

Gateway Determination

Planning proposal (Department Ref: PP-2022-3944): *Lake Macquarie Local Environmental Plan 2014* to amend Schedule 2 – Exempt Development provisions for A-frame signage located on footpaths within commercial zones

I, the A/Manager 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 amend Schedule 2 – Exempt Development provisions for A-frame signage should proceed subject to the following conditions:

1. The planning proposal should be updated prior to public exhibition to:
 - a. Update *Section B Relationship to strategic planning framework* and provide an assessment against the Hunter Regional Plan 2041.
 - b. Update *Section 8 heritage* and make reference to State Environmental Planning Policy (Industry & Employment) 2021 instead of SEPP 64, which has been repealed.
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, 2021) 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).

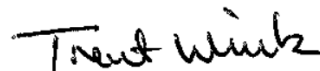
Exhibition must commence within 4 months following the date of the gateway determination.

3. Consultation is required with Transport for NSW under section 3.34(2)(d) of the EP&A Act. Transport for NSW is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 20 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 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).
5. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the EP&A Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

6. The LEP should be completed on or before 21 September 2023.

Dated 21 day of December 2022.



Trent Wink
A/Manager
Central Coast and Hunter Region
Department of Planning and Environment

Delegate of the Minister for Planning and
Homes