

Gateway Determination

Planning Proposal (Department Ref: PP_2017_LAKEM_005): to rezone land at Jonathan Street Eleebana for residential and environmental conservation purposes.

I, the Director Regions, Hunter at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act, 1979* (the Act) that an amendment to the Lake Macquarie Local Environmental Plan (LEP) 2014 to rezone land at Jonathan Street Eleebana for residential and environmental conservation purposes should proceed subject to the following conditions:

1. Prior to community consultation, Council is to:
 - Complete a review of the large lot precinct between Jonathan Street and Macquarie Drive, Eleebana with consideration of the orderly change to land uses, improved connections (road, environmental, utilities) and provision of social and transport infrastructure.
 - Complete a biodiversity assessment to enable consideration of SEPP 19 and SEPP 44, and the objectives of Local Plan-making Directions 2.1.
 - Complete an assessment to enable consideration of SEPP 55.
 - Update the planning proposal with the outcomes of the precinct review, biodiversity assessment and SEPP 55 assessment.
2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities and / organisations under section 56(2)(d) of the Act and/or to comply with the requirements of relevant Section 117 Directions:
 - Subsidence Advisory NSW
 - NSW Rural Fire Service
 - Office of Environment and Heritage
 - Hunter Water Corporation

Each public authority/organisation 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 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 **9 months** following the date of the Gateway determination.

Dated 12th day of September 2017.

Monica Gibson
Director Regions Hunter
Planning Services
Department of Planning and
Environment

Delegate of the Minister for Planning