



Mr Adrian Panuccio  
General Manager  
MidCoast Council  
PO Box 450  
FORSTER NSW 2428

Dear Mr Panuccio

**Planning proposal [PP\_2019\_MIDCO\_001\_00] to amend Great Lakes 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 11 April and 6 September 2019 in respect of the planning proposal to rezone Lot 1 DP 1234229 from RE1 Public Recreation to R3 Medium Density Residential and amend associated planning controls.

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: 6.2 Reserving Land for Public Purposes and 6.3 Site Specific Provisions are justified in accordance with the terms of the Direction. In relation to Section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction in land for public purposes on the basis that the land is no longer in public ownership, it is no longer required for the purpose of public recreation and there is adequate public recreation within the vicinity of the site. 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 and should ensure this occurs prior to public exhibition:

- 4.1 Acid Sulfate Soils
- 4.4 Planning for Bushfire Protection

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and 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 12 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 six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry 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 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



**Greg Sullivan**  
**Acting Director Central Coast and Hunter Region**  
**Planning and Assessment**

Encl: Gateway determination  
Authorised plan-making reporting template