

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

Our ref: PP_2017_CCOAS_006_00 (17/06254)

Dear Mr Noble

Planning Proposal to amend Gosford Local Environmental Plan 2014

I am writing in response to your Council's Planning Proposal received 15 June 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the Planning Proposal for Mooney Mooney and Peat Island.

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.

Council may still need to obtain the agreement of the Department's Secretary to comply with the requirements of relevant section 117 Directions. Council should ensure this occurs prior to the plan being made.

I am aware that there is considerable community interest in the future of this site and note Council's resolution for 3 months community consultation. While the Gateway determination sets a minimum 28 day community consultation requirement, nothing prevents Council from undertaking further community consultation. I encourage Council and Property NSW to work collaboratively with the community to ensure all interested parties are aware of what is proposed and are provided with an opportunity to have their views considered.

I note also that while the supporting studies are sufficient to issue this conditional Gateway determination, a number of matters will still need to be addressed before the proposed zones and zone boundaries and supporting planning provisions can be confirmed. I have conditioned the Gateway determination to have the Planning Proposal resubmitted to the Department upon completion of agency consultation and resolution of issues and prior to community consultation commencing.

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 not to issue an authorisation for Council to exercise delegation to make this plan given the matter is considered to be of regional significance.

The amending Local Environmental Plan (LEP) is to be finalised within 18 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 Mr Garry Hopkins of the Department's regional office to assist you. Mr Hopkins can be contacted on (02) 4345 4400.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

10/08/2017
Encl:
Gateway Determination

Gateway Determination

Planning Proposal (Department Ref: PP_2017_CCOAS_006_00): to rezone surplus government land at Mooney Mooney including Peat Island.

I, the Deputy Secretary, Planning Services 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 rezone surplus government land at Mooney Mooney including Peat Island, should proceed subject to the following conditions:

1. Council is to update the Planning Proposal prior to community consultation to:
 - attach, refer to and outline the findings of all supporting studies, where appropriate, including the 'Urban Design Report';
 - remove reference to Singleton Mill heritage item as this is not located at this site;
 - confirm all affected lots and include a map that identifies the site, lot boundaries and lot numbers;
 - consider and discuss the suitability of alternative approaches for achieving the proposal's intent, such as applying alternative zones or inserting new land uses in the land use tables to permit additional uses at the site rather than relying on the use of Schedule 1 – Additional Permitted Uses;
 - discuss the need for updated heritage schedules, if appropriate; and
 - confirm the proposed planning provisions, including zones, zone boundaries and planning controls, following completion of agency consultation and resolution of issues; and
 - prepare a complete set of maps clearly showing the proposed LEP amendments.

Council is to forward the amended Planning Proposal to the Department for review prior to community consultation.

2. Council is to update the Planning Proposal to demonstrate consistency with the following section 117 Directions after supporting information has been obtained and/or following agency consultation:
 - 1.1 Business and Industrial Zones;
 - 1.4 Oyster Aquaculture;
 - 2.1 Environment Protection Zones;
 - 2.2 Coastal Protection;
 - 2.3 Heritage Conservation;
 - 3.1 Residential Zones;
 - 3.4 Integrating Land Use and Transport;
 - 4.1 Acid Sulfate Soils;
 - 4.3 Flood Prone Land;
 - 4.4 Planning for Bushfire Protection;

- 5.10 Implementation of Regional Plans;
 - 6.2 Reserving Land for Public Purposes;
 - 6.3 Site Specific Provisions;
 - SEPP 19 Bushland in Urban Areas;
 - SEPP 55 Remediation of Land;
 - SEPP 62 Sustainable Aquaculture;
 - SEPP 71 Coastal Protection;
 - SREP 20 Hawkesbury Nepean River; and
 - Draft SEPP Coastal Management.
3. 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 **28 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).
4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:
- Office of Environment and Heritage;
 - National Parks and Wildlife Service;
 - NSW Department of Primary Industries – Fisheries;
 - NSW Department of Primary Industries – Water;
 - Transport for NSW;
 - Transport for NSW – Roads and Maritime Services;
 - NSW Rural Fire Service;
 - Darkinjung Local Aboriginal Land Council;
 - Guringai Tribal Link;
 - Fire and Rescue NSW;
 - Ambulance Service of NSW;
 - NSW Police Force;
 - State Emergency Services;
 - Hornsby Shire Council;
 - NSW Health;
 - NSW Education and Communities;
 - Crown Lands;
 - Ausgrid;
 - Transgrid;
 - Relevant river user and industry groups such as River Rescue and local oyster producer association; and
 - Lower Hawkesbury community groups.



Each public authority 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.

5. 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).
6. The timeframe for completing the LEP is to be **18 months** from the week following the date of the Gateway determination.

Dated 10th day of August 2017

Marcus Ray
Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning



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

Gary
Dear Mr ~~Murphy~~

**Planning proposal PP_2017_CCOAS_006_00 – Alteration of Gateway
Determination**

I refer to Council's request for an extension of time to complete planning proposal PP_2017_CCOAS_006_00 for Mooney Mooney and Peat Island.

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 10 August 2017 for PP_2017_CCOAS_006_00. The Alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, I have arranged for Mr Garry Hopkins to assist you. Mr Hopkins can be contacted on 4345 4402.

Yours sincerely

Greg Sullivan
Director Operations
Central Coast

13/3/2019

Encl: Alteration of Gateway Determination



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2017_CCOAS_006_00)

I, the Director Operations, Central Coast at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 10 August 2017 for the proposed amendment to the Gosford Local Environmental Plan 2014 as follows:

1. Delete:

“condition 6”

and replace with:

a new condition 6 “The time frame for completing the LEP is by 17 June 2020.”

Dated 13th day of March 2019.

A handwritten signature in black ink, appearing to read "Greg Sullivan".

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

Delegate of the Minister for Planning



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

Dear Mr Murphy

Planning proposal PP_2017_CCOAS_006_00 – Alteration of Gateway Determination

I refer to your letter in relation to seeking an extension of time to complete planning proposal PP_2017_CCOAS_006_00 to rezone land at Mooney Mooney and Peat Island.

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 10 August 2017. The Alteration of Gateway determination is enclosed.

The Alteration of Gateway now provides for the timeframe for completing the local environmental plan to be 10 August 2021. This represents four years since the Gateway determination. Any requests for extensions beyond this timeframe would require substantial justification.

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 02 4345 4409.

Yours sincerely

25/06/2020

Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Alteration of Gateway Determination



Alteration of Gateway Determination

Planning proposal (Department Ref: PP_2017_CCOAS_006_00)

I, Director, Central Coast and Hunter Region at the Department of Planning, Industry 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 10 August 2017 (since altered) for the proposed amendment to the Gosford Local Environmental Plan 2014 as follows:

1. Delete:

“condition 6”

and replace with:

a new condition 6: “The timeframe for completing the LEP is by 10 August 2021”

Dated 25th day of June 2020.

A handwritten signature in black ink, appearing to read 'Dan Simpkins'.

Dan Simpkins
Director, Hunter and Central Coast Region
Planning and Assessment
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning and
Public Spaces