

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

Our ref: PP_2016_CCOAS_002_00 (16/14240)

Attention: Peta James

Dear Mr Noble

Planning proposal to amend Gosford Local Environmental Plan 2014

I am writing in response to your Council's letter requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend Gosford City Centre Clause 8.9 Development Incentives.

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 consistency with S117 Directions 4.4 Planning for Bushfire Protection, relating to the need for consultation with the NSW Rural Fire Service, has previously been measured under Amendment 12 to Gosford LEP 2014. No further approval is required in relation to this Direction.

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.

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.

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.

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 Ms Louise Starkey of the Department's regional office to assist you. Ms Starkey can be contacted on (02) 4348 5000.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Monica Gibson', written in a cursive style.

18/11/2016
Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services

Encl:
Gateway Determination
Attachment 5 – Delegated Plan Making Reporting Template

Gateway Determination

Planning proposal (Department Ref: PP_2016_CCOAS_002_00): to amend Gosford City Centre Clause 8.9 Development Incentives.

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 amend Gosford City Centre Clause 8.9 Development Incentives should proceed subject to the following conditions:

1. 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)*.
2. No consultation is required with public authorities under section 56(2)(d) of the Act.
3. 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).
4. The timeframe for completing the LEP is to be **6 months** from the week following the date of the Gateway determination.

Dated 18th day of November 2016



Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

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_2016_CCOAS_002_00 | Planning proposal to amend Gosford City Centre Clause 8.9 Development Incentives. |

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 18th November 2016



Monica Gibson
Director Regions, Hunter and Central Coast
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

| Stage | Date/Details |
|-------------------------------------|----------------------|
| Planning Proposal Number | PP_2016_CCOAS_002_00 |
| Date Sent to DoP&E under s56 | 2 November 2016 |
| Date considered adequate | 7 November 2016 |
| Date considered at LEP Review Panel | N/A |
| Gateway determination date | 18 November 2016 |

Table 2 – To be completed by the RPA

| Stage | Date/Details | Notified Reg Off |
|---|--------------|------------------|
| Dates draft LEP exhibited | | |
| Date of public hearing (if held) | | |
| Date sent to PCO seeking Opinion | | |
| Date Opinion received | | |
| Date Council Resolved to Adopt LEP | | |
| Date LEP made by GM (or other) under delegation | | |
| Date sent to DoP&E requesting notification | | |

Table 3 – To be completed by Department of Planning and Environment

| Stage | Date/Details |
|-------------------------------|--------------|
| Notification Date and details | |

Additional relevant information: