

15 May 2013

Katrine O'Flaherty
Department of Planning and Infrastructure
PO Box 1226
Newcastle NSW 2300

Dear

Subject: Planning Proposal - Minor Zone Boundary Adjustment - 13A Main Road, Boolaroo

I advise that on Monday 22nd April 2013, Council resolved to support the preparation of a Local Environment Plan (LEP) amendment to make a minor zone boundary adjustment at the former Pasminco Cockle Creek Smelter site and to request a Gateway determination from the Department of Planning and Infrastructure.

The objective of the planning proposal is to make minor zone boundary adjustments on the former Pasminco site at Boolaroo to ensure the zone boundaries match lot and road boundaries. The zone boundary adjustments are required because of changes to the location and alignment of the roundabout and Munibung Road extension due to detailed design leaving small slithers of land on either side of the road with an inappropriate zone.

The planning proposal seeks to amend the Lake Macquarie LEP 2004 to rezone:

- small sections of land from 2(2) Residential (Urban Living) and B4 Mixed Use zone to 3(2) Urban Centre (Support) zone. The amendment will rezone approximately 5,114m² of 2(2) Residential (Urban Living) and B4 Mixed Use zoned land.
- small sections of land from 3(2) Urban Centre (Support) zone to 2(2) Residential (Urban Living). The amendment will rezone approximately 513m² of 3(2) Urban Centre (Support) zoned land.

Alternatively, the proposal seeks to amend the draft Lake Macquarie LEP 2012 to rezone:

- small sections of land from R3 Medium Density Residential zone to B4 Mixed Use zone.
- small sections of land from B4 Mixed Use zone to R3 Medium Density Residential zone

The planning proposal is not considered to have any significant adverse impact on the environment or adjoining land and accordingly, Council believes the amendment could be processed under section 73A of the *Environmental Planning and Assessment Act 1997* - Expedited Amendments of Environmental Planning Instruments subject to the Gateway determination.

Council requests the use of delegations in respect of the plan making function under section 59 of the EP&A Act 1979. The planning proposal includes in Attachment 7 the evaluation criteria for the delegation of plan making functions.

Council requests a Gateway determination for this planning proposal. The planning proposal and Council report is attached. Should you require further information, please contact me on 4921 0470 (Wednesday to Friday).

Yours faithfully

Angel Troke.

Angel Troke

**Strategic Landuse Planner
Integrated Planning Department**