

Gateway Determination

Planning proposal (Department Ref: PP-2021-4822): rezone land at 482 Bushells Ridge Road, Wyee from SP2 Infrastructure to R2 Low Density Residential.

I, the Director, Central Coast and Hunter at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Lake Macquarie Local Environmental Plan 2014* to rezone land at 482 Bushells Ridge Road, Wyee from SP2 Infrastructure to R2 Low Density Residential should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days; and
 - (b) the planning proposal 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service;
 - Biodiversity and Conservation Division; and
 - Hunter Water Corporation.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).
4. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (b) there are no outstanding written objections from public authorities.

5. The LEP must be completed on or before 28 March 2023.

Dated 17th day of June 2022.

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

Dan Simpkins
Director, Central Coast and Hunter Region
Department of Planning and Environment

Delegate of the Minister for Planning and
Homes