



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

Dear Ms Cameron

Planning proposal PP-2021-5263 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) in respect of the planning proposal to modify the Heritage Conservation Area for Teralba and amend maximum building heights.

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

I have requested maps within the planning proposal be amended to show the correct planning proposal boundary. In addition, the boundary identified in the planning proposal does not include some land where the planning proposal seeks to remove part of the existing Heritage Conservation Area. These changes will need to be made prior to exhibition to clarify the land the planning proposal applies to and enable it to legally make the changes that are sought.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Ministerial directions: 1.1 Business and Industrial Zones; 1.2 Rural Zones; 1.3 Mining, Petroleum Production and Extractive Industries; 2.1 Environment Protection Zones; 3.1 Residential Zones; 4.3 Flood Prone Land; and 5.10 Implementation of Regional Plans are justified in accordance with the terms of the directions. No further approval is required in relation to these directions.

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

- 2.3 Heritage Conservation;
- 4.2 Mine Subsidence and Unstable Land; and
- 4.4 Planning for Bushfire Protection.

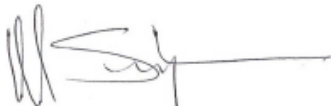
It is noted that Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within nine months of the date of the Gateway determination. Council should commence the exhibition of the planning proposal by 1 December 2021. 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



07/10/2021

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

Encl: Gateway determination
Authorised plan-making reporting template