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Our ref: PP_2012_LAKEM_004_00 (12/07891)
Your ref: F2012/00294

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

Dear Mr Bell,

Planning Proposal to correct various minor discrepancies relating to property descriptions and addresses within the Lake Macquarie LEP 2004

I am writing in response to your Council's letter dated 1 May 2012 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 correct various minor discrepancies relating to property descriptions and addresses within the Lake Macquarie LEP 2004.

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

It is noted that the subject planning proposal is an administrative amendment to a number of Schedules within Council's existing LEP to correct errors and descriptions of property addresses. It is also noted that not all of the subject property descriptions will be reflected in Council's Standard Instrument LEP as a number of the Schedules are proposed to be omitted. Therefore, Council is encouraged to expedite the progression of its Standard Instrument LEP rather than invest resources in amendments to its existing Planning Instrument to ensure Council's and the Department's resources are utilised to progress matters that are of greater priority.

Nevertheless, it has been determined that this is a minor amendment, and the Department will commence drafting the instrument immediately. The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. The Regional Planning Team will remain your principal contact on this matter and will be able to advise on the progress of the draft LEP.

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 Susan Blake of the Regional Office of the Department on 02 4904 2700.

Yours sincerely,



Sam Haddad
Director-General

1/6/2012.

Gateway Determination

Planning Proposal (Department Ref: PP_2012_LAKEM_004_00): to correct various minor discrepancies relating to property descriptions and addresses within the Lake Macquarie LEP 2004.

I, the Director General, Department of Planning and Infrastructure as delegate of the Minister for Planning and Infrastructure, have determined under section 56(2) of the EP&A Act that an amendment to correct various minor discrepancies relating to property descriptions and addresses within the Lake Macquarie LEP 2004 should proceed subject to the following conditions:

1. No community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act ("EP&A Act").
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 1st day of June 2012.



Sam Haddad
Director-General
Delegate of the Minister for Planning and
Infrastructure