

Department of Planning, Housing and Infrastructure

Our ref: IRF24/2814 / PP-2023-1899

Mr David Farmer
Chief Executive Officer
Central Coast Council
PO Box 20
WYONG NSW 2259

17 December 2024

Subject: Planning proposal PP-2023-1899 to amend Central Coast Local Environmental Plan 2022

Dear Mr Farmer

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) on in respect of the planning proposal PP-2023-1899 which seeks to amend the Central Coast Local Environmental Plan 2022 to apply amended height and FSR controls to land at 310 Terrigal Drive, Terrigal, and introduce 'retail premises' with a maximum GFA of 150m² as an additional permitted use on the site.

As delegate of the Minister for Planning and Public Spaces, I have determined that the planning proposal should not proceed under section 3.34(2) of the *Environmental Planning and Assessment Act 1979*, as the proposal has not demonstrated adequate strategic or site-specific merit.

In summary, the Department has determined that:

- The proposal has not adequately demonstrated alignment with the NSW strategic planning framework as it does not adequately give effect to the Central Coast Regional Plan 2041.
- The proposal is inconsistent with Direction 4.1 Flooding as it contains provisions which seek to permit a significant increase in the potential density of development of a site located within a floodway area, which is significantly flood affected during the 1% AEP event and subject to high flood hazard during the PMF event. The proposal has not provided sufficient justification to demonstrate consistency with the Direction.

The rationale for this decision is further discussed in the Department's Gateway assessment report.

Department of Planning, Housing and Infrastructure

Should you have any enquiries about this matter, Ms Angela Hynes, Manager (North, East and Central Coast) at the Department can be contacted on (02) 9860 1558 or via email angela.hynes@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "D Thompson", on a light blue background.

Daniel Thompson
A/Executive Director
Local Planning and Council Support

Encl: Gateway determination