



Item No: 2.12
Title: Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site)
Department: Environment and Planning

28 June 2022 Ordinary Council Meeting

Reference: RZ/2/2021 - D15181521
Author: Lynda Hirst, Section Manager Local Planning and Policy (Acting)
Manager: Scott Duncan, Unit Manager Strategic Planning (Acting)
Executive: David Milliken, Director Environment and Planning (Acting)

Moved: Rik Hart

108/22 Resolved

- 1 That Council prepare a Planning Proposal in relation to Lot 2 DP1056960 and Lot 3 DP1084221, 60 Wyong Road, Tuggerah, to amend the Wyong or Central Coast Local Environmental Plan, whichever is in effect, to:
 - (a) rezone part of the site to R1 General Residential.**
 - (b) realign the existing zone boundary of the B4 Mixed Use zone.**
 - (c) retain the existing C2 Environmental Conservation zone.****

- 2 That Council submit the Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.**

- 3 That Council request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.**

- 4 That Council prepare a site-specific Development Control Plan to support the Planning Proposal to ensure appropriate built form guidelines are applied in the development design for the site.**

- 5 That Council undertake community and public authority consultation in accordance with the Gateway Determination requirements, including the concurrent exhibition of the draft Development Control Plan and draft Planning Agreement.**

- 6 That Council authorise the Chief Executive Officer (or delegate) to enter into a Planning Agreement, informed by community and public authority feedback, and to negotiate and execute all documentation in relation to the finalisation of the Planning Agreement (if required). The Planning Agreement is to be based on the terms as outlined in the Scentre Group Letter of Offer dated 16 March 2022 for monetary contributions and works in kind.**

Recommendation

- 1 That Council prepare a Planning Proposal in relation to Lot 2 DP1056960 and Lot 3 DP1084221, 60 Wyong Road, Tuggerah, to amend the Wyong or Central Coast Local Environmental Plan, whichever is in effect, to:
 - (a) rezone part of the site to R1 General Residential.**
 - (b) realign the existing zone boundary of the B4 Mixed Use zone.**
 - (c) retain the existing C2 Environmental Conservation zone.****
- 2 That Council submit the Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.**
- 3 That Council request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.**
- 4 That Council prepare a site-specific Development Control Plan to support the Planning Proposal to ensure appropriate built form guidelines are applied in the development design for the site.**
- 5 That Council undertake community and public authority consultation in accordance with the Gateway Determination requirements, including the concurrent exhibition of the draft Development Control Plan and draft Planning Agreement.**
- 6 That Council authorise the Chief Executive Officer (or delegate) to enter into a Planning Agreement, informed by community and public authority feedback, and to negotiate and execute all documentation in relation to the finalisation of the Planning Agreement (if required). The Planning Agreement is to be based on the terms as outlined in the Scentre Group Letter of Offer dated 16 March 2022 for monetary contributions and works in kind.**

Report purpose

To consider a request to prepare a planning proposal to rezone part of Lot 2 DP1056960 and Lot 3 DP1084221, 60 Wyong Road, Tuggerah from RU6 Transition to R1 General Residential under the *Central Coast Local Environmental Plan (CCLEP)*, when it comes into effect, or *Wyong Local Environmental Plan 2013 (WLEP 2013)*. The proposal will retain the existing B4 Mixed Use zone with a minor realignment of the zone boundary, resulting in no net loss to the B4 zoned land. The proposal will also retain the existing C2 Environmental Conservation zoned land.

Executive Summary

The planning proposal will seek to create a new community to support the existing Tuggerah Centre with a range of low, medium, and higher-density housing options to meet future housing demand. The residential development will be supported by the retention of the B4 Mixed Use

zoned land to provide for additional large format retail in the short term, transforming to a mixed-use development with a range of employment, retail and entertainment land uses in the longer term.

The planning proposal will be supported by a site-specific Development Control Plan (DCP) to ensure appropriate built form guidelines are applied in the development design, and a Planning Agreement to provide monetary contributions and works in kind to support the development of the site.

The site has been identified in numerous strategic plans as a key gateway to the northern Central Coast, strategically located adjacent to transport corridors and in close proximity to existing infrastructure and services. The development of the site will assist Tuggerah to evolve as a more integrated centre, contributing to its desired future character as a sustainable and vibrant centre, and bringing increased activity, vibrancy and viability to the centre.

The Planning Proposal was considered by the Local Planning Panel on 23 June 2022 where independent advice on the planning proposal was received (Attachment 3).

Background

The site was purchased by Westfield (now Scentre Group) in 1990 with the acquisition facilitating the development of the adjoining Westfield Tuggerah which opened in 1995.

The subject site forms part of the Tuggerah Town Centre and has been identified as a strategic gateway and development opportunity site in numerous strategic planning documents including the Central Coast Regional Plan 2036 by the Department of Planning & Environment (DPE) and Council's Wyong Tuggerah Planning Strategy (2007) and Tuggerah to Wyong Economic Corridor Strategy (2020).

In April 2008 a proposed concept plan for the site was submitted to the [then] Department of Planning for consideration as a Major Project under the former provisions of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The concept plan was subsequently revised to include all Scentre Group landholdings, including the adjoining Westfield Tuggerah and triangle site to the east, with Director General requirements outlining that any proposal for the site was to be consistent with the Tuggerah State Significant Site (SSS) study. A draft structure plan for the Tuggerah SSS was released in 2013 identifying the site as having potential for residential and bulky goods development. However, the SSS proposal did not proceed.

The site and adjoining Westfield Tuggerah were initially deferred from inclusion in the Wyong Local Environmental Plan (WLEP, 2013) due to unresolved strategic planning matters including the rezoning mechanism, flooding and traffic impacts. The WLEP 2013 was later amended on 18 November 2015 zoning the Gateway site a combination of RU6 Transition, B4 Mixed Use and C2 Environmental Conservation.

A development application (DA/1179/2014) was approved on 19 November 2015 for large format retail to be constructed over 2 stages on the B4 part of the site. Stage 1 included a Masters Homemaker Centre of approximately 14,000m². and Stage 2 for complimentary retail/bulky goods development of approximately 9,000m². A Planning Agreement was executed on 26 October 2015

between Scentre Group and the Minister for Planning which triggers road upgrades and signalisation of the Tonkiss St and Wyong Rd intersection when any building works of 14,000m² or greater is constructed on the B4 land. These requirements under this Planning Agreement will be delivered as part of the planning proposal and subsequent development applications. Pre gateway consultation with Transport for NSW (TfNSW) has indicated no objections to the proposal.

Current Status

The site is strategically located adjacent to the M1 Motorway and Pacific Highway transport corridors, and in walking distance to the Tuggerah train station.

The proposed development will enhance the amenity and attractiveness of this key gateway site that forms the entrance to the northern part of the Central Coast. The development incorporates new open space and recreational opportunities whilst improving walkable connections to essential services and public transport.

The proposed development aligns with surrounding land uses and strengthens the existing Tuggerah Town Centre, contributing to its desired future character as a sustainable and vibrant centre. The development of the site will attract investment to the area to stimulate the economy and grow the region as key location for economic development and residential growth.

The Proposal

The planning proposal will seek to amend the relevant Local Environmental Plan as follows:

- 1 Rezone the RU6 Transition land to R1 General Residential.
- 2 Retain the B4 Mixed Use land with a minor realignment of the zone boundary resulting in no net loss of the B4 land.
- 3 Retain the C2 Environmental Conservation land.
- 4 Remove the 40-hectare minimum lot size that applies to the RU6 land.
- 5 Apply maximum height limits to the B4 land ranging from 16m to 42m (note: no maximum height limit currently applies to the site).
- 6 Apply maximum floor space (FSR) ratio limits to the B4 land ranging from 1.25:1 to 2.0:1 (note: no maximum FSR limit currently applies to the site).
- 7 Amend Part 6 of the LEP to include the site as an Urban Release Area.

The flood impact assessment shows the proposal will have no impact in the 1% annual exceedance probability (AEP) flood event aside from a small section within Mardi Creek, which is considered to have negligible impact on neighbouring properties. Minor impacts in the Probable Maximum Flood (PMF) event are not considered to increase the flood hazard in those areas and there is flood free egress from the site during a PMF event.

A Biodiversity Certification Assessment Report (BCAR) has been prepared to support the proposal. The BCAR identifies a number of ecosystem and species credits to be secured and retired to offset the impacts of the proposal. The proposal incorporates retention and a slight expansion of the 4ha conservation zone to protect the existing high value environmental area with ongoing management to be undertaken by the proponent.

Council's Affordable and Alternate Housing Strategy (AAHS) identifies a need for diversity of housing options on the Central Coast. Housing demographics demonstrate increased demand for medium and high-density housing and the proposal provides for a yield of up to 2,177 dwellings, including 661 high density and 959 medium density dwellings. The proposal will enable increased opportunities for well-located affordable and lower cost housing that will satisfy some of the low-income housing needs of the community. The proposed housing is in close proximity to Westfield Tuggerah which provides a range of employment, retail, dining, entertainment, and health services, and a bus service that connects Westfield Tuggerah with the train station and the wider region.

The planning proposal is considered to have strategic planning merit for the following reasons:

- The proposed rezoning to R1 General Residential is consistent with surrounding residential development and will provide additional housing in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Town Centre.
- The retention of the B4 zoned land will provide for short term bulky goods retail development, transitioning to mixed use development along Wyong Road in the longer term. This will ensure ongoing job opportunities with the potential for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.
- The retention of the C2 Environmental Conservation zoned land will facilitate the protection, conservation and enhancement of environmentally sensitive areas with ongoing management of the land to be funded by the proponent.
- The proposed maximum height and floor space ratio (FSR) limits for the B4 portion of the site are considered appropriate and consistent with surrounding development including the proposed Woodberry Park residential development opposite the site (with a maximum height of 37.5m) and the Wyong Town Centre (with a range of FSR limits from 1.1:1 to 3.0:1).
- A site-specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The proposal incorporates a number of parks and accessible open space areas that enable active and passive recreation opportunities and will provide a high-quality amenity for the future residential population.
- A planning agreement will be prepared to support the planning proposal to provide monetary contributions and works in kind to support the development. A letter of offer has been submitted with the proposal which outlines approximately \$11.6 million of improvements including:
 - \$1 million in management of conservation land;
 - \$6.5 million in provision of open space facilities;
 - \$1.5 million for delivery of a new youth centre; and

- \$2.5 million in new pedestrian and vehicular connections including a range of new and upgraded shared pedestrian paths and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.

An assessment of the proposal has been undertaken to inform this recommendation, as detailed in Attachment 1 – Assessment Report. The proposal has also been assessed having regard for all State Environmental Planning Policies (SEPPs), Ministerial Directions and relevant guidelines of the *Central Coast Regional Plan 2036* (CCRP) as detailed in Attachment 2 - Strategic Assessment. As the proposal has strategic merit it is recommended that a planning proposal be prepared and forwarded to the Minister for Planning requesting a Gateway Determination.

Consultation

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly. Pre Gateway consultation on the proposal has occurred with DPE, Biodiversity Conservation Division (BCD) of DPE, TfNSW and NSW Rural Fire Service. The proponent has also consulted with Ausgrid and Darkinjung Local Aboriginal Land Council in development of the indicative structure plan for the site. No objections have been raised to the proposal.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Adoption of the staff recommendation has no bottom-line implications for Council's budget. The direct cost to Council is the preparation of the planning proposal and the associated Planning Agreement and DCP. These costs will be charged as per Council's fees and charges on a cost recovery basis.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

Theme 3: Green

Goal F: Cherished and protected natural beauty

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

Theme 4: Responsible

Goal I: Balanced and sustainable development

R-I2: Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport.

R-I4: Provide a range of housing options to meet the diverse and changing needs of the community and there is adequate affordable housing.

Theme 5: Liveable

Goal K: Out and about in fresh air

L-K2: Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members.

Risk Management

There have been no risks identified to the natural and built environment associated with the proposed amendment to the relevant LEP.

Options

- 1 Support the recommendation as the planning proposal has strategic merit.
The basis for this recommendation is:
 - The proposal rezones the land to an appropriate zone under either the CCLEP or WLEP 2013.
 - The proposal will provide additional housing to meet the growing housing demand adjacent to existing infrastructure and services.
 - The proposal will provide for additional employment generating land uses to expand and complement the existing services within the Tuggerah Town Centre.
 - The proposal respects the scenic values and character of the site, ensuring the environmentally sensitive areas of the site will be retained, enhanced, and protected.

This is the recommended option.

- 2 Refuse to support the Request for a planning proposal (not recommended).
Should the planning proposal not be supported, an opportunity will be missed to enhance the amenity and attractiveness of this key gateway site whilst providing additional housing and employment to support growth and investment in the Tuggerah Town Centre.

Critical Dates or Timeframes

DPE is implementing strict timeframes for planning proposal exhibition and finalisation which will be outlined in the Gateway Determination.

Attachments

1	Planning Proposal Assessment Report - Tuggerah Gateway Site	Provided Under Separate Cover	D15181925
2	Planning Proposal Strategic Assessment - Tuggerah Gateway Site	Provided Under Separate Cover	D15181926
3	Independent Advice - Local Planning Panel - to be provided following the Panel's meeting on 23 June 2022		D15222122
4	Planning Proposal Process Diagram - Tuggerah Gateway Site		D15232060



Proposal Summary

Applicant	Scentre Group		
Owner	Orta Pty Ltd & Scentre Limited		
Application Number	RZ/2/2021		
Description of Land subject of planning proposal	<p><i>Property Description:</i> 60 Wyong Rd, Tuggerah</p> <p><i>Legal Description:</i> Lot 2 DP1056960 & Lot 3 DP1084221</p>		
Site Area	Approximately 42 hectares		
Existing Use	Vacant land currently used for grazing		
Proposed Amendments – Central Coast Local Environmental Plan			
Provisions	Existing Provision	Proposed Amendment	Outcome (Supported/Not Supported)
Zoning	RU6 Transition B4 Mixed Use C2 Environmental Conservation	R1 General Residential B4 Mixed Use C2 Environmental Conservation	Supported
Minimum Lot Size	RU6 - 40ha E2 - 40ha	R1 – no MLS E2 – 40ha	Supported
Height of Building	N/A	Ranging from 16m to 42m across the B4 portion of the site	Supported
Floor Space Ratio	N/A	Ranging from 1.25:1 to 2.0:1 across the B4 portion of the site	Supported



Proposal Summary

The proposal seeks to rezone part of Lot 2 DP1056960 and Lot 3 DP1084221, 60 Wyong Road, Tuggerah from RU6 Transition to R1 General Residential under the *Central Coast Local Environmental Plan* (CCLEP) when it comes into effect, or *Wyong Local Environmental Plan 2013* (WLEP 2013). The proposal will retain the existing B4 Mixed Use zone with a minor realignment of the zone boundary, resulting in no net loss to the B4 zoned land. The proposal will also retain the existing C2 Environmental Conservation zoned land.

The Site

The subject site (Figure 1) is located on the corner of Wyong Road and Tonkiss Street, Tuggerah and is known as the Tuggerah Gateway site (the site). The site is approximately 42 hectares and is adjacent to the existing Westfield Tuggerah and the M1 Motorway. The site was previously used as an abattoir and is comprised mostly of grass cover with minor areas of remanent trees scattered around the perimeter and within the site. The site is currently used for grazing.

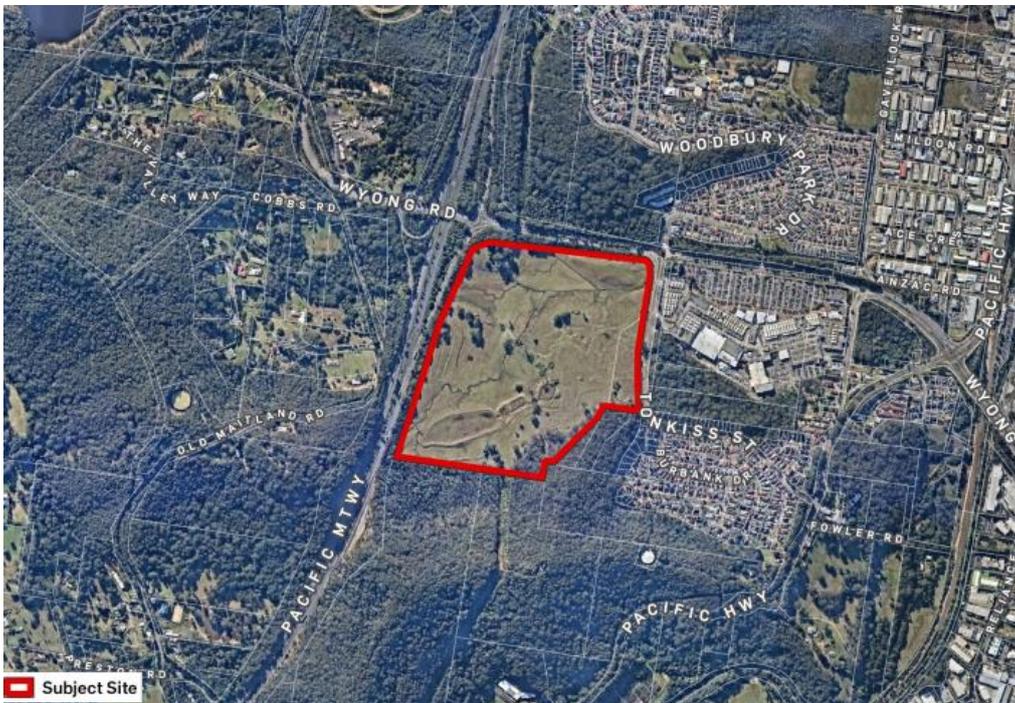


Figure 1 – Aerial photograph of the Tuggerah Gateway site (Urbis GIS)



The site slopes from south to north with natural steep slopes situated primarily within the south-eastern portion of the site which is currently zoned C2 Environmental Conservation zone. The remainder of the site is zoned RU6 Transition zone with a small portion of B4 Mixed Use land in the north eastern corner of the site (Figure 2).

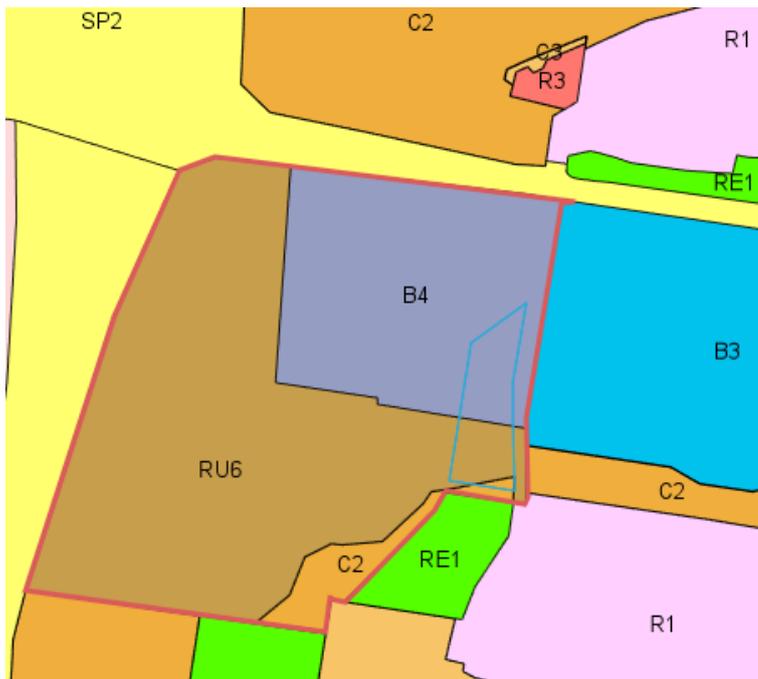


Figure 2 – Existing zoning under Wyong Local Environmental Plan 2013

Background

The site was purchased by Westfield (now Scentre Group) in 1990 with the acquisition facilitating the development of the adjoining Westfield Tuggerah which opened in 1995.

The site forms part of the Tuggerah Town Centre and has been identified as a strategic gateway and development opportunity site in numerous strategic planning documents including the *Central Coast Regional Plan 2036* by the Department of Planning and Environmental (DPE) and Council's *Wyong Tuggerah Planning Strategy* (2007) and *Tuggerah to Wyong Economic Corridor Strategy* (2020).

In April 2008 a proposed concept plan for the site was submitted to the [then] Department of Planning for consideration as a Major Project under the former provisions of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The concept plan was subsequently revised to include all Scentre Group landholdings, including the adjoining Westfield Tuggerah and triangle site to the east, with Director General requirements outlining that any proposal for the site was to be consistent with the Tuggerah State Significant Site (SSS) study. A draft structure plan for the Tuggerah SSS was released in 2013 identifying the site as having potential for residential and bulky goods development. However, the SSS proposal did not proceed.



The site and adjoining Westfield Tuggerah were deferred from inclusion in the WLEP 2013 due to unresolved strategic planning matters including the rezoning mechanism, flooding and traffic impacts. The WLEP 2013 was later amended on 18 November 2015 zoning the site a combination of RU6 Transition, B4 Mixed Use and C2 Environmental Conservation.

A development application DA/1179/2014 was approved on 19 November 2015 for large format retail to be constructed over 2 stages on the B4 zoned land. Stage 1 included a Masters Homemaker Centre of approximately 14,000sq.m. and Stage 2 for complimentary retail/bulky goods development of approximately 9,000sq.m. A Planning Agreement was executed on 26 October 2015 between Scentre Group and the Minister for Planning which triggers road upgrades and signalisation of the Tonkiss St and Wyong Rd intersection when any building works of 14,000sq.m. or greater is constructed on the B4 land. These requirement under this Planning Agreement will be delivered as part of the planning proposal and subsequent development applications.

The Proposal

Zoning

The planning proposal will seek to rezone the portion of the site currently zoned RU6 Transition to R1 General Residential (Figure 3). It is proposed to retain the portion of the site zoned B4 Mixed Use and the portion of the site zoned C2 Environmental Conservation. A minor realignment of the B4 Mixed Use boundary is proposed to reflect the indicative structure plan and the proposed building footprints. It will result in no net loss of employment land.

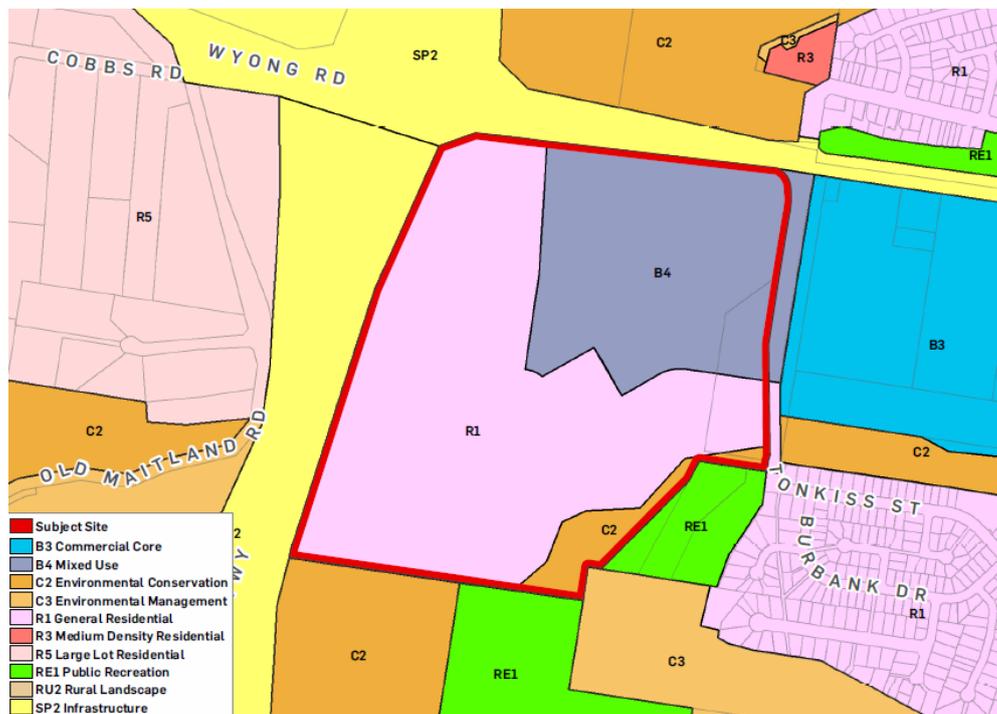


Figure 3 – Proposed zone



Maximum Building Height

The planning proposal will seek to introduce new maximum building heights across the B4 portion of the site (Figure 4). The heights reflect the indicative structure plan and are in response to the natural topography of the site. The heights range from 16m along the south eastern boundary of the B4 zoned land to 42m (approximately 12 storeys) along the perimeter of the zone fronting Wyong Road and Tonkiss Street. Land opposite the development in Woodberry Park currently has a maximum building height of 37.5m.

No maximum height limit is proposed in the LEP for the R1 General Residential zoned land. This is consistent with surrounding R1 land. Built form guidelines and height controls for the residential land will be included in a site specific Development Control Plan (DCP) for the site. The draft DCP proposes to limit residential development on the R1 land to a maximum of 10m (generally two to three storeys).

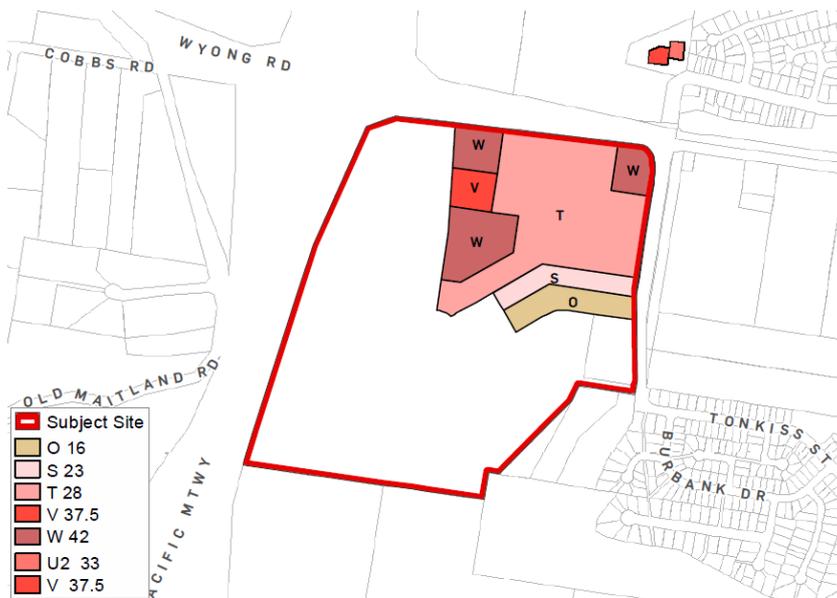


Figure 4 – Proposed maximum building height

Maximum Floor Space Ratio

The planning proposal will seek to introduce new maximum floor space ratio (FSR) limits across the B4 portion of the site (Figure 5). The FSR limits reflect the indicative structure plan for the site and range from 1.25:1 to 2.0:1. Similar FSR limits currently apply to the Wyong Town Centre which ranges from 1.1:1 to 3.0:1.

No maximum FSR control is proposed in the LEP for the R1 General Residential zoned land. This is consistent with surrounding R1 land. FSR controls will be outlined in a site specific DCP for the site. The draft DCP proposes to limit FSR for dual occupancy, semi detached dwellings, multi dwelling housing and attached dwelling to 0.75:1.

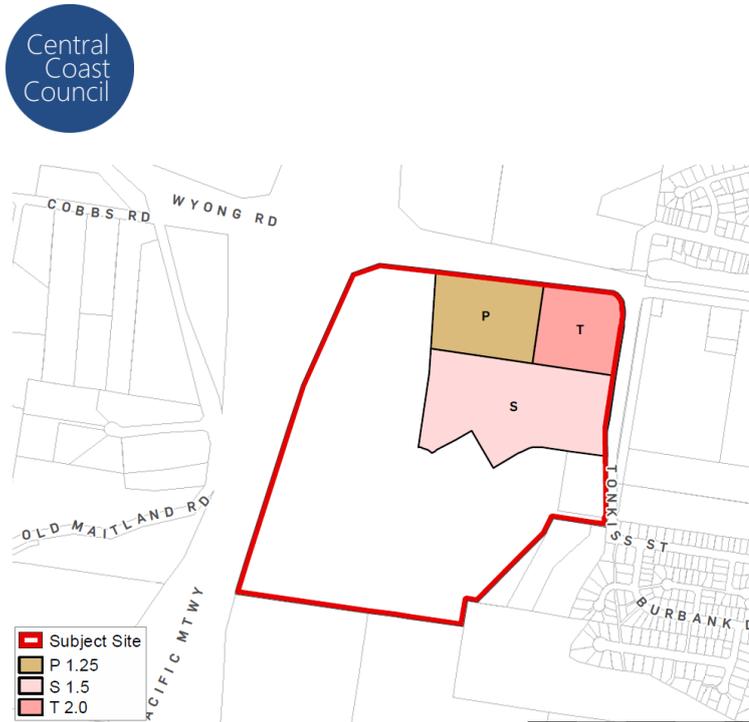


Figure 5 – Proposed maximum FSR

Minimum Lot Size

Under WLEP 2013 a minimum lot size (MLS) of 40 hectares applies to the portion of the site zoned RU6 Transition and C2 Environmental Conservation. The planning proposal will seek to remove the minimum lot size from the RU6 land upon its rezoning to R1 General Residential (Figure 6). No minimum lot size is proposed for the R1 land which is consistent with surrounding R1 land. A site specific DCP will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site.

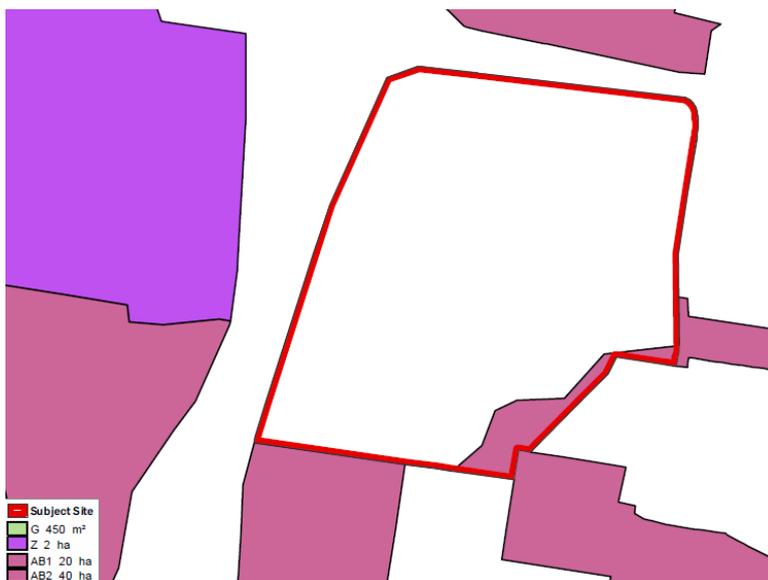


Figure 6 – Proposed MLS



Assessment

The planning proposal is considered to have strategic planning merit for the following reasons:

- The proposed rezoning to R1 General Residential is consistent with surrounding residential development and will provide additional housing in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Town Centre.
- The retention of the B4 zoned land will provide for short term bulky goods retail development, transitioning to mixed use development along Wyong Road in the longer term. This will ensure ongoing job opportunities with the potential for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.
- The retention of the C2 Environmental Conservation zoned land will facilitate the protection, conservation and enhancement of environmentally sensitive areas with ongoing management of the land to be funded by the proponent.
- The proposed maximum height and floor space (FSR) limits for the B4 portion of the site are considered appropriate and consistent with surrounding development including the proposed Woodberry Park residential development opposite the site (with a maximum height of 37.5m) and the Wyong Town Centre (with a range of FSR limits from 1.1:1 to 3.0:1).
- A site specific DCP will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The proposal incorporates a number of parks and accessible open space areas that enable active and passive recreation opportunities and will provide a high quality amenity for the future residential population.
- A planning agreement will be prepared to support the planning proposal to provide monetary contributions and works in kind to support the development. A letter of offer has been submitted with the proposal which outlines approximately \$11.6 million of improvements including-
 - \$1 million in management of conservation land
 - \$6.5 million in provision of open space facilities
 - \$1.5 million for delivery of a new youth centre
 - \$2.5 million in new pedestrian and vehicular connections including a range of new and upgraded shared pedestrian paths and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.



Internal Consultation

Internal consultation for the Planning Proposal has been undertaken as summarised below:

Environment

Land zoned C2 Environmental Conservation exists in the south east of the site and is proposed to be slightly expanded. The proposal also proposes to retain a rocky outcrop and native vegetation in the north west of the site, and a small area of remnant native vegetation in the east. The proposal also seeks to improve and restore Mardi Creek which runs west to east along the northern boundary of the site.

A Biodiversity Certification Assessment Report (BCAR) has been prepared by Ecological to support the proposal. The BCAR identifies the following credits to be secured and retired to offset the impacts of the proposal:

- 10 ecosystem credits to offset impacts to PCT 684 - Blackbutt - Narrow-leaved White Mahogany shrubby tall open forest of coastal ranges, northern Sydney Basin Bioregion
- 2 ecosystem credits to offset impacts to PCT 1105 - River Oak open forest of major streams, Sydney Basin Bioregion and South East Corner Bioregion
- 3 ecosystem credits to offset impacts to PCT 1718 - Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast
- 3 species credits for impacts to Biconvex Paperbark (*Melaleuca biconvexa*)
- 17 species credits for impacts to Southern Myotis (*Myotis Macropus*)

Council's Strategic Environmental Planner has outlined that some minor revisions may be required to the proposal to avoid impacts to the *Melaleuca biconvexa* on the northern boundary of the site. The area of identified *Melaleuca biconvexa* (approximately 0.14 hectares) is currently zoned B4 Mixed Use with previous DA and Planning Agreement approval to locate the proposed intersection to Wyong Road in this locality. Further consultation will be undertaken with the Biodiversity Conservation Division (BCD) of DPE to determine if a minor boundary readjustment is necessary to avoid impacts to this species.

The letter of offer submitted with the proposal proposes the retention of 4 hectares of conservation land with ongoing management to be undertaken by the proponent in consultation with Darkinjung Local Aboriginal Land Council.

Water and Sewer

The proponent has prepared a servicing strategy to outline the proposed water demand and sewer loading for the development. For water supply, there is an existing 200mm water main on 50 Wyong Rd. The proposed development will be required to connect into the 200mm water main and extend this water main into the development land and connect back into the existing Council 150mm water main on the southern end of Tonkiss St.

The existing 300mm Council sewer main does not have the capacity for the whole development. The proponent will be required to undertake further investigations and update the servicing strategy to consider the different options available to service the proposed



development. This will ensure the necessary water and sewer infrastructure can be designed and delivered at the Development Application stage.

Flooding and Drainage

The Flood Assessment Report has been reviewed and the modelling methodology, input parameters and assumptions are deemed to be satisfactory. The Flood Model referred to in the report is assumed to be reliable. The Flood Impact Assessment shows no impact in the 1% annual exceedance probability (AEP) flood event aside from a small section within Mardi Creek, which is considered to have negligible impact on neighbouring properties. Minor impacts in the Probable Maximum Flood (PMF) event are not considered to increase the flood hazard in those areas and there is flood free egress from the site during a PMF event.

Traffic and Transport

A traffic and transport report has been prepared to support the proposal. The proposal will provide significant road infrastructure including upgrades to the Wyong Rd and Tonkiss St intersection. The proposal provides a range of new and upgraded shared pedestrian path and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange. Further detailed traffic investigations will be required at DA stage.

Social Planning

Council's Affordable and Alternate Housing Strategy (AAHS) identifies a need for diversity of housing options on the Central Coast. The planning proposal provides for a range of housing typologies to enable choice reflective of changing demographics. Housing demographics demonstrate increased demand for medium and high density housing and the proposal provides for a yield of up to 2,177 dwellings with 661 high density and 959 medium density dwellings. The indicative concept plan also provides for seniors housing with 261 independent living units.

The proposal will enable increased opportunities for well-located affordable and lower cost housing that will satisfy some of the low-income housing needs of the community. The proposed housing is in close proximity to Westfield Tuggerah which provides a range of retail, dining, entertainment, and health services, and a bus service that connects Westfield Tuggerah with the train station and the wider region.

In discussions with Council's Community and Culture team it was highlighted that this proposal has the opportunity to fill current gaps that exist in the community, in particular for the aged and the youth. A Letter of Offer has been submitted by the proponent outlining a range of monetary contributions and works in kind to support the proposal. Included in the offer is delivery of a ground floor youth centre valued at \$1.5 million either as part of future development of the Gateway site or within the adjoining Westfield Tuggerah.

Land Contamination

The land was utilised as an abattoir since the early 1900s. A Preliminary Site Investigation for Contamination prepared by Douglas Partners (2016) has found that there is a low potential for



significant or widespread contamination of the site. Localised potential contamination sources were identified from fill material, previous demolition works and from the previous abattoir.

Council's Environmental Health Officer has concluded that the findings are not significant enough in nature to prevent the rezoning proposal from proceeding. A detailed contamination assessment must be completed at DA stage to determine the level of contamination of the site and to prepare a remedial action plan to ensure the land is made suitable for its intended/proposed use.

Acoustic Impact

An acoustic assessment has been prepared to support the proposal. The predictive modelling suggests that the proposed residential locations can be made suitable with specific construction material. Additional attenuation measures should be considered at DA stage to provide for improved amenity for the future residential development located adjoining the M1 Pacific Motorway.

Development Design

Consultation has also occurred with the following Council sections who have identified issues to be addressed in the development design of the site and any future DA for the site:

- Development Assessment
- Engineering Certification
- Natural Assets and Biodiversity
- Open Space and Recreation
- Centres Planning and Urban Design
- Local Infrastructure and Planning

These issues will also be considered in finalising a draft site specific DCP for the site.

External consultation

Pre Gateway consultation on the proposal has occurred with DPE, Biodiversity Conservation Division (BCD) of DPE, Transport for NSW (TfNSW), and NSW Rural Fire Service. The proponent has also consulted with Ausgrid and Darkinjung Local Aboriginal Land Council (LALC) in development of the indicative structure plan for the site. No objections have been raised to the proposal.

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly.

Statutory compliance and strategic justification

The proposal has been assessed having regard for all State Environmental Planning Policies (SEPPs), Ministerial Directions and relevant guidelines set out within the *Central Coast Regional Plan 2036* (CCRP) as detailed in Attachment 2 Strategic Assessment.

The proposal is considered to be consistent with these considerations and therefore suitable for forwarding to the Minister of Planning requesting a Gateway Determination.



Central Coast Council
Planning Proposal RZ
Strategic Assessment

Version 0.3

Date: May 2022

Strategic Assessment
Lot /DP: Lot 2 DP1056960 & Lot 3 DP1084221
Site Address: 60 Wyong Road
Suburb: Tuggerah
File No: RZ/2/2021
Date: May 22
Version 1.0
Central Coast Council

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Central Coast Regional Plan Assessment

Direction	Applicable	Assessment/Comment
1. Grow Gosford City Centre as the region's capital	N/A	The subject land is not within Gosford City Centre
2. Focus economic development in the Southern and Northern Growth Corridors	Yes	The subject land is located within the Northern Growth Corridor. Development of the site is consistent with Council's Tuggerah to Wyong Economic Corridor Strategy (2021) and Action 2.10 in creating a diverse, connected, and vibrant Tuggerah centre.
3. Support priority economic sectors	Yes	The Planning Proposal comprises a range of land uses to support the adjoining Westfield Tuggerah. The proposal locates additional housing in close proximity to existing essential services and retail and commercial uses. No net loss is proposed to the portion of the site currently zoned B4 Mixed Use. The proposed development is consistent with Action 3.3 to Establish the Northern and Southern Growth Corridors as key locations for economic development, residential growth and investment.
4. Strengthen inter-regional and intra-regional connections for business	Yes	The subject land is located adjacent to the M1 Pacific Motorway. The proposed development will implement Action 4.4 to Improve connections between residential and employment areas, including opportunities to better use public transport, walking and cycling modes. The Letter of Offer submitted with the Planning Proposal provides for over \$2.5 million of new and improved pedestrian paths and cycleways both within the development site and connecting to Tuggerah train station and bus interchange.
5. Support new and expanded industrial activity	Yes	The proposed use is not an industrial activity but will provide additional housing to support the existing commercial and retail uses within the Tuggerah Centre. No net loss in employment land is created with the existing B4 Mixed Use portion of the site retaining its capacity to providing for employment generating uses.
6. Strengthen the economic self-determination of Aboriginal communities	N/A	The Planning Proposal does not relate to Aboriginal land.

Direction	Applicable	Assessment/Comment
7. Increase job containment in the region	Yes	The proposed development retains the B4 Mixed use zone over a portion of the site to provide short term bulky goods retail, transitioning to mixed use development along Wyong Road in the longer term. This will ensure job opportunities throughout the project life cycle.
8. Recognise the cultural landscape of the Central Coast	Yes	The proposed development respects the scenic values and character of the site, retaining the site's natural assets including the rocky outcrop in the northwest and southwest of the site.
9. Protect and enhance productive agricultural land	N/A	The subject land is not zoned for agricultural use.
10. Secure the productivity and capacity of resource lands	N/A	The subject land is not identified as resource land.
11. Sustain and balance productive landscapes west of the M1	N/A	The subject land is not located west of the M1.
12. Protect and manage environmental values	Yes	The proposed development retains the existing riparian corridor and the C2 Environmental Conservation land along the eastern and southern boundary of the site. Approximately 31.8% of the site will contain open space or water bodies including the conservation land, rocky outcrop, Mardi Creek and linear park.
13. Sustain water quality and security	Yes	Water Sensitive Urban Design (WSUD) principles have been incorporated into the proposed development.
14. Protect the coast and manage natural hazards and climate change	N/A	The subject land is not located on the coast and is not subject to coastal hazards.
15. Create a well-planned, compact settlement pattern	Yes	The Planning Proposal will implement Action 15.5 to Link communities with centres, employment areas, the Northern and Southern Growth Corridors and greater open space and recreation opportunities. The proposed development provides for additional housing alongside employment, retail and commercial land uses, and incorporates open space and recreation opportunities within the site.
16. Grow investment opportunities in the region's centres	Yes	The Planning Proposal limits retail activity and provides additional housing to support the existing Tuggerah and Wyong centres and ensure their ongoing viability.

Direction	Applicable	Assessment/Comment
17. Align land use and infrastructure planning	Yes	The Planning Proposal intensifies urban development in close proximity to existing infrastructure including the M1 Pacific Motorway and Tuggerah train station. The development will provide extensions and capacity upgrades to existing water and sewer services to cater for the proposal.
18. Create places that are inclusive, well-designed and offer attractive lifestyles	Yes	The proposed development will enhance the amenity and attractiveness of this key gateway site at the entrance to the northern part of the Central Coast. The development incorporates new open space and recreational opportunities whilst improving walkable connections to essential services and public transport.
19. Accelerate housing supply and improve housing choice	Yes	The Planning Proposal provides for an additional 2,177 dwellings over the life of the development with a range of low to high density housing options.
20. Grow housing choice in and around local centres	Yes	The Planning Proposal provides a range of housing options adjacent to Westfield Tuggerah and the M1 and Pacific Highway transport corridors, and in walking distance to the Tuggerah train station.
21. Provide housing choice to meet community needs	Yes	The proposed development provides for housing diversity with a range of housing types including detached dwellings, medium density townhouses/terraces, apartments and seniors living.
22. Deliver housing in new release areas that are best suited to building new communities	N/A	The subject land is not located within the North Wyong Shire Structure Plan area.
23. Manage rural lifestyles	N/A	The subject land is not located within a rural area.

State Environmental Planning Policy Assessment

State Environmental Planning Policy (Biodiversity and Conservation) 2021.	Assessment/Comment
Chapter 2 – Vegetation in Non-Rural Areas	
<p>The aims of this Chapter are—</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</p> <p>This Chapter applies to the following areas of the State (the non-rural areas of the State)—</p> <p>(b) land within the following zones under an environmental planning instrument—</p> <ul style="list-style-type: none"> RU5 Village, R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential, B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core, B4 Mixed Use, B5 Business Development, B6 Enterprise Corridor, B7 Business Park, B8 Metropolitan Centre, IN1 General Industrial, IN2 Light Industrial, IN3 Heavy Industrial, IN4 Working Waterfront, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist, RE1 Public Recreation, RE2 Private Recreation, E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living or W3 Working Waterways. 	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>A BCAR has been prepared in accordance with the BAM to support biocertification of the subject land. Land zoned C2 Environmental Conservation exists in the south east of the site and is proposed to be slightly expanded. The proposal also proposes to retain a rocky outcrop and native vegetation in the north west of the site, and a small area of remnant native vegetation in the east.</p>

State Environmental Planning Policy (Biodiversity and Conservation) 2021.	Assessment/Comment
Chapter 3 – Koala habitat protection 2020	
Not applicable.	Not applicable.
Chapter 4 – Koala Habitat Protection 2021	
<p><i>This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</i></p> <p><i>This Chapter does not apply to—</i></p> <p>(a) <i>land dedicated or reserved under the National Parks and Wildlife Act 1974, or acquired under Part 11 of that Act, or</i></p> <p>(b) <i>land dedicated under the Forestry Act 2012 as a State forest or a flora reserve, or</i></p> <p>(c) <i>land on which biodiversity certification has been conferred, and is in force, under Part 8 of the Biodiversity Conservation Act 2016, or</i></p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>Field survey and habitat monitoring undertaken by Ecological Australia did not record the presence of any koalas on the site. It has been sufficiently demonstrated that the proposal will have a little to no direct impact on koalas or koala habitats, as such a Tier 2 assessment process is not required.</p>
Chapter 5 – River Murray lands	
Not applicable.	Not applicable.
Chapter 6 – Bushland in Urban Areas	
<p>(1) <i>The general aim of this Chapter is to protect and preserve bushland within the urban areas referred to in Schedule 5 because of—</i></p> <p>(a) <i>its value to the community as part of the natural heritage,</i></p> <p>(b) <i>its aesthetic value, and</i></p> <p>(c) <i>its value as a recreational, educational and scientific resource.</i></p> <p>(2) <i>The specific aims of this Chapter are—</i></p> <p>(a) <i>to protect the remnants of plant communities which were once characteristic of land now within an urban area,</i></p> <p>(b) <i>to retain bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term,</i></p> <p>(c) <i>to protect rare and endangered flora and fauna species,</i></p> <p>(d) <i>to protect habitats for native flora and</i></p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>A BCAR has been prepared in accordance with the BAM to support biocertification of the subject land. Land zoned C2 Environmental Conservation exists in the south east of the site and is proposed to be slightly expanded. The proposal also proposes to retain a rocky outcrop and native vegetation in the north west of the site, and a small area of remnant native vegetation in the east. The proposal also seeks to improve and restore Mardi Creek which runs west to east along the northern boundary of the site.</p>

State Environmental Planning Policy (Biodiversity and Conservation) 2021.	Assessment/Comment
<p><i>fauna,</i></p> <p>(e) <i>to protect wildlife corridors and vegetation links with other nearby bushland,</i></p> <p>(f) <i>to protect bushland as a natural stabiliser of the soil surface,</i></p> <p>(g) <i>to protect bushland for its scenic values, and to retain the unique visual identity of the landscape,</i></p> <p>(h) <i>to protect significant geological features,</i></p> <p>(i) <i>to protect existing landforms, such as natural drainage lines, watercourses and foreshores,</i></p> <p>(j) <i>to protect archaeological relics,</i></p> <p>(k) <i>to protect the recreational potential of bushland,</i></p> <p>(l) <i>to protect the educational potential of bushland,</i></p> <p>(m) <i>to maintain bushland in locations which are readily accessible to the community, and</i></p> <p>(n) <i>to promote the management of bushland in a manner which protects and enhances the quality of the bushland and facilitates public enjoyment of the bushland compatible with its conservation.</i></p> <p><i>This Chapter applies to the areas and parts of areas specified in Schedule 5:</i></p> <p><i>Gosford</i></p>	
Chapter 7 – Canal Estate Development	
Not applicable.	Not applicable.
Chapter 8 – Sydney drinking water catchment	
Not applicable.	Not applicable.
Chapter 9 – Hawkesbury – Nepean River	
Not applicable.	Not applicable.
Chapter 10 – Sydney Harbour Catchment	
Not applicable.	Not applicable.
Chapter 11 – Georges Rivers Catchment	
Not applicable.	Not applicable.
Chapter 12 – Willandra Lakes Region World Heritage Property	
Not applicable.	Not applicable.

SEPP (Design and Place) 2021 (DRAFT)	Assessment/Comment
TBA	Not applicable.

State Environmental Planning Policy (Housing) 2021	Assessment/Comment
Chapter 2 – Affordable Housing	
<p><i>The principles of this Policy are as follows—</i></p> <p>(a) <i>enabling the development of diverse housing types, including purpose-built rental housing,</i></p> <p>(b) <i>encouraging the development of housing that will meet the needs of more vulnerable members of the community, including very low to moderate income households, seniors and people with a disability,</i></p> <p>(c) <i>ensuring new housing development provides residents with a reasonable level of amenity,</i></p> <p>(d) <i>promoting the planning and delivery of housing in locations where it will make good use of existing and planned infrastructure and services,</i></p> <p>(e) <i>minimising adverse climate and environmental impacts of new housing development,</i></p> <p>(f) <i>reinforcing the importance of designing housing in a way that reflects and enhances its locality,</i></p> <p>(g) <i>supporting short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,</i></p> <p>(h) <i>mitigating the loss of existing affordable rental housing.</i></p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>The proposal will provide a range of housing options in close proximity to existing infrastructure and services. Housing typologies include detached dwellings, medium density townhouses/terraces, apartments and seniors living.</p>
Chapter 3 – Diverse Housing	
<p>Part 1: Secondary Dwellings</p> <p>Part 2: Group Homes</p> <p>Part 3: Co-living Housing</p> <p>Part 4: Built-to-rent Housing</p> <p>Part 5: Seniors Housing</p> <p>Part 6: Short-term Rental Accommodation</p> <p>Part 7: Conversion of Certain Serviced Apartments</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>The proposal will provide a range of diverse housing options including seniors living in the form of independent living units.</p>
<p>Part 8: Manufactured Home Estates</p> <p><i>The aims of this Part are—</i></p> <p>(a) <i>to facilitate the establishment of manufactured</i></p>	<p>The Proposal is consistent with the provisions of this SEPP.</p>

State Environmental Planning Policy (Housing) 2021	Assessment/Comment
<p><i>home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and</i></p> <p><i>(b) to provide immediate development opportunities for manufactured home estates on the commencement of this Part, and</i></p> <p><i>(c) to encourage the provision of affordable housing in well-designed estates, and</i></p> <p><i>(d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and</i></p> <p><i>(e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and</i></p> <p><i>(f) to protect the environment surrounding manufactured home estates, and</i></p> <p><i>(g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.</i></p>	<p>The proposal does not propose or impact any manufactured home estates.</p>
<p>Part 9: Caravan Parks</p> <p><i>The aim of this Part is to encourage—</i></p> <p><i>(a) the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and</i></p> <p><i>(b) the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and</i></p> <p><i>(c) the provision of community facilities for land so used, and</i></p> <p><i>(d) the protection of the environment of, and in the vicinity of, land so used.</i></p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>The proposal does not propose or impact any caravan parks.</p>

State Environmental Planning Policy (Industry and Employment) 2021.	Assessment/Comment
Chapter 3 – Advertising and Signage	
<p>1. This Chapter aims—</p> <ul style="list-style-type: none"> (a) to ensure that signage (including advertising)— <ul style="list-style-type: none"> i is compatible with the desired amenity and visual character of an area, and ii provides effective communication in suitable locations, and iii is of high-quality design and finish, and (b) to regulate signage (but not content) under Part 4 of the Act, and (c) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. <p>This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p>

State Environmental Planning Policy (Planning Systems) 2021	Assessment/Comment
Chapter 2 – State and Regional Development	
<p>The aims of this Chapter are as follows—</p> <ul style="list-style-type: none"> (a) to identify development that is State significant development, (b) to identify development that is State significant infrastructure and critical State significant infrastructure, (c) to identify development that is regionally significant development. <p>This chapter applies to Warnervale Town Centre as well as general categories of state significant development.</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p>
Chapter 3 – Aboriginal Land	
<p>The aims of this Chapter are—</p> <ul style="list-style-type: none"> (a) to provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered when development applications are considered, and 	<p>There are four sites within the Central Coast LGA which are subject to the SEPP. The Planning Proposal does not apply to any of these sites. The Proposal is consistent with the provisions of this SEPP.</p>

State Environmental Planning Policy (Planning Systems) 2021	Assessment/Comment
<p>(b) to declare specified development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.</p> <p>This Chapter applies to the land specified on the Land Application Map.</p>	

State Environmental Planning Policy (Precincts—Regional) 2021	Assessment/Comment
Chapter 5 – Gosford City Centre	
<p>The aims of this Chapter are as follows—</p> <p>(a) to promote the economic and social revitalisation of Gosford City Centre,</p> <p>(b) to strengthen the regional position of Gosford City Centre as a multi-functional and innovative centre for commerce, education, health care, culture and the arts, while creating a highly liveable urban space with design excellence in all elements of its built and natural environments,</p> <p>(c) to protect and enhance the vitality, identity and diversity of Gosford City Centre,</p> <p>(d) to promote employment, residential, recreational and tourism opportunities in Gosford City Centre,</p> <p>(e) to encourage responsible management, development and conservation of natural and man-made resources and to ensure that Gosford City Centre achieves sustainable social, economic and environmental outcomes,</p> <p>(f) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of Gosford City Centre for the benefit of present and future generations,</p> <p>(g) to help create a mixed use place, with activity during the day and throughout the evening, so that Gosford City Centre is safe, attractive and efficient for, and inclusive of, its local population and visitors alike,</p> <p>(h) to preserve and enhance solar access to key public open spaces,</p> <p>(i) to provide direct, convenient and safe pedestrian links between Gosford City Centre and the Gosford waterfront,</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>The land comprising Gosford City Centre as defined by the <i>State Environmental Planning Policy (Precincts—Regional) 2021</i> is not subject to the draft Planning Proposal.</p>

State Environmental Planning Policy (Precincts—Regional) 2021	Assessment/Comment
<i>(j) to ensure that development exhibits design excellence to deliver the highest standard of architectural and urban design in Gosford City Centre.</i>	
State Environmental Planning Policy (Primary Production) 2021.	Assessment/Comment
Chapter 2 - Primary Production and Rural Development	
<p><i>The aims of this Chapter are as follows—</i></p> <ul style="list-style-type: none"> <i>(a) to facilitate the orderly economic use and development of lands for primary production,</i> <i>(b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</i> <i>(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</i> <i>(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</i> <i>(e) to encourage sustainable agriculture, including sustainable aquaculture,</i> <i>(f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,</i> <i>(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</i> 	<p>The Proposal is consistent with the provisions of this SEPP.</p>
Chapter 3 - Central Coast Plateau Areas	
<p><i>The general aims of this Chapter are—</i></p> <ul style="list-style-type: none"> <i>(a) to provide for the environmental protection of the Central Coast plateau areas and to provide a basis for evaluating competing land uses,</i> 	<p>No land within the draft Planning Proposal is located within the Central Coast Plateau Area.</p> <p>The Proposal is consistent with the provisions of this SEPP</p>

State Environmental Planning Policy (Primary Production) 2021.	Assessment/Comment
<p>(b) to encourage the use of land having a high agricultural capability for that purpose and, as much as possible, to direct development for non-agricultural purposes to land of lesser agricultural capability,</p> <p>(c) to protect regionally significant mining resources and extractive materials from sterilization,</p> <p>(d) to enable development for the purposes of extractive industries in specified locations,</p> <p>(e) to protect the natural ecosystems of the region, and</p> <p>(f) to maintain opportunities for wildlife movement across the region, and</p> <p>(g) to discourage the preparation of draft local environmental plans designed to permit rural residential development, and</p> <p>(h) to encourage the preparation of draft local environmental plans based on merits.</p>	

State Environmental Planning Policy (Resilience and Hazards) 2021.	Assessment/Comment
Chapter 2 - Coastal Management	
<p><i>The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by—</i></p> <p>(a) managing development in the coastal zone and protecting the environmental assets of the coast, and</p> <p>(b) establishing a framework for land use planning to guide decision-making in the coastal zone, and</p> <p>(c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p>
Chapter 3 – Hazardous and Offensive Development	
<p><i>This Chapter aims—</i></p> <p>(a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and</p> <p>(b) to render ineffective a provision of any environmental</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p>

State Environmental Planning Policy (Resilience and Hazards) 2021.	Assessment/Comment
<p><i>planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Chapter, and</i></p> <p>(c) <i>to require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and</i></p> <p>(d) <i>to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and</i></p> <p>(e) <i>to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and</i></p> <p>(f) <i>to require the advertising of applications to carry out any such development.</i></p>	
Chapter 4 - Remediation of Land	
<p>1. <i>The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</i></p> <p>2. <i>In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</i></p> <p>(a) <i>by specifying when consent is required, and when it is not required, for a remediation work, and</i></p> <p>(b) <i>by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</i></p> <p>(c) <i>by requiring that a remediation work meet certain standards and notification requirements.</i></p>	<p>The Proposal is consistent with the provisions of this SEPP.</p> <p>The land was utilised as an abattoir since the early 1900s. A Preliminary Site Investigation for Contamination prepared by Douglas Partners (2016) has found low potential for significant or widespread contamination of the site. Localised potential contamination sources were identified from fill material, previous demolition works and from the previous abattoir.</p> <p>Based on this assessment, it is determined the site is generally considered compatible with the proposed residential land use. A Stage 2 Contamination Assessment will be required in the detailed Development Application stage.</p>

State Environmental Planning Policy (Resources and Energy) 2021.	Assessment/Comment
Chapter 2 – Mining, Petroleum Production and Extractive Industries	
<p>The aims of this Chapter are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries—</p> <ul style="list-style-type: none"> (a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and (c) to promote the development of significant mineral resources, and (d) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and (e) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development— <ul style="list-style-type: none"> i to recognise the importance of agricultural resources, and ii to ensure protection of strategic agricultural land and water resources, and iii to ensure a balanced use of land by potentially competing industries, and iv to provide for the sustainable growth of mining, petroleum and agricultural industries. 	<p>The Proposal is consistent with the provisions of this SEPP.</p>
Chapter 3 – Extractive Industries in Sydney Area	
<p>This Chapter aims—</p> <ul style="list-style-type: none"> (a) to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance, and (b) to permit, with the consent of the council, development for the purpose of extractive industries on land described in Schedule 3 or 4, and (c) to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential, and 	<p>The Proposal is consistent with the provisions of this SEPP.</p>

State Environmental Planning Policy (Resources and Energy) 2021.	Assessment/Comment
<p>(d) to promote the carrying out of development for the purpose of extractive industries in an environmentally acceptable manner, and</p> <p>(e) to prohibit development for the purpose of extractive industry on the land described in Schedule 5 in the Macdonald, Colo, Hawkesbury and Nepean Rivers, being land which is environmentally sensitive.</p> <p>This chapter applies to land in former Gosford and former Wyong LGAs.</p>	

State Environmental Planning Policy (Transport and Infrastructure) 2021	Assessment/Comment
Chapter 2 – Infrastructure	
<p>The aim of this Chapter is to facilitate the effective delivery of infrastructure across the State by—</p> <p>(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and</p> <p>(b) providing greater flexibility in the location of infrastructure and service facilities, and</p> <p>(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and</p> <p>(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and</p> <p>(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and</p> <p>(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</p> <p>(g) providing opportunities for infrastructure to demonstrate good design outcomes.</p>	<p>The Proposal is consistent with the provisions of this SEPP.</p>
Chapter 3 – Educational Establishments and Childcare Facilities	

State Environmental Planning Policy (Transport and Infrastructure) 2021	Assessment/Comment
<p><i>The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—</i></p> <ul style="list-style-type: none"> <i>(a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and</i> <i>(b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and</i> <i>(c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and</i> <i>(d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and</i> <i>(e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</i> <i>(f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and</i> <i>(g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</i> <i>(h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</i> 	<p>The Proposal is consistent with the provisions of this SEPP</p>

Ministerial Section 9.1 Directions

Planning Systems	Comments
1.1 Implementation of the Minister's Planning Principles	
<ul style="list-style-type: none"> • <i>In the preparation of a planning proposal the planning authority must have regard to the Minister's Planning Principles and give consideration to specific planning principles in the Ministers Planning Principles that are relevant to the preparation of the planning proposal.</i> • <i>Where there is an inconsistency between a specific planning principle in the Minister's Planning Principles and any other Ministerial Direction under section 9.1 of the Environmental Planning and Assessment Act 1979 the Ministerial Direction should be followed to the extent of that inconsistency.</i> 	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p>
1.2 Implementation of Regional Plans	
<p>1. <i>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces.</i></p>	<p>Applicable</p> <p>The proposal is consistent with this direction. Consistency with the CCRP 2036 is outlined at the beginning of this document.</p>
1.3 Development of Aboriginal Land Council Land	
<p>1. <i>When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account:</i></p> <p>(a) <i>any applicable development delivery plan made under the chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021; or</i></p> <p>(b) <i>if no applicable development delivery plan has been published, the interim development delivery plan published on the Department's website on the making of this direction.</i></p>	<p>Not Applicable</p> <p>Land within the Planning Proposal is not shown on the Land Application Map of <i>State Environmental Planning Policy (Aboriginal Land) 2019</i>.</p>
1.4 Approval and Referral Requirements	
<p>1. <i>A planning proposal to which this direction applies must:</i></p> <p>(a) <i>minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</i></p> <p>(b) <i>not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</i></p> <p style="margin-left: 20px;">i. <i>the appropriate Minister or public authority, and</i></p>	<p>Applicable</p> <p>The proposal does not seek to include additional approval or referral requirements.</p> <p>The Proposal is consistent with this direction.</p>

Planning Systems	Comments
<ul style="list-style-type: none"> ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and (c) not identify development as designated development unless the relevant planning authority: <ul style="list-style-type: none"> i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and ii. has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act. 	
1.5 Site Specific Provisions	
<ul style="list-style-type: none"> 1. A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either: <ul style="list-style-type: none"> (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. 2. A planning proposal must not contain or refer to drawings that show details of the proposed development. 	<p>Applicable</p> <p>The proposal does not seek to apply specific site-specific provisions through the LEP. Additional site-specific development control plan provisions have been prepared.</p> <p>The Proposal is consistent with this direction.</p>
1.6 Parramatta Road Corridor Urban Transformation Strategy	
<ul style="list-style-type: none"> 1. A planning proposal that applies to land in the nominated local government areas within the Parramatta Road Corridor must: <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) be consistent with the Strategic Actions within the Parramatta Road Corridor Urban Transformation Strategy (November, 2016), (c) be consistent with the Parramatta Road Corridor Planning and Design Guidelines (November, 2016) 	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>

Planning Systems	Comments
<p>and particularly the requirements set out in Section 3 Corridor-wide Guidelines and the relevant Precinct Guidelines,</p> <p>(d) be consistent with the staging and other identified thresholds for land use change identified in the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016), and the Parramatta Road Corridor Urban Transformation Implementation Update 2021, as applicable,</p> <p>(e) contain a requirement that development is not permitted until land is adequately serviced (or arrangements satisfactory to the relevant planning authority, or other appropriate authority, have been made to service it) consistent with the Parramatta Road Corridor Implementation Plan 2016 – 2023 (November, 2016),</p> <p>(f) be consistent with the relevant District Plan.</p>	
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	
<p>1. Planning proposals to which this direction applies shall be consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	
<p>1. Planning proposals shall be consistent with the interim Plan published in July 2017.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	
<p>1. A planning proposal is to be consistent with the Interim Land Use and Infrastructure Implementation Plan and Background Analysis, approved by the Minister for Planning and Public Spaces and as published on 5 August 2017 on the website of the Department of Planning, Industry and Environment (Implementation Plan).</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor	

Planning Systems	Comments
1. A planning proposal is to be consistent with the precinct plans approved by the Minister for Planning and Public Spaces and published on the Department's website on 22 December 2017.	Not Applicable This Direction does not apply to the Central Coast Local Government Area.
1.11 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	
1. A planning proposal is to be consistent with the Western Sydney Aerotropolis Plan approved by the Minister for Planning and Public Spaces and published on 10 September 2020 on the website of the Department of Planning, Industry and Environment.	Not Applicable This Direction does not apply to the Central Coast Local Government Area.
1.12 Implementation of Bayside West Precincts 2036 Plan	
1. A planning proposal authority must ensure that a planning proposal is consistent with the Bayside West Precincts 2036 Plan, approved by the Minister for Planning and Public Spaces and published on the Department of Planning, Industry and Environment website in September 2018.	Not Applicable This Direction does not apply to the Central Coast Local Government Area.
1.13 Implementation of Planning Principles for the Cooks Cove Precinct	
1. A planning proposal authority must ensure that a planning proposal is consistent with the following: (a) Enable the environmental repair of the site and provide for new recreation opportunities; (b) Not compromise future transport links (such as the South-East Mass Transit link identified in Future Transport 2056 and the Greater Sydney Region Plan) that will include the consideration of the preserved surface infrastructure corridor, noting constraints, including the Cooks River, geology, Sydney Airport and existing infrastructure will likely necessitate consideration of future sub-surface solutions and potential surface support uses; (c) Create a highly liveable community that provides choice for the needs of residents, workers and visitors to Cooks Cove; (d) Ensure best practice design and a high quality amenity with reference to the NSW design policy Better Placed; (e) Deliver an enhanced, attractive, connected and publicly accessible foreshore and public open space network and protect and enhance the existing market garden; (f) Safeguard the ongoing operation of Sydney Airport;	Not Applicable This Direction does not apply to the Central Coast Local Government Area.

Planning Systems	Comments
<p>(g) Enhance walking and cycling connectivity and the use of public transport to encourage and support a healthy and diverse community and help deliver a 30-minute city;</p> <p>(h) Deliver a safe road network that balances movement and place, provides connections to the immediate and surrounding areas, and is cognisant of the traffic conditions in this area; and</p> <p>(i) Enhance the environmental attributes of the site, including protected flora and fauna, riparian areas and wetlands and heritage. The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.</p>	
1.14 Implementation of St Leonards and Crows Nest 2036 Plan	
<p>1. A planning proposal authority must ensure that a planning proposal is consistent with the St Leonards and Crows Nest 2036 Plan, approved by the Minister for Planning and Public Spaces and published on the Department of Planning, Industry and Environment website on 29 August 2020.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
1.15 Implementation of Greater Macarthur 2040	
<p>1. A planning proposal authority must ensure that a planning proposal is consistent with Greater Macarthur 2040, approved by the Minister for Planning and Public Spaces and as published on 19 November 2018 on the website of the Department of Planning, Industry and Environment.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
1.16 Implementation of the Pyrmont Peninsula Place Strategy	
<p>1. A planning proposal authority must ensure that a planning proposal is consistent with the Pyrmont Peninsula Place Strategy, approved by the Minister for Planning and Public Spaces and published on the Department of Planning, Industry and Environment website on 11 December 2020, including that it:</p> <p>(a) gives effect to the objectives of this direction and the Vision (Part 5) of the Pyrmont Peninsula Place Strategy,</p> <p>(b) is consistent with the 10 directions (Part 6) and Structure Plan (Part 8) in the Pyrmont Peninsula Place Strategy,</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>

Planning Systems	Comments
<p>(c) delivers on envisaged future character for sub-precincts (Part 9), including relevant place priorities in the Pyrmont Peninsula Place Strategy, and</p> <p>(d) supports the delivery of the Big Moves (Part 7) in the Pyrmont Peninsula Place Strategy.</p>	
1.17 North West Rail Link Corridor Strategy	
<p>1. A planning proposal that applies to land located within the NWRL Corridor must:</p> <p>(a) give effect to the objectives of this direction</p> <p>(b) be consistent with the proposals of the NWRL Corridor Strategy, including the growth projections and proposed future character for each of the NWRL precincts</p> <p>(c) promote the principles of transit-oriented development (TOD) of the NWRL Corridor Strategy.</p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>

Design & Place	Comments
2.1 N/A	

Biodiversity & Conservation	Comments
3.1 Conservation Zones	
<p>1. A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>2. A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.3 (2) of "Rural Lands".</p>	<p>Applicable</p> <p>The proposal facilitates the protection and conservation of environmentally sensitive areas.</p> <p>A Biodiversity Certification Assessment Report (BCAR) has been prepared by Ecological to support the proposal. The BCAR identifies the following credits to be secured and retired to offset the impacts of the proposal:</p> <ul style="list-style-type: none"> • 10 ecosystem credits to offset impacts to PCT 684 - Blackbutt - Narrow-leaved White Mahogany shrubby tall open forest of coastal ranges, northern Sydney Basin Bioregion • 2 ecosystem credits to offset impacts to PCT 1105 - River Oak open forest of major streams, Sydney Basin Bioregion and South East Corner Bioregion

Biodiversity & Conservation	Comments
	<ul style="list-style-type: none"> • 3 ecosystem credits to offset impacts to PCT 1718 - Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast • 3 species credits for impacts to Biconvex Paperbark (<i>Melaleuca biconvexa</i>) • 17 species credits for impacts to Southern Myotis (<i>Myotis Macropus</i>) <p>The letter of offer submitted with the proposal proposes the retention of 4.0 hectares of conservation land with ongoing management to be undertaken by the proponent in consultation with Darkinjung Local Aboriginal Land Council (DLALC).</p>
3.2 Heritage Conservation	
<p>1. A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p>	<p>Applicable</p> <p>The site does not comprise heritage items, is not located in close proximity to heritage items and is not within an environmental heritage zone.</p> <p>The AHIMS database identified no Aboriginal sites recorded in the subject area, however 2 Aboriginal objects are registered within 1km of the subject area.</p> <p>Further consultation with DLALC and the Aboriginal community will occur if the proposal progresses to public exhibition.</p> <p>The Proposal is consistent with this direction.</p>
3.3 Sydney Drinking Water Catchments	
<p>1. A planning proposal must be prepared in accordance with the general principle that water quality within the Sydney drinking water catchment must be protected, and in accordance with the following specific principles:</p> <p>(a) new development within the Sydney drinking water catchment must have a neutral or beneficial effect on water quality, and</p>	<p>Not Applicable.</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>

Biodiversity & Conservation	Comments								
<p>(b) future land use in the Sydney drinking water catchment should be matched to land and water capability, and</p> <p>(c) the ecological values of land within a Special Area that is:</p> <ul style="list-style-type: none"> i. reserved as national park, nature reserve or state conservation area under the National Parks and Wildlife Act 1974, or ii. declared as a wilderness area under the Wilderness Act 1987, or iii. owned or under the care control and management of the Sydney Catchment Authority, should be maintained. <p>2. When preparing a planning proposal that applies to land within the Sydney drinking water catchment, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) ensure that the proposal is consistent with chapter 9 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021, and (b) give consideration to the outcomes of the Strategic Land and Water Capability Assessment prepared by the Sydney Catchment Authority, and (c) zone land within the Special Areas owned or under the care control and management of Sydney Catchment Authority generally in accordance with the following: <table border="0" style="width: 100%; margin-left: 40px;"> <thead> <tr> <th style="text-align: left;">Land</th> <th style="text-align: left;">Zone under Standard Instrument (Local Environmental Plans) Order 2006</th> </tr> </thead> <tbody> <tr> <td>Land reserved under the National Parks and Wildlife Act 1974</td> <td>C1 National Parks and Nature Reserves</td> </tr> <tr> <td>Land in the ownership or under the care, control and management of the Sydney Catchment Authority located above the full water supply level</td> <td>C2 Environmental Conservation</td> </tr> <tr> <td>Land below the full water supply level (including water storage at dams and weirs) and operational land at dams, weirs, pumping stations etc.</td> <td>SP2 Infrastructure (and marked "Water Supply Systems" on the Land Zoning Map)</td> </tr> </tbody> </table> <p>and</p> <ul style="list-style-type: none"> (d) consult with the Sydney Catchment Authority, describing the means by which the planning 	Land	Zone under Standard Instrument (Local Environmental Plans) Order 2006	Land reserved under the National Parks and Wildlife Act 1974	C1 National Parks and Nature Reserves	Land in the ownership or under the care, control and management of the Sydney Catchment Authority located above the full water supply level	C2 Environmental Conservation	Land below the full water supply level (including water storage at dams and weirs) and operational land at dams, weirs, pumping stations etc.	SP2 Infrastructure (and marked "Water Supply Systems" on the Land Zoning Map)	
Land	Zone under Standard Instrument (Local Environmental Plans) Order 2006								
Land reserved under the National Parks and Wildlife Act 1974	C1 National Parks and Nature Reserves								
Land in the ownership or under the care, control and management of the Sydney Catchment Authority located above the full water supply level	C2 Environmental Conservation								
Land below the full water supply level (including water storage at dams and weirs) and operational land at dams, weirs, pumping stations etc.	SP2 Infrastructure (and marked "Water Supply Systems" on the Land Zoning Map)								

Biodiversity & Conservation	Comments
<p><i>proposal gives effect to the water quality protection principles set out in paragraph (1) of this direction, and</i></p> <p><i>(e) include a copy of any information received from the Sydney Catchment Authority as a result of the consultation process in its planning proposal prior to the issuing of a gateway determination under section 3.34 of the EP&A Act.</i></p>	
3.4 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	
<p>1. <i>A planning proposal that introduces or alters an C2 Environmental Conservation or C3 Environmental Management zone or an overlay and associated clause must apply that proposed C2 Environmental Conservation or C3 Environmental Management zone, or the overlay and associated clause, in line with the Northern Councils C Zone Review Final Recommendations.</i></p>	<p>Not Applicable</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
3.5 Recreational Vehicle Areas	
<p>1. <i>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</i></p> <p><i>(a) where the land is within a conservation zone,</i></p> <p><i>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</i></p> <p><i>(c) where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</i></p> <p><i>i. the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</i></p> <p><i>ii. the provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985. Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.</i></p>	<p>Applicable</p> <p>The proposal does not seek land to be developed for the purpose of a recreation vehicle area.</p> <p>The Proposal is consistent with this direction.</p>

Resilience & Hazards	Comments
4.1 Flooding	
<ol style="list-style-type: none"> 1. A planning proposal must include provisions that give effect to and are consistent with: <ol style="list-style-type: none"> (a) the NSW Flood Prone Land Policy, (b) the principles of the Floodplain Development Manual 2005, (c) the Considering flooding in land use planning guideline 2021, and (d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council. 2. A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones. 3. A planning proposal must not contain provisions that apply to the flood planning area which: <ol style="list-style-type: none"> (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit development for the purposes of residential accommodation in high hazard areas, (d) permit a significant increase in the development and/or dwelling density of that land, (e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate, (f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent, (g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or (h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot 	<p>Applicable</p> <p>The site is located within the lower part of the Mardi Creek catchment.</p> <p>A Flood Assessment Report has been prepared by Stantec (March 2022). The Flood Impact Assessment shows no impact in the 1% AEP Flood event aside from a small section within Mardi Creek. This is not predicted to have negligible impact on neighbouring properties.</p> <p>There are minor impacts during the PMF, but it is accepted that these impacts do not increase the flood hazard in those areas and there is flood free egress from the site during the PMF event.</p> <p>The Proposal is consistent with this direction.</p>

Resilience & Hazards	Comments
<p><i>be effectively contained during the occurrence of a flood event.</i></p> <p>4. <i>A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</i></p> <ul style="list-style-type: none"> <i>(a) permit development in floodway areas,</i> <i>(b) permit development that will result in significant flood impacts to other properties,</i> <i>(c) permit a significant increase in the dwelling density of that land,</i> <i>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</i> <i>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</i> <i>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</i> <p>5. <i>For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</i></p>	
4.2 Coastal Management	
<p>1. <i>A planning proposal must include provisions that give effect to and are consistent with:</i></p> <ul style="list-style-type: none"> <i>(a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas;</i> <i>(b) the NSW Coastal Management Manual and associated Toolkit;</i> <i>(c) NSW Coastal Design Guidelines 2003; and</i> <i>(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect</i> 	<p>Applicable</p> <p>The subject site is not located on land within a coastal environment area.</p> <p>The Proposal is consistent with this direction.</p>

Resilience & Hazards	Comments
<p><i>under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land.</i></p> <p>2. <i>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</i></p> <p><i>(a) within a coastal vulnerability area identified by the State Environmental Planning Policy (Coastal Management) 2018; or</i></p> <p><i>(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken:</i></p> <p><i>i. by or on behalf of the relevant planning authority and the planning proposal authority, or</i></p> <p><i>ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority.</i></p> <p>3. <i>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.</i></p> <p>4. <i>A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the State Environmental Planning Policy (Coastal Management) 2018:</i></p> <p><i>(a) Coastal wetlands and littoral rainforests area map;</i></p> <p><i>(b) Coastal vulnerability area map;</i></p> <p><i>(c) Coastal environment area map; and</i></p> <p><i>(d) Coastal use area map.</i></p> <p><i>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016.</i></p>	
4.3 Planning for Bushfire Protection	
<p>1. <i>In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in</i></p>	<p>Applicable</p> <p>A Bushfire Study (Ecological, 2021) submitted with the proposal outlines that compliance with the provisions of <i>Planning for Bushfire Protection</i></p>

Resilience & Hazards	Comments
<p>satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made.</p> <p>2. A planning proposal must:</p> <p>(a) have regard to Planning for Bushfire Protection 2019,</p> <p>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).</p> <p>3. A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <p>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:</p> <p>i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</p> <p>ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</p> <p>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,</p> <p>(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p>	<p>(PBP) 2019 can be achieved.</p> <p>Pre-gateway comments received from the NSW Rural Fire Service (RFS) raise no objection to the proposal subject to a requirement that the future subdivision/development of the land complies with PBP 2019.</p> <p>The Proposal is consistent with this direction.</p>
4.4 Remediation of Contaminated Lands	
<p>1. A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction</p>	<p>Applicable</p> <p>This direction applies due to the land being known to have been utilised as an abattoir since</p>

Resilience & Hazards	Comments
<p><i>applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</i></p> <p>(a) <i>the planning proposal authority has considered whether the land is contaminated, and</i></p> <p>(b) <i>if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i></p> <p>(c) <i>if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</i></p> <p><i>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</i></p> <p>2. <i>Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines. Aims to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</i></p>	<p>the early 1900s.</p> <p>A Preliminary Site Investigation for Contamination prepared by Douglas Partners (2016) found low potential for significant or widespread contamination of the site. Localised potential contamination sources were identified from fill material, previous demolition works and from the previous abattoir.</p> <p>Based on this assessment, it is determined the site is generally considered compatible with the proposed residential land use. A Stage 2 Contamination Assessment will be required in the detailed Development Application stage.</p> <p>The Proposal is consistent with this direction.</p>
4.5 Acid Sulfate Soils	
<p>1. <i>The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</i></p> <p>2. <i>When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</i></p> <p>(a) <i>the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</i></p> <p>(b) <i>other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</i></p>	<p>Applicable</p> <p>The lower northern area of the site is mapped as Class 4 acid sulfate soils. This indicates there is a low probability of acid sulfate soils at depths 2m below the natural ground surface. The remainder of the site is mapped as Class 5 acid sulfate soils. This indicates no known occurrence of acid sulfate soils in this area of the site, however, the site is located within 500m of a Class 1, 2, 3 or 4 acid sulfate soil.</p> <p>Previous investigation undertaken for the site by Douglas Partners have indicated that both acid sulfate soils and acidic soils have been found on the site, however, the land is generally considered compatible with the proposed</p>

Resilience & Hazards	Comments
<p>3. A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.</p> <p>4. Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).</p>	<p>residential use. Further detailed investigations will be required at Development Application stage.</p> <p>The Proposal is consistent with this direction.</p>
4.6 Mine Subsidence & Unstable Land	
<p>1. When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must:</p> <p>(a) consult Subsidence Advisory NSW to ascertain:</p> <ul style="list-style-type: none"> i. if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and <p>(b) Incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and</p> <p>(c) include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act.</p> <p>2. A planning proposal must not permit development on land.</p>	<p>Not Applicable</p> <p>The subject land is not within a mine subsidence district.</p>

Transport & Infrastructure	Comments
5.1 Integrating Land Use & Transport	
<p>1. A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i>, and</p> <p>(b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i>.</p>	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p> <p>The proposal provides a range of residential and associated land uses in close proximity to existing infrastructure and services (e.g. Westfield Tuggerah, Tuggerah train station and bus interchange).</p>
5.2 Reserving Land for Public Purposes	
<p>1. A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</p> <p>2. When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</p> <p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>3. When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired.</p> <p>4. When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must</p>	<p>Applicable</p> <p>The subject site is not identified for acquisition for public purposes.</p> <p>The Proposal is consistent with this direction.</p>

Transport & Infrastructure	Comments
<i>rezone and/or remove the relevant reservation in accordance with the request.</i>	
5.3 Development Near Regulated Airports and Defence Airfields	
<ol style="list-style-type: none"> 1. <i>In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</i> <ol style="list-style-type: none"> (a) <i>consult with the lessee/operator of that airport;</i> (b) <i>take into consideration the operational airspace and any advice from the lessee/operator of that airport;</i> (c) <i>for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</i> (d) <i>not allow development types that are incompatible with the current and future operation of that airport.</i> 2. <i>In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</i> <ol style="list-style-type: none"> (a) <i>consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</i> (b) <i>for land affected by the prescribed airspace (as defined in clause 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls.</i> (c) <i>not allow development types that are incompatible with the current and future operation of that airport.</i> (d) <i>obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</i> 3. <i>In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</i> <ol style="list-style-type: none"> (a) <i>consult with the Department of Defence if:</i> <ol style="list-style-type: none"> i. <i>the planning proposal seeks to exceed the height provisions contained in the Defence</i> 	<p>Not Applicable</p> <p>The site is not located in the vicinity of a licensed aerodrome.</p>

Transport & Infrastructure	Comments
<p><i>Regulations 2016 – Defence Aviation Areas for that airfield; or</i></p> <p>ii. <i>no height provisions exist in the Defence Regulations 2016 – Defence Aviation Areas for the airfield and the proposal is within 15km of the airfield.</i></p> <p>(b) <i>for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</i></p> <p>(c) <i>not allow development types that are incompatible with the current and future operation of that airfield.</i></p> <p>4. <i>A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land:</i></p> <p>(a) <i>for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or</i></p> <p>(b) <i>for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or</i></p> <p>(c) <i>for commercial or industrial purposes where the ANEF is above 30.</i></p> <p>5. <i>A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</i></p>	
5.4 Shooting Ranges	
<p>1. <i>A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</i></p> <p>(a) <i>permitting more intensive land uses than those which are permitted under the existing zone; or</i></p> <p>(b) <i>permitting land uses that are incompatible with the noise emitted by the existing shooting range.</i></p>	<p>Not Applicable</p> <p>The proposal is not located in the vicinity of a shooting range.</p>
Housing	Comments
6.1 Residential Zones	
<p>1. <i>A planning proposal must include provisions that encourage the provision of housing that will:</i></p>	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p>

Housing	Comments
<p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>2. A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	<p>The proposal will provide a range of low, medium and higher density housing options including seniors living. The adjoining Westfield Tuggerah provides existing infrastructure and services, whilst upgraded pedestrian and cycle paths are proposed to connect the site to Tuggerah train station.</p>
6.2 Caravan Parks and Manufactured Home Estates	
<p>1. In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>2. In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 6 of State Environmental Planning Policy (Housing) as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 9 Schedule 5 of State Environmental Planning Policy (Housing)(which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the</p>	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p> <p>The proposal does not propose or impact any caravan parks.</p>

Housing	Comments
Community Land Development Act 1989 be permissible with consent..	
Industry & Employment	Comments
7.1 Business & Industrial Zones	
<p>1. A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p> <p>(b) retain the areas and locations of existing business and industrial zones,</p> <p>(c) not reduce the total potential floor space area for employment uses and related public services in business zones,</p> <p>(d) not reduce the total potential floor space area for industrial uses in industrial zones, and</p> <p>(e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary.</p>	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p> <p>The existing B4 Mixed Use zone is to be retained on the site and will provide for employment generating land uses.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	
<p>1. The council must include provisions which give effect to the following principles in a planning proposal to which this direction applies:</p> <p>(a) non-hosted short term rental accommodation periods must not be reduced to be less than 90 days</p> <p>(b) the reasons for changing the non-hosted short-term rental accommodation period should be clearly articulated</p> <p>(c) there should be a sound evidence base for the proposed change, including evidence of the availability of short-term rental accommodation in the area (or parts of the area) in the 12 months preceding the proposal, relative to the amount of housing in the area, and trend data on the availability of short-term rental accommodation over the past 5 years.</p> <p>(d) the impact of reducing the non-hosted short-term rental accommodation period should be analysed and explained, including social and economic impacts for the community in general, and impacted property owners specifically.</p>	<p>Not Applicable</p> <p>Applies to Byron Shire Council.</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	

Industry & Employment	Comments
<p>1. A planning proposal that applies to land located on "within town" segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must be concentrated within distinct centres rather than spread along the highway;</p> <p>(b) development with frontage to the Pacific Highway must consider impact the development has on the safety and efficiency of the highway; and</p> <p>(c) for the purposes of this paragraph, "within town" means areas which, prior to the draft local environmental plan, have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc) and where the Pacific Highway speed limit is less than 80km/hour.</p> <p>2. A planning proposal that applies to land located on "out-of-town" segments of the Pacific Highway must provide that:</p> <p>(a) new commercial or retail development must not be established near the Pacific Highway if this proximity would be inconsistent with the objectives of this direction;</p> <p>(b) development with frontage to the Pacific Highway must consider the impact the development has on the safety and efficiency of the highway; and</p> <p>(c) for the purposes of this paragraph, "out-of-town" means areas which, prior to the draft local environmental plan, do not have an urban zone (e.g.: "village", "residential", "tourist", "commercial", "industrial", etc) or are in areas where the Pacific Highway speed limit is 80km/hour or greater.</p> <p>3. Notwithstanding the requirements of paragraphs (1) and (2), the establishment of highway service centres may be permitted at the localities listed in Table 1, provided that Roads and Maritime Services is satisfied that the highway service centre(s) can be safely and efficiently integrated into the Highway interchange(s) at those localities. For the purposes of this paragraph, a highway service centre has the same meaning as is contained in the Standard Instrument (Local Environmental Plans) Order 2006.</p>	<p>Not Applicable</p> <p>Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>

Industry & Employment		Comments
Table 1: Highway service centres that can proceed		
Town	Locality	
Chinderah	Chinderah Bay Road interchange (southbound) Western side of highway at Tweed Valley Way interchange (northbound)	
Ballina	Teven Road interchange	
Macleay	Southern interchange	
Woolgoolga	Northern interchange at Arrawarra	
Nambucca Heads	Nambucca Heads interchange	
Kempsey	South Kempsey interchange	
Port Macquarie	Oxley Highway interchange (both sides of the Pacific Highway)	
Taree	Old Bar Road interchange	
Tomago	In the vicinity of Tomago Road / South Heatherbrae	

Resources & Energy	Comments
8.1 Mining, Petroleum Production and Extractive Industries	
<p>1. In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <p>(a) consult the Secretary of the Department of Primary Industries (DPI) to identify any:</p> <ol style="list-style-type: none"> resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and <p>(b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and:</p> <ol style="list-style-type: none"> development of resources identified under (1)(a)(i), or existing development identified under (1)(a)(ii). <p>2. Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must:</p> <ol style="list-style-type: none"> provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and include a copy of any objection and supporting information received from the Secretary of DPI with 	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p>

Resources & Energy	Comments
<p><i>the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</i></p>	

Primary Production	Comments
9.1 Rural Zones	
<p>1. A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p>	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p> <p>The proposal seeks to rezone land zoned RU6 Transition which has been identified for future development potential.</p>
9.2 Rural Lands	
<p>1. A planning proposal must:</p> <p>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement</p> <p>(b) consider the significance of agriculture and primary production to the State and rural communities</p> <p>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</p> <p>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</p> <p>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</p> <p>(f) support farmers in exercising their right to farm</p> <p>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning Policy (Primary Production) 2021 for the</p>	<p>Applicable</p> <p>The Proposal is consistent with this direction.</p> <p>The site is not currently used for significant agricultural or primary production purposes. The proposed rezoning will not cause fragmentation of existing rural lands</p>

Primary Production	Comments
<p><i>purpose of ensuring the ongoing viability of this land</i></p> <p><i>(i) consider the social, economic and environmental interests of the community.</i></p> <p>2. <i>A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</i></p> <p><i>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</i></p> <p><i>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</i></p> <p><i>(c) where it is for rural residential purposes:</i></p> <p><i>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</i></p> <p><i>ii. is necessary taking account of existing and future demand and supply of rural residential land.</i></p>	
9.3 Oyster Aquaculture	
<p>1. <i>In the preparation of a planning proposal the relevant planning authority must:</i></p> <p><i>(a) identify any 'Priority Oyster Aquaculture Areas' and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,</i></p> <p><i>(b) identify any proposed land uses which could result in any adverse impact on a 'Priority Oyster Aquaculture Area' or oyster aquaculture leases outside such an area,</i></p> <p><i>(c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility,</i></p> <p><i>(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</i></p> <p><i>(e) ensure the planning proposal is consistent with the Strategy.</i></p>	<p>Not Applicable</p> <p>The proposal does not affect land within a Priority Oyster Aquaculture Area.</p>

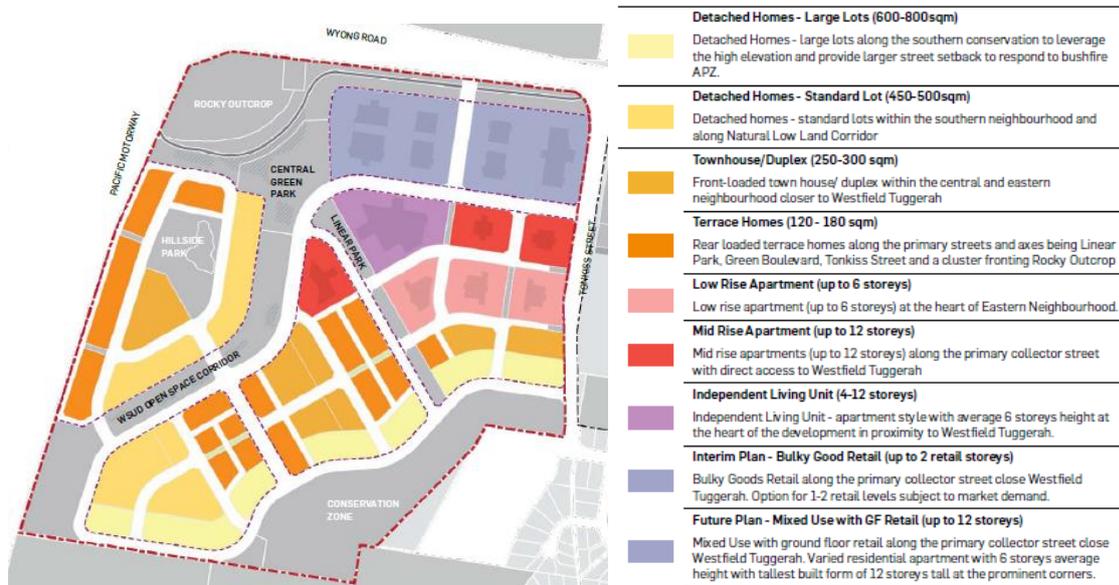
Primary Production	Comments
<p>2. Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must:</p> <p>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</p>	
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	
<p>1. A planning proposal must not:</p> <p>(a) rezone land identified as "State Significant Farmland" for urban or rural residential purposes.</p> <p>(b) rezone land identified as "Regionally Significant Farmland" for urban or rural residential purposes.</p> <p>(c) rezone land identified as "significant non-contiguous farmland" for urban or rural residential purposes.</p>	<p>Not Applicable.</p> <p>This Direction does not apply to the Central Coast Local Government Area.</p>

Central Coast Affordable and Alternative Housing Strategy

The Central Coast Affordable and Alternative Housing Strategy (AAHS, 2020) seeks to provide effective policy solutions to address the growing need for affordable and alternative housing within the Central Coast LGA. It aims to build a vision for a ‘fair and inclusive region, where everyone has access to affordable and sustainable housing’.

The AAHS identifies a need for diversity of housing options on the Central Coast. The planning proposal provides for a range of housing typologies to enable choice reflective of changing demographics. Housing demographics demonstrate increased demand for medium and high density housing and the proposal provides for a yield of up to 2,177 dwellings with 661 high density and 959 medium density dwellings.

The proposal will enable increased opportunities for well-located affordable and lower cost housing that will satisfy some of the low-income housing needs of the community. The proposed housing is in close proximity to Westfield Tuggerah which provides a range of retail, dining, entertainment, and health services, and a bus service that connects Westfield Tuggerah with the train station and the wider region.



Biodiversity Strategy

The Biodiversity Strategy (2020) provides a framework and guide for the management of biodiversity on the Central Coast that is consistent with regional, state and national strategies, plans and policies.

The proposal facilitates the protection and conservation of environmentally sensitive areas. A Biodiversity Certification Assessment Report (BCAR) has been prepared by Ecological to support the proposal. The BCAR identifies a number of ecosystem and species credits to be secured and retired to offset the impacts of the proposal.

The letter of offer submitted with the proposal proposes the retention of 4 hectares of conservation land with ongoing management to be undertaken by the proponent in consultation with Darkinjung Local Aboriginal Land Council (DLALC).

Interim Local Strategic Planning Statement (LSPS)

Strategies	Assessment/Comment
1 Revitalise our centres	The subject site directly adjoins Westfield Tuggerah. The proposal will provide a range of housing options in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Centre. It will also retain the existing B4 Mixed Use zone on the site which will provide for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.
2 Renew urban form	The proposal will meet the changing demand for housing with a range of different housing types including detached housing lots, medium and higher density housing and seniors living. The housing will be supported by a range of recreational and open space facilities and supporting vehicular and pedestrian connections.
3 Define the urban edge	The subject site forms the western edge of the Tuggerah Town Centre. The proposal will locate infill residential development in an urban area with existing services and infrastructure. The vegetated portion to the south east of the site will be retained as conservation land.
4 Create a sustainable region	The proposal will provide a range of housing options to support increased activation and growth of the Tuggerah Town Centre. The proposed development aligns with surrounding land uses and strengthens the existing Tuggerah Town Centre, contributing to its desired future character as a sustainable and vibrant centre. The development of the site will attract investment in the area to stimulate the economy whilst preserving the bushland setting of the site.

Interim Local Strategic Planning Statement (LSPS)

Planning Priority	Actions	Assessment/Comment
Centres and Corridors		
1 Align development to our infrastructure capacity	Develop a Central Coast Regional Infrastructure Plan that considers our infrastructure capacity, appropriate trigger points for infrastructure provision and prioritises opportunities for integrated infrastructure delivery across the Central Coast. (CCRP Direction 4, 17)	The proposed development aligns with this priority with existing infrastructure to be extended to the site to cater for the proposal. The proposal will provide significant infrastructure including upgrades to Wyong Rd and Tonkiss St intersection, stormwater and WSUD improvements to ensure no additional downstream impacts, and the provision of new community facilities.
4 Renew our Centres as places for people	Review development capacities (planning controls) for identified Strategic and Town Centres to determine opportunities for growth. (CCRP Direction 2, 3, 16)	The proposal will increase residential density in close proximity to the existing services and infrastructure of the Tuggerah Town Centre including Westfield Tuggerah and the Tuggerah train station. The proposal will assist Tuggerah to evolve as a more integrated centre with residential uses located close to existing services, jobs and active transport options.
Housing		
7 Provide well designed housing with high standards of sustainability features.	Develop Centre Structure and Precinct Plans, together with a comprehensive review of planning controls to ensure that housing density and built form is planned and designed to maximise amenity. (CCRP Direction 2, 15, 18)	A site specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The retention of the B4 land will enable a mixed use function on the site with high density housing located above ground floor commercial uses.
8 Provide for the housing needs of our growing region	Implement relevant actions from the draft Affordable and Alternative Housing Strategy to provide for the diverse housing needs of our community. (CCRP Direction 19, 20, 21)	The planning proposal provides for a range of housing typologies providing choice reflective of changing demographics. Housing demographics demonstrate increased demand for medium and high density housing and the proposal provides for a yield of up to 2,177 dwellings with 661 high density and 959 medium density dwellings. The proposal will enable increased opportunities for well-located affordable and lower cost housing in close proximity to Westfield Tuggerah.
Economics		
11 Facilitate Emerging Logistics, Warehousing, Manufacturing and Innovative and Green Economy Enterprises	Develop the Tuggerah to Wyong Corridor Strategy to promote economic growth, jobs and development and leverage the improved connectivity from the proposed Link Road and Pacific Highway upgrade. (CCRP Direction 2, 3, 4, 5)	The retention of the B4 land will provide for a range of employment generating land uses to be developed on the site taking advantage of its strategic location adjoining the M1 Motorway.

Planning Priority	Actions	Assessment/Comment
12 Build the Knowledge Economy and support Health and Wellness Industries	Develop Activity Hubs as the heart of key Centres, providing core elements such as a transport interchange, education facilities, business centres, Wifi connectivity, smart hubs, fresh food markets, health and medical services, library and childcare options, creating dynamic urban environments that encourage the exchange of ideas, opportunities for creativity and an appealing lifestyle. (CCRP Direction 1, 2, 3, 16, 18)	The retention of the B4 land will continue to create opportunities for businesses that can expand and complement the existing services within the Town Centre including Westfield Tuggerah, Tuggerah Super Centre and Tuggerah Business park.
13 Grow Regionally Competitive Tourism Destinations across the entire Central Coast	Development of local Centres, by enhancing cultural identity along with local accommodation options and a strong public transport system. Work in partnership with the Tourism Industry and State Government to develop visitor facilities and attractions, including new tourist destinations, hotels and accommodation opportunities.	The proposal provides for a number of parks and passive open space to provide a high quality amenity for the future residential population. The retention of the B4 land can provide for a range of employment and residential accommodation include short stay and hotel options.
Open Space		
15 Plan for a hierarchy of recreational open space based on current and future needs	Increase the provision of quality and sustainable recreation opportunities through provision of multiuse facilities to support the growing population in the NWSSP urban release precincts.	The development proposes to enhance Mardi Creek through restoration of the original alignment. Environmental conservation lands will be enhanced, and the development will expand on the existing adventure character of the rocky outcrop located in the north west of the site.
16 Distinguish our recreational open space assets from our natural assets	Develop a Green Infrastructure Audit and Strategy that reviews our green infrastructure assets and provides guidelines around the provision of council owned recreational open space and natural areas.	The proposal allows for dual use of open space and incorporates semi-natural spaces to ensure the community has access to quality urban areas. This is achieved through the rocky outcrop, Linear Park, Hillside Park and pocket parks throughout the site bringing the natural environment into the community.
17 Support neighbourhood "pocket parks" accessible to local communities and within walking distance to larger recreational multi-use open space destinations	Incorporate active living principles in planning strategies and structure plans to ensure open space networks are provided and designed to promote active transport. (CCRP Direction 18)	The proposal incorporates a range of accessible open space areas that provide active and passive recreation opportunities. The site is close to larger recreational multi-use open space destinations including the Central Coast Regional Sporting and Recreation Complex which is located 1.5kms from the site.

Planning Priority	Actions	Assessment/Comment
Heritage		
20 Recognise and protect the natural, built and cultural heritage of the Central Coast	Undertake a review of existing and potential heritage items and make recommendations on protecting items of heritage significance from the impacts of development through the Local Environmental Plan. (CCRP Direction 8)	Preliminary consultation on the proposal has occurred with Darkinjung Local Aboriginal Land Council (DLALC). Two aboriginal objects are registered within 1km of the site – a quarry and an artefact scatter. Further investigative studies will be required at DA stage in accordance with the OEH Guidelines for Aboriginal Heritage Investigations for Proponents (2010).
Environment		
22 Create Sustainable and Resilient communities	Review planning controls to require high standards of design and construction, including energy and water efficiency, liveability measures, waste minimization and emissions reduction	A site specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure the residential buildings are designed to provide comfort and protection from weather extremes. These built form guidelines will also specify requirements for WSUD, energy efficiency and waste management.
Water and Sewer		
33 Deliver Essential Infrastructure	Continue to deliver infrastructure projects through Councils Operational Plans, Delivery Plans and Capital Works projects. which support the needs of the community and encourages consideration of environmental, social and economic outcomes in infrastructure decision making. (CCRP Direction 17)	The site will be designed with stormwater detention basins and associated treatment facilities to be incorporated within a WSUD corridor to manage flows prior to discharge from the site. Existing water and sewer infrastructure will be extended to the site to accommodate the proposed development.
35 Integrate land use and infrastructure	Review Servicing and Infrastructure Capacity to identify potential infrastructure gaps within the planned growth areas of the Central Coast and ensure that we have the required infrastructure to meet current and future demand. (CCRP Direction 17)	To support the planning proposal a letter of offer has been submitted that outlines a range of public domain benefits for the proposal to support the additional residential population. The letter of offer proposes approximately:- <ul style="list-style-type: none"> • \$1 million in conservation land • \$6.5 million in open space facilities • \$1.5 million for a new youth centre • \$2.5 in new pedestrian and vehicular connections A total of approximately \$11.6 million dollars of public domain benefits to support the proposal.

Community Strategic Plan Assessment

Objective/Requirement		Comment
BELONGING		
OUR COMMUNITY SPIRIT IS OUR STRENGTH		
	A1 Work within our communities to connect people, build capacity and create local solutions and initiatives	The proposal creates opportunities for more recreational and community activities through the provision of a mixed use development that incorporates a range of land uses (including residential, recreational, commercial, community, tourism, etc) that are co-located and integrated for people of all ages.
	A2 Celebrate and continue to create opportunities for inclusion where all people feel welcome and participate in community life	
	A3 Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people	
	A4 Enhance community safety within neighbourhoods, public spaces and places	
CREATIVITY, CONNECTION AND LOCAL IDENTITY		
	B1 Support reconciliation through the celebration of Aboriginal and Torres Strait Islander cultures	The proposal will assist Tuggerah to evolve as a more integrated centre with residential uses located close to existing services, jobs and active transport options. This will bring increased vitality and viability to the Tuggerah Town Centre.
	B2 Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year	
	B3 Foster creative and performing arts through theatres, galleries and creative spaces, by integrating art and performance into public life	
	B4 Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors	The proposal incorporates a 1.2 hectare central green park with outdoor BBQ facilities, water features and celebration of Aboriginal Culture. The proposed development aligns with surrounding land uses and strengthens the existing centre, contributing to its desired future character as a sustainable and vibrant centre.
SMART		
A GROWING AND COMPETITIVE REGION		
	C1 Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast	The retention of the B4 mixed use land will provide for a range of employment generating land uses to be developed on the site taking advantage of its strategic location adjoining the M1 Motorway.
	C2 Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for businesses, local residents, visitors and tourists	
	C3 Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents	The proposal incorporates a range of accessible open space areas that provide active and passive recreation and tourism opportunities.
	C4 Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly	

Objective/Requirement		Comment
A PLACE OF OPPORTUNITY FOR PEOPLE		
	D1 Foster innovation and partnerships to develop local entrepreneurs and support start-ups	The retention of the B4 mixed use land will facilitate a range of employment generating land uses that have the ability to support further service based businesses. The letter of offer that supports the proposal provides for the delivery of a youth centre valued at \$1.5 million either within the gateway site development or as part of the existing Westfield Tuggerah.
	D2 Support local business growth by providing incentives, streamlining processes and encouraging social enterprises	
	D3 Invest in broadening local education and learning pathways linking industry with Universities, TAFE and other training providers	
	D4 Support businesses and local leaders to mentor young people in skills development through traineeships, apprenticeships and volunteering	
GREEN		
ENVIRONMENTAL RESOURCES FOR THE FUTURE		
	E1 Educate the community on the value and importance of natural areas and biodiversity and encourage community involvement in caring for our natural environment	A site specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure the residential buildings provide comfort and protection from weather extremes. These built form guidelines will also specify requirements for WSUD, energy efficiency and waste management.
	E2 Improve water quality for beaches, lakes and waterways including minimising pollutants and preventing litter entering our waterways	
	E3 Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours	
	E4 Incorporate renewable energy and energy efficiency in future design and planning and ensure responsible use of water and other resources	
CHERISHED AND PROTECTED NATURAL BEAUTY		
	F1 Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	The proposal embraces the biodiversity value of the site by retaining and incorporating existing landscaping and riparian features into the development design. New landscaping is proposed throughout the site to create a green backdrop to the new residential landscape.
	F2 Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)	
	F3 Improve enforcement for all types of environmental non-compliance including littering and illegal dumping and encourage excellence in industry practices to protect and enhance environmental health	The proposal incorporates a 4 hectare conservation zone to protect the existing high value environmental area with ongoing management to be undertaken by the proponent. The proposal also incorporates over 2.7 hectares of useable open space including a central green park, hillside park, rocky outcrop with nature playground, linear park, natural low land corridor and riparian corridor with vegetation buffer and shared pedestrian and cycle path.
	F4 Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions	

Objective/Requirement		Comment
RESPONSIBLE		
GOOD GOVERNANCE AND GREAT PARTNERSHIPS		
	G1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice	<p>Significant stakeholder engagement has occurred to inform the Planning Proposal including consultation with a range of agencies including:</p> <ul style="list-style-type: none"> • Department of Planning & Environment, • Transport for NSW, • NSW Rural Fire Service (RFS), • Ausgrid; and • Darkinjung Local Aboriginal Land Council (DLALC). <p>Further consultation will occur with the community and interested stakeholders should the proposal progress to public exhibition.</p>
	G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect	
	G3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions	
	G4 Serve the community by providing great customer experience, value for money and quality services	
DELIVERING ESSENTIAL INFRASTRUCTURE		
	H1 Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region	<p>The proposal provides a range of new and upgraded shared pedestrian path and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.</p> <p>The development will provide extensions and capacity upgrades to existing water and sewer services to cater for the proposal.</p>
	H2 Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities	
	H3 Create parking options and solutions that address the needs of residents, visitors and businesses whilst keeping in mind near future technologies including fully autonomous vehicles	
	H4 Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water	
BALANCED AND SUSTAINABLE DEVELOPMENT		
	I1 Preserve local character and protect our drinking water catchments, heritage and rural areas by concentrating development along transport corridors and town centres east of the M1	<p>The proposal will increase residential density in close proximity to the existing services and infrastructure of the Tuggerah Town Centre including Westfield Tuggerah and the Tuggerah train station.</p> <p>The proposal will meet the changing demand for housing with a range of different housing types including detached housing lots, medium and high density housing and seniors living.</p>
	I2 Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport	
	I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management	
	I4 Provide a range of housing options to meet the diverse and changing needs of the community including adequate affordable housing	

Objective/Requirement		Comment
LIVABLE		
RELIABLE PUBLIC TRANSPORT AND CONNECTIONS		
J1 Create adequate, reliable and accessible train services and facilities to accommodate current and future passengers	J2 Address commuter parking, drop-off zones, access and movement around transport hubs to support and increase use of public transport	The proposal provides for a \$388,772 monetary contribution to provide new and improved dedicated on-road cycling lanes from the subject site along Wyong Road to Tuggerah train station and bus interchange. The site is adjacent to the M1 and Pacific Highway transport corridors and adjacent to Westfield Tuggerah which has bus service that connects the shopping centre with the train station and the wider region. The site is also located within a walkable distance to Tuggerah Train station.
J3 Improve bus and ferry frequency and ensure networks link with train services to minimise journey times	J4 Design long-term, innovative and sustainable transport management options for population growth and expansion	
OUT AND ABOUT IN THE FRESH AIR		
K1 Create a regional network of interconnected shared pathways and cycle ways to maximise access to key destinations and facilities	K2 Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members	
K3 Provide signage, public facilities, amenities and playgrounds to encourage usage and enjoyment of public areas	K4 Repair and maintain wharves, jetties, boat ramps and ocean baths to increase ease of access to and enjoyment of natural waterways and foreshores	The proposal provides pedestrian pathways and cycleways throughout the site to maximise access, inclusion and mobility. The proposal incorporates over 2.7 hectares of locally accessible open space facilities including a central green park, hillside park, rocky outcrop with nature playground, linear park, natural low land corridor and riparian corridor with vegetation buffer and shared pedestrian and cycle path.
HEALTHY LIFESTYLES FOR A GROWING COMMUNITY		
L1 Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated	L2 Invest in health care solutions including infrastructure, services and preventative programs to keep people well for longer	The proposal promotes healthy living though the provision of new and improved recreation facilities and open space areas that are well designed and co-located to suit community needs and promote walkability within the site and encourage social interaction.
L3 Cultivate a love of learning and knowledge by providing facilities to support lifelong learning opportunities	L4 Provide equitable, affordable, flexible and co-located community facilities based on community needs	

Local Planning Panel

Record of Briefing



Central
Coast
Council

Briefing date	23 June 2022	
Location	Remotely - online	
Agenda item	Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site)	
Chair and panel members	Chairperson	Donna Rygate
	Panel Experts	Grant Christmas Linda McClure
	Community Representative	Lyn Hunt
Apologies	Nil	
Declarations of interest	Nil	

Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site)

Panel Advice

The Panel supports Council progressing with the Planning Proposal, however Council should ensure that any subsequent development application for use of the land thoroughly addresses the issues of flooding, evacuation and suitability of the future proposed use.

The Panel reviewed this planning proposal and information provided and concurs that it has strategic and site specific merit. The Panel supports the planning proposal for the reasons outlined:

- The proposed rezoning to R1 General Residential is consistent with surrounding residential development and will provide additional housing in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Town Centre.
- The retention of the B4 zoned land will provide for short term bulky goods retail development, transitioning to mixed use development along Wyong Road in the longer term. This will ensure ongoing job opportunities with the potential for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.
- The retention of the C2 Environmental Conservation zoned land will facilitate the protection, conservation and enhancement of environmentally sensitive areas with ongoing management of the land to be funded by the proponent.



- The proposed maximum height and floor space ratio (FSR) limits for the B4 portion of the site are considered appropriate and consistent with surrounding development including the proposed Woodberry Park residential development opposite the site (with a maximum height of 37.5m) and the Wyong Town Centre (with a range of FSR limits from 1.1:1 to 3.0:1).
- A site-specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The proposal incorporates a number of parks and accessible open space areas that enable active and passive recreation opportunities and will provide a high-quality amenity for the future residential population.
- A planning agreement will be prepared to support the planning proposal to provide monetary contributions and works in kind to support the development. A letter of offer has been submitted with the proposal which outlines approximately \$11.6 million of improvements including:
 - \$1 million in management of conservation land;
 - \$6.5 million in provision of open space facilities;
 - \$1.5 million for delivery of a new youth centre; and
 - \$2.5 million in new pedestrian and vehicular connections including a range of new and upgraded shared pedestrian paths and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.

The proposal has been assessed having regard to all State Environmental Planning Policies (SEPPs), Ministerial Directions and relevant guidelines of the Central Coast Regional Plan 2036 (CCRP) as detailed in Attachment 2 - Strategic Assessment. As the proposal has strategic merit it is recommended that a planning proposal be prepared and forwarded to the Minister for Planning requesting a Gateway Determination.

- The proposal rezones the land to an appropriate zone under either the CCLEP or WLEP 2013.
- The proposal will provide additional housing to meet the growing housing demand adjacent to existing infrastructure and services.
- The proposal will provide for additional employment generating land uses to expand and complement the existing services within the Tuggerah Town Centre.

The proposal respects the scenic values and character of the site, ensuring the environmentally sensitive areas of the site will be retained, enhanced, and protected.