



Gateway Determination

Planning proposal (Department Ref: PP-2021-4795): to rezone land at The Entrance Road and Bakali Road, Forresters Beach for residential, environmental conservation and public recreation purposes.


I, the 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(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Gosford Local Environmental Plan 2014* or new Central Coast Local Environmental Plan to rezone land at 925–993 The Entrance Road and 137–145 Bakali Road Forresters Beach to R2 Low Density Residential, E2 Environmental Conservation and RE1 Public Recreation and amend relevant development standards should proceed subject to the following conditions:

1. The planning proposal is to be updated prior to community consultation by moving the reference and discussion on the proposed planning agreement from the section on 'objectives and intended outcomes' to the 'justification' section.
2. 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**;
 - (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); and
 - (c) public exhibition is to commence by **1 June 2022**.
3. 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 Ministerial directions:
 - Heritage NSW;
 - NSW Rural Fire Service; and
 - Transport for NSW.

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.

4. 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).
5. 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 Ministerial directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 20th day of October 2021.



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

Delegate of the Minister for Planning and
Public Spaces