



Central Coast Council

Planning Proposal

Lot B DP 321076 & Lot 2 DP 543135

73-75 Mann Street

Gosford

File No: RZ/114/2021, PP-2022-2064

February 2023



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Version 4

Central Coast Council

Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | **P** 1300 463 954 **E**

ask@centralcoast.nsw.gov.au |

W www.centralcoast.nsw.gov.au | ABN

73 149 644 003

Lot B DP 321076 and Lot 2 DP 543135
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Background and Locality Context

The site is located within the commercial core of Gosford City Centre. Located at the front of the site are vacant single storey commercial buildings with ground floor access to Mann Street, with car parking located to the rear. Henry Parry Drive, to the rear, is elevated and separated from the site by a steep embankment.

The parcels of land were acquired by Council by agreement under the framework of the Land Acquisition (Just Terms Compensation) Act. Under Part 2, Division 1 of the *Local Government Act (LG ACT) 1993*, all public land must be classified as either 'community' or 'operational'. The Local Government Act imposes different restrictions on the use, management, reclassification and disposal of Council owned land depending on whether it is classified as "operational" or "community" land.

The subject land is proposed to be reclassified under the *State Environmental Planning Policy (Gosford City Centre) 2018 (Gosford SEPP) (Precincts -Regional) 2021*. The wording and effect of Clause 5.30 of the Gosford SEPP is the same as Clause 5.2 of the *Central Coast Local Environmental Plan LEP 2022*, and the proposed reclassification will follow the same process as any other reclassification. The reclassification process for Council land is specified in Chapter 6 Part 2 of the *Local Government Act (LG Act) 1993*.

On 25 September 2019, Council resolved to withdraw from any further work on the Gosford Cultural Precinct and proceed with a stand-alone Regional Library. In 2020 as part of a review of assets, Council determined the properties were surplus to its needs. The intention of the reclassification process is to facilitate sale of the land to another party as it is not possible to sell the site while it is classified as community land. By disposing of land that is surplus to its needs Council will make it available to be repurposed or redeveloped by others with uses that contribute to the revitalisation of the Gosford City Centre.

The intention is to sell the property to the Minister administering the TAFE Commission Act for the purpose of including the land in the development of a major new TAFE campus on the subject land and adjoining land which will contribute to the revitalisation of the Gosford CBD and the activation of the Gosford waterfront.

- A draft contract has been issued to the Minister's representative.
- The contract is due for exchanged by December this year.
- A report to provide the necessary authority for Council to enter into the contract will be considered in December this year.
- The subject land is an integral part of the sale contract.

In the event that the sale to the Minister does not for any reason proceed, an alternative purchaser will be sought such as a government agency, a public institution or a developer committed to creating a landmark development that contributes to the revitalisation of the Gosford CBD and the activation of the Gosford waterfront.

The following adjacent and nearby properties, already classified as operational land, are also proposed for sale: 49-51 Mann Street Gosford 2250 (Lot 1 DP 251476), 49-51 Mann Street Gosford 2250 (Lot 1 DP564021), 53 Mann Street Gosford 2250 (Lot 3 DP 129268), 55-57 Mann Street Gosford (Lot 2 DP 129268), and 59-71 Mann Street Gosford (Lot 1 DP 129268). These sites are not affected by this Planning Proposal.



Figure 1 Site location and adjoining lands classified operational

Part 1 Objectives or Intended Outcomes

The objective of this Proposal is to reclassify the site (Lot B DP 321076 and Lot 2 DP 543135) from community land to operational land. Council no longer intends to locate community facilities on the site. Following this process, Council's intention is to sell the land. Council is unable to sell the land if it is not reclassified beforehand.

Part 2 Explanation of Provisions

The outcome will be achieved by an amendment to the *State Environmental Planning Policy (Precincts Regional) 2021* as follows:

- Reclassification of the site from operational land to community land
 - The reclassification will be legally achieved by listing the Site in Schedule 8 Part 1 of the *SEPP (Precincts-Regional) 2021*.
 - Schedule 8 Part 1 of the *SEPP (Precincts-Regional) 2021* lists those parcels of land

reclassified from community land to operational land. This is in accordance with Clause 5.30 of the *SEPP (Precincts-Regional) 2021* which enables Council to reclassify public land.

- The proposed reclassification will not affect any trusts, estates, interests, dedications, conditions, restrictions or covenants that may apply to the land.

Table 1: *The Planning Instrument Amendments*

Proposed Amendment
<i>State Environmental Planning Policy (Precincts- Regional) 2021</i>
Reclassify the subject site to operational land by amending the table to Schedule 8– Part 1 as follows: <ul style="list-style-type: none"> • Column 1- Locality: Gosford • Column 2- Lot B DP 321076 and Lot 2 DP 543135, 73-75 Mann Street, Gosford

Part 3 Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any Strategic Study or report?

The Planning Proposal has not been prepared following the outcomes of any study. This property has been identified as a result of the recent review of Council’s Assets, and which identified that the two properties are no longer required.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Council is seeking to dispose of the land. Council is unable to dispose of the land unless it is reclassified from community land to operational land. This is because Clause 45(1) of the *NSW Local Government Act 1993* states Council has no power to dispose of community land. Even if Council chose to lease the land, Clause 45 significantly restricts the range of uses for which a lease over community land might be granted, and the time period of such a lease. If the site remains as community land, most of the uses for which the buildings might be leased are not permissible under the provisions of Clause 45.

The only way to reclassify the land is through a Planning Proposal to amend the SEPP (Regional-Precincts). The reclassification process follows the process outlined in the NSW Department of Planning Industry and Environment (DPIE) LEP Practice Note PN-16-001 *“Classification and reclassification of public land through a local environmental plan”*. This process includes community consultation in the form of the public exhibition of the proposed reclassification and a public hearing.

Section B – Relationship to strategic planning framework

- 3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?***

Interim Local Strategic Planning Statement

The Planning Proposal is consistent with the Local Strategic Planning Statement (LSPS) The LSPS states "Gosford will be the principal City serving the entire RegionIt will provide a full range of business, government, retail, cultural, entertainment and recreational activities... . It will provide high and medium density housing". The street level vision for the locality describes "A traditional shopping strip providing boutique activities for locals and passing trade". The reclassification facilitates this outcome by providing a site with main street frontage that can be repurposed or redeveloped to contribute to the City Centre revitalisation process described in the LSPS.

Central Coast Regional Plan (2041)

The Proposal is consistent with the *Central Coast Regional Plan 2041*. The Proposal progresses Objective 1 of the Regional Plan 'A prosperous Central Coast with more jobs close to home' as the proposed reclassification of the subject sites enables the land to be utilised to the full extent of the employment zone on site.

- 4. *Is the planning proposal consistent a local Council's local strategy or other local strategic plan?***

Community Strategic Plan

The Proposal is consistent with the five themes of the Community Strategic Plan.

- 5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?***

The Proposal has been considered against the relevant State Environmental Planning Policies (SEPP) (see *01 Assessment and Endorsement*).

The Proposal is considered to be generally consistent with the applicable SEPPs.

- 6. *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?***

The Proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within the supporting documentation of this proposal.

Table 2: S9.1 Ministerial Direction Compliance

No.	Direction	Applicable	Consistent
Focus Area 1: Planning Systems			
1.1	Implementing Regional Plans	Y	Y
1.2	Development of Aboriginal Land Council Land	N	N/A
1.3	Approval and Referral requirement	Y	Y
1.4	Site specific provisions	N	N/A
Focus Area 2: Design and Place (this focus is currently blank)			
Focus Area 3: Biodiversity and Conservation			
3.1	Conservation Zones	Y	Y
3.2	Heritage Conservation	Y	N/A
3.3	Sydney Drinking Water Catchment	N	N/A
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEP's	N	N/A
3.5	Recreational Vehicle Areas	N	N/A
Focus Area 4: Resilience and Hazards			
4.1	Flooding	Y	N/A
4.2	Coastal Management	Y	N/A
4.3	Planning for Bushfire Protection	N	N/A
4.4	Remediation of Contaminated Land	Y	Y
4.5	Acid Sulfate Soils	Y	Y
4.6	Mine Subsidence & Unstable Land	N	N/A
Focus Area 5: Transport and Infrastructure			
5.1	Integrating Landuse and Transport	Y	Y
5.2	Reserving Land for Public Purpose	Y	Y
5.3	Development near Regulated Airports and Defence Airfields	N	N/A
5.4	Shooting Ranges	N	N/A
Focus Area 6: Housing			
6.1	Residential Zones	Y	Y

6.2	Caravan Parks and Manufactured Home Estates	Y	N/A
Focus Area 7: Industry and Employment			
7.1	Business and Industrial Zones	Y	Y
7.2	Reduction in non-hosted short term rental accommodation period	N	N/A
7.3	Commercial and Retail development along the Pacific Highway North Coast	N	N/A
Focus Area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extraction Industries	N/A	N/A
Focus Area 9: Primary Production			
9.1	Rural zones	N	N/A
9.2	Rural Lands	N	N/A
9.3	Oyster Aquaculture	N	N/A
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A

Section C – Environmental, Social and Economic Impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

Nil.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Ecology

The Proposal will not have any ecological impacts.

Bushfire

The Proposal will not affect bushfire risk.

Natural Resources

The Proposal will not have impact on natural resources.

Indigenous and Non-Indigenous Cultural Heritage Items

The Proposal will not have any impact on indigenous or non-indigenous cultural heritage items or places.

Contaminated Land and Acid Sulfate Soils

The Proposal will not have any impact on contaminated or acid sulfate soils.

Flooding and Drainage

The Proposal will not have any impact on flooding, flood risk or on drainage systems.

Mine Subsidence

The Proposal will not lead to an increase of mine subsidence risk.

Has the planning proposal adequately addressed any social and economic impacts?

Social Issues

Reclassification of the site will have no social impact. It is not currently used for community uses, and although the site was to be part of the Gosford Cultural Precinct, following a review Council does not intend to use the site for community purposes.

Council will be establishing a new standalone Regional Library in Donnison Street. Council is reviewing plans for a Regional Performing Arts Centre (RPACC). The sale of the land does not mean that the RPACC will not proceed, but rather that the RPACC will not be developed on any of the land previously identified for the Cultural Precinct. It is anticipated that a significant performing arts and cultural facility will be established in the area surrounding the subject land. This facility may be developed directly by Council or as a partnership with other public agencies, not for profit bodies and private sector investors.

The current intention is to sell the property to the Minister administering the TAFE Commission Act for the purpose of including the land in the development of a major new TAFE campus on the subject land and adjoining land. A draft contract has been issued to this effect.

Should the sale for TAFE purposes not proceed, an alternative purchaser will be sought from the public or private sectors for future development that contributes to the revitalisation of the Gosford City Centre.

Net funds from the sale of the land will be directed in part towards the promotion of the Gosford waterfront masterplan and via the implementation of the masterplan to the realisation of a new performing arts and cultural facility in the area of the Gosford CBD and waterfront.

These funds will supplement other Council funds that are being progressively allocated to the revitalisation of the Gosford CBD and the activation of the Gosford waterfront.

Reclassification of the land will enable its eventual sale to other parties that will repurpose or redevelop the land for a use which contribute to the revitalisation of the Gosford City Centre, and resultant social benefits.

Economic Impacts

Reclassification per se will not have an economic impact. However, reclassification will enable a range of economic benefits.

Reclassification of the land will enable its eventual sale to other parties that will repurpose or redevelop the site for an economic use consistent with its zoning and active street frontage status. This will assist in increasing economic activity within the Gosford City Centre.

Funds from the eventual sale of the land will improve Council’s financial ability to deliver services and infrastructure to the community.

Section D – State and Commonwealth Interests

9. Is there adequate public infrastructure for the planning proposal?

Traffic

The Proposal will not have any impact on transport demand.

Water

The Proposal will not have any impact on water demand.

Sewer

The Proposal will not have any impact on demand for sewerage services.

Electricity and Gas

The Proposal will not have any impact on electricity and gas demand.

Internet/NBN

The Proposal will not have any impact on telecommunications demand.

10. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

In accordance with the Gateway Determination no Agency consultation is required to be undertaken.

Part 4 Mapping

Table 4: Existing and Proposed Provisions

Map	Map Title	Change
Proposed Provisions		
A.	All existing maps	No change

Part 5 Community Consultation

The Proposal will be made available for for community/agency consultation in accordance with the Department’s Practice Note (PN09-003) and any requirements of the Gateway Determination.

A public hearing is required in accordance with Section 29 of the *Local Government Act 1993* and LEP practice note PN09-003. A public notice of the hearing will be sent out or published at least 21 days before the public hearing.

The Proposal will be made available to view on Council’s website:

<https://www.yourvoiceourcoast.com/>

Additionally, notification of the exhibition of the Proposal will be provided to adjoining landholders prior to the commencement of the exhibition period.

Part 6 Project Timeline

Table 5: Key Project Timeframes

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	6 month	June 2022	13 September 2022
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	N/A	N/A	N/A
Commencement and completion dates for public exhibition	28 days	3 rd Feb 2023	3 March 2023
Timeframe for consideration of submissions	14 Days	4 March 2023	17 March 2023
Timeframe for consideration of a proposal post exhibition	14 days	20 March 2023	3 April 2023
Date of submission to the Department to finalise LEP	8 weeks	June 2023	June 2023

Note: timeframe is indicative and dependant on outcome of public exhibition

Supporting Documentation

Table 6: Supplementary information in relation to the Planning Proposal

No.	Document
01 Assessment and Endorsement	
A.	Council Report and Minutes – 22 March 2022
B.	Central Coast Regional Plan 2041 Assessment
C.	State Environmental Planning Policy Assessment
D.	Section 9.1 Ministerial Direction Assessment
E.	Gateway Determination
F.	Gosford City Centre Urban Design Framework Assessment
G.	Central Coast Community Strategic Plan Assessment
H.	Statement of Council's Interest (see Best Practice Guideline & PN 16-001)
02 Land Use Provisions	
A.	SEPP Schedule 4 changes
3 Agency Responses	
A.	Nil agencies to be consulted
04 Mapping	
A.	Locality Plan

01

Assessment & Endorsement

1A COUNCIL REPORT & MINUTES

See attachment

1B CENTRAL COAST REGIONAL PLAN 2041 ASSESSMENT

Direction	Applicable	Assessment/Comment
Objective 1: A prosperous Central Coast with more jobs close to home	Yes	The subject proposal seeks to reclassify the sites from community to operational to enable the future use of the sites for employment generating uses.
Objective 2: Support the right of Aboriginal residents to economic self-determination	N/A	N/A
Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities	N/A	N/A
Objective 4: An interconnected Central Coast without car-dependent communities	N/A	N/A
Objective 5: Plan for 'nimble neighbourhoods', diverse housing and sequenced development	N/A	N/A
Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments	N/A	N/A
Objective 7: Reach net zero and increase resilience and sustainable infrastructure	N/A	N/A
Objective 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities	Yes	Reclassification of the subject land will enable the sites to be revitalised and used for commercial purposes. The subject sites sit within the Gosford City Centre and their reclassification of the sites will enable the land to be redeveloped for commercial purposes consistent with zoning.
Objective 9: Sustain and balance productive rural landscapes	N/A	N/A

1C STATE AND SYDNEY ENVIRONMENTAL PLANNING POLICY ASSESSMENT

SEPP	Applicable	Consistent
State Environmental Planning Policy (Biodiversity and Conservation) 2021.		
Chapter 2 – Vegetation in Non-Rural Areas	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Koala Habitat Protection 2020	N	
Chapter 4 – Koala Habitat Protection 2021	Y	Consistent with the provisions of this SEPP.
Chapter 5 – River Murray lands	N	
Chapter 6 – Bushland in Urban Areas	Y	Consistent with the provisions of this SEPP.
Chapter 7 – Canal Estate Development	N	
Chapter 8 – Sydney drinking water catchment	N	
Chapter 9 – Hawkesbury – Nepean River	N	
Chapter 10 – Sydney Harbour Catchment	N	
Chapter 11 – Georges Rivers Catchment	N	
Chapter 12 – Willandra Lakes Region World Heritage Property	N	
SEPP (Design and Place) 2021 (DRAFT)		
Not active yet	N	
State Environmental Planning Policy (Housing) 2021		
Chapter 2 – Affordable Housing	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Diverse Housing Part 1: Secondary Dwellings Part 2: Group Homes Part 3: Co-living Housing Part 4: Built-to-rent Housing Part 5: Seniors Housing Part 6: Short-term Rental Accommodation Part 7: Conversion of Certain Serviced Apartments Part 8: Manufactured Home Estates Part 9: Caravan Parks	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Industry and Employment) 2021.		
Chapter 3 – Advertising and Signage	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021		
Chapter 2 – State and Regional Development	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Aboriginal Land	Y	Consistent with the provisions of this SEPP. There are four sites within the Central Coast LGA which are subject to the SEPP. The Planning Proposal does not apply to any of these sites.

SEPP	Applicable	Consistent
State Environmental Planning Policy (Precincts—Regional) 2021		
Chapter 5 – Gosford City Centre	Y	<p>The Proposal is generally consistent with progressing the aims of the SEPP.</p> <p>The Proposal does not change any zoning, planning control or development standard applying to the site. The Proposal seeks to change the classification of the site from “community” to “operational” land in order to provide Council greater flexibility in its future management and ownership.</p> <p>Council has resolved to not progress the Cultural Precinct concept of which the site was part, as was previously envisaged. Council is developing a new Regional Library on another site within the Gosford City Centre. Council is reviewing plans for a Regional Performing Arts Centre (RPACC). The reclassification and potential sale of this Site, which was part of this Precinct does not mean that the RPACC will not proceed, but rather that the RPACC will not be developed on any of the land previously identified for the Cultural Precinct.</p>
State Environmental Planning Policy (Primary Production) 2021.		
Chapter 2 - Primary Production and Rural Development	Y	Consistent with the provisions of this SEPP.
Chapter 3 - Central Coast Plateau Areas	Y	<p>Consistent with the provisions of this SEPP.</p> <p>No land within the draft Planning Proposal is located within the Central Coast Plateau Area.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021.		
Chapter 2 - Coastal Management	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Hazardous and Offensive Development	Y	Consistent with the provisions of this SEPP.
Chapter 4 - Remediation of Land	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Resources and Energy) 2021.		
Chapter 2 – Mining, Petroleum Production and Extractive Industries	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Extractive Industries in Sydney Area	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2 – Infrastructure	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Educational Establishments and Childcare Facilities	Y	Consistent with the provisions of this SEPP.

1D MINISTERIAL SECTION 9.1 DIRECTIONS

No.	Direction	Applicable	Consistent
Planning Systems			
1.1	Implementation of Regional Plans	Y	Consistent - Consistency with the CCRP 2041 is outlined at the beginning of this document.
1.2	Development of Aboriginal Land Council Land	N	The subject land is not shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.
1.3	Approval and Referral Requirements	Y	Consistent - The proposal does not seek to include additional approval or referral requirements.
1.4	Site Specific Provisions	Y	Consistent - The proposal does not seek to apply specific site-specific provisions through the LEP.
1.5	Parramatta Road Corridor Urban Transformation Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	This Direction does not apply to the Central Coast Local Government Area.
1.10	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.11	Implementation of Bayside West Precincts 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	N	This Direction does not apply to the Central Coast Local Government Area.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.14	Implementation of Greater Macarthur 2040	N	This Direction does not apply to the Central Coast Local Government Area.
1.15	Implementation of the Pymont Peninsula Place Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.16	North West Rail Link Corridor Strategy	N	This Direction does not apply to the Central Coast Local Government Area.

No.	Direction	Applicable	Consistent
1.17	Implementation of Bayside West Place Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
Design & Place			
2.1	Not active yet	N	N/A
Biodiversity & Conservation			
3.1	Conservation Zones	Y	Consistent – The proposal is consistent with this Direction.
3.2	Heritage Conservation	Y	Consistent - The site does not comprise heritage items and is not located in close proximity to other heritage items and is not within an environmental heritage zone.
3.3	Sydney Drinking Water Catchments	N	This Direction does not apply to the Central Coast Local Government Area.
3.4	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N	This Direction does not apply to the Central Coast Local Government Area.
3.5	Recreational Vehicle Areas	N	The proposal does not seek land to be developed for the purpose of a recreation vehicle area.
Resilience & Hazards			
4.1	Flooding	Y	Consistent - The proposal is consistent with this Direction.
4.2	Coastal Management	Y	Consistent - The proposal is consistent with this Direction.
4.3	Planning for Bushfire Protection	Y	Consistent – The proposal is consistent with this Direction.
4.4	Remediation of Contaminated Lands	Y	Consistent - The proposal is consistent with this Direction.
4.5	Acid Sulfate Soils	Y	Consistent – The subject site is Class 5 acid sulfate soils (located within 500m of a Class 1 and 2 acid sulfate soil). As far as potential for ASS is concerned any related impact can be dealt with at the DA stage.
4.6	Mine Subsidence & Unstable Land	N	The subject land is not within a mine subsidence district.
Transport & Infrastructure			
5.1	Integrating Land Use & Transport	Y	Consistent - The proposal is consistent with this Direction.
5.2	Reserving Land for Public Purposes	Y	Consistent - The subject site is not identified for acquisition for public purposes.

No.	Direction	Applicable	Consistent
5.3	Development Near Regulated Airports and Defence Airfields	N	The subject land is not located near a regulated airport or a defence airfield.
5.4	Shooting Ranges	N	The subject land is not in the vicinity of a shooting range.
Housing			
6.1	Residential Zones	Y	Consistent - The proposal is consistent with this Direction.
6.2	Caravan Parks and Manufactured Home Estates	Y	Consistent – the proposal does not propose or impact any caravan parks.
Industry & Employment			
7.1	Business & Industrial Zones	Y	Consistent - The proposal is consistent with this Direction.
7.2	Reduction in non-hosted short-term rental accommodation period	N	This Direction does not apply to the Central Coast Local Government Area.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N	This Direction does not apply to the Central Coast Local Government Area.
Resources & Energy			
8.1	Mining, Petroleum Production and Extractive Industries	Y	Consistent – The proposal does not involve an extractive industry or prohibit or restrict development of resources.
Primary Production			
9.1	Rural Zones	Y	Consistent - The proposal is consistent with this Direction.
9.2	Rural Lands	Y	Consistent - The proposal is consistent with this Direction.
9.3	Oyster Aquaculture	N	The proposal does not affect land within a Priority Oyster Aquaculture Area.
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N	This Direction does not apply to the Central Coast Local Government Area.

1E GATEWAY DETERMINATION

See attachment

1F GOSFORD CITY CENTRE URBAN DESIGN FRAMEWORK ASSESSMENT

Objective/Requirement	Comment
All	The Proposal is not contrary to the provisions of the Gosford City Centre Urban Design Framework

1G COMMUNITY STRATEGIC PLAN ASSESSMENT

Objective/Requirement		Comment
BELONGING		
OUR COMMUNITY SPIRIT IS OUR STRENGTH		
A1	Work within our communities to connect people, build capacity and create local solutions and initiatives	The proposal creates opportunities for more commercial and community activities and potentially facilitates greater street activity in the locality.
A2	Celebrate and continue to create opportunities for inclusion where all people feel welcome and participate in community life	
A3	Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people	
A4	Enhance community safety within neighbourhoods, public spaces and places	
CREATIVITY, CONNECTION AND LOCAL IDENTITY		
B1	Support reconciliation through the celebration of Aboriginal and Torres Strait Islander cultures	The proposal will encourage the development of this site which will potentially bring increased vitality and viability to the Gosford Town Centre.
B2	Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year	
B3	Foster creative and performing arts through theatres, galleries and creative spaces, by integrating art and performance into public life	The proposal and the future development of this site aligns with surrounding land uses and strengthens the existing centre, contributing to its desired future character as a sustainable and vibrant centre.
B4	Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors	
SMART		
A GROWING AND COMPETITIVE REGION		
C1	Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast	The proposal aims to encourage revitalisation and economic growth of the Gosford Town Centre by facilitating the repurposing or redevelopment of the site.
C2	Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for businesses, local residents, visitors and tourists	
C3	Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents	
C4	Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly	
A PLACE OF OPPORTUNITY FOR PEOPLE		
D1	Foster innovation and partnerships to develop local entrepreneurs and support start-ups	The retention of the existing zone will facilitate a range of employment generating land uses that have the ability to support further service based businesses.
D2	Support local business growth by providing incentives, streamlining processes and encouraging social enterprises	

Objective/Requirement		Comment
	D3 Invest in broadening local education and learning pathways linking industry with Universities, TAFE and other training providers	
	D4 Support businesses and local leaders to mentor young people in skills development through traineeships, apprenticeships and volunteering	
GREEN		
ENVIRONMENTAL RESOURCES FOR THE FUTURE		
	E1 Educate the community on the value and importance of natural areas and biodiversity and encourage community involvement in caring for our natural environment	Nil
	E2 Improve water quality for beaches, lakes and waterways including minimising pollutants and preventing litter entering our waterways	
	E3 Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours	
	E4 Incorporate renewable energy and energy efficiency in future design and planning and ensure responsible use of water and other resources	
CHERISHED AND PROTECTED NATURAL BEAUTY		
	F1 Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	Nil
	F2 Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)	
	F3 Improve enforcement for all types of environmental non-compliance including littering and illegal dumping and encourage excellence in industry practices to protect and enhance environmental health	
	F4 Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions	
RESPONSIBLE		
GOOD GOVERNANCE AND GREAT PARTNERSHIPS		
	G1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice	The proposal will follow a community participation process consistent with statutory requirements and Council communication and engagement policies and practice.
	G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect	
	G3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions	

Objective/Requirement		Comment
	G4 Serve the community by providing great customer experience, value for money and quality services	
DELIVERING ESSENTIAL INFRASTRUCTURE		
	H1 Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region	Nil
	H2 Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities	
	H3 Create parking options and solutions that address the needs of residents, visitors and businesses whilst keeping in mind near future technologies including fully autonomous vehicles	
	H4 Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water	
BALANCED AND SUSTAINABLE DEVELOPMENT		
	I1 Preserve local character and protect our drinking water catchments, heritage and rural areas by concentrating development along transport corridors and town centres east of the M1	The site is located with the Gosford Town Centre which has been subject to extensive masterplanning by both Council and the Department.
	I2 Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport	
	I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management	
	I4 Provide a range of housing options to meet the diverse and changing needs of the community including adequate affordable housing	
LIVABLE		
RELIABLE PUBLIC TRANSPORT AND CONNECTIONS		
	J1 Create adequate, reliable and accessible train services and facilities to accommodate current and future passengers	The site is adjacent to transport corridors and in close proximity to bus and train services.
	J2 Address commuter parking, drop-off zones, access and movement around transport hubs to support and increase use of public transport	
	J3 Improve bus and ferry frequency and ensure networks link with train services to minimise journey times	
	J4 Design long-term, innovative and sustainable transport management options for population growth and expansion	
OUT AND ABOUT IN THE FRESH AIR		
	K1 Create a regional network of interconnected shared pathways and cycle ways to maximise access to key destinations and facilities	The reclassification of the site will enable its future redevelopment to revitalise the Gosford Town Centre and provide

Objective/Requirement		Comment
	K2 Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members	activation to the Gosford waterfront.
	K3 Provide signage, public facilities, amenities and playgrounds to encourage usage and enjoyment of public areas	
	K4 Repair and maintain wharves, jetties, boat ramps and ocean baths to increase ease of access to and enjoyment of natural waterways and foreshores	
HEALTHY LIFESTYLES FOR A GROWING COMMUNITY		
	L1 Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated	The site is located in the Gosford Town Centre with access to a range of existing community and recreational facilities. The reclassification of the site will enable its future redevelopment to revitalise the Gosford Town Centre and provide activation to the Gosford waterfront.
	L2 Invest in health care solutions including infrastructure, services and preventative programs to keep people well for longer	
	L3 Cultivate a love of learning and knowledge by providing facilities to support lifelong learning opportunities	
	L4 Provide equitable, affordable, flexible and co-located community facilities based on community needs	

1H STATEMENT OF COUNCIL'S INTEREST – REQUIREMENTS OF LEPS & COUNCIL LAND*

Statement of Council's Interest	
What is the nature of Council's interest in the land?	Council owns the land. The land is classified as community land.
How and when did Council first acquire an interest in the land?	Council acquired the land in 2019 by agreement, pursuant to the Land Acquisition (Just Terms Compensation) Act.
Purpose of the draft Local Environmental Plan (Planning Proposal)	
Why is the draft Local Environmental Plan (LEP) (Planning Proposal) being prepared?	Council resolved on 30 November 2020 to reclassify the land from community to operational land. This is being done in order to facilitate the sale of the land. The reclassification of community land can only occur through a Local Environmental Plan.
How will the draft plan affect planning controls?	No.
What promoted the preparation of the draft LEP (Planning Proposal)?	A Council review of assets. This review identified a number of land parcels that were surplus to Council's current needs.
Anticipated Development	
What actual physical or operational changes will be the result of the draft LEP (Planning Proposal)?	Nil.
Is the draft LEP (Planning Proposal) being prepared to permit a particular proposal?	No.
Financial Implications	
Is a financial gain or loss expected as a result of the draft LEP (Planning Proposal)	<p>The financial outcome is dependent on the price achieved from the eventual sale of the land. It is considered that Council is may receive a financial gain from the sale.</p> <p>Council resolved sell the land for not less than market value as determined by an independent valuer. Further, Section 71A of the Land Acquisition (Just Terms Compensation) Act 1991 require Council to offer the previous owner the first right of refusal to purchase the land at market value.</p>

02

Land Use Provisions

No change to permissible uses, zoning, planning controls or development standards is proposed.

In order to reclassify the subject land, Schedule 4 Part 1 (Classification and Reclassification of public land) is proposed to be amended as follows:

Column 1

Column 2

Locality

Description

73-75 Mann Street, Gosford

Lot B DP 321076 & Lot 2 DP 543135

03

Agency Responses

In accordance with the Gateway Determination no Agency Consultation is required.

04

Mapping



05

Studies

No studies have been undertaken in relation to the Proposal, nor are any considered necessary.