



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

Dear Mr Murphy

Planning proposal PP_2020_CCOAS_004_00 to amend *Wyong Local Environmental Plan 2013* or new Central Coast Local Environmental Plan

I am writing in response to Central Coast Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 22 July 2020 in respect of the planning proposal to rezone land for residential and environmental conservation purposes at 285-335 Pacific Highway, Lake Munmorah.

As delegate of the Minister for Planning and Public Spaces, I have determined the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

Several supporting studies have not considered all lots associated with the planning proposal. This makes it difficult to make a full and reasonable assessment of matters of Aboriginal cultural heritage, land contamination, traffic and transport, flooding, bushfire and biodiversity matters.

As delegate of the Secretary, I have agreed the planning proposal's inconsistency with section 9.1 Ministerial direction 1.2 Rural Zones is justified in accordance with the terms of the direction. No further approval is required in relation to this direction.

Council will need to obtain the agreement of the Secretary to comply with the requirements of the following section 9.1 Ministerial directions:

- 1.3 Mining, Petroleum Production and Extractive Industries;
- 2.3 Heritage Conservation;
- 2.6 Remediation of Contaminated Land;
- 3.4 Integrating Land Use & Transport;
- 4.2 Mine Subsidence and Unstable Land;
- 4.3 Flood Prone Land; and
- 4.4 Planning for Bushfire Protection.

Council should ensure this occurs prior to the plan being made.

I note Council has requested to be authorised as the local plan-making authority. I have considered the nature of the planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 18 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The NSW 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 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Glenn Hornal, Senior Planning Officer, Central Coast and Hunter to assist you. Mr Hornal can be contacted on 4345 4409.

Yours sincerely



14/09/2020
Dan Simpkins
Director, Central Coast and Hunter Region
Planning and Assessment

Encl: Gateway determination
Authorised plan-making reporting template