



Planning & Infrastructure

Office of the Director-General

Mr Stephen Glen
Acting General Manager
Gosford City Council
PO Box 21
GOSFORD NSW 2250

Our ref: PP_2012_GOSFO_002_00 (11/22501)
Your ref: 11260675

Dear Mr Glen

I refer to Council's request for a new Gateway Determination for the Planning Proposal for The Springs Golf Course, which seeks to facilitate the redevelopment of part of the site for short term tourist accommodation.

I have determined as the delegate of the Minister, in accordance with s.56(7) of the *Environmental Planning and Assessment Act 1979*, to amend the Gateway Determination dated 7 February 2012 for PP_2012_GOSFO_002_00.

The Gateway Determination is amended to remove condition 2 which refers to the need for the planning proposal to be amended by either including 'tourist and visitor accommodation' as a permitted use in the 1(a) Rural Agriculture zone of IDO 122 or by rezoning the site to an appropriate private recreation zone under Council's current IDO 122 (which would translate into the RE2 Private recreation Zone under Council's SI LEP) and making 'tourist and visitor accommodation' a permissible use under this zone. Condition 2 of the Gateway Determination is replaced by the following:

- 2 Council is to proceed with the planning proposal by making tourist and visitor accommodation an additional permitted use on Lot 165 DP 755253 by amending clause 97A of IDO 122 or Schedule 1 of Council's new SI LEP.

I have also determined to amend the Gateway Determination by extending the time for completion of the Planning Proposal so that the amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following this revised Gateway Determination. This is consistent with the original Gateway Determination.

In agreeing to amend the Gateway Determination, Council is requested to review the zoning of the land for this type of use, and consider a more appropriate zoning (with tourist accommodation being permissible) as part of any re-exhibition that may be required of the draft Gosford comprehensive LEP.

I am concerned about Council's ongoing reliance on 'additional permitted uses' in its LEP and rezoning proposals, and advise that such proposals will only be supported in exceptional circumstances in the future. The preferred approach is for land to be included within an appropriate zone, as 'additional permitted uses' lack transparency and inevitably lead to uses that are inconsistent with underlying zone objectives.

If you have any questions in relation to this matter, please contact Ben Holmes of the Department's Hunter and Central Coast regional office on 02 4348 5003.

Yours sincerely


Sam Haddad
Director General
20/7/2012