



Gateway Determination

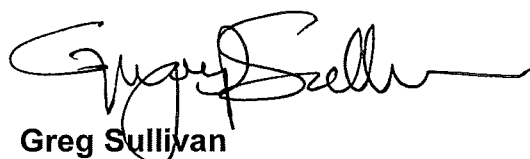
Planning proposal (Department Ref: PP_2019_LAKEM_004_00): to rezone the site to allow a diverse range of low and medium density housing and to conserve areas of ecological value.

I, the Director, Central Coast and Hunter, at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(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 from RU6 Transition and E3 Environmental Management to R2 Low Density Residential, R3 Medium Density Residential and E2 Environmental Management should proceed subject to the following conditions:

1. Council is to update the planning proposal with the following information and forward it to the Department of Planning and Environment for review prior to exhibition:
 - (a) map the site as an Urban Release Area on the Urban Release Area LEP map;
 - (b) provide updated LEP maps for the proposed development for zoning, height of buildings, minimum lot size and land reservation acquisition;
 - (c) include the following studies:
 - i. Flooding Assessment;
 - ii. Biodiversity Assessment;
 - iii. Phase 1 Contamination Assessment;
 - iv. Traffic and Transport Assessment;
 - v. Heritage Assessment;
 - vi. Bushfire Assessment; and
 - vii. Social Assessment.
 - (d) address Action 19.1 of the Greater Newcastle Metropolitan Plan and demonstrate how the proposal achieves the minimum density requirements.
2. Development control plan (DCP) provisions for the site should be exhibited concurrently with the planning proposal.
3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and

- (b) the planning proposal 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 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning, Industry and Environment, 2018).
4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
- Subsidence Advisory
 - Roads and Maritime Service
 - Rural Fire Service
 - Office of Environment and Heritage
 - Environment Protection Authority
 - Resource and Geoscience
 - Hunter Water Corporation
 - Ausgrid
- 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.
5. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
6. The time frame for completing the LEP is to be **24 months** following the date of the Gateway determination.

Dated 30th day of October 2019.



Greg Sullivan
Director, Central Coast and Hunter Region
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces