



Wyong Shire Council
Planning Proposal
31 Palmdale Road
Palmdale

RZ/15/2014
April 2015



Planning Proposal
31 Palmdale Road
Palmdale

RZ/14/2012
Date: April 2015
Gateway Version

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31 Palmdale Road, Palmdale

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Introduction & Locality Context

The subject site is located on the western side of the M1 Motorway approximately 1.5 kilometres north of the Ourimbah Motorway Exchange. The site is split in an east west direction by Palmdale Road and the southern portion is not proposed for rezoning due to flooding and slope constraints.

The site subject to this planning proposal is generally cleared to the southern boundary and Canada Drop Down Creek traverses the site in a north easterly direction which is vegetated. There is currently a single dwelling on the land and no other uses have been established. Figure 1 provides details of the site and current land use.

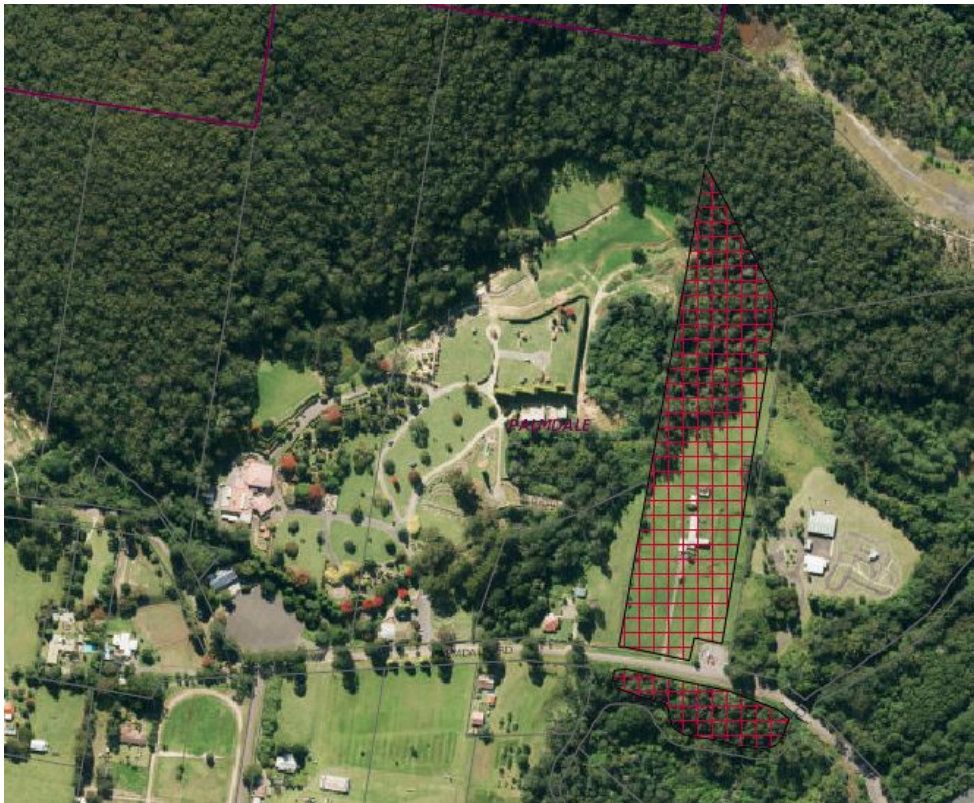


Figure 1 – Subject Site and Land Uses

Part 1 Objectives or Intended Outcomes

The objective of this planning proposal is to rezone the land to permit an extension of the existing Palmdale Memorial Gardens onto the subject site in the future. The planning proposal will seek to rezone the site from RU2 Rural Landscape to part SP2 Special Purpose – Cemetery and part E2 Environmental Conservation and retain the portion of the lot south of Palmdale Road as RU2 Rural Landscape.

The intended outcome of the proposal is to provide low scale memorial walls, burial sites and plaques with associated landscaping and the protection of the ecological endangered community of Riverflat Eucalypt Forest occurring on the site.

Part 2 Explanation of Provisions

The outcome will be facilitated by an amendment to Wyong Local Environmental Plan (LEP) 2013. The following table identifies the proposed amendments:

Provision	Proposed
Zone Map (8550_COM_LZN_008_020_20131125)	- Rezone Part of Lot 1 DP 1012816 to SP2 Special Purpose - Cemetery - Rezone Part of Lot 1 DP 1012816 to E2 – Environmental Conservation

Table 1 – Explanation of Map and Instrument Amendments

Part 3 Justification

Section A – Need for the Planning Proposal

1 Is the Planning Proposal a result of any Strategic Study or report?

The site is a logical location for the expansion of the existing Cemetery and Crematorium and responds to community needs.

Central Coast Regional Strategy (CCRS)

One of the key regional challenges identified in the CCRS is population growth and in migration by retirees relocating from the Greater Metropolitan Region. The over 65 population in the Shire is predicted to increase by 12,000 persons over the next 25 years. Such changes in the age demographic will increase infrastructure needs related to ageing within the Shire.

The CCRS recognises the need for social infrastructure which is amenable to such changes; the proposed extension of the cemetery compliments the objectives and requirements of the CCRS in that it will provide infrastructure to meet local needs.

2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The site is not currently zoned in a manner which enables Cemetery development; therefore the intended objectives cannot be achieved by any other mechanism than a planning proposal.

Section B – Relationship to strategic planning framework

3 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Central Coast Regional Strategy indicates that the proportion of the population over 65 is projected to increase substantially over the next 25 years. This will place additional pressure on facilities such as cemeteries and crematorium to provide the expanding population a location that is close to inter their loved ones.

The site is in close proximity to (and has the ability to utilise) existing infrastructure with available capacity, and supporting road networks including the M1 Motorway. It is expected that the nature and product of future development of the subject site will not significantly impact on existing facilities.

The proposal has also been assessed against relevant State Environmental Planning Policies (SEPPs) and Section 117 Ministerial Directions, as required by the DP&E *Guidelines for Preparing Planning Proposals* (October 2012). This assessment is provided within Sections 5 and 6, as well as the supporting documentation – *Assessment & Endorsement*.

4 Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

An assessment of the proposal against the 8 objectives and key actions of the Wyong Shire Council *Community Strategic Plan 2030* has been undertaken (see Supporting Documentation – *Assessment & Endorsement*).

The proposal is consistent with relevant objectives of the plan.

5 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposal has been considered against the relevant State Environmental Planning Policies (SEPP) as summarised below and detailed in the supporting documentation (*Assessment & Endorsement*).

State Environmental Planning Policy	Applicable	Consistent
44 – Koala Habitat	Y	Y

Table 2 – SEPP Assessment

6 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposal has been considered against the relevant Ministerial Section 117 Directions as summarised below. The full assessment of these Directions is contained within the Supporting Documents of this proposal.

Number	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	N	N/A
1.2	Rural Zones	N	N/A
1.3	Mining, Petroleum Production and Extractive Industries	N	N/A
1.4	Oyster Aquaculture	N	N/A
1.5	Rural Lands	N	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	Y	Y
2.2	Coastal Protection	N	N/A
2.3	Heritage Conservation	N	N/A
2.4	Recreation Vehicle Areas	Y	Y
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	N	N/A
3.2	Caravan Parks and Manufactured Home Estates	Y	Y
3.3	Home Occupations	N	N/A
3.4	Integrating Land Use & Transport	N	N/A
3.5	Development Near Licensed Aerodromes	N	N/A
3.6	Shooting Ranges	N	N/A
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	Y
4.2	Mine Subsidence and Unstable Land	N	N/A
4.3	Flood Prone Land	Y	Y
4.4	Planning for Bushfire Protection	Y	Y
Regional Planning			

Number	Direction	Applicable	Consistent
5.1	Implementation of Regional Strategies	Y	Y
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	N	N/A
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	Y	Y
6.3	Site Specific Provisions	Y	Y
Metropolitan Planning			
7.1	Implementation of the Metropolitan Strategy	N	N/A

Table 3 – S117 Ministerial Direction Compliance

Section C – Environmental, Social and Economic Impact

7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Flora and Fauna

The northern portion of the site contains 1.04 ha of River Flat Eucalypt Forest – an identified Endangered Ecological Community (EECs). The EEC is in good condition and is proposed to be protected by the proposed E2 Environmental Conservation zone, the extent of the EEC is shown on Figure 2.

A 7 Part test was carried out on the site which concluded that the proposal will provide a positive environmental outcome provided that Noxious and other weeds are controlled and appropriate fencing is erected to ensure sediment or nutrient runoff from fertilised areas does not enter Canada Drop Down Creek.

No clearing of EEC is proposed to occur as a result of this planning proposal and the proponent has advised that weed removal will be carried out to further enhance the condition of the EEC.

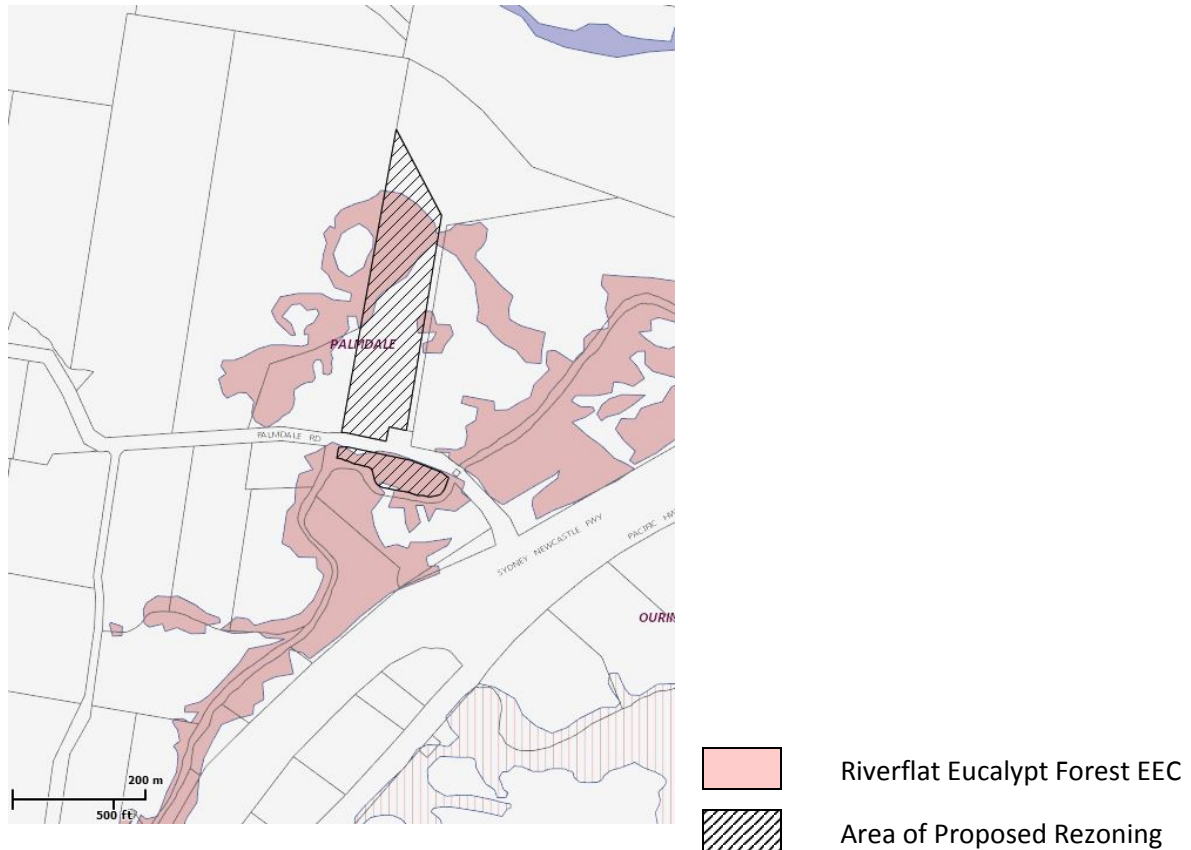


Figure 2 Riverflat Eucalypt Forest EEC

8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Bushfire

The site contains Vegetation Category 2 with a small portion at the northern tip within Vegetation Category 1 as per Council's Bushfire Mapping (see Attachment 5). The site is proposed to be used for low scale memorial walls, burial sites and plaques. Any proposed buildings will be subject to a Development Application and provisions for bushfire hazard reduction will be provided.

Contaminated Land and Acid Sulphate Soils

Clause 7.1 of Wyong LEP 2013 seeks to ensure that development does not disturb, expose or drain acid sulphate soils and cause environmental damage. The site is identified as being located within 500 metres of adjacent Class 1, 2, 3 or 4 as indicated on the Acid Sulphate Soils map. As such an acid sulphate soils management plan report may be required during the DA stage.

Flooding and Drainage

The site is partly flood prone (within the 1% AEP) as shown in Figure 3. It is noted however that the development proposed over Lot 1 DP 1012816 is the extension of an existing cemetery including plots and memorial gardens but excluding any filling of the floodplain or the erection of structures. The flood impact assessment prepared by the proponent's consultant, in support of the application, concludes that the rezoning of the land including future development is not considered to increase

risk to property or life from flooding. The report concludes that the expansion of the cemetery will not have any impact on flood waters.

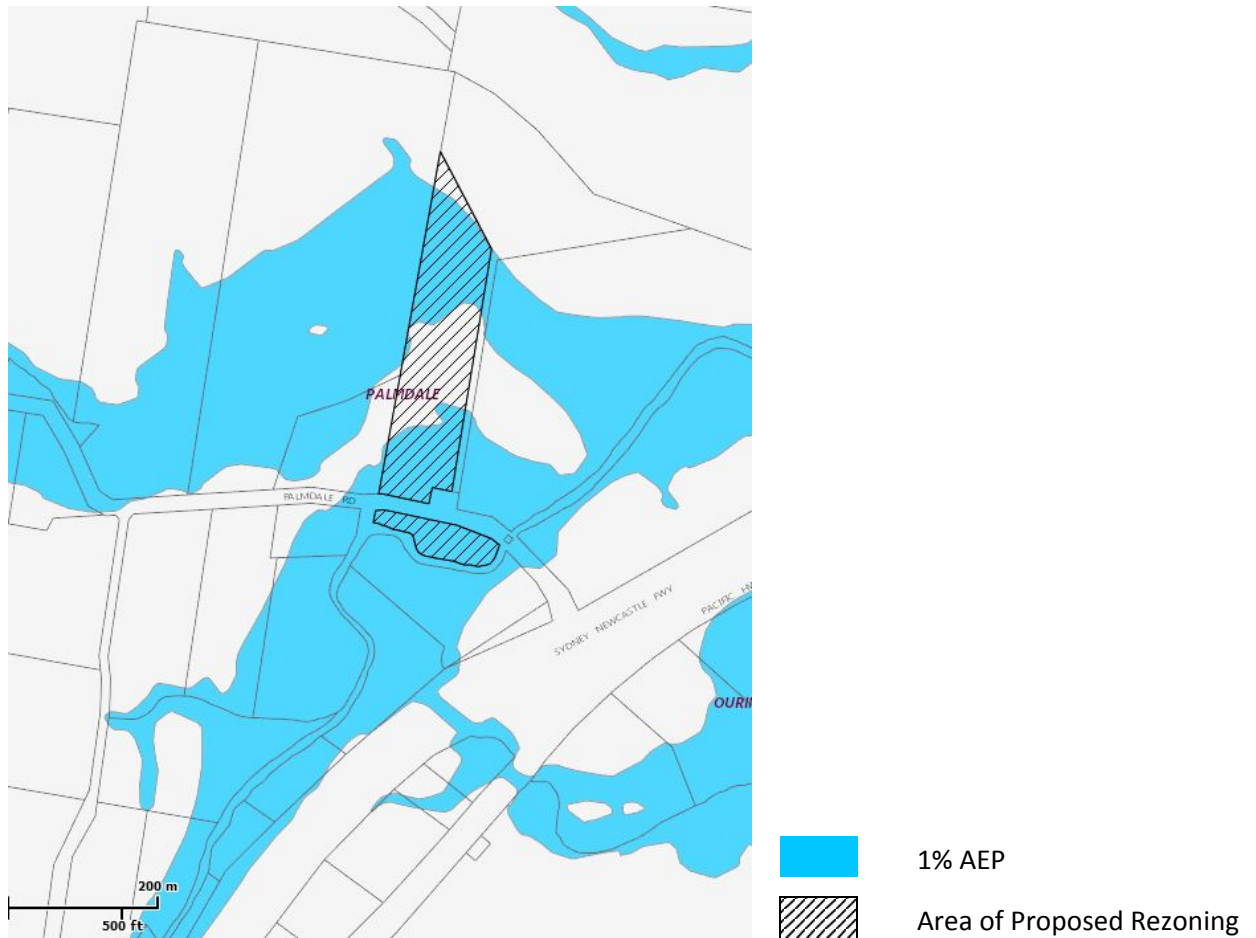


Figure 3 1% AEP

9 Has the planning proposal adequately addressed any social and economic effects?

Social Issues

The proposal will provide for additional burial sites and memorial walls within the local area reducing travel distances.

The proposal will provide, at a minimum, two additional permanent positions providing a small positive impact on employment opportunities in the Palmdale area

Section D – State and Commonwealth Interests

10 Is there adequate public infrastructure for the planning proposal?

Traffic and Transport

No formal traffic study was prepared, however Councils traffic engineers have indicated that the potential expansion of the cemetery proposed through this rezoning is considered unlikely to create significant traffic impacts.

11 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with government agencies has not yet been undertaken.

Government agencies such as the NSW Department of Health and Office of Water will be requested to comment on the planning proposal and identify additional matters required to be addressed in new or revised studies.

Formal consultation will be undertaken in accordance with any determinations made by the Gateway Panel.

Part 4 Mapping

The mapping of existing land use development controls and those proposed to be implemented through the amendment are identified below and provided in the supporting documentation (*mapping*).

Map No.	Map Title
A.	Locality Plan
B.	Current Zoning – Wyong LEP 2013 (8550_COM_LZN_008_020_20131125)
C.	Proposed Zoning – Wyong LEP 2013 (Extract from Proposed amendment to 8550_COM_LZN_008_020_20130604)

Table 4 – Existing and Proposed Mapping

Part 5 Community Consultation

It is expected that the proposal will be made available for a minimum of 14 days for community/agency consultation. This will be undertaken in accordance with any determinations made by the Gateway Panel.

Part 6 Project Timeline

Action	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	27 April 2015	15 May 2015
Anticipated timeframe for the completion of required information	20 May 2015	10 June 2015
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	10 June 2015	8 July 2015
Commencement and completion dates for public exhibition	10 June 2015	8 July 2015
Dates for public hearing (if required)	N/a	N/a
Timeframe for consideration of submissions	8 July 2015	12 August 2015
Timeframe for consideration of a proposal post exhibition (Council Report)	8 July 2015	23 September 2015
Date of submission to the Department to finalise LEP	1 October 2015	18 December 2015
Anticipated date RPA will make the plan (if delegated)*	1 October 2015	1 October 2015
Anticipated date RPA will forward to the Department for notification	19 October 2015	26 October 2015

Table 5 – Key Project Timeframes

* Period includes drafting of instrument and attaining PC Opinion

Supporting Documentation

No.	Document
01 Assessment and Endorsement	
A.	Council Report and Minutes – 8 April 2015
B.	Section 117 Ministerial Direction Assessment
C.	State Environmental Planning Policy Assessment
02 Mapping	
A.	Locality Plan
Existing Provisions	
B.	Current Zoning – Wyong LEP 2013 (8550_COM_LZN_008_020_20131125)
Proposed Provisions	
C.	Proposed Zoning – Wyong LEP 2013 (Extract from Proposed amendment to 8550_COM_LZN_008_020_20150604)
03 Supporting Studies	
A.	Storm Consulting – Flood Hazard Assessment Report - October 2014
B.	Peak Land Management – 7 Part Test
C.	Cardno Geotech Solutions – Groundwater Contamination Letter 4 March 2015

Table 10 – Supporting Documentation to the Planning Proposal