



Ms Morven Cameron
CEO
Lake Macquarie City Council
PO Box 1906, Hunter Regional Mail Centre
SPEERS POINT, NSW, 2310

Attention: Iain Moore

Dear Ms Cameron

Planning proposal PP_2020_LAKEM_002_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* in respect of the planning proposal to correct mapping errors and update the heritage schedule.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

In regards to Item 18, satisfactory arrangements certificates are generally issued with respect to development applications and not for land. As further intensification of the land is possible, the site should continue to be mapped as an urban release area.

As delegate of the Secretary, I have agreed that the planning proposal's inconsistencies with the following section 9.1 Directions are justified:

- 1.1 Business and Industrial Zones, and
- 3.1 Residential Zones.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of the following section 9.1 Directions:

- 4.2 Mine Subsidence and Unstable Land,
- 4.4 Planning for Bushfire Protection (for Item 14), and
- 6.2 Reserving Land for Public Purposes.

Council should ensure this occurs prior to the plan being made.

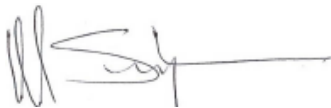
I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority as the proposal includes Council-owned land.

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 for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made eight weeks prior to the projected publication date.

The NSW 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 James Shelton to assist you. Mr Shelton can be contacted on 4904 2713.

Yours sincerely

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

8/05/2020

Dan Simpkins
Director Central Coast and Hunter
Planning and Assessment

Encl: Gateway determination