

Gateway Determination

Planning proposal (Department Ref: PP-2022-1160): to allow a caravan park on 437 Wards Hill Road, Empire Bay

I, the Director, Central Coast and Hunter, at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Gosford Local Environmental Plan 2014* or *Central Coast Local Environmental Plan* to allow a caravan park on 437 Wards Hill Road, Empire Bay should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to community consultation to discuss the potential provision of additional affordable housing accommodation in Part 1 of the planning proposal.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021) and 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 *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021); and
 - (c) public exhibition is to commence **by 1 October 2022**.
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - NSW Rural Fire Service; and
 - Biodiversity and Conservation Division.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 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 Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority 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 applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The LEP should be completed on or before **1 April 2023**.

Dated 24th day of May 2022.

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 Land Use Strategy
Department of Planning and Environment

Delegate of the Minister for Planning and
Homes