

Gateway Determination

Planning proposal (Department Ref: PP_2020_LAKEM_005_00): to allow 'seniors housing' as an additional permitted use at 2A Maude Street, Belmont and to increase maximum building heights of the subject site.

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 *Lake Macquarie City Council Local Environmental Plan 2104* to apply an additional permitted use of seniors housing at 2A Maude Street Belmont and increase maximum building heights across both 2A and 2B Maude Street, as well as adjoining community land should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal should be updated to include a Phase 1 Contamination assessment and acid sulfate soils study.
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 Subsidence Advisory NSW under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Ministerial direction. Subsidence Advisory NSW should 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 28th day of September 2020.

A handwritten signature in blue 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