



Planning & Environment

Mr Paul Anderson
General Manager
Gosford City Council
PO Box 21
GOSFORD NSW 2250

Attn: Brian McCourt

Contact: Ben Jones
Phone: (02) 4348 5000
Fax: (02) 4323 6573
Email: ben.jones@planning.nsw.gov.au
Postal: PO Box 1148, Gosford NSW 2250
Our ref: PP_2014_GOSFO_004_00 (14/07568)

Dear Mr Anderson,

Planning Proposal to amend Gosford Local Environmental Plan (LEP) 2014

I refer to Council's request for a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to permit the "*recreation facility (indoor)*" land use on lands zoned B6 – Enterprise Corridor Zone.

As delegate of the Minister for Planning and Environment, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending LEP is to be finalised within 6 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

Attached for your assistance are the reporting requirements to ensure that the LEP Tracking System is kept updated.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any questions regarding this matter, please contact Ben Jones of Planning and Environment's Gosford Office on 4348 5003.

Yours sincerely,

6 June 2014
David Rowland
General Manager
Hunter and Central Coast Region

Encl: Gateway Determination, Written Authorisation to Exercise Delegation, Delegated Plan Making Reporting Template

Hunter and Central Coast Region – Central Coast Office - Level 3 107-109 Mann Street (PO Box 1148) Gosford NSW 2250
Phone 02 4348 5000 Fax 02 4323 6573 Website planning.nsw.gov.au

Gateway Determination

Planning proposal (Ref: PP_2014_GOSFO_004_00): to permit the "recreation facility (indoor)" land use on lands zoned B6 – Enterprise Corridor Zone.

I, the General Manager Hunter and Central Coast Region, Growth Planning and Delivery at Planning and Environment as delegate of the Minister for Planning and Environment, have determined under section 56(2) of the EP&A Act that an amendment to Gosford Local Environmental Plan to permit the "recreation facility (indoor)" land use on lands zoned B6 – Enterprise Corridor Zone, should proceed subject to the following conditions:

1. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant section 117 Directions:
 - Rural Fire Service (4.4 Bush Fire Prone Land)

Each public authority is to 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. Public authorities may request additional information or additional matters to be addressed in the planning proposal. Once the consultation is undertaken with the public authorities, and information is provided, Council is to update its consideration of section 117 Directions.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **14 days**; and
 - (b) the relevant planning 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 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Infrastructure 2013).
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 6th day of June 2014.



David Rowland
General Manager
Hunter and Central Coast Region
Department of Planning and Environment
Delegate of the Minister of Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Gosford City Council is authorised to exercise the functions of the Minister for Planning and Environment under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2014_GOSFO_004_00	Planning proposal to permit the " <i>recreation facility (indoor)</i> " land use on lands zoned B6 – Enterprise Corridor Zone.

In exercising the Minister's functions under section 59, the Council must comply with the Department's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 6th June 2014



David Rowland
General Manager
Hunter and Central Coast Region
Growth Planning and Delivery
Department of Planning and Environment