

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-2820):** To enable residential development at 107 Haussman Drive, Thornton

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 *Maitland Local Environmental Plan 2011* to enable residential development at 107 Haussman Drive, Thornton should be resubmitted:

1. The resubmitted planning proposal must be updated to include:
  - (a) a biodiversity assessment report prepared in accordance with the NSW Biodiversity Assessment Method;
  - (a) confirmation from Subsidence Advisory NSW regarding proposed grouting to resolve stability issues and that the rezoning can proceed based on current remediation; and
  - (b) confirmation from NSW Rural Fire Services on need for a secondary access to the site to manage evacuation in the event of a bushfire. Should a secondary access be located on land outside of the planning proposal, confirmation and/or support from adjoining landowners is required.
2. The timeframe to resubmit the planning proposal is by 26 August 2023.

Dated 26<sup>th</sup> day of August 2022.



**Dan Simpkins**  
Director, Central Coast and Hunter  
Department of Planning and  
Environment

**Delegate of the Minister for  
Planning and Homes**

Our ref: PP-2022-4101

Mr Jeff Smith  
General Manager  
Maitland City Council  
PO Box 220  
MAITLAND NSW 2320

Dear Mr Smith

**Planning proposal PP-2022-4101-107 Haussman Drive, Thornton**

I refer to your submission relating to planning proposal PP-2022-4101 to rezone land at 107 Haussman Drive, Thornton to R1 General Residential and E2 Environmental Conservation.

At this stage, I have determined the planning proposal is not yet adequate for consideration for a Gateway determination in accordance with section 3.34(2) of the *Environmental Planning and Assessment Act 1979*.

**PP-2021-2820 - Gateway Determination**

The Department previously issued a Gateway determination, on 26 August 2022, for PP-2021-2820 which set out issues that were required to be included as part of a resubmitted planning proposal.

Condition 1(a)

I note a biodiversity assessment report has been provided as part of the planning proposal. This addresses condition 1(a) in the Gateway determination. Consultation with Biodiversity Conservation Division will be required and this can be addressed as a result of any Gateway determination for PP-2022-4101 to proceed.

Condition 1(b)

I note Subsidence Advisory NSW advised on 13 September 2022 that a grout/remediation proposal should be prepared by a geotechnical consultant with experience in mine subsidence assessments. After grouting, the geotechnical consultant should undertake sufficient verification boreholes to ensure that the intent of the grout plan has been met and that the risk of pothole subsidence has been effectively eliminated.

It is requested the remediation proposal be provided to facilitate ongoing support or advice from Subsidence Advisory NSW.

Condition 1(c)

I am advised attempts have been made to contact the NSW Rural Fire Services as part of the resubmission of the planning proposal. It is also noted a bushfire threat assessment has been prepared and the adjoining landowners (of 480 Raymond Terrace Road,

Thornton) have provided in-principle support for a secondary access to occur across their site.

Given the best endeavours to seeking confirmation of NSW Rural Fire Services and the in-principle support from the adjoining landowners, I am satisfied condition 1(c) has been satisfied. Consultation with NSW Rural Fire Services will be required and this can be addressed as a result of any Gateway determination for PP-2022-4101 to proceed.

### ***Hunter Regional Plan 2041***

The *Hunter Regional Plan 2041* was published in December 2022 and the planning proposal needs to demonstrate consistency with this plan.

Further assessment is required to demonstrate consistency with the *Hunter Regional Plan 2041*. In particular, how the planning proposal is consistent with:

- Strategies 3.1, 5.3, 6.3, 6.4, 7.5, 9.1 or their relevant performance outcomes
- Greater Newcastle District Planning Priority 4
- Place strategy outcomes for Thornton within the National Pinch Point Regionally Significant Growth Area.

The regional plan recognises that in order to achieve the many public interest intentions of the draft plan, new developments will have to be different. There needs to be greater diversity of housing to improve affordability.

The site is well-positioned to a range of day-to-day needs and services, along with public transport. Furthermore, there is an active planning proposal (PP-2022-1187) opposite the site which seeks a range of employment uses. This will further reinforce accessibility for future residents to local employment opportunities without the need to commute by private vehicle.

Given the proposed opportunities for a 15-minute neighbourhood outlined above, a density of only 8 dwellings/ha will remain a significant missed opportunity and substantially below an optimum density for the site.

## **Section 9.1 Ministerial directions**

### **5.1 Integrating Land Use and Transport**

I note an updated traffic impact assessment was provided with the planning proposal. Further consultation with Transport for NSW (TfNSW) will be required to ascertain whether this assessment and the planning proposal aligns with the planned network changes and assumptions in the current modelling work. This consultation can occur as a result of any Gateway determination for PP-2022-4101 to proceed.

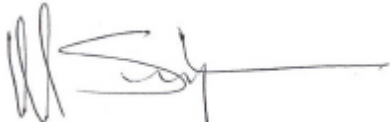
## **Consistency of the planning proposal across documentation**

As the planning proposal has been modified over time, the proposals and recommendations within the documentation have become inconsistent. It is understood the final development footprint is yet to be determined, however, the package for consideration should reflect the same proposed footprint and development description.

The Gateway determination for PP-2021-2820 set out a timeframe of 26 August 2023 for the planning proposal to be resubmitted. We note that PP-2022-4101 was lodged with the Department on 23 May 2023. Given the need for further information to be provided to adequately address the above matters, an extension until 30 October 2023 will be granted to resubmit the planning proposal.

Should you have any enquiries about this matter, I have arranged for Ms Kylie Dorsett, Senior Planning Officer, Central Coast and Hunter to assist you. Ms Dorsett can be contacted on 9995 6666.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Simpkins', followed by a horizontal line extending to the right.

*7 September 2023*

**Dan Simpkins**

**Director, Central Coast and Hunter**

**Local and Regional Planning**