

Gateway Determination

Planning proposal (Department Ref: PP_2020_MCOAS_001_00): to rezone land at 8-18 Lake Street, Forster to high density residential and amend the height of building and floor space controls.

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* (the Act) that an amendment to the Great Lakes Local Environmental Plan 2014 (the LEP) to rezone land at 8-18 Lake Street, Forster to high density residential and amend the height of building and floor space controls proceed subject to the following conditions:

1. Prior to community consultation, Council is to update the planning proposal to:
 - a. address consistency with section 9.1 Ministerial directions:
 - i. 2.6 Remediation of Contaminated Land, noting a Phase 1 Assessment will be required to demonstrate consistency post Gateway;
 - ii. 2.2 Coastal Protection, including provisions that give affect to or are consistent with the objectives of the *Coastal Management Act 2016*, NSW Coastal Management Manual and associated Toolkit and the NSW Coastal Design Guidelines; and
 - iii. 3.4 Integrating Land Use and Transport, including traffic and transport analysis may be required to demonstrate consistency;
 - b. provide an estimated dwelling numbers for the proposal;
 - c. update proposed LEP maps in accordance with the Department's GIS guidelines;
 - d. update the missing property description on page 5;
 - e. include a higher resolution copy of Appendix D – Urban Design Analysis; and
 - f. update the planning proposal (not appendix) to detail how the proposed planning controls have considered the existing DCP controls including matters such as setbacks, bulk and scape, separation and solar access.
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 under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Transport for NSW

Each public authority 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 time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 27th day of May 2020



27/05/2020

Dan Simpkins

**Director Central Coast and Hunter
Planning**

**Department of Planning, Industry and
Environment**

**Delegate of the Minister for Planning
and Public Spaces**