



Mr Rob Noble
Chief Executive Officer
Central Coast Council
PO Box 21
GOSFORD NSW 2250

Our ref: PP_2017_CCOAS_002_00 (17/03543)

Attention: Ben Rankmore

Dear Mr Noble

Planning proposal to amend Gosford Local Environmental Plan 2014

I am writing in response to Council's letter received 24 February 2017 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to rezone land for residential purposes at 1 Reads Road, Wamberal.

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

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with S117 Direction 2.1 Environment Protection Zones is of minor significance. No further approval is required in relation to this Direction.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant S117 Directions. Council should ensure this occurs prior to the plan being made.

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 Local Environmental Plan (LEP) is to be finalised within 9 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 of Planning and Environment for administrative purposes.

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 Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Ms Corrine Manyweathers of the Department's regional office to assist you. Ms Manyweathers can be contacted on (02) 4345 4404.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', with a stylized, cursive script.

21/3/2017

Monica Gibson

**Director Regions, Hunter and Central Coast
Planning Services**

Encl:

Gateway Determination

Written Authorisation to Exercise Delegation

Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2017_CCOAS_002_00): to rezone land for residential purposes at 1 Reads Road, Wamberal.

I, the Director Regions, Hunter and Central Coast at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Gosford Local Environmental Plan (LEP) 2014 to rezone land from 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) in Gosford Interim Development Order No. 122 for residential purposes and include relevant development standards in Gosford Local Environmental Plan 2014 at 1 Reads Road, Wamberal should proceed subject to the following conditions:

1. Council is to update the planning proposal prior to public exhibition to:
 - identify in the 'explanation of provisions' the subject land is to be included in the Land Application Map;
 - remove the references to the Central Coast Regional Strategy and S117 Direction 5.1 Implementation of Regional Strategies;
 - include discussion on zone and lot size options and justification for the preferred option. This is to include consideration of the appropriateness of other land uses which will be made permissible under the selected zone; and
 - include discussion on the consistency of the proposal with Council's Environmental Lands and Urban Edge Review, Council's proposed consolidated LEP and Council's strategy for zoning of adjacent deferred land.
2. Additional information regarding the below matters is to be placed on public exhibition with the planning proposal:
 - water and sewer system capacity analysis.
3. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. If required, Council is to prepare an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone. This report is to be included as part of the public exhibition material.
4. Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the following S117 Directions:
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 5.10 Implementation of Regional Plans

5. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal and 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 LEPs (Department of Planning and Environment 2016)*.
6. No consultation is required with public authorities under section 56(2)(d) of the Act.
7. A public hearing is not required to be held into the matter by any person or body under section 56(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).
8. The timeframe for completing the LEP is to be **9 months** from the week following the date of the Gateway determination.

Dated 21st day of March 2017



Monica Gibson
Director Regions, Hunter and Central
Coast
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Central Coast Council is authorised to exercise the functions of the Minister for Planning 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_2017_CCOAS_002_00	Planning proposal to rezone land for residential purposes at 1 Reads Road, Wamberal.

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

Dated 21st March 2017



Monica Gibson
Director Regions, Hunter & Central Coast
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified.

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP 2017 CCOAS_002_00
Date Sent to DoP&E under s56	24 February 2017
Date considered at LEP Review Panel (if applicable)	N/A
Gateway determination date	21 st March 2017

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: