



## Planning



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Department Generated Correspondence (Y)

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Our ref: PP\_2010\_GOSFO\_001\_00 (10/12325)  
Your ref: 7707847

Mr Peter Wilson  
General Manager  
Gosford City Council  
PO Box 21  
GOSFORD NSW 2250

Dear Mr Wilson,

**Re: Planning Proposal to rezone 2 Racecourse Road, West Gosford (Gosford Race Club)**

I am writing in response to your Council's letter dated 1 June 2010 requesting a Gateway Determination under section 56 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") in respect of the planning proposal to amend the Gosford Planning Scheme Ordinance to rezone land at 2 Racecourse Road, West Gosford.

As delegate of the Minister for Planning, I have now determined that the planning proposal should proceed subject to the conditions in the attached Gateway Determination.

Council should be aware that the proposal may require re-exhibition if the land uses under the proposed 3(b) zone are substantially different from those permitted in the B5 zone proposed in the comprehensive LEP.

The amending Local Environmental Plan (LEP) is to be finalised within 3 months of the week following the date of the Gateway Determination. Council should aim to commence the exhibition of the Planning Proposal within four (4) weeks from the week following this determination. Council's request for the Department to draft and finalise the LEP should be made six (6) weeks prior to the projected publication date.

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 s54(2)(d) of the EP&A Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, please contact Ben Holmes of the Regional Office of the Department on 02 4348 5000.

Yours sincerely,

2/8/10

**Tom Gellibrand**  
**Deputy Director General**  
**Plan Making & Urban Renewal**

## Gateway Determination

**Planning Proposal (Department Ref: PP\_2010\_GOSFO\_001\_00):** to rezone land at 2 Racecourse Road, West Gosford (Lot 1 DP 230667) from part 6(b) Open Space (Special Purposes) Racecourse and part 6(b) Open Space (Special Purposes) Bowling Club to 3(b) Business (Special).

I, the Deputy Director General, Plan Making & Urban Renewal as delegate of the Minister for Planning, have determined under section 56(2) of the EP&A Act that an amendment to the Gosford Planning Scheme Ordinance to rezone land at 2 Racecourse Road, West Gosford (Lot 1 DP 230667) from part 6(b) Open Space (Special Purposes) Racecourse and part 6(b) Open Space (Special Purposes) Bowling Club to 3(b) Business (Special) should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
  - (a) the planning proposal is classified as low impact as described in *A Guide to Preparing LEPs (Department of Planning 2009)* and must be made publicly available for **14 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 4.5 of *A Guide to Preparing LEPs (Department of Planning 2009)*.
2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
  - Ministry of Transport
  - NSW Rural Fire Service
  - Roads and Traffic Authority

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.
3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.
4. The timeframe for completing the LEP is to be **3 months** from the week following the date of the Gateway determination.

Dated 2nd day of August 2010.



**Tom Gellibrand**  
**Deputy Director General**  
**Plan Making & Urban Renewal**  
**Delegate of the Minister for Planning**