



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

Our ref: PP_2017_CCOAS_007_00 (17/08392)
Your ref: RZ/91/2016

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Dear Mr Noble

Planning Proposal to amend Gosford Local Environmental Plan 2014

I am writing in response to your Council's Planning Proposal received 15 June 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 delete reference to a maximum floor space for Additional Permitted Uses on land at 356 and 392 Manns Road, West Gosford.

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 section 117 Direction 4.2 Mine Subsidence and Unstable Land and 4.3 Flood Prone Land are of minor significance. No further approval is required in relation to these Directions.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 117 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 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 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 Mr Garry Hopkins of the Department's regional office to assist you. Mr Hopkins can be contacted on (02) 4345 4400.

Yours sincerely

 6 July 2017
Stephen Murray
Executive Director Regions
Planning Services

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

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CCOAS_007_00): to delete reference to a maximum floor space for Additional Permitted Uses on land at 356 and 392 Manns Road, West Gosford.

I, the Executive Director, Regions 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 delete reference to a maximum floor space for Additional Permitted Uses on land at 356 and 392 Manns Road, West Gosford should proceed subject to the following conditions:

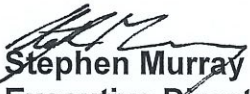
1. Council is to update the Planning Proposal prior to community consultation to:
 - remove reference to Lot 18 DP 270678;
 - consider the potential impacts of changes to the maximum floor space in relation to traffic, public transport and impacts on the wider commercial centres, including Gosford, CBD; and
 - discuss the suitability for also listing 'business premises' as an Additional Permitted Use at the "Hometown site".
2. Council is to update the Planning Proposal to demonstrate consistency with the following section 117 Directions after supporting information has been obtained and/or following agency consultation:
 - 3.4 Integrating Land Use and Transport; and
 - 4.4 Planning for Bushfire Protection.
3. Community consultation is required under sections 56(2)(c) and 57 of the 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 Environment 2016).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:
 - NSW Rural Fire Service; and
 - Transport for NSW – Roads and Maritime Services.

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.

5. 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).
6. 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 July 2017

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Stephen Murray
Executive Director Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

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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_007_00	Planning Proposal to delete reference to a maximum floor space for Additional Permitted Uses on land at 356 and 392 Manns Road, West Gosford.

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 6 July 2017



Stephen Murray
Executive Director Regions
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning