

Our ref: IRF22/1257

Ms Morven Cameron
Chief Executive Officer
Lake Macquarie City Council
Box 1906
Hunter Regional Mail Centre NSW 2310

Attn: Strategic Land Use Planner, Elsa Berger

Dear Ms Cameron

Planning proposal PP-2021-4822 to amend *Lake Macquarie Local Environmental Plan 2014*

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone land at 482 Bushells Ridge Road, Wyee from SP2 Infrastructure to R2 Low Density Residential.

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

Council will need to obtain the agreement of the Secretary to comply with the requirements of the directions of the Minister under section 9.1 of the Act for 4.1 Flooding and 4.3 Planning for Bushfire Protection. Council should ensure this occurs prior to the LEP being made.

Considering the nature of the planning proposal, I have determined Council may exercise local plan-making authority functions in relation to the planning proposal.

While not a final plan, the Department has done an assessment of the planning proposal against the draft Hunter Regional Plan 2041. In particular, assessing the merits against the objectives to create a 15-minute region and nimble neighbourhoods of diverse housing.

The site is centrally located close to the township and centre of Wyee village. It has a dedicated pedestrian and cycle link from the site directly to transport and services and is easily accessible via car to the M1 Motorway. Google maps indicates it would be a 19 minute walk and 5 minute cycle from the site to the Wyee Shopping Village. This is consistent with the objective in the draft regional plan for housing close to everyday needs.

The draft regional plan also recognises that in order to achieve the many public interest intentions of the draft plan, new developments will have to be different. There needs to be greater diversity of housing to improve affordability. Given the proposed minimum lot size of 450m² is the same as the adjoining R2 Low Density Residential zoned areas, it is a missed opportunity to consider how more diverse housing could be provided at the Radcliffe Residential Estate. It is noted dual occupancies are permitted with consent in the R2 Low Density Residential zone and this would provide an opportunity for housing diversity on the site.

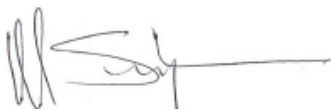
The proposed local environmental plan (LEP) is to be finalised on or before 28 March 2023. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the Gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2021) is supported by category specific timeframes for satisfaction of conditions. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Elle Clementine, Planning Officer, Central Coast and Hunter Region at the Department to assist you. Mrs Clementine can be contacted on 9274 6470.

Yours sincerely

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

17/06/2022

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Land Use Strategy

Encl: Gateway determination