



New South Wales

# **Gosford Local Environmental Plan 2014 (Amendment No 17)**

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*.

**MONICA GIBSON**

As delegate for the Minister for Planning

## **Gosford Local Environmental Plan 2014 (Amendment No 17)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Gosford Local Environmental Plan 2014 (Amendment No 17)*.

### **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.

### **4 Maps**

The maps adopted by *Gosford Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

## **Schedule 1      Amendment of Gosford Local Environmental Plan 2014**

### **Clause 7.10**

Insert after clause 7.9:

#### **7.10      Subdivision and erection of dwelling house—certain land at Wisemans Ferry Road, Somersby**

- (1) The objective of this clause is to ensure that lot sizes and subdivision design for land with high environmental, conservation and biodiversity values conserve and protect those values while allowing flexibility in the size and arrangement of lots to facilitate appropriate low key development that results in improved environmental outcomes.
- (2) This clause applies to that part of Lot 41, DP 1046841, that is in Zone E2 Environmental Conservation or Zone E3 Environmental Management.
- (3) Despite clauses 4.1, 4.1AA and 4.1A, development consent may be granted for the subdivision of land to which this clause applies to create lots with an area that is less than the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that:
  - (a) the total number of lots created from the subdivision will not exceed 6, and
  - (b) one of the lots created will include all of the land in Zone E2 Environmental Conservation and part of the land in Zone E3 Environmental Management, and
  - (c) the lots created from the subdivision will be used for the purposes of environmental conservation and protection of the environment, and
  - (d) the lots created from the subdivision will retain, and are complementary to, the environmental conservation and biodiversity values of the land, and
  - (e) the subdivision will not result in any significant adverse environmental impacts on the land or on any adjoining land, and
  - (f) any vehicular access to Peats Ridge Road from the land will not result in any adverse impacts on endangered flora on the land or on any adjoining land.
- (4) Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot created under this clause unless the subdivision is for one or more of the following purposes:
  - (a) a minor realignment of its boundaries that does not create an additional lot, or
  - (b) a subdivision creating or widening a public road or public reserve or for another public purpose, or
  - (c) a consolidation of adjoining lots.
- (5) Despite any other provision of this Plan, development consent must not be granted for the erection of a dwelling house on a lot created by a subdivision under this clause unless the consent authority is satisfied that the dwelling house will not be erected on land in Zone E2 Environmental Conservation.