

## Gateway Determination

***Planning proposal (Department Ref: PP\_2021\_LAKEM\_001\_00): to rezone land at 87 Oakdale Road, Gateshead from E3 Environmental Management to IN2 Light Industrial and amend development standards for minimum lot size and height of buildings.***

I, the Director, Central Coast and Hunter Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, 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 87 Oakdale Road, Gateshead from E3 Environmental Management to IN2 Light Industrial and amend development standards for minimum lot size and height of buildings should proceed subject to the following conditions:

1. The maps be updated to incorporate Oakdale Road consistent with the adjoining land zoning.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**;
  - (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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018); and
  - (c) public exhibition is commenced by September 2021
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Ministerial directions:
  - Subsidence Advisory NSW;
  - NSW Rural Fire Service; and
  - Heritage NSW.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the planning proposal.

4. 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 Act. This does not discharge Lake Macquarie City Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. Lake Macquarie City Council is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Ministerial directions or the Secretary has agreed that any inconsistencies are of minor significance or justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the local environmental plan is to be **12 months** following the date of the Gateway determination.

Dated 10<sup>th</sup> day of March 2021.



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

**Delegate of the Minister for Planning**  
**and Public Spaces**