

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2023-1899)

I, Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 17 December 2024 (since altered) for the proposed amendment to the Central Coast Local Environmental Plan 2022 as follows:

1. Delete:

“I, the Acting Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, 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 *Central Coast Local Environmental Plan 2022* to apply amended height and FSR controls to land at 310 Terrigal Drive, Terrigal, and introduce ‘retail premises’ with a maximum GFA of 150m² as an additional permitted use on the site, should not proceed for the following reasons.”

and points 1-3.

And replace with:

I, the Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, 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 *Central Coast Local Environmental Plan 2022* to apply amended height and FSR controls to land at 310 Terrigal Drive, Terrigal, and introduce ‘retail premises’ with a maximum GFA of 150m² as an additional permitted use on the site should proceed subject to the following.

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.

The LEP should be completed on or before 30 April 2026.

Gateway Conditions

1. 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 Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
2. 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 Department of Primary Industries and Regional Development – Fisheries
 - NSW Environment Protection Agency
 - Commissioner of the NSW Rural Fire Service.

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 working days to comment on the proposal.
3. 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).

Dated 2nd day of August 2025.



Daniel Thompson
Executive Director, Local Planning and
Council Support
Planning, Land Use Strategy, Housing
and Infrastructure
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces