



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2010_LAKEM_001_00 (10/04996)

Mr Brian Bell
General Manager
Lake Macquarie City Council
Box 1906
HUNTER REG MAIL CTR NSW 2310

Dear Mr Bell,

Re: Planning Proposal to reclassify and rezone land in the Lake Macquarie LGA

I am writing in response to Council's recent letter requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Lake Macquarie Local Environmental Plan 2004 to reclassify and rezone five (5) parcels of land in the Lake Macquarie local government area.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

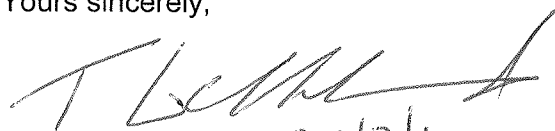
The Gateway Determination requires that the planning proposal be made publicly available for a period of 28 days. Under section 57(2) of the Act, I am satisfied that the planning proposal, when amended as required by the Gateway Determination, is in a form that can be made available for community consultation.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway Determination.

The State 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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Gary Freeland of the Regional Office of the Department on 02 4904 2700.

Yours sincerely,



27/3/10

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2010_LAKEM_001_00): to reclassify and rezone five (5) parcels of land in the Lake Macquarie local government area.

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Lake Macquarie Local Environmental Plan 2004 to:

1. Reclassify Lot A1 DP 420093 (742c Main Road, Edgeworth) from Community Land to Operational Land;
2. Reclassify Part Lot 100 DP 609787 (21 Elsdon Street, Redhead) from Community Land to Operational Land and rezone from 6(1) Open Space to 6(2) Tourism & Recreation;
3. Reclassify Part Lot 11 DP 1066866 (19 Grattoir Place, Toronto) from Community Land to Operational Land and rezone from 6(1) Open Space to 4(2) Industrial (General);
4. Reclassify Lot 1 DP 510699 (17a Valentine Crescent, Valentine) from Community Land to Operational Land;
5. Reclassify Lot PT1 DP 525994 (9 David Street, Wangi Wangi) from Community Land to Operational Land and rezone 6(1) Open Space to 2(1) Residential;

should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **28 days**; and
 - (b) the relevant planning 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 section 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is not required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated

27th

day of

March

2010.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning