# Agenda Report

### **User Instructions**

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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 – 21/01/2014

# TITLE PLANNING PROPOSAL S55 EP&A ACT IN RESPECT OF NEW CLAUSES AND OTHER MISCELLANEOUS AMENDMENTS TO DRAFT GOSFORD LEP 2013 (IR 14431515)

Directorate: Environment and Planning Business Unit: Integrated Planning

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

MOVED (Morris/Ward) that the recommendation of the Director - Environment and Planning be adopted subject to the addition of Part F as follows:

F The General Manager investigate whether the footings of what is known as the Sergeants' Residence/first police station, corner Manns Street & Georgiana Terrace, Gosford, should be included as part of Item 36 in the Heritage & Mapping Amendments.

On being put to the meeting the MOTION WAS CARRIED with the following votes being recorded:

For the Motion: Councillors McKinna, Ward, Bowles, Burke, Doyle, Macfadyen, Morris and Scott.

#### **RESOLVED** 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 which incorporates the following amendments to Gosford LEP 2013:
  - (i) amend clause 2.8 Temporary Use of Land from 14 to 28 days in any period of 12 months
  - (ii) insert in Schedule 2 Exempt Development, an item relating to temporary events and activities on public land and public places;
  - (iii) insert a new clause relating to development of closed Crown roads in rural and environmental zones;

- (iv) insert an additional sub-clause addressing development of lots partially affected by Gosford LEP 2013;
- (v) omit the definition of "flood planning level" from the Dictionary;
- (vi) include on the LEP maps the exhibited zone of existing 7(a) or 7(c2) land that was exhibited as a zone other than the equivalent zones of E2 or E3;
- (vii) amend the item name of heritage item no. 174 in Schedule 5 Environmental Heritage to "Footings of Samuel Paley's Inn";
- (viii) insert in Schedule 5 Environmental Heritage a new heritage item named "Fairview homestead";
- (ix) amend the LEP maps as set out in Attachments B and C;
- (x) amend Schedule 5 Environmental Heritage and maps as set out in Attachment D; and
- (xi) amend Zone IN1 General Industrial Landuse Table as set out in Attachment E;

as outlined in this report.

- B Council notify the Department of Planning and Infrastructure 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.
- C After public exhibition of the Planning Proposal, should the Minister for Planning and Infrastructure support it, if no submissions objecting to the planning proposal are received, the Planning Proposal is to be sent to the Department of Planning and Infrastructure in order to make the plan.
- D Council does not seek delegations from the Department of Planning and Infrastructure for this Planning Proposal.
- E As part of Council's communication with the community it alert owners of land zoned 7(c,2) which may have theoretical potential to be subdivided using the 'bonus lots' provisions that these provisions may not exist in the future due to the new Planning Act, hence they may wish to investigate the potential on their land for use of such provisions, noting that a development consent for subdivision, if granted after due consideration of the requirements of the EP&A Act, could last for up 5 years.
- F The General Manager investigate whether the footings of what is known as the Sergeants' Residence/first police station, corner Manns Street & Georgiana Terrace, Gosford, should be included as part of Item 36 in the Heritage & Mapping Amendments.