

Gateway Determination

Planning proposal (Department Ref: PP_2020_NEWCA_001_00): to amend floor space ratio and height of buildings development standards for 41 and 47 Throsby Street, Wickham.

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* that amendments to the floor space ratio and height of buildings development standards at 41 and 47 Throsby Street, Wickham should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) while the planning proposal is classified as low impact as described in *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018), the Department supports Council's decision to make it 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);
 - (c) public exhibition is to commence within **4 months** following the date of the Gateway determination.
2. Consultation is required with Subsidence Advisory NSW under section 3.34(2)(d) of the *Environmental Planning and Assessment Act 1979* and in accordance with clause 4 of section 9.1 Ministerial direction 4.2 Mine Subsidence and Unstable Land. Subsidence Advisory NSW 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 planning proposal.
3. In accordance with clause 4(c) of section 9.1 Ministerial direction 4.2 Mine Subsidence and Unstable Land, Council is to include a copy of any information received from Subsidence Advisory NSW to the Department of Planning, Industry and Environment prior to undertaking community consultation.
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. (a) The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 1st day of January 2021.

A handwritten signature in black ink, appearing to read 'Dan Simpkins', with a long horizontal stroke 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