



PP_2013_GOSFO_004_00 (SF19/37253)

Mr Gary Murphy
Chief Executive Officer
Central Coast Council
PO Box 21
GOSFORD NSW 2250

Dear Mr ~~Murphy~~ Gary

**Planning proposal PP_2013_GOSFO_004_00 – Alteration of Gateway
Determination**

I refer to your letter in relation to revisions to planning proposal PP_2013_GOSFO_004_00 to rezone land for residential, environmental conservation and public recreation purposes at Central Coast Highway and Bakali Road, Forresters Beach.

I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 21 August 2013 for PP_2013_GOSFO_004_00 (since altered). The Alteration of Gateway determination is enclosed.

In relation to section 9.1 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the creation of land for public purposes on the basis it will fulfill a need identified by Council to provide a local park in the area. No further approval is required in relation to this Direction.

I note Council has taken significant steps in resolving to progress the altered planning proposal. I encourage Council to continue to actively manage the proposal and schedule public exhibition and Council meeting dates in advance to ensure the planning proposal is finalised in accordance with the revised project timeline. I will only consider any further requests to extend the timeframe for completion where it can be demonstrated that exceptional circumstances have delayed progress.

If you have any questions in relation to this matter, I have arranged for Mr Glenn Hornal to assist you. Mr Hornal can be contacted on 4345 4409.

Yours sincerely

31/05/2019

Greg Sullivan
Director Operations, Central Coast
Planning Services

Encl: Alteration of Gateway Determination

Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2013_GOSFO_004_00)

I, the Director Operations, Central Coast at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 21 August 2013 (since altered) for the proposed amendment to the Gosford Interim Development Order 122 and Gosford Planning Scheme Ordinance and the draft Gosford Local Environmental Plan (LEP) 2009 as follows:

1. Change the name of the planning proposal:

from "to rezone land at Forresters Beach for residential and environmental purposes."

to "to rezone land for residential, environmental conservation and public recreation purposes."

2. Change the description of the planning proposal:

from "an amendment to the Gosford Interim Development Order 122 and Gosford Planning Scheme Ordinance to rezone land at Central Coast Highway and Bakali Road, Forresters Beach to 2(a) Residential and 7(a) Conservation and Scenic Protection (Conservation) or rezone the land to R2 Low Density Residential and E2 Environmental Conservation and amend applicable development standards under draft Gosford Local Environmental Plan (LEP) 2009"

to "an amendment to Gosford Local Environmental Plan 2014 or the draft Central Coast Local Environmental Plan to rezone the land at Central Coast Highway and Bakali Road, Forresters Beach to R2 Low Density Residential, E2 Environmental Conservation and RE1 Public Recreation and amend relevant development standards"

3. Delete: Condition 1

And replace with a new condition 1:

"1. Prior to public exhibition Council is to update the explanation of provisions to remove the reference to drainage works permissibility in E2 and R2 zones given development for the purposes of stormwater management systems by or on behalf of a public authority is permitted without consent on any land under SEPP (Infrastructure) 2007."

4. Delete: Condition 2

And replace with a new condition 2:

"2. Once Council has undertaken consultation with public authorities and obtained relevant information on land capability, traffic, environment, flooding, water quality and bushfire, it is to update the planning proposal to include sufficient additional information to adequately demonstrate consistency or justify any inconsistency with the below Section 9.1 Directions and other relevant documents and policies:

- 2.1 Environment Protection Zones
- 2.2 Coastal Management
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 5.10 Implementation of Regional Plans
- State Environmental Planning Policy - Coastal Management 2018
- Central Coast Regional Plan

5. Delete: Condition 3

and replace with a new condition 3:

"3. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the planning proposal 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 6.5.2 of A guide to preparing local environmental plans (Department of Planning and Environment 2018).

6. Delete: Condition 4

and replace with a new condition 4:

"4. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- NSW National Parks and Wildlife Service
- Transport for NSW – Roads and Maritime Services
- NSW Rural Fire Service
- Office of Environment and Heritage

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

7. Delete: Condition 5

and replace with a new condition 5:

"5. A public hearing is not required to be held into the matter by any person or body under section 3.34(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).

8. Delete: condition 6

and replace with a new condition 6:

"6. The time frame for completing the LEP is by 21 February 2020."

9. Insert: new condition 7

"7. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
- (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities."

Dated 31st day of May 2019.



Greg Sullivan
Director Operations, Central Coast
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces