



New South Wales

Gosford Local Environmental Plan No 457

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (9043248/PC)

FRANK SARTOR, M.P.,
Minister for Planning

2008 No 51

Clause 1 Gosford Local Environmental Plan No 457

Gosford Local Environmental Plan No 457

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Gosford Local Environmental Plan No 457*.

2 Aims of plan

This plan aims:

- (a) to maximise the opportunity for industrial development in the Somersby Industrial Park (*the Industrial Park*) so as to provide employment opportunities in the Gosford local government area, and
- (b) to protect ecologically significant land and land with Aboriginal heritage characteristics within the Industrial Park, and
- (c) to ensure that the function and appearance of future subdivision or other development of the Industrial Park:
 - (i) is of a high standard (in terms of both the built form and landscaping), and
 - (ii) protects ecologically significant land, and land with Aboriginal heritage characteristics, within the Industrial Park, and
- (d) to provide that subdivision of land in the Industrial Park occurs in a flexible manner to take account of ecologically significant land and land with Aboriginal heritage characteristics, and
- (e) to ensure that development on land within Zone No 3 (a2) (Business) under *Gosford Local Environmental Plan No 22* is of comparable bulk and scale to industrial development within the Industrial Park, and
- (f) to facilitate the provision of retail or commercial services to support the workforce of the Industrial Park in a single, central location so as to enable the full range of the workforce's needs to be met efficiently.

3 Land to which plan applies

This plan applies to certain land at Somersby, known as the Somersby Industrial Park, as shown edged heavy black (but excluding land shown edged heavy black and cross-hatched) on the map marked “Gosford Local Environmental Plan No 457” deposited in the office of Gosford City Council.

4 Amendment of Gosford Local Environmental Plan No 22

Gosford Local Environmental Plan No 22 is amended as set out in Schedule 1.

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Gosford Local Environmental Plan No 457

Schedule 1 Amendment

Schedule 1 Amendment

(Clause 4)

Part 3 Special provisions

Insert after Division 3 of Part 3:

Division 4 Development of land at Somersby Industrial Park

23 General

- (1) This Division applies to certain land at Somersby, known as the Somersby Industrial Park (*the Industrial Park*), as shown edged heavy black (but excluding land shown edged heavy black and cross-hatched) on the map marked "Gosford Local Environmental Plan No 457" deposited in the office of the Council.
- (2) To the extent of any inconsistency between the provisions of this Division and the other provisions of this plan, the provisions of this Division prevail.

24 Aims of Division

This Division aims:

- (a) to maximise the opportunity for industrial development in the Industrial Park so as to provide employment opportunities in the Gosford local government area, and
- (b) to protect ecologically significant land and land with Aboriginal heritage characteristics within the Industrial Park (as identified as Management Zones 1 and 2 in *Plan of Management Somersby Industrial Park* (2005), as prepared for the Council), and
- (c) to ensure that the function and appearance of future subdivision or other development of the Industrial Park:
 - (i) is of a high standard (in terms of both the built form and landscaping), and
 - (ii) protects ecologically significant land and land with Aboriginal heritage characteristics within the Industrial Park, and
- (d) to provide that subdivision of land occurs in a flexible manner to take account of ecologically significant land and land with Aboriginal heritage characteristics within the Industrial Park, and

- (e) to ensure that development on land within Zone No 3 (a2) (Business) is of comparable bulk and scale to industrial development within the Industrial Park, and
- (f) to facilitate the provision of retail or commercial services to support the workforce of the Industrial Park in a single, central location so as to enable the full range of the workforce's needs to be met efficiently.

25 Development applications

In determining a development application relating to land to which this Division applies, the consent authority must have regard to:

- (a) *Plan of Management Somersby Industrial Park (2005)*, as prepared for the Council, and
- (b) the aims of this Division (as referred to in clause 24).

26 Ecologically significant and Aboriginal heritage lands

- (1) In determining a development application involving subdivision of the land to which this Division applies, the consent authority:
 - (a) may take into account whether any part of the proposed subdivision contains land within a hatched area, and
 - (b) is to consider the ability of the proposed lots to accommodate development (in terms of their size, configuration and topography) that will be consistent with the protection of the ecological and Aboriginal heritage characteristics of the Industrial Park.
- (2) In this clause, ***hatched area*** means any area shown hatched on the map marked "Gosford Local Environmental Plan No 457" deposited in the office of the Council, being an area identified on that map as being ecologically significant and Aboriginal heritage lands.