



Gateway Determination

Planning proposal (Department Ref: PP_2021_4334): to amend Wyong Local Environmental Plan 2013 or new Central Coast Local Environmental Plan

I, the Director, Central Coast and Hunter 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* that an amendment to the *Wyong Local Environmental Plan 2013* or new Central Coast Local Environmental Plan to rezone land and permit additional uses at the subject site should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to public exhibition to:
 - a. map the site as an Urban Release Area; and
 - b. confirm whether Council, as the planning proposal authority, intends to include certain provisions in the local environmental plan in order to satisfy itself as to paragraph 4(c) of the section 9.1 Ministerial direction 2.6 Remediation of Contaminated Land.
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**;
 - (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); and
 - (c) The public exhibition is to commence by **1 December 2021**.
3. A draft planning agreement (or letter of offer from applicant) for the protection of the biodiversity corridor should be exhibited concurrently with the planning proposal and provided to relevant public authorities.
4. 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 Directions:
 - Biodiversity and Conservation Division;
 - Darkinjung Local Aboriginal Land Council;
 - Division of Resources and Geoscience;
 - NSW Rural Fire Service;
 - Subsidence Advisory NSW;
 - Transport for NSW; and
 - Department of Primary Industries (Water).

5. 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).
6. The time frame for completing the LEP is to be **18 months** following the date of the Gateway determination.

Dated 25th day of August 2021.



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