planning Team Recommendation

Preparation of the planning proposal supported at this stage: Recommended with Conditions

S.117 directions : 2.1 Environment Protection Zones

3.2 Caravan Parks and Manufactured Home Estates

4.2 Mine Subsidence and Unstable Land

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

Additional Information:

The planning proposal should proceed subject to the following conditions:

- 1. Prior to undertaking public exhibition, Council is to consult with the Office of Environment and Heritage to determine if the location of the proposed residential zone minimises impacts on threatened species and is consistent with the prepared LES.
- 2. Prior to undertaking public exhibition, Council is to amend the planning proposal to identify the subject site as an Urban Release Area.
- 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 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 & Infrastructure 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:
- Office of Environment and Heritage (S117 Direction 2.1 Environment Protection Zones)
- Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)

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 under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.
- 6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

It is recommended that the Minister's delegate advise Council that the proposal's inconsistency with Section 3.2 Caravan Parks and Manufactured Home Estates is of minor significance.

Supporting Reasons:

Council have not requested use of plan-making delegations. It is not recommended that plan-making delegations are given to Council as the subject site is owned by Council. The proposal is supported as it is based on a Local Environmental Study and protects 10.5 ha of environmentally sensitive land. Further consultation with OEH is required to determine the level of impact the proposed 1.4 ha of residential area will have on species listed under the Threatened Species Act 1995.

Panel Recommendation

Recommendation Date: 27-Jun-2013 Gateway Recommendation: Passed with Conditions

Panel

Recommendation:

1. Prior to undertaking public exhibition, Council is to consult with the Office of Environment and Heritage to determine the proposals impact on species listed under the Threatened Species Conservation Act 1995 and identify whether the location of the proposed residential zone is consistent with the Local Environmental Study. This will enable Council to demonstrate the proposal's consistency or justify any inconsistency with

S117 Direction 2.1 Environment Protection Zones.

The planning proposal should proceed subject to the following conditions:

- 2. 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 & Infrastructure 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 & Infrastructure 2013).
- 3. 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:
- Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Office of Environment and Heritage (S117 Direction 2.1 Environment Protection Zones)

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.

- 4. 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).
- 5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Gateway Determination

Decision Date: 03-Jul-2013 Gateway Determination: Passed with Conditions

Decision made by: Executive Director, Rural & Regional Planning

Gateway Determination: The planning proposal should proceed subject to the following conditions:

- 1. Prior to undertaking public exhibition, Council is to consult with the Office of Environment and Heritage to determine the proposals impact on species listed under the Threatened Species Conservation Act 1995 and identify whether the location of the proposed residential zone is consistent with the Local Environmental Study. This will enable Council to demonstrate the proposal's consistency or justify any inconsistency with S117 Direction 2.1 Environment Protection Zones.
- 2. 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 & Infrastructure 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 & Infrastructure 2013).
- 3. 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:
- Mine Subsidence Board (S117 Direction 4.2 Mine Subsidence and Unstable Land)
- NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire Protection)
- Office of Environment and Heritage (S117 Direction 2.1 Environment Protection Zones)

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.

- 4. 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).
- 5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Exhibition period: 14 Days Gateway Timeframe: 12 months

Extension Timeframe: 12 months

Total Timeframe: 24 months

Proposal Due Date for Finalisation: 10-Jul-2015

Status: Overdue

Revised Determination (e.g. Extensions & Alterations):

12 months extension was granted on the 07/05/2014

Implementation

Gateway effective date: 10-Jul-2013

Exhibition start date: 02-Feb-2015 Exhibition end date: 16-Feb-2015 Exhibition duration: 15

Public hearing : Date :

Date advice received **25-May-2015** Days with RPA:

from RPA:

LEP Assessment

Days with DoP: 11 Number of submissions: 3

Additional studies conducted : No
Agency consultation consistent Yes

with recommendation:

If No, comment:

AGENCY CONSULTATION

The Office of Environment and Heritage (OEH), Mine Subsidence Board (MSB),

NSW Rural Fire Service (RFS) were consulted as required by the Gateway. Council

685

also consulted with the Awabakal Local Aboriginal Land Council (ALALC).

Concerns raised by OEH have been addressed and there are no outstanding agency objections to the proposal. ALALC did not make a submission to Council.

Agency Objections : No

If Yes, comment:

Documentation consistent with Gateway:

Yes

If No, comment:

PROPOSAL

The proposal aims to protect environmentally sensitive land and allow residential development to occur at 113 Wyndham Way, Eleebana. Approximately 1.4 ha of the subject site will be zoned R2 Low Density Residential and 10.5 ha will be zoned E2 Environmental Conservation.

Effectively the proposal will result in the protection and conservation of squirrel glider corridors and endangered ecological communities (EEC) and a consequent small reduction and relocation of land currently zoned residential to an area of the site more appropriate for development.

GATEWAY DETERMINATION

The Planning Proposal is considered to be consistent with the Gateway Determination of 3 July 2013.

The Gateway Determination did not require the preparation of an Urban Release Area Map (URA). Although the covering letter did make mention of a urban release area map in the proposal description. Council decision to not exhibit or submit a URA with the planning proposal for approval is supported because:

- * the Gateway did not require it;
- * the land currently zoned residential was zoned residential prior to the release of and is not identified as a URA in the Lower Hunter Regional Strategy; and
- * the proposed reconfiguration of the existing zoned residential land will result in a net reduction in the residential zoned land.

The proposal will not result in the need for additional State infrastructure. It is therefore considered unreasonable for the Department to now require the proposed residential land to be identified on a URA map.

TIMEFRAME

The initial timeframe for completing the LEP was 12 months. A 12 Month extension to 10 July 2015 was granted to enable Council to address issues raised by OEH. The Department received Council's request that the planning proposal be finalised on 25 May 2015 and a request for legal drafting was made on 4 June 2015.

The first draft written instrument was sent to Council on 24 June 2015 and Council agreed to drafting on 25 June 2015.

PUBLIC PARTICIPATION

The Planning Proposal was exhibited for a total of 14 days from 2 February to 16 February 2015. No objections were received.

AGENCY SUBMISSIONS

There is no agency objection to the proposal and the final draft LEP accords with the outcome of consultation with agencies, notably OEH.

CHANGES MADE TO THE PLANNING PROPOSAL AFTER EXHIBITION

Other than Parliamentary Counsel drafting amendments, no changes have been made to the aims and intent of the proposal or the area subject to change.

CONSISTENCY WITH STATE POLICIES AND S.117 DIRECTIONS

The Proposal is consistent with applicable State Environmental Planning Policies (SEPPs) and s117 Directions. Notably the proposal accords with SEPP 19
Bushland in Urban Areas and SEPP 71 Coastal Protection and s117 directions 2.1
Environmental Protection Zones and 3.1 Residential Zones.

Any apparent inconsistency with s117 Direction 2.1 Environmental Protection is considered justified because it is addressed by a study prepared in support of the

proposal and the inconsistency is considered to be of minor significance.

The proposal seeks to preserve the site's Squirrel glider corridors and endangered ecological communities. The reconfiguration of the residential zoned land will allow improved access to existing services and infrastructure, reducing the impact on land now proposed to be zoned for conservation.

CONCLUSION

It is recommended that the Planning Proposal proceed.

The proposal is consistent with the Lower Hunter Regional Strategy Neighbourhood Planning Principles to:

- Conserve lands in and around development sites to help protect biodiversity; and
- Develop urban land with access to a major town centres with a full range of shops, recreational facilities and services along with smaller village centres and neighbourhood shops. The subject land is located in proximity to the Belmont town centre and Warners Bay village centre.

Council has complied with the conditions of the Gateway Determination. The Planning Proposal PP_2013_LAKEM_008_00 is supported. All necessary changes requested by Council, the Department and Agencies have been made. The PC opinion has been issued and there has been no change to the LEP since the PC opinion was issued.

NSW Government Lobbyist Code of Conduct: At this point of time the Code has been complied with and there have been no meetings or communications with registered lobbyists with respect to this draft LEP.

Proceed to Draft LEP:

Yes

If No, comment:

Have all necessary changes requested by Council / Department / Agency / Other been made?

Yes

If No, comment:

LEP Determination

Date sent to legal: 04-Jun-2015 Total Days at PC: 14 Total Days at Legal/DoP: 27

PC Dates Details

Date sent to PC: 17-Jun-2015 Date returned from PC: 30-Jun-2015 Days at PC: 14

Other referrals : Date Sent : Date Received :

Elapsed Days: 52

Date PC provided an opinion that draft LEP could be made : 30-Jun-2015

Have changes been made to the draft LEP after obtaining final PC opinion? $\ \ \textbf{No}$

Determination Date : Determination Decision :

Notification Date : Decision made by :

Link to Legislation Website:

Internal Supporting notes :

ocuments		
Document File Name	DocumentType Name	Is Public
D01889664 Final Report - Local Environmental Study - 113 Wy.pdf	Study	Yes
report and resolution.pdf	Proposal Covering Letter	Yes
Departments letter August 2008.pdf	Determination Document	Yes
Eleebana Planning Proposal.pdf	Proposal	Yes
1. Lake Macquarie Gateway.pdf	Determination Document	Yes
2. Lake Macquarie PR Report.pdf	Determination Document	Yes
10.01 Lake Macquarie PT Report.pdf	Determination Document	Yes
Extension to Gateway Determination May 2014_1.pdf	Determination Document	Yes