



**Planning &
Infrastructure**

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Our ref: 11/10222 & 10/13191
Your ref: F2010/00104

Mr Brian Bell
General Manager
Lake Macquarie City Council
Box 1906
HUNTER REGION MAIL CENTRE NSW 2310

Dear Mr Bell

**Lake Macquarie Local Environmental Plan 2004 (Amendment 58) Sustainable
Generating Works**

I refer to Council's Planning Proposal (Amendment 58) to amend Lake Macquarie Local Environmental Plan 2004 to include "Sustainable Generating Works" as a permissible use within the 5 Infrastructure, 6(1) Open Space, 4(2) Industrial (General) and 4(3) Industrial (Urban Services) zones.

I am writing to notify you that, as delegate of the Minister, I have determined not to make the plan under section 59(2)(b) of the *EP&A Act*. In reaching this decision, I agree with Council that the amendment to State Environmental Planning Policy (Infrastructure) 2007 on 17 December 2010 implements the intended objectives and outcomes of proposed Amendment 58. It is therefore considered that Amendment 158 does not need to proceed.

Should you have any further enquiries about this matter, please contact Amy Blakely of the Department's Newcastle Office on (02) 4904 2700.

Yours sincerely

23/6/11

Tom Gellibrand
**Deputy Director General
Plan Making and Urban Renewal**