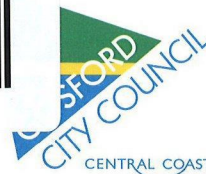


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Please Quote:

86.388

Brian McCourt:kjw

15 December 2010

Gosford City Council

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Regional Director
Hunter and Central Coast Region
Department of Planning
PO Box 1148
GOSFORD NSW 2250

Dear Sir/Madam

Re: Planning Proposal for Lot 2 DP 1111392, Lots 8 & 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 381971 Kings Avenue, Terrigal – Parkside Home Business Park

Council at its meeting of 14 December 2010 resolved;

- "A Council initiate the Local Environmental Plan 'Gateway' process pursuant to Section 55 Environmental Planning and Assessment Act by endorsing the preparation of a Planning Proposal for Lot 2 DP 1111392, Lots 8 & 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 381971 Kings Avenue, Terrigal and forwarding it to the Department of Planning requesting a 'Gateway' determination pursuant to Section 56(1) Environmental Planning and Assessment Act.
- B The applicant be advised of Council's resolution.
- C Council resolve to prepare a Development Control Plan for Lot 2 DP 1111392, Lots 8 & 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 381971 Kings Avenue, Terrigal and this plan be placed on exhibition with any draft LEP prepared for this land.
- D Council resolve to amend Contributions Plan No. 42 to include for Lot 2 DP 1111392, Lots 8 & 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 381971 Kings Avenue, Terrigal to include and this plan be placed on exhibition with any draft LEP prepared for this land.
- E That a draft Voluntary Planning Agreement for Lot 2 DP 1111392, Lots 8 & 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 381971 Kings Avenue, Terrigal be placed on exhibition with any draft LEP prepared for this land.

- F That a draft of the Community Plan for Lot 2 DP 1111392, Lots 8 & 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 381971 Kings Avenue, Terrigal be placed on exhibition with any draft LEP prepared for this land.*
- G Prior to the draft LEP being forwarded to the Department of Planning for its making after the consideration of submissions received in response to the public exhibition of the above documents, the owner enter into a legal agreement for the transfer of land to be dedicated to Council."*

It should be noted that this is a draft pending amending LEP that Council is requesting to be converted to a Planning Proposal under Planning Circular PS 09-015 and Department correspondence dated 29 September 2010. The Department of Planning was notified under Section 54 of the Act by correspondence dated 21 July 2006 that Council had resolved to prepare a draft plan. No Section 65 certificate has been issued for the draft plan.

The draft pending amending plan has been accompanied by an environmental study under the former S57 of the EPA Act. The environmental study and the draft plan have been forwarded to relevant Government Authorities under the former S62 of the EPA Act. Comments from these authorities have provided for your information. Council considers that the economic benefits of the Planning Proposal provide justification for the Planning Proposal being prepared prior the completion of draft Gosford LEP 2009.

Please also find attached the Planning Proposal, Council report and resolution

Council would request that the Planning Proposal be referred to the LEP Review Panel for determination under the "Gateway Process".

Please contact Mr Brian McCourt on 43258260 for further information in relation to the above matter.

Yours faithfully



Brian McCourt
Senior Landuse Planner
Integrated Planning