



Planning



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Department Generated Correspondence (Y)

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Our ref: PP_2011_GOSFO_001_00 (10/25209)
Your ref: 86.881

Dear Mr Wilson,

Re: Planning Proposal to rezone land at 15 Kurrawyba Avenue, Terrigal (Lots 9 & 10 DP 7861) from 5(a) Special Uses (Church) to 3(a) Business (General)

I am writing in response to your Council's letter dated 22 December 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Gosford Planning Scheme Ordinance to rezone land at 15 Kurrawyba Avenue, Terrigal (Lots 9 & 10 DP 7861) from 5(a) Special Uses (Church) to 3(a) Business (General). As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

The Planning Proposal is to address section 117 Direction 2.3 Heritage Conservation to ensure the building and grounds do not contain any heritage significance. Consideration to the Heritage Direction is to be included in the exhibition material.

The Planning Proposal is to be amended prior to exhibition as follows:

- Part 2 Explanation of Provisions – details of the maps submitted should be included in Part 2.
- Part 3 Justification – delete the two paragraphs referencing the Central Coast Regional Strategy, as this is discussed later in the planning proposal and is not required in this section.
- Section 117 Direction 5.1 – the typing error be amended which references guideline section 'B1', which should read 'B4'.

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 within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Glenn Horal of the Regional Office of the Department on 02 4348 5000.

Yours sincerely,



10/2/11

Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal

Gateway Determination

Planning Proposal (Department Ref: PP_2011_GOSFO_001_00): to rezone land at 15 Kurrawyba Avenue, Terrigal (Lots 9 & 10 DP 7861) from 5(a) Special Uses (Church) to 3(a) Business (General).

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Gosford Planning Scheme Ordinance to rezone land at 15 Kurrawyba Avenue, Terrigal (Lots 9 & 10 DP 7861) from 5(a) Special Uses (Church) to 3(a) Business (General) should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. No consultation is required with public authorities under section 56(2)(d) of the EP&A 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 EP&A 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

10th

day of

February

2011.



Tom Gellibrand
Deputy Director General
Plan Making & Urban Renewal
Delegate of the Minister for Planning