



Gateway Determination

Planning proposal (Department Ref: PP_2020_CCOAS_004_00): to rezone land for residential and environmental conservation purposes at 285-335 Pacific Highway, Lake Munmorah.

I, the Director, Central Coast and Hunter Region at the Department of Planning, Industry 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 *Wyong Local Environmental Plan 2013* or draft Central Coast Local Environmental Plan to rezone land for residential and environmental conservation purposes at 285-335 Pacific Highway, Lake Munmorah should proceed subject to the following conditions:

1. The planning proposal is to be updated to:
 - (a) include an assessment for consistency with Central Coast Local Strategic Planning Statement;
 - (b) include an assessment against the *State Environmental Planning Policy (Koala Habitat Protection) 2019*;
 - (c) confirm the width of the proposed E2 Environmental Conservation zone to align with biodiversity corridors for the area;
 - (d) update supporting studies to include all lots in the site to provide information sufficient to address:
 - I. Aboriginal cultural heritage;
 - II. land contamination;
 - III. traffic and transport including cumulative impacts;
 - IV. flooding, overland flow, and stormwater management;
 - V. bushfire;
 - VI. biodiversity impacts;
 - VII. sewer and water servicing; and
 - (e) updated to include draft Local Environmental Plan maps.

2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Ministerial directions:

- Darkinjung Local Aboriginal Land Council;
- Guringai Tribal Link;
- Heritage NSW;
- Subsidence Advisory NSW;
- Division of Resources and Geoscience;
- NSW Rural Fire Service;
- Biodiversity and Conservation Division; and
- Transport for NSW.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 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 any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Ministerial directions or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

6. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 14th day of September 2020.

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
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces