

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

Our ref: IRF22/2964

Dear Ms Cameron

Charlestown Strategic Centre - Planning Proposal PP-2022-3061 to amend *Lake Macquarie Local Environmental Plan 2014*

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to help development capacity, promote good quality design and a vibrant Charlestown strategic economic centre.

As delegate of the Minister for Planning and Homes, I have determined the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

The *Hunter Regional Plan 2041* is the updated land use plan prepared under the Act for the Lake Macquarie Local Government Area. The planning proposal includes an assessment against the former regional plan. An assessment against the relevant strategies and objective performance outcomes needs to be undertaken to determine consistency with the *Hunter Regional Plan 2041*.

It is understood an urban design analysis was undertaken back in 2010 to inform the preparation of the then local environmental plan and development control plan controls. Without updated detailed design modelling for the proposed development, the Department is unable to assess the likely impact, especially the bulk and scale, of the proposal. Consequently, a condition of the Gateway determination requires updated design analysis demonstrating 3D massing and visual analysis.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act 1.1 Implementation of Regional Plans, 4.3 Planning for Bushfire Protection and 4.6 Mine Subsidence and Unstable Land and 5.1 Integrating Land Use and Transport. Council should ensure this occurs prior to the LEP being made.

Council should be mindful of section 1(b) of the section 9.1 Ministerial direction 4.6 Mine Subsidence and Unstable Land.

Considering the nature of the planning proposal I have determined that Council may exercise local plan-making authority functions in relation to the planning proposal.

The proposed local environmental plan (LEP) is to be finalised on or before 20 January 2024. Council should aim to commence the exhibition of the planning proposal as soon as possible. Should Council seek to make a proposed LEP, the request to draft the LEP should be made directly to Parliamentary Counsel's Office well in advance of the date the LEP is projected to be made. A copy of the request should be forwarded to the Department of Planning and Environment.

Should you have any enquiries about this matter, I have arranged for Mr Trent Wink, A/Manager, Local and Regional Planning, Central Coast and Hunter, to assist you. Mr Wink can be contacted on 4904 2716.

Yours sincerely

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

25/01/2023

Dan Simpkins
Director, Central Coast and Hunter
Planning and Land Use Strategy

Encl: Gateway determination