



Ms Morven Cameron
Chief Executive Officer
Lake Macquarie City Council
Box 1906
Hunter Region Mail Centre NSW 2310

Attn: Andrew Donald

Dear Ms Cameron

Planning proposal PP_2019_LAKEM_006_00 to amend Lake Macquarie Local Environmental Plan 2014

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 1 October 2019 in respect of the planning proposal to introduce additional business zones to enable large floor space development at Boolaroo.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 3.1 Residential Zones, 3.4 Integrated Land Use and Transport and 6.3 Site Specific Provisions are justified in accordance with the terms of the directions. No further approval is required in relation to these directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 4.2 Mine Subsidence and Unstable Land. Council should ensure this occurs prior to the plan being made.

Council is also encouraged to consult with Roads and Maritime Services regarding the preparation of a Traffic Study for the proposed development.

I note that Council has not requested to be the local plan-making authority. I have considered the nature of Council's planning proposal and given the proposal is consistent with both regional and local planning strategies I have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 9 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, Industry and Environment to draft and finalise the LEP should be made eight 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr James Shelton to assist you. Mr Shelton can be contacted on 4904 2713.

Yours sincerely



25/11/19

Greg Sullivan
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination