



Mr Gary Murphy
Chief Executive Officer
Central Coast Council
49 Mann Street
GOSFORD NSW 2250

Dear Mr Murphy

Planning proposal (PP_2020_CCOAS_002_00) to amend *Wyong Local Environmental Plan 2013*

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 26 May 2020 in respect of the above planning proposal.

As delegate of the Minister for Planning and Public Spaces, I have now determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

The regional biodiversity corridor identified in the *Central Coast Regional Plan 2036* is also located on land to south owned by the Darkinjung Local Aboriginal Land Council. The site and the adjoining planning proposal to the south will combine to provide an appropriate biodiversity corridor for this area. The final boundary for the proposed E2 Environmental Conservation zone should be considered holistically in relation to both planning proposals.

The planning proposal should be updated to reflect an assessment against *State Environmental Planning Policy (Koala Habitat Protection) 2019*, which replaces the previous SEPP 44 – Koala Habitat Protection. The *State Environmental Planning Policy (Koala Habitat Protection) 2019* includes a new definition for 'core koala habitat', two maps to help protect koalas across NSW, and the most up-to-date tree species data.

Some clearing of vegetation would be required to facilitate the proposed development of the site. Any required offsetting should be identified prior to undertaking public exhibition.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant section 9.1 Ministerial directions:

- 2.1 Environmental Protection Zones;
- 3.1 Residential Zones;

- 3.2 Caravan Parks and Manufactured Home Estates;
- 4.2 Mine Subsidence and Unstable Land, and
- 4.4 Planning for Bushfire Protection.

Council should ensure this occurs prior to the amending local environmental plan being made.

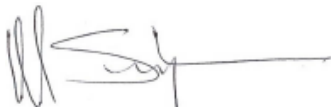
I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

Council's request to draft and finalise the local environmental plan should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The NSW Government is committed to reducing the time taken to complete local environmental plans 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr James Shelton to assist you. Mr Shelton can be contacted on 4904 2713.

Yours sincerely



28/07/2020

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination
Authorised plan-making reporting template