Agenda Report

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Resolved Items Action Statement

Action is required for the following item as per the Council Resolution.

NOTICE OF COUNCIL RESOLUTION

COUNCIL MEETING - 22/03/2016

TITLE PLANNING PROPOSAL SOMERSBY INDUSTRIAL PARK EXPANSION (IR 15045084)

Department:Governance & PlanningService Unit:Development & Compliance

The following item is defined as a planning matter pursuant to the Local Government Act, 1993 & Environmental Planning & Assessment Act, 1979

RESOLVED (Ward/Bowles) that:

- A Council initiate the Local Environmental Plan 'Gateway' process pursuant to Section 55 Environmental Planning and Assessment Act by endorsing the preparation of a Planning Proposal as outlined in this report aiming to:
 - rezone to IN1 General Industrial the following lands Lots B & C DP 101045, Lot 1 DP 366614, Lot 2 DP 364929, Lots 11 DP 618324, Lot 3 DP 550062, Lot 1 DP 522099 and Lot A DP 420575 Acacia Rd, Lot 1 DP 712505 and Lot 91 DP 546768 (Council owned) Somersby Falls Rd, Lot 32 DP 811669 Debenham Rd (North) and all but the vegetated south-eastern part of Lots 12 & 13 DP 618324 Acacia Rd (see draft Planning Proposal maps tabled)
 - rezone the vegetated south-eastern part of Lots 12 & 13 DP 618324 to zone E2 Environmental Conservation (see draft Planning Proposal maps tabled)
 - rezone Lot 1 DP 331541 Wisemans Ferry Rd to E3 Environmental Management.
- B Council notify the Department of Planning & Environment of Council's resolution and request a 'Gateway' determination pursuant to Section 56(1) Environmental Planning and Assessment Act, forward the Planning Proposal, all necessary documentation, this report and resolution, and implement the DP&E's guideline *'LEPs and Council Land'* in respect of Council's land Lot 91 DP 546768.
- C Council request that the Gateway determination include a requirement to undertake the following studies prior to exhibition, which Council will require each land owner to carry out as they will derive the financial benefit from any up-zoning of the land to General Industrial IN1 and resultant increased land value:
 - Preliminary Soil Contamination Assessment Phase 1 Contamination Site Assessment to meet SEPP 55 – Remediation of land for Lot 2 DP 364929 and Lot C DP 101045 Acacia Rd, Lot 32 DP 811669 Debenham Rd Nth, Lot 91 DP 546768 (Council owned) & Lot 1 DP 712505 Somersby Falls Rd.
 - Additional Soil Contamination work for the Gosford quarry site, as outlined in the Phase 1 Contamination Site Assessment prepared by Peter Andrews and Associates.

- Geotechnical investigations to ascertain the capability of the land for industrial zoning and uses of Lot 1 DP 522099, Lots 11 13 DP 618324 and Lot A DP 420575 Acacia Road.
- D After public exhibition of the Planning Proposal, should the Minister for Planning support it, if no submissions objecting to the planning proposal are received the Planning Proposal is to be processed in order to make the plan.
- E Council seeks delegations from the Department of Planning & Environment for this Planning Proposal. Any delegation to Council is to be delegated to the Chief Executive Officer, per s381 of the *Local Government Act 1993*, who will complete the "Authorisation" on behalf of Council and submit to the Department of Planning & Environment.
- F Council prepare and exhibit draft amendments to Gosford Development Control Plan 2013, to (as outlined within the report):
 - address potential visual and amenity impacts of the rezoning by provision at development stage of landscaped buffers along the full length of the Debenham Road frontage of Gosford quarry land Lot 1 DP 5220199 & Lot 13 DP 618324 within future development and not permit any vehicular / other access.
 - incorporate all land zoned E2 Environmental Conservation within one lot upon any subdivision / re-subdivision / re-alignment of Lot 3 DP 550062, Lot 1 DP 5220199 & Lots 11/13 DP 618324.
 - address on-site water detention of 230m3 per hectare which is recommended to return flows to its pre-development rate and other matters recommends in the Peter Andrews and Associates Study.
 - amend character statements regarding new zonings.
 - any other relevant matters to assist in the implementation of the Planning Proposal.

For the Resolution:

Councillors Doyle, Bocking, Bowles, Macfadyen, Scott, Strickson and Ward.