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17 July 2014

Gosford City Council

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Director - Hunter & Central Coast Region
Central Coast Office
Department of Planning and Infrastructure
PO Box 1148
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Dear Mr Rowland

Planning Proposal S55 EP&A Act - Rezoning of Lot 41 DP 1046841 Wisemans Ferry/Peats Ridge Road Somersby to E2 Environmental Conservation, E3 Environmental Management and SP2 Infrastructure

In accordance with Section 55 of the Environmental Planning and Assessment Act, Council at its meeting held on 8 July 2014 resolved to support the preparation of a Planning Proposal in relation to Lot 41 DP 1046841 Wisemans Ferry/Peats Ridge Road Somersby.

- A Council support the preparation of a Planning Proposal to rezone Lot 41 DP 1046841 Wisemans Ferry Road/Peats Ridge Road Somersby to E2 Environmental Conservation, E3 Environmental Management and SP2 Infrastructure, with the E2 component be mapped at a minimum lot size of 20 hectares, and the E3 component at a minimum lot size of 3 hectares (with lot averaging provisions incorporated).
- B Council notify the Department of Planning and Environment of Council's resolution requesting a 'Gateway' determination pursuant to Section 56(1) *Environmental Planning and Assessment Act* and forward the Planning Proposal and all necessary documentation according to their requirements and this report. A Preliminary Contamination Report should be prepared to support the planning proposal and no other studies need be prepared to support the planning proposal at this stage as matters may be dealt with through Development Control Plan provisions and/or assessment at the Development Application stage. Council recommends to the Department of Planning and Environment that the Gateway require the following consultations:
- NSW Rural Fire Service
 - Office of Environment and Heritage
 - NSW Trade and Investment (Resources and Energy)
 - NSW Trade and Investment (Primary Industries)
 - Hunter Central Rivers Catchment Management Authority
 - Local Aboriginal Land Councils (Darkinjung and Guringai)
 - Wyong Shire Council
- C Upon consultation with government agencies, the applicant be requested to prepare Development Control Plan provisions (to be incorporated into DCP 2013) for Lot 41

DP 1046841 Wisemans Ferry Road/Peats Ridge Road to provide for:

- Protection of areas of environmental sensitivity along Peats Ridge Road frontage (50 metres wide), along the eastern boundary (30 metres) and in the central section of the land to be zoned E3;
- Information requirements to support a future development application, including assessments that will be required in relation to Part 5 of the Environmental Planning and Assessment Act in relation to consideration of threatened species, information required to support on-site waste water management systems and on-going environmental management and rehabilitation as may be required, traffic and access considerations, bushfire protection, geotechnical reports etc;
- Indicative subdivision layout and dwelling/development envelopes.

The DCP is to be to the satisfaction of Council.

- D Upon receipt of the Gateway Determination, consultation with government agencies and preparation of the Development Control Plan provisions by the applicant, the draft DCP and Planning Proposal be publicly exhibited in accordance with the Gateway Determination.
- E After public exhibition, should the Minister for Planning and Environmental support it, and if no submissions objecting to the proposal (both the Planning Proposal and Development Control Plan) are received, the Planning proposal is to be sent to the Department of Planning and Environment in order to make the plan. Concurrently, Council adopt the draft DCP (amendment), with public notification of its adoption being given, and the DCP to come into effect on the date of notification of the LEP.
- F The applicant be advised of Council's resolution.
- G Council seeks delegations from the Department of Planning and Environment for this Planning proposal
- 1 Upon Council receipt of the Department of Planning and Environment's intention to issue delegation, Council will submit to the Department of Planning and Environment a "Written Authorisation to Exercise Delegation" for the same.
 - 2 Any delegation to Council is to be delegated to the Chief Executive Officer, Paul Anderson, per s.381 of the Local Government Act, 1993, who will complete the "Authorisation" on behalf of Council and submit to the Department of Planning and Environment.

Should you have any enquiries please contact me on 4325 8244.

Yours faithfully



Annie Medlicott
Senior Landuse Planner