



Planning & Environment

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
Wyong NSW 2259

Our ref: PP_2014_WYONG_009_00
Your ref: 14/15027

Attn: Peter Kavanagh

Dear Mr Whittaker

Planning Proposal PP_2014_WYONG_009_00 – Alteration of Gateway Determination

I refer to your letter in relation to revisions to Planning Proposal PP_2014_WYONG_009_00 to rezone land for the purposes of a regional sporting facility, community uses and heritage and environmental conservation, at the Pioneer Dairy Site, Lake Road, Tuggerah.

I have determined as the delegate of the Minister, in accordance with section 56(7) of the Environmental Planning and Assessment Act, 1979, to alter the Gateway determination dated 10 October 2014 for PP_2014_WYONG_009_00. The Alteration of the Gateway determination is enclosed and replaces the Alteration of the Gateway determination issued in error on 21 May 2015.

I have also agreed the Planning Proposal's inconsistencies with S117 Directions 2.1 Environment Protection Zones, 4.1 Acid Sulfate Soils and 4.4 Planning for Bushfire Protection are of minor significance. In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the alteration and creation of land for public purposes on the basis it will provide additional cultural and recreational facilities. 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 S117 Directions. Council should ensure this occurs prior to the plan being made.

If you have any questions in relation to this matter, please contact Glenn Horal at the Department's Gosford office on 4348 5000.

Yours sincerely

26 May 2015

David Rowland
General Manager
Hunter and Central Coast Region
Planning Services

Encl: Alteration of Gateway Determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2014_WYONG_009_00):

I, General Manager, Hunter and Central Coast Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(7) of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") to alter the Gateway determination dated 10 October 2014 for the proposed amendment to the Wyong Local Environmental Plan 2013 as follows:

1. Change the name of the Local Environmental Plan being amended:

from I, the General Manager, Hunter and Central Coast Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Wyong Local Environmental Plan (LEP) 2014 to rezone land from IN1 General Industrial and E3 Environmental Management to RE1 Public Recreation and amend Heritage, Lot Size and Lot Amalgamation Maps at the Pioneer Dairy Site, Lake Road, Tuggerah for the purposes of a regional sporting facility, community uses and heritage and environmental conservation should proceed subject to the following conditions:

to I, the General Manager, Hunter and Central Coast Region at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Wyong Local Environmental Plan (LEP) 2013 to rezone land from IN1 General Industrial and E3 Environmental Management to RE1 Public Recreation and amend Heritage, Lot Size and Lot Amalgamation Maps at the Pioneer Dairy Site, Lake Road, Tuggerah for the purposes of a regional sporting facility, community uses and heritage and environmental conservation should proceed subject to the following conditions:

2. Delete: "condition 4" and replace with:

a new condition 4 "Council is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with S117 Directions 4.3 Flood Prone Land prior to the plan being made."

3. Delete: "condition 8" and replace with:

a new condition 8 "The timeframe for completing the LEP is to be **15 months** from the week following the date of the Gateway determination."

4. Insert: new condition 9

"The planning proposal is to be updated to include a reduced RE1 Public Recreation Zone and apply a minimum lot size of 40ha to the E2 Environmental Conservation and E3 Environmental Management zoned land as shown on the relevant amended Land Zoning and Lot Size Maps in the revised planning proposal submitted by Council on 28 April 2015".

Dated 26 May 2015.

A handwritten signature in dark ink, appearing to read 'D. Rowland', is positioned above the printed name.

**David Rowland
General Manager
Hunter and Central Coast Region
Planning Services
Department of Planning and Environment**

Delegate of the Minister for Planning