



Ms Morven Cameron
CEO
Lake Macquarie City Council
Box 1906
HUNTER REGIONAL MAIL CENTRE NSW 2310

Dear Ms Cameron

Planning proposal PP-2021-3088 to amend Lake Macquarie Local Environmental Plan 2014 and Lake Macquarie Local Environmental Plan 2004

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 update the Land Reservation Acquisition Maps and related provisions.

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 2.1 Environmental Protection Zones; 2.2 Coastal Management; 2.3 Heritage Conservation; 2.6 Remediation of Contaminated Land; 3.4 Integrating Land Use and Transport; 4.1 Acid Sulfate Soils; 4.2 Mine Subsidence and Unstable Lands; 4.3 Flood Prone Land; and 5.10 Implementation of Regional Plans are minor or justified in accordance with the terms of the directions. In relation to section 9.1 direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis that Council's Belmont Catchment Development Contributions Plan has been updated and does not require acquisition of these lands. 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 direction 4.4 Planning for Bushfire Protection once consultation with NSW Rural Fire Service has been undertaken and its comments taken into account. Council should ensure this occurs prior to the plan being made.

It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 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 to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The NSW 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 Mr Mark Parker, Principal Planning Officer, Central Coast and Hunter Region to assist you. Mr Parker can be contacted on 9995 5286.

Yours sincerely



23 August 2021

Sarah Lees
Director, Southern Region
Planning and Assessment

Encl: Gateway determination
Authorised plan-making reporting template