



Department of Planning, Housing and Infrastructure

Ms Morven Cameron
Chief Executive Officer
Lake Macquarie City Council
PO box 1906
HUNTER REGION MAIL CENTRE NSW 2310

Our ref: IRF24/19528

By email: council@lakemac.nsw.gov.au
kcoon@lakemac.nsw.gov.au

Dear Ms Cameron

Planning proposal PP-2024-4 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 rezone Lot 8 DP 29077, 1 Progress Road, Mount Hutton and amend associated development standards to enable expansion of an existing local centre.

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.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with section 9.1 Directions 3.2 Heritage Conservation, 4.1 Flooding, 6.1 Residential Zones and 7.1 Industry and Employment, is justified in accordance with the terms of these Directions. No further approval is required in relation to these Directions.

Council will still need to obtain the agreement of the Secretary to comply with the requirements of section 9.1 Directions 4.3 Planning for Bushfire Protection and 4.6 Mine Subsidence and Unstable Land. Council should ensure this occurs prior to the LEP being made.

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 within 9 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible.

Parliamentary Counsel's Office is not responsible for the drafting of map-only amendments to LEPs. Requests for legal drafting for map-only amendments must instead be sent to mapinstrument.drafting@dpie.nsw.gov.au. The relevant Department of Planning, Housing and Infrastructure team contact should be copied into the request. The request must include the drafting instruction template, planning proposal and gateway determination.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning, Housing and Infrastructure, August 2023) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Ms Sandra Bush to assist you. Sandra can be contacted on 5778 1409.

Yours sincerely



28/6/24

Craig Diss
Acting Director, Hunter and Northern Region
Local Planning & Council Support

Encl: Gateway determination