

Gateway Determination

Planning proposal (**Department Ref: PP_2020_LAKEM_002_00**): to correct mapping errors, update the heritage schedule and associated administrative amendments.

I, the Director of 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 (LEP) to correct mapping errors, update the heritage schedule and administrative amendments should proceed subject to the following conditions:

1. The planning proposal should be updated prior to exhibition and agency consultation:
 - a. to ensure that all maps include information to enable easy identification of the location and context, in particular Item 14; and
 - b. to remove Item 18 (Fairfax Road, Warners Bay).
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**; and
 - (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).
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 Directions:
 - Subsidence Advisory NSW
 - NSW Rural Fire Service
 - Biodiversity Conservation Division

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 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 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. The time frame for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 8th day of May 2020.

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a horizontal line extending to the right.

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