

Gateway Determination

Planning proposal (Department Ref: PP-2022-2811): Reclassification and rezoning of land at various sites.

I, the Director Central Coast and Hunter at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, 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 reclassify and rezone land at various sites should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - a. address section 9.1 Ministerial direction 5.2 Reserving Land for Public Purposes to justify the reduction in zonings and reservations for public purposes and seek the Secretary of Planning's approval;
 - b. address clause 6.9 of Chapter 6 of *State Environmental Planning Policy (Biodiversity Conservation) 2021* to address the potential loss of bushland in urban areas; and
 - c. correct the error first row of the table on page 23 addressing the strategies of the *Greater Newcastle Metropolitan Plan 2036* that apply. Change 'Boolaroo' to 'Gateshead'.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service; and
 - Subsidence Advisory NSW.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 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 its obligation to conduct a public hearing for the reclassification of land or in response to a submission.
5. The LEP should be completed on or before 2 December 2023.

Dated 29th day of November 2022.

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

Dan Simpkins
Director, Central Coast and Hunter Region
Local and Regional Planning
Department of Planning and Environment

Delegate of the Minister for Planning and
Homes