



Mr Glenn Handford
General Manager
Great Lakes Council
PO Box 450
FORSTER NSW 2428

Our ref: PP_2014_GLAKE_006_00 (14/19740)
Your ref: SP-PP-20

Dear Mr Handford,

Planning Proposal to amend Great Lakes Local Environmental Plan 2013

I am writing in response to Council's letter dated 20 November 2014 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the R3 Medium Density Residential zone density and dwelling permissibility

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Setting a minimum density target for undeveloped R3 Medium Density zoned areas is supported as it will make efficient use of land and create greater housing diversity. However, a minimum target of 35 dwellings per hectare is considered ambitious. Further evidence is required to demonstrate that it is achievable and how it will be measured and implemented.

Council should also consider if other controls such as minimum lot size, height of buildings or DCP controls need to be modified to enable the minimum density targets to be reached. The Department may be able to provide assistance in evidence based tools including feasibility testing. Council should contact the Newcastle Regional Office regarding these tools.

To assist in consultation on the proposal Council is encouraged to provide a greater description of housing types which are likely to result within the R3 Medium Density Zone. The Newcastle Regional Office is available to provide advice if you wish to discuss ideas on how this may be approached.

The Minister delegated plan making powers to councils in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 12 months of the week following 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 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department for administrative purposes.

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 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Attached for your assistance is a simplified guide to the plan making process and reporting requirements to ensure that the LEP Tracking System is kept updated.

Should you have any questions regarding this matter, I have arranged for Dylan Meade from the Hunter office to assist you. Mr Meade can be contacted on (02) 4904 2718.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D. Rowland', written in a cursive style.

9 December 2014

David Rowland
General Manager
Hunter and Central Coast Region
Planning Services



Gateway Determination

Planning Proposal (Department Ref: PP_2014_GLAKE_006_00): to amend the R3 Medium Density Residential zone density and dwelling permissibility.

I, the General Manager, Hunter and Central Coast Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Great Lakes Local Environmental Plan (LEP) 2013 to amend the provisions of the R3 Medium Density Zone and introduce requirements setting minimum densities for undeveloped land zoned R3 should proceed subject to the following conditions:

1. Prior to undertaking community consultation Council is to update the planning proposal to:
 - (a) demonstrate how many dwellings per hectare is a feasible and achievable target for the R3 Medium Density Zone in the areas subject to the proposed minimum density provisions; and
 - (b) include an appropriate definition of density that will be used to measure the targets; and
 - (c) include proposed changes (if any) to minimum lot size, height of building, floor space ratio and any other relevant LEP provision; and

The updated planning proposal is to be submitted to the Newcastle Regional Office for consideration before commencement of community consultation.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning 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 5.5.2 of *A Guide to Preparing LEPs (Planning & Infrastructure 2013)*.
3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
5. The timeframe for completing the LEP is to be **12 months** from the week following the date of the Gateway determination.

Dated 9th day of December 2014.

David Rowland
General Manager
Hunter and Central Coast Region
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Great Lakes Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_GLAKE_006_00	Planning proposal to amend the R3 Medium Density Residential zone density and dwelling permissibility.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guideline for the preparation of local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 9 December 2014

A handwritten signature in black ink, appearing to read "David Rowland".

David Rowland
General Manager
Hunter and Central Coast Region
Planning Services
Department of Planning and Environment