



New South Wales

# **Gosford Local Environmental Plan 2014 (Amendment No 38)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**GARY MURPHY, CHIEF EXECUTIVE OFFICER, CENTRAL COAST COUNCIL**  
As delegate for the local plan-making authority

## **Gosford Local Environmental Plan 2014 (Amendment No 38)**

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Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Gosford Local Environmental Plan 2014 (Amendment No 38)*.

### **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 certain land to which *Gosford Local Environmental Plan 2014* applies.

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

### **[1]    Clause 4.2B**

Insert after clause 4.2A—

#### **4.2B    Boundary adjustments in certain rural and environmental protection zones**

- (1) The object of this clause is to facilitate boundary adjustments between lots where one or more resultant lots do not meet the minimum lot size but the objectives of the relevant zone can be achieved.
- (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) Despite clause 4.1(3), development consent may be granted to subdivide land by way of a boundary adjustment between adjoining lots where one or more resultant lots do not meet the minimum lot size shown on the Lot Size Map in relation to that land if the consent authority is satisfied that—
  - (a) the subdivision will not create additional lots or the opportunity for additional dwellings, and
  - (b) the number of dwellings on each lot after the subdivision will remain the same as before the subdivision, and
  - (c) the potential for land use conflict will not be increased as a result of the subdivision, and
  - (d) if the land is in Zone RU1 Primary Production or Zone RU2 Rural Landscape—the subdivision will not have a significant adverse effect on the agricultural viability of the land, and
  - (e) if the land is in Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living—the subdivision will result in the continued protection and long term maintenance of the land.
- (4) Before determining a development application for the subdivision of land under this clause, the consent authority must consider whether or not the subdivision is likely to be incompatible with, or have a significant adverse impact on, the predominant land uses in the vicinity of the subdivision.
- (5) This clause does not apply—
  - (a) in relation to the subdivision of individual lots within a strata plan or community title scheme, or
  - (b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.

### **[2]    Clause 4.6 Exceptions to development standards**

Omit “6.1–6.3” from clause 4.6(8)(ca). Insert instead “6.1 and 6.2”.

### **[3]    Clause 6.3 Development control plan**

Omit the clause.