



Ms Morven Cameron
Chief Executive Officer
Lake Macquarie City Council
PO BOX 1906
Hunter Regional Mail Centre
SPEERS POINT NSW 2310

Dear Ms Cameron

Planning proposal PP_2020_LAKEM_001_00 to amend Lake Macquarie Local Environmental Plan 2014

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) and additional information received on 25 March 2020 in respect of the planning proposal to rezone the site from E4 Environmental Living and R2 Low Density Residential to R2 Low Density Residential and E2 Environmental Conservation.

The planning proposal supports the development of the historical Ramsgate Estate paper subdivision and aims to make more efficient use of land for housing and increase land zoned for conservation.

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 note the list of agencies proposed to be consulted. I advise that it is considered unnecessary to consult with Biodiversity Conservation Division (Flooding) and Department of Premier and Cabinet.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 directions:

- 2.1 Environment Protection Zones,
- 2.6 Remediation of Contaminated Land,
- 3.4 Integrating Land Use and Transport,
- 4.1 Acid Sulfate Soils,
- 4.2 Mine Subsidence and Unstable Land, and
- 4.4 Planning for Bushfire Protection.

Council should ensure this occurs prior to finalisation of the plan being made.

I note that Council has not requested to be the local plan-making authority. As Council owns land within the subject site, I have determined not to condition the Gateway for Council to be the local plan-making authority.

The amending local environmental plan is to be finalised within 24 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 for the Department of Planning, Industry and Environment to draft and finalise the local environmental plan should be made eight weeks prior to the projected publication date.

The NSW Government is committed to reducing the time taken to complete local environmental plans 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 James Shelton to assist you. Mr Shelton can be contacted on 4904 2713.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal line extending to the right.

1/05/2020

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination