



Your ref.: S1842 / SP-PP-44
Our Ref: SF20/35397

Mr Adrian Panuccio
General Manager
Midcoast Council
PO Box 450
FORSTER NSW 2428

Dear Mr Panuccio

Planning proposal PP_2020_MCOAS_001_00 to amend Great Lakes Local Environmental Plan 2014

I refer 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 rezone land and alter development standards at 8-18 Lake Street, Forster.

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 inconsistency with section 9.1 Ministerial direction 3.2 Caravan Parks and Manufactured Home Estates is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

On 17 April 2020, the Minister for Planning and Public Spaces approved the removal clause 6 from State Environmental Planning Policy 55 (Remediation of Land) and transfer the requirements to a section 9.1 Ministerial direction 2.6 Remediation of Contaminated Land. As such, the planning proposal should be updated prior to exhibition.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Ministerial directions: 2.2 Coastal Protection, 2.6 Remediation of Contaminated Land, 3.4 Land Use and Transport and 4.1 Acid Sulfate Soils. Council should ensure the agreement of the Secretary is obtained for these section 9.1 Ministerial directions prior to the plan being made.

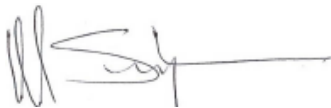
I have noted Council's acknowledgement of its potential conflict as the owner of Lake Lane and have determined not to condition the Gateway for Council to be the local plan-making authority.

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 for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

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 Ken Phelan to assist you. Mr Phelan can be contacted on 4904 2705.

Yours sincerely

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

27/05/2020

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

Encl: Gateway determination