



Ms Morven Cameron
Chief Executive Officer
Lake Macquarie City Council
Box 1906
HUNTER REGION MAIL CENTRE NSW 2310

Dear Ms Cameron

Planning proposal PP_2019_LAKEM_003_00 to amend Lake Macquarie Local Environmental Plan 2014

I am writing in response to Lake Macquarie City Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 21 June 2019 in respect of the planning proposal to rezone land to R3 Medium Density Residential, expand the B1 Neighbourhood Centre and update LEP mapping for various properties at Windale.

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 inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones and 2.1 Environment Protection Zones are justified in accordance with the terms of the Direction. In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction in land to be acquired for public purposes on the basis that Council does not seek to acquire these lands. No further approval is required in relation to Directions 1.1 and 2.1.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Directions 4.2 Mine Subsidence and Unstable Land, 4.4 Planning for Bushfire Protection and 6.2 Reserving Land for Public Purposes (Land and Housing Corporation land). Council should ensure this occurs prior to the plan being made.

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 aim to commence the exhibition of the planning proposal as soon as possible. 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 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 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 Ben Holmes to assist you. Mr Holmes can be contacted on 4904 2709.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Greg Sullivan', with a stylized, cursive script.

Greg Sullivan
Acting Director Central Coast and Hunter
Planning and Assessment

Encl: Gateway determination
Authorised plan-making reporting template