



New South Wales

Gosford Local Environmental Plan 2014 (Amendment No 11)

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*.

PAUL ANDERSON, CHIEF EXECUTIVE OFFICER, GOSFORD CITY COUNCIL
As delegate for the Minister for Planning

Gosford Local Environmental Plan 2014 (Amendment No 11)

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1 Name of Plan

This Plan is *Gosford Local Environmental Plan 2014 (Amendment No 11)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Gosford Local Environmental Plan 2014* applies and to certain land to which *Interim Development Order No 122—Gosford* applies.

Schedule 1 Amendment of Gosford Local Environmental Plan 2014

[1] Clause 2.8 Temporary use of land

Omit “14 days” from clause 2.8 (2). Insert instead “28 days”.

[2] Land Use Table

Omit “Storage premises;” from item 4 of the matter relating to Zone IN1 General Industrial.

[3] Clause 4.1C

Insert after clause 4.1B:

4.1C Exception to minimum lot size for subdivision of land that includes deferred matter

- (1) Development consent may be granted to a subdivision of land to create a lot (the *residual lot*) of a size that is less than the minimum size shown on the Lot Size Map in relation to that land if:
 - (a) the subdivision is of land that is being subdivided together with land identified as “Deferred Matter” under clause 1.3 (1A), and
 - (b) the residual lot is comprised entirely of land to which this Plan applies.
- (2) Development consent must not be granted for the erection of a dwelling on the residual lot.

[4] Clause 4.2A

Insert after clause 4.2:

4.2A Residential development and subdivision prohibited on certain land

- (1) The objectives of this clause are as follows:
 - (a) to minimise unplanned rural residential development,
 - (b) to prohibit residential development on undersized lots resulting from the closure of a road.
- (2) This clause applies to land in the following zones:
 - (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone E2 Environmental Conservation,
 - (d) Zone E3 Environmental Management,
 - (e) Zone E4 Environmental Living.
- (3) Development consent must not be granted for the erection of a dwelling house on a lot resulting from the closure of part or all of a road, irrespective of when that closure occurred, unless the lot is at least the minimum lot size specified for that land by the Lot Size Map.
- (4) Subclause (3) extends to a lot resulting from the closure of part or all of a road, the boundaries of which have been realigned as a result of a subdivision of an adjoining lot that did not result from the closure of part or all of a road.
- (5) Subclause (3) does not apply to a lot created by the consolidation of a lot resulting from the closure of part or all of a road with an adjoining lot that did not result from the closure of part or all of a road.

[5] Clause 7.3 Floodplain risk management

Insert after clause 7.3 (3):

- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.

[6] Schedule 2 Exempt development

Insert at the end of the Schedule:

Temporary events or activities on land owned or managed by Council (including erection of associated temporary structures)

- (1) Must be located on land owned by the Council or for which the Council has care, control or management (including roads and Crown land).
- (2) Must be consistent with any applicable plan of management prepared under the *Local Government Act 1993* for the land.
- (3) Must be in accordance with a licence or hire agreement issued by the Council.
- (4) Must have obtained all required approvals.

Note. Other approvals may be required, and must be obtained, under other Acts, including the *Local Government Act 1993*, the *Roads Act 1993* and the *Crown Lands Act 1989*.

[7] Dictionary

Omit the definition of *flood planning level*.

Schedule 2 Amendment of Interim Development Order No 122—Gosford

Clause 18A

Insert after clause 18:

18A Exception to minimum lot size for subdivision of land that includes deferred matter

- (1) Development consent may be granted to a subdivision of land to create a lot (the *residual lot*) of a size that is less than the minimum size that applies in relation to the land under clause 18 if:
 - (a) the subdivision is of land that is being subdivided together with land to which *Gosford Local Environmental Plan 2014* applies, and
 - (b) the residual lot is comprised entirely of land identified as “Deferred Matter” under clause 1.3 (1A) of that Plan.
- (2) Development consent must not be granted for the erection of a dwelling on the residual lot.