

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CCOAS_006_00): to rezone surplus government land at Mooney Mooney including Peat Island.

I, the Deputy Secretary, Planning Services 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 surplus government land at Mooney Mooney including Peat Island, should proceed subject to the following conditions:

1. Council is to update the Planning Proposal prior to community consultation to:
 - attach, refer to and outline the findings of all supporting studies, where appropriate, including the 'Urban Design Report';
 - remove reference to Singleton Mill heritage item as this is not located at this site;
 - confirm all affected lots and include a map that identifies the site, lot boundaries and lot numbers;
 - consider and discuss the suitability of alternative approaches for achieving the proposal's intent, such as applying alternative zones or inserting new land uses in the land use tables to permit additional uses at the site rather than relying on the use of Schedule 1 – Additional Permitted Uses;
 - discuss the need for updated heritage schedules, if appropriate; and
 - confirm the proposed planning provisions, including zones, zone boundaries and planning controls, following completion of agency consultation and resolution of issues; and
 - prepare a complete set of maps clearly showing the proposed LEP amendments.

Council is to forward the amended Planning Proposal to the Department for review prior to community consultation.

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:
 - 1.1 Business and Industrial Zones;
 - 1.4 Oyster Aquaculture;
 - 2.1 Environment Protection Zones;
 - 2.2 Coastal Protection;
 - 2.3 Heritage Conservation;
 - 3.1 Residential Zones;
 - 3.4 Integrating Land Use and Transport;
 - 4.1 Acid Sulfate Soils;
 - 4.3 Flood Prone Land;
 - 4.4 Planning for Bushfire Protection;

- 5.10 Implementation of Regional Plans;
 - 6.2 Reserving Land for Public Purposes;
 - 6.3 Site Specific Provisions;
 - SEPP 19 Bushland in Urban Areas;
 - SEPP 55 Remediation of Land;
 - SEPP 62 Sustainable Aquaculture;
 - SEPP 71 Coastal Protection;
 - SREP 20 Hawkesbury Nepean River; and
 - Draft SEPP Coastal Management.
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 **28 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:
- Office of Environment and Heritage;
 - National Parks and Wildlife Service;
 - NSW Department of Primary Industries – Fisheries;
 - NSW Department of Primary Industries – Water;
 - Transport for NSW;
 - Transport for NSW – Roads and Maritime Services;
 - NSW Rural Fire Service;
 - Darkinjung Local Aboriginal Land Council;
 - Guringai Tribal Link;
 - Fire and Rescue NSW;
 - Ambulance Service of NSW;
 - NSW Police Force;
 - State Emergency Services;
 - Hornsby Shire Council;
 - NSW Health;
 - NSW Education and Communities;
 - Crown Lands;
 - Ausgrid;
 - Transgrid;
 - Relevant river user and industry groups such as River Rescue and local oyster producer association; and
 - Lower Hawkesbury community groups.



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 **18 months** from the week following the date of the Gateway determination.

Dated *10th* day of *August* 2017

Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning