

Resolved Items Action Statement

Action is required for the following item as per the Council Resolution.

NOTICE OF COUNCIL RESOLUTION

COUNCIL MEETING – 17/12/2013

TITLE

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

Councillor Ward declared his less than significant non-pecuniary interest in relation to this item, under Chapter 14 of the Local Government Act 1993, as during a recent Gosford City Council delegation to Tokyo, he represented some local tourist destinations, however considered he was capable of making an impartial decision in respect to this matter.

MOVED (Doyle/Morris) that the recommendation of the Director - Environment and Planning be adopted subject to the amendment of Parts A and B as follows:

- A ***Council request the General Manager, prior to sending the Planning Proposal to the Department of Planning, to amend it to give effect to the following:***
- ***For the land located down in the valley list the land in Schedule 1 of LEP 2013 and insert Extensive Agriculture as an additional nominated use.***
 - ***For the land located in the ridge tops above the valley, rezone the residual cleared, pasture improved, farmland that is scheduled to be zoned E2 so that it matches the adjoining land in this area which is zoned RU2.***
 - ***Reinstate the originally requested tourist uses in the Schedule 1 list of uses that apply to the site, being Camping Ground and Visitor and Tourist Accommodation.***
- B ***Subject to Part 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 to list in Schedule 1 of Gosford Local Environmental Plan 2013 to provide for:

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

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

RESOLVED that:

- A ***Council request the General Manager prior to sending the Planning Proposal to the Department of Planning to amend it to give effect to the following:***
- ***For the land located down in the valley list the land in Schedule 1 of LEP 2013 and insert Extensive Agriculture as an additional nominated use.***
 - ***For the land located in the ridge tops above the valley, rezone the residual cleared, pasture improved, farmland that is scheduled to be zoned E2 so that it matches the***

adjoining land in this area which is zoned RU2.

- **Reinstate the originally requested tourist uses in the Schedule 1 list of uses that apply to the site, being Camping Ground and Visitor and Tourist Accommodation.**

B Subject to Part 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 to list in Schedule 1 of Gosford Local Environmental Plan 2013 to provide for:

- a on that land that is zoned E2 Environmental Conservation, development for the purposes of eco-tourist facilities and recreation facilities (outdoor)
- b on land that is zoned RU2 Rural Landscape, development for the purposes of eco-tourist facilities.

on the following lots

- i Land owned by Glenworth Valley Pastoral Company Pty Ltd, being Lots 1 and 3 DP 617088, Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108 and 145 DP 755221, Lots 22, 23, 32, 73, 75 and 76 DP 755253, part of Lot 102 DP 1139060, Lot C DP 382358, Lot 2 DP 1139242, Lots 881 and 882 DP 563889 or are the subject of a Permissive Occupancy held by Glenworth Valley, being Lot 7012 DP 1059767, Lot 7039 DP 1059766, Lot 7303 DP 1161109, and Lot 7303 DP 1154929;
- ii Land that is Crown land and not the subject of permissive occupancy, being Lot 7027 DP 1051931, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7037 DP 1059769, and Lot 7038 DP 1059769; and
- iii Land owned by the Darkinjung Local Aboriginal Land Council, being Lot 245 DP 48817

C Prior to referral of the Planning Proposal to the Department of Planning and Infrastructure, Council write to the owners of Crown Land (being Lot 7027 DP 1051931, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7037 DP 1059769, Lot 7038 DP 1059769) and Darkinjung LALC land (being Lot 245 DP 48817) inviting them to advise Council whether they consent to the inclusion of their land in this Planning Proposal. If not, the Planning Proposal is to be amended to delete these lots.

D 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:

E Council recommend to the Gateway that the following public authorities be consulted:

- Office of Environment and Heritage
- National Parks and Wildlife Service
- Rural Fire Service
- Trade and Investment - Mineral Resources
- Environment Protection Authority
- Roads and Maritime Service
- Darkinjung Local Aboriginal Land Council
- Destination NSW

F 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.

G The applicant be advised of Council's resolution.

H Council seeks delegations from the Department of Planning and Infrastructure for this Planning Proposal.