

## Gateway Determination

***Planning proposal (Department Ref: PP-2021-4927): to rezone the site to enable industrial development and environmental conservation lands***

I, the Director, Central Coast and Hunter Region at the Department of Planning, Industry and Environment, 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 Interim Development Order No 122 to rezone the site from 7(a) Conservation and Scenic Protection (Conservation) to E2 Environmental Conservation and IN1 General Industrial under the *Gosford Local Environmental Plan 2014* or *Central Coast Local Environmental Plan*, whichever is in effect at the time, and apply development standards, should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be updated to:
  - a. include analysis to adequately demonstrate consistency with section 9.1 Ministerial direction 2.3 Heritage Conservation;
  - b. consider consistency with section 9.1 Ministerial direction 4.4 Planning for Bushfire Protection following an update to the bushfire assessment report prepared in accordance with Planning for Bushfire Protection 2019 and consultation with the NSW Rural Fire Service.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**;
  - (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 section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018); and
  - (c) Public exhibition is to commence by **1 February 2022**.
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Ministerial directions:
  - a. NSW Rural Fire Service; and
  - b. Biodiversity Conservation Division.

Each public authority/organisation 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.

4. 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).
5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions 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 section 9.1 Ministerial directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 11<sup>th</sup> day of October 2021.



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

**Delegate of the Minister for Planning and**  
**Public Spaces**