

Gateway Determination

Planning proposal (Department Ref: PP-2023-745): to rezone land from C3 Environmental Management to E4 General Industrial and associated height of building and minimum lot size amendments for 87 Oakdale Road, Gateshead.

I, the Director, Central Coast and the Hunter at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, 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* for a spot rezoning at 87 Oakdale Road should proceed subject to the following conditions:

1. 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 30 days;
 - (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); and
 - (c) public exhibition commences within three months of the Gateway determination.
2. Consultation is required prior to public exhibition 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:
 - Heritage NSW
 - Biodiversity Conservation Division
 - Subsidence Advisory NSW
 - NSW Rural Fire Service.

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.

3. 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 any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. 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 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 Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
5. The local environmental plan should be completed on or before 14 July 2024.

Dated 23 day of August 2023.



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

Delegate of the Minister for Planning and
Public Spaces