



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

Dear Ms Cameron

Planning proposal PP_2021_LAKEM_001_00 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 above planning proposal 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.

As delegate of the Minister for Planning and Public Spaces, I have determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination. In particular, the maps need to be updated to incorporate Oakdale Road consistent with adjoining land zoning.

I note the planning proposal identifies the need for an Aboriginal cultural heritage study and preliminary contamination report. These are generally matters that should be undertaken prior to submitting the planning proposal for a Gateway determination as they may have a material impact on the proposed development. In this case, I have conditioned these studies as conditions in the Gateway determination.

As delegate of the Secretary, I have agreed inconsistencies with section 9.1 Ministerial directions: 1.1 Business and Industrial Zones; and 3.4 Integrating Land Use and Transport are minor or justified.

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

- 2.1 Environmental Protection Zones;
- 2.3 Heritage Conservation;
- 2.6 Remediation of Contaminated Land;
- 4.2 Mine Subsidence and Unstable Land; and
- 4.4 Planning for Bushfire Protection.

Council should ensure this occurs prior to finalisation of the local environmental plan.

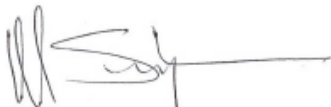
It is noted Council has requested to be authorised as the local plan-making authority. I have considered the nature of Council's planning proposal and have conditioned the Gateway determination for Council to be authorised as the local plan-making authority.

The amending local environmental plan is to be finalised within 12 months of the date of the Gateway determination. Council should commence the exhibition of the planning proposal by September 2021. Council's request to draft and finalise the local environmental plan 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 local environmental plans 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



10/03/2021

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

Encl: Gateway determination
Authorised plan-making reporting template