



Ms Morven Cameron
Chief Executive Officer
Lake Macquarie City Council
Box 1906
HUNTER REGION MAIL CENTRE NSW 2310

Dear Ms Cameron

Planning proposal PP_2019_LAKEM_004_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) in respect of the planning proposal to amend Lake Macquarie Local Environmental Plan 2014 to rezone the site to allow a diverse housing mix including low and medium density housing and conservation of the remaining land.

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 1.2 Rural Zones and 1.4 Acid Sulfate Soils are justified in accordance with the terms of the Direction. 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 1.3 Mining, Petroleum and Extractive Industries, 2.1 Environment Protection Zones, 2.2 Coastal Management, 2.3 Heritage Conservation, 4.2 Mine Subsidence and Unstable Land, 4.3 Flood Prone Land, 4.4 Planning for Bushfire Protection, 5.10 Implementation of the Regional Plan and 6.2 Reserving Land for Public Purposes. Council should ensure this occurs prior to the plan being made.

I have considered the nature of Council's planning proposal and have determined not to condition the Gateway for Council to be the local plan-making authority due to the complexity of site constraints, further studies and agency consultation required.

The amending local environmental plan (LEP) is to be finalised within 24 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 Andrew Hill to assist you. Andrew can be contacted on 8275 1354.

Yours sincerely



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

Encl: Gateway determination