

17 October 2019



Planning Proposal PP_2015_WYONG_009_00 Request Amended Gateway Determination and Extension of Time for Making of LEP

Council is seeking an amended gateway determination for PP_2015_WYONG_009_00 which includes the following key changes:

- Removal of the E2 Environmental Conservation zone from the planning proposal
- Removal of the reclassification of Council owned land from the planning proposal
- Request that Council delegation be granted for the making of the LEP
- Request an extension of time for the making of the LEP

I refer to your letter dated 13th December 2018 in relation to the abovementioned planning proposal, granting a second alteration to the Gateway Determination. Council is seeking an extension of time to this determination and subsequently a further amendment to Condition 11 of the Gateway Determination that requires the completion of the LEP by 30th November 2019. The deadline is unlikely to be achieved as a consequence of extenuating circumstances that have prevented the progress of this proposal, as follows;

1. The Applicant has changed since the granting of the Gateway Determination extension and Council were notified of this on the 21 March 2019. This change of ownership of the project has occurred due to the financial hardship of the previous applicant, which has contributed to the delay in the preparation of the specialist reports as requested in the determination.

2. The request to prepare an Aboriginal Cultural Heritage Assessment, given the nature of the document and the consultation requirements would normally require a time frame of up to 6 months to allow completion. The new Applicant has had this assessment undertaken, however this has ultimately delayed further the preparation of the LEP.

3. The requested ecological investigations were delayed by the nature of a seasonally based survey needing to be undertaken. These investigations further relied upon survey work to be completed by the Department of Planning for the Strategic Conservation Planning Project. We are advised that the surveys were conducted by Umwelt Environmental Consulting during February 2019. Following communication with the Department on the 9th May 2019, we were advised that the draft would be made available to Council. The new Applicant has now had these investigations undertaken subsequent to this information being made available, however this process has ultimately delayed the preparation of the LEP.

4. Removal of a component of land from the original proposal as a result of consultation undertaken between the proponent and Council. This has resulted in the need to update the documentation previously submitted.



5. Clarification around a number of matters relating to 50W Parraweena Road, including the current classification of the land, the necessary steps to reclassify the land, and the potential need for a new resolution under an amalgamated Council for the sale of the land have contributed to the delay in preparing the LEP.

I trust the above demonstrates the unusual circumstances that has prevented the timely preparation of the LEP in accordance with the Gateway Determination, as previously amended. It is therefore requested that you use your delegation, in accordance with section 3.34(7) of the *Environmental Planning & Assessment Act 1979*, to alter the Gateway Determination dated 30 September 2015 PP_2015_WYONG_009_00 (as altered) to allow a further extension of time.

Should you wish to discuss this matter further please contact Rianan Rush, Senior Strategic Planner on 4350 5523.

Yours sincerely,



Rianan Rush

Senior Strategic Planner, Urban Planning and Development
CENTRAL COAST COUNCIL

