

The Department of Planning, Housing and Infrastructure (Department) issued a Gateway Determination on 22 December 2023. Since this time the planning proposal and supporting documents have been updated in accordance with the Gateway conditions. An assessment against the Gateway Determination has been undertaken (see **Table 1**).

The Planning Proposal Authority (PPA) team is satisfied that the planning proposal and supporting documents have been amended to meet the conditions of the Gateway determination and the planning proposal can be placed on to public exhibition.

Table 1 - Summary Against Gateway Determination

Gateway Condition	Assessment
<ul style="list-style-type: none"> The Planning Proposal is to be updated prior to public exhibition to: 	<p>Condition met. See details below.</p>
<ul style="list-style-type: none"> Confirm the number of Aboriginal Heritage site/s affected by the planning proposal and if they should be listed and mapped in the CCLEP 2022. If not, identify any appropriate provisions currently in place for their protection, and update Ministerial Direction 3.2 as appropriate. 	<p>Condition met. Ministerial Direction 3.2 has been updated and includes the proposed management approach for the site identified in the proposed C4 Environmental Living Zone. On 1 May 2024, Heritage NSW confirmed they agreed with the management recommendations outlined in the ACHAR.</p>
<ul style="list-style-type: none"> Include an assessment of the proposal against the Draft Central Coast Local Housing Strategy (January 2023). 	<p>Condition met. On 28 May 2024, Council adopted the Central Coast Local Housing Strategy. This has now been forwarded to the Department for endorsement. To date, the Strategy is with the Department for endorsement – see pp20-21 of the planning proposal. The planning proposal includes discussion of its consistency with the Strategy.</p>
<ul style="list-style-type: none"> Update the name of Direction 9.1 from Primary Production to Rural Zones. 	<p>Condition met. Planning Proposal updated – see page 44.</p>
<ul style="list-style-type: none"> Provide additional information against 9.2 Rural lands to confirm consistency with the Direction. 	<p>Condition met. The planning proposal has provided an updated response addressing its consistency with Section 9.1 Direction 9.2 Rural Lands – see pp 44-46. It is noted that NSW Department of Primary Industries do have not raised any concerns with the planning proposal, including impact on agricultural land – see PP Appendix H.</p>
<ul style="list-style-type: none"> Include the NSW RFS comments (July 2023) as part of the exhibition material. 	<p>Condition met. The NSW RFS submission found at Appendix H of the planning proposal.</p>

Assessment Against Gateway Determination

PP-2023-2340



<ul style="list-style-type: none"> Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows: 	Central Coast Council has provided a suggested list of adjoining and affected landowners to consult.
<p>a. the planning proposal is categorised as complex as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working days; and</p>	Proposed public exhibition is from 30 October to 11 December 2024.
<ul style="list-style-type: none"> 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 Guideline (Department of Planning and Environment, August 2023). 	Exhibition complies with requires in the LEP Making Guidelines and the EP&A Act 1979.
<p>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:</p> <ul style="list-style-type: none"> NSW Environment and Heritage Heritage NSW Transport for NSW NSW Department of Primary Industries Hunter Water Corporation Central Coast Council Relevant utility providers <p>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 40 working days to comment on the proposal.</p>	<p>Consultation with agencies was undertaken in April 2024 and responses from all agencies have been received and can be found at Appendix H of the Planning Proposal.</p> <p>No objections were received from any agencies, noting the following key points from Central Coast Council and Biodiversity Conservation and Science Group.</p> <p><u>BCSG</u> - referred to their previous comments from July 2023, noting these are still relevant. The recommendations referred to the BCAR process.</p> <p>BCS considered the inconsistency with Ministerial Direction 3.1 to be minor and justified.</p> <p><u>Council</u> – raised concerns for the impacts on Endangered Ecological Communities and on-site wastewater treatment impacts for the nearby upland swap areas. Council stressed the need to address wastewater concerns at the planning proposal stage.</p>
<ul style="list-style-type: none"> 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 the Panel from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land). 	Noted.
<ul style="list-style-type: none"> The LEP should be completed by 20 January 2025. 	Noted.