

### Amendment to permit resource recovery facility, Woy Woy Road, Woy Woy Bay

Proposal Title : **Amendment to permit resource recovery facility, Woy Woy Road, Woy Woy Bay**

Proposal Summary : **The proposal would rezone land at Woy Woy Road, Woy Woy Bay that is currently 7(a) Conservation and Scenic Protection (Conservation) to 5(a) Special Uses (Resource Recovery Facility) in the Gosford Interim Development Order 122 or SP2 Infrastructure (Resource Recovery Facility) in the Gosford comprehensive LEP should it be finalised before this PP is completed.**

PP Number : **PP\_2012\_GOSFO\_010\_00**      Dop File No : **12/10583**

#### Proposal Details

Date Planning Proposal Received : **20-Jun-2012**      LGA covered : **Gosford**

Region : **Hunter**      RPA : **Gosford City Council**

State Electorate : **GOSFORD**      Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

#### Location Details

Street : **Woy Woy Road**

Suburb : **Woy Woy Bay**      City :      Postcode : **2256**

Land Parcel : **Lot 7311 DP 1167530, part of Lot 7310 DP 1167530, Lot 3 DP 1176071**

#### DoP Planning Officer Contact Details

Contact Name : **Ben Holmes**

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#### RPA Contact Details

Contact Name : **Bruce Ronan**

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#### DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

#### Land Release Data

Growth Centre : **N/A**      Release Area Name : **N/A**

Regional / Sub Regional Strategy : **Central Coast Regional Strategy**      Consistent with Strategy : **No**

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|                        |   |                                                      |    |
|------------------------|---|------------------------------------------------------|----|
| MDP Number :           |   | Date of Release :                                    |    |
| Area of Release (Ha) : |   | Type of Release (eg Residential / Employment land) : |    |
| No. of Lots :          | 0 | No. of Dwellings (where relevant) :                  | 0  |
| Gross Floor Area :     | 0 | No of Jobs Created :                                 | 15 |

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**  
If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**  
If Yes, comment :

### Supporting notes

Internal Supporting Notes : **Development proposed by this Planning Proposal (PP):**

**Council states that the Resource Recovery Facility proposed would consist of a Soil Processing Facility; Community Re-use Facility; an Alternate Waste Technology and Composting facility; Biofilter; Greenwaste Reveal and Sorting area; and Greenwaste Maturation Area.**

**Council anticipates that the facility would process 100,000 tonnes/ year of municipal solid waste (from both Gosford and Wyong), and 60,000 tonnes/ year of source separated green waste and 15,000 tonnes/ year of biosolids.**

**Submission of this PP in December 2010:**

**A PP to enable the resource recovery facility was first provided to the Department in December 2010 however the PP did not proceed to the Gateway because of outstanding matters identified in the Department's preliminary assessment.**

**The Regional Team sought clarification from Council on the materials to be processed, facility capacity and the strategic basis for the PP (ie need for the site, alternative sites, role of this site within Council's waste management framework). This information was not provided and the PP was not resubmitted until now. Council has addressed the materials/ capacity matters previously raised, however limited further information has been provided in relation to the strategic basis.**

**Regional Waste Strategy/ Joint Central Coast Waste Initiative:**

**The PP and report to Council on this PP refer to a Regional Waste Strategy and a Joint Central Coast Waste Initiative which, presumably, involves establishing regional arrangements with Wyong Shire for waste disposal. Presumably, it would establish a model for regional waste management, including the types/ sizes of facilities that are needed and how they would interact. No information however has been provided by Council that confirms the content/ purpose of either the Strategy or Initiative, despite the regional role of the facility forming one of the reasons used by Council to justify the need for the PP. Further discussion on this aspect is provided later in the report.**

**Existing PP for a resource recovery facility at Springfield:**

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In March 2012 a Gateway Determination was made to allow a rezoning to proceed for a resource recovery facility at Springfield (PP\_2012\_GOSFO\_004\_00). The PP would enable a resource recovery facility that would handle green waste and Council construction material. It is not clear how this Springfield proposal relates to the Woy Woy Bay proposal being assessed here, particularly given that similar wastes are proposed. It is understood that the existing PP for the Springfield site is yet to be exhibited.

### Site description:

Council reports that the 23.5 ha site was formerly used for a sandstone quarry, with the quarrying licence expiring in the mid 1990s. Brisbane Water National Park adjoins the site to the west and south, and private land extends to the north and east (to Woy Woy Road). To the north and east of this land is further National Park land (refer Appendix 4 of the PP). Council states that Woy Woy Creek follows the north-eastern boundary of the site and that a dwelling is situated on the private land, approximately 400 m from the site.

Woy Woy Road is the only road connected to the site and has a load limit restricting its use by trucks. It is the main transport route connecting Woy Woy and more broadly 'The Peninsula' (Umina, Pearl Beach, Patonga, Ettalong) with the F3/ Sydney and vice versa (although an alternate, longer route via Brisbane Water Drive and West Gosford is also available).

### Lot and DP misdescription:

Since the PP was submitted, the lot and DP for part of the site has changed. The PP and accompanying documents refer to 'part of Lot 7049 DP 1030417' and Council has advised that this land is now Lot 3 DP 1176071.

### Jobs created:

Council states that between 7 and 15 full-time operational jobs would result from the resource recovery facility, with between 70 and 120 jobs likely to result from the construction/ commissioning phases.

### Future development application:

Should the Gateway support the PP and the rezoning proceed, Council indicates that a development application (DA) would be prepared. Presumably the DA would be designated development (under the waste management facility or works category) and require an EIS and the DA would presumably be determined by the Joint Regional Planning Panel.

External Supporting  
Notes :

## Adequacy Assessment

### Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The Statement of Objectives is a clear, concise statement that summarises the purpose of the proposal. It is consistent with the Department's "A guide to preparing Planning Proposals."**

### Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The Explanation of Provisions is also clear and relatively concise, and generally complies with the Department's "A guide to preparing Planning Proposals."**

**The part detailing the 'likely wording of the site specific LEP' however should be removed**

in order to avoid potential issues later on with legal drafting.

**Justification - s55 (2)(c)**

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

**1.3 Mining, Petroleum Production and Extractive Industries**

**2.1 Environment Protection Zones**

**2.2 Coastal Protection**

**2.3 Heritage Conservation**

**4.2 Mine Subsidence and Unstable Land**

**4.4 Planning for Bushfire Protection**

**5.1 Implementation of Regional Strategies**

**6.1 Approval and Referral Requirements**

**6.2 Reserving Land for Public Purposes**

**6.3 Site Specific Provisions**

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

**SEPP No 19—Bushland in Urban Areas**

**SEPP No 33—Hazardous and Offensive Development**

**SEPP No 55—Remediation of Land**

**SEPP No 71—Coastal Protection**

**SEPP (Infrastructure) 2007**

**SREP No 9—Extractive Industry (No 2—1995)**

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain : **Further discussion on the SEPPs and s117 directions is provided later in this report.**

**Mapping Provided - s55(2)(d)**

Is mapping provided? **Yes**

Comment :

**A series of maps (12) have been provided which relate to different aspects of the proposal (eg zoning maps, landslip, aerial photo etc). These maps are generally adequate for the purposes of community consultation.**

**Council includes a proposed zoning map for the site (Appendix 12), based on an amendment to the Gosford Interim Development Order 122. However, should the Gosford comprehensive LEP be made before this PP is finalised, then the PP would amend the Gosford comprehensive LEP. A proposed zoning map showing the SI zones if this scenario occurs, should therefore be included in the PP prior to community consultation.**

**Community consultation - s55(2)(e)**

Has community consultation been proposed? **Yes**

Comment :

**Council has proposed a 28 day community consultation period and this is supported.**

**Additional Director General's requirements**

Are there any additional Director General's requirements? **No**

If Yes, reasons :

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### Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **The proposal is adequate for progression to a Gateway Determination.**

### Proposal Assessment

#### Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **The comprehensive LEP is with the Department for finalisation.**

**The PP notes that it may amend either the Interim Development Order 122 or the finalised comprehensive LEP, depending on timing. 5(a) Special Purpose or SP2 Infrastructure zones are respectively proposed. This is supported.**

**It is worth noting the history of the zoning that has been proposed for this site under the comprehensive LEP process. Council's s.64 plan proposed to zone the site SP2 - Recycling Facility. DP&I's s.65 certificate required Council to change the zone to E2, consistent with the current 7(a) Conservation zone because there was insufficient information to support the rezoning at that time and because Council proposed the SP2 zone after it had conducted s.62 consultation. E2 was exhibited, however Council has since resolved (s.68) to defer all 7(a) land east of the freeway (such as this site). Consequently, the draft comprehensive plan now shows the site as being a 'deferred matter'.**

### Assessment Criteria

Need for planning proposal : **The PP currently lacks the context of an up-to-date assessment of possible sites and the role of this site within a broader Gosford and Central Coast waste management strategic framework. This documentation may exist but has not been provided.**

**Council reports that development of the proposed site as a resource recovery facility is critical to future local and regional waste management options and refers to a Regional Waste Strategy and Joint Central Coast Waste Initiative. However no documentation is provided on this 'Strategy' and 'Initiative' and elsewhere the report states that it would be 'unwise' to proceed with the PP before a Regional Waste Strategy has been investigated.**

**Council also states that support for this site as a solid waste disposal facility is documented in a 1983 'Gosford/Wyong Regional Waste Disposal Study' however this document is not provided in support of the Planning Proposal and nor is there assessment as to whether the conclusions of that report remain current. This is particularly relevant given that the 1983 report reportedly proposed a landfill not an AWT, the changes to regulation and technology in the ensuing 29 years, and Council's now stated intention to pursue a regional approach meaning that finding a site in Gosford, or a site of this size and with these attributes, may not be necessary. Further, Council makes no reference to a project approval issued to Council in 2008 by the then Minister for Planning for an enclosed composting facility and Alternative Waste Technology facility at the existing Woy Woy landfill (100, 000 tonnes of mixed waste and garden waste per year and 15,000 tonnes biosolids). The relationship of this proposal to the current proposal is not discussed and as mentioned earlier, there is also no discussion of another PP currently underway to permit a Resource Recovery Facility at Springfield.**

**The following information should be provided to support the proposed rezoning:**

- information on Council's local/regional waste management framework demonstrating the strategic justification for additional waste management sites;**
- an updated site selection study comparing this site to other available options; and**
- if not covered in above, a discussion on other related projects such as the 2008 approval for a similar facility and the current Planning Proposal at Springfield.**

**This information needs to be sufficient to provide strategic justification for the Gateway to**

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support a rezoning through a planning proposal. Given that this information has not been provided despite having been requested when the 2010 PP was lodged, it is recommended that Council be required to resubmit the PP to the Gateway once this work has been undertaken and incorporated into a revised PP. This may be a relatively simple task, and the information may already be available, but until submitted the strategic case for rezoning this site has not been made.

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Consistency with strategic planning framework :

As discussed in the previous section, additional information relating to the strategic justification for the PP is needed. It is therefore recommended that Council be required to resubmit the PP to the Gateway once this information has been obtained and the PP updated.

This does not however mean that the PP's consistency with the strategic planning framework (eg s117/ SEPPs etc) cannot be considered now. The following assessment identifies areas where further work is needed eg to satisfy the requirements of a s.117 direction. The requirement to undertake further work could be added through conditions to a new Gateway Determination issued upon consideration of the resubmitted PP (assuming Gateway support for the PP at that time).

### NSW Waste & Resource Recovery Strategy 2007:

This strategy supports the use of resource recovery infrastructure, noting in particular their relevance to the Central Coast (amongst other areas). The proposal is broadly consistent with this strategy.

### Central Coast Regional Strategy (CCRS):

The CCRS requires Council to identify suitably-located and appropriately-zoned land for resource recovery infrastructure. Currently this site is not appropriately zoned and it is not clear whether it is suitably located. Therefore the PP is inconsistent with the CCRS at this stage.

This issue however can be addressed by Council providing the outstanding strategic justification information discussed earlier and through the studies/ consultation etc that would occur through the PP process.

### Council Strategies:

Council states that the following local strategies are relevant. A summary of Council's assessment of the PP's consistency with each is provided in brackets.

Gosford 2025 - Community Strategic Plan (consistent)

Gosford Biodiversity Strategy (not inconsistent)

Draft Gosford Landuse Strategy (consistent)

### State Environmental Planning Policies (SEPPs):

**SEPP 19 Bushland in Urban Areas** - Requires Council to give priority to retaining urban bushland. Council highlights that the facility would be limited to the existing disturbed land and so is consistent with this policy. This could be agreed, although given that the site adjoins National Park land, consultation with OEH should occur to confirm that Council's approach is appropriate.

**SEPP 44 Koala Habitat Protection** - Council has not discussed this SEPP, presumably because it may not apply. Council proposes to undertake an ecology study and so should koala habitat be identified or OEH identify this as relevant, then Council would presumably update the PP to address the matters identified in the SEPP.

**SEPP 55 Remediation of Land** - Requires Council to consider whether land is contaminated. Council acknowledges the need to consider this matter but that assessment has not occurred yet. Council should be required to address the SEPPs requirements for a study to be undertaken before community consultation occurs.

**SEPP 71 Coastal Protection** - Requires Council to consider a range of matters for development in the coastal zone. The PP is consistent with this SEPP at this time but would be further addressed as part of a DA.

**SEPP (Infrastructure) 2007** - If the proposal was for a DA it would fall within the traffic generating development category and so consultation would need to occur with the RMS as part of the DA process. Further discussion on traffic issues are discussed in the Environmental/Social/Economic Impacts section of this report.

SEPP 33 Hazardous and Offensive Development and SREP 9 Extractive Industry (deemed SEPP) are also identified by Council as being relevant. However, given the location of the site and that the proposal is at the PP stage and not the DA stage, the PP is considered consistent with these SEPPs at this time.

**s117 Directions:**

The PP is considered consistent with the relevant s117 directions, except the following directions which require further discussion.

**1.3 Mining, Petroleum Production and Extractive Industries** - The PP would prohibit extractive industries. Currently, extractive industries are made permissible by the Mining SEPP which permits extractive industries in zones where agriculture is a permitted use. The 7(a) Conservation zone permits agriculture, however the proposed infrastructure zone would not. Council should therefore consult with DPI as required by this direction before consistency can be determined.

**2.1 Environment Protection Zones** - As the PP would remove the existing 7(a) Conservation zoning, the PP is inconsistent with this direction. Further, the site adjoins National Park land and so may contain similar vegetation outside the disturbed areas of the site.

Council states that given past quarrying and the results of previous vegetation mapping, the likelihood of threatened species/ EECs/ etc is low. However, this cannot be confirmed until an ecology study is undertaken. Council intends to undertake such a study. Once this has occurred, and consultation has been undertaken with OEH (particularly NPWS), it can be determined whether the PP's inconsistency with this direction is justified.

**2.3 Heritage Conservation** – This direction applies as the proposal is likely to potentially affect items with heritage values. In order to be consistent with this direction, a PP must include provisions which facilitate the conservation of heritage items.

Council has identified the need for aboriginal heritage study to be undertaken. Until this study has been undertaken and any heritage items identified, consistency with this direction cannot be determined.

**4.2 Mine Subsidence and Unstable Land** - Council states that parts of the site have been identified as unstable and so this direction applies. The direction states that a PP cannot permit development on land that has been identified as unstable. In order to comply with this direction, Council needs to undertake a study. Council proposes to undertake a geotechnical study. Following this study, Council should re-assess consistency with this direction and seek DG agreement for any inconsistency.

**4.4 Planning for Bushfire Protection** - As the PP will affect land that is bushfire prone, consultation with the RFS would need to occur before consistency with this direction can be determined.

**5.1 Implementation of Regional Strategies** - As discussed earlier, the PP is inconsistent with the CCRS at this stage. Whether the PP is ultimately consistent with this direction or not can be determined by Council providing the outstanding strategic justification information discussed earlier and through the studies/ consultation etc that would occur through the PP process.

Environmental social  
economic impacts :

The requirement to undertake further studies could be added through conditions to a new Gateway Determination issued upon consideration of the resubmitted PP (assuming Gateway support for the PP at that time).

The following studies should be prepared to assess the capability of the Woy Woy Bay site to accommodate the uses that would be made permissible by the planning proposal:

- Noise – due to nearby dwelling house (approximately 400 m distant);
- Air quality – including odour, due to nearby dwelling house;
- Water quality – including both surface and groundwater, due to the creek and possible disturbance of the aquifer due to past quarrying activities;



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- Ecology – due to adjoining National Park land, waterbodies on site, existing vegetation and to inform s117 direction 2.1 consideration;
- Land contamination – satisfy SEPP 55;
- Land stability report – due to former quarrying, part of the site has been identified as unstable, and to inform s117 direction 4.2 consideration;
- Bushfire – due to being bushfire prone and to assist with s117 direction 4.4 consistency;
- Traffic – due to increased truck movements, Woy Woy Road load limit (8 tonnes)
- Heritage – due to the possibility of aboriginal heritage objects etc.

These studies need only be sufficiently detailed to determine that making resource recovery facilities permissible at this site is appropriate. Future development proposals would require an additional step of project design, assessment and approval including more detailed project level studies and further opportunities for community consultation. Exhibition material should clearly articulate this future step in the planning process to aid the community's understanding.

### Assessment Process

|                                                                                            |                                                                                                                                                                                                                                                                                       |                                 |                |
|--------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|----------------|
| Proposal type :                                                                            | <b>Routine</b>                                                                                                                                                                                                                                                                        | Community Consultation Period : | <b>28 Days</b> |
| Timeframe to make LEP :                                                                    | <b>12 Month</b>                                                                                                                                                                                                                                                                       | Delegation :                    | <b>DDG</b>     |
| Public Authority Consultation - 56(2)(d) :                                                 | <b>Office of Environment and Heritage<br/>NSW Department of Primary Industries - Minerals and Petroleum<br/>Office of Environment and Heritage - NSW National Parks and Wildlife Service<br/>NSW Rural Fire Service<br/>Transport for NSW - Roads and Maritime Services<br/>Other</b> |                                 |                |
| Is Public Hearing by the PAC required?                                                     | <b>No</b>                                                                                                                                                                                                                                                                             |                                 |                |
| (2)(a) Should the matter proceed ?                                                         | <b>Yes</b>                                                                                                                                                                                                                                                                            |                                 |                |
| If no, provide reasons :                                                                   |                                                                                                                                                                                                                                                                                       |                                 |                |
| Resubmission - s56(2)(b) : <b>Yes</b>                                                      |                                                                                                                                                                                                                                                                                       |                                 |                |
| If Yes, reasons :                                                                          | <b>Refer to the discussion under the section on the 'Need for the Planning Proposal'</b>                                                                                                                                                                                              |                                 |                |
| Identify any additional studies, if required. :                                            |                                                                                                                                                                                                                                                                                       |                                 |                |
| <b>Other - provide details below</b>                                                       |                                                                                                                                                                                                                                                                                       |                                 |                |
| If Other, provide reasons :                                                                |                                                                                                                                                                                                                                                                                       |                                 |                |
| <b>Refer to the studies identified in 'Environmental Social Economic Impacts' section.</b> |                                                                                                                                                                                                                                                                                       |                                 |                |
| Identify any internal consultations, if required :                                         |                                                                                                                                                                                                                                                                                       |                                 |                |
| <b>No internal consultation required</b>                                                   |                                                                                                                                                                                                                                                                                       |                                 |                |
| Is the provision and funding of state infrastructure relevant to this plan? <b>No</b>      |                                                                                                                                                                                                                                                                                       |                                 |                |
| If Yes, reasons :                                                                          |                                                                                                                                                                                                                                                                                       |                                 |                |

### Documents

| Document File Name            | DocumentType Name               | Is Public  |
|-------------------------------|---------------------------------|------------|
| <b>Council_Letter.pdf</b>     | <b>Proposal Covering Letter</b> | <b>Yes</b> |
| <b>Council_Report.pdf</b>     | <b>Proposal</b>                 | <b>Yes</b> |
| <b>Council_Resolution.pdf</b> | <b>Proposal</b>                 | <b>Yes</b> |
| <b>Planning_Proposal.pdf</b>  | <b>Proposal</b>                 | <b>Yes</b> |

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| Lot_DP_Misdescription.pdf                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Proposal | Yes |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----|
| <p><b>Planning Team Recommendation</b></p> <p>Preparation of the planning proposal supported at this stage : <b>Resubmit</b></p> <p>S.117 directions:      <b>1.3 Mining, Petroleum Production and Extractive Industries</b><br/> <b>2.1 Environment Protection Zones</b><br/> <b>2.2 Coastal Protection</b><br/> <b>2.3 Heritage Conservation</b><br/> <b>4.2 Mine Subsidence and Unstable Land</b><br/> <b>4.4 Planning for Bushfire Protection</b><br/> <b>5.1 Implementation of Regional Strategies</b><br/> <b>6.1 Approval and Referral Requirements</b><br/> <b>6.2 Reserving Land for Public Purposes</b><br/> <b>6.3 Site Specific Provisions</b></p> <p>Additional Information :      <b>That Council resubmit a revised PP that addresses the following:</b></p> <ul style="list-style-type: none"> <li>- information on Council's local/regional waste management framework demonstrating the strategic justification for additional waste management sites;</li> <li>- an updated site selection study comparing this site to other available options;</li> <li>- if not covered in above, a discussion on other related projects such as the 2008 approval for a similar facility and the current Planning Proposal at Springfield; and</li> <li>- update the Lot and DP description to the correct description where relevant in the PP and supporting appendices.</li> </ul> <p><b>The revised PP should be resubmitted within three months.</b></p> <p><b>Alternatively, should the Gateway not support resubmission then the following conditions could apply:</b></p> <ul style="list-style-type: none"> <li>- update references in the PP and supporting appendices with the correct Lot and DP description;</li> <li>- remove the section on the 'likely wording of the site specific LEP' contained in the Explanation of Provisions part of the PP;</li> <li>- include a proposed zoning map that shows the SI zoning proposed by the PP for the site should the PP amend the finalised Gosford comprehensive LEP;</li> <li>- update the PP to include a strategic justification for the PP containing: <ul style="list-style-type: none"> <li>• information on Council's local/regional waste management framework demonstrating the strategic justification for additional waste management sites;</li> <li>• an updated site selection study comparing this site to other available options; and</li> <li>• if not covered in above, a discussion on other related projects such as the 2008 approval for a similar facility and the current Planning Proposal at Springfield.</li> </ul> </li> <li>- undertake the following studies to assess the capability of the site to accommodate the uses proposed: noise, air quality (including odour), water quality (including both surface and groundwater), ecology, land contamination (to satisfy SEPP 55), land stability, bushfire, traffic, and heritage;</li> <li>- undertake consultation with the following agencies: OEH, OEH (NPWS), OEH (EPA), DPI, DPI (Office of Water), RFS, RMS.</li> <li>- following consultation with OEH, review consistency with SEPP 19;</li> <li>- following the land contamination assessment, review consistency with SEPP 55;</li> <li>- following consultation with DPI as required by s117 direction 1.3, either confirm consistency with the terms of s117 direction 1.3 or seek DG agreement to an inconsistency;</li> <li>- following consultation with OEH and once Council is satisfied that ecological issues are adequately addressed, either confirm consistency with the terms of s117 direction 2.1 or seek DG agreement to an inconsistency;</li> <li>- following consultation with OEH and once Council is satisfied that heritage issues are adequately addressed, either confirm consistency with the terms of s117 direction 2.3 or seek DG agreement to an inconsistency;</li> <li>- following the land stability study, either confirm consistency with the terms of s117 direction 4.2 or seek DG agreement to an inconsistency;</li> <li>- following consultation with RFS, either confirm consistency with the terms of s117</li> </ul> |          |     |

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- direction 4.4 or seek DG agreement to an inconsistency;
- following the provision of the strategic justification identified above and agency/ community consultation, either confirm consistency with the terms of s117 direction 5.1 or seek DG agreement to an inconsistency;
  - 28 day community consultation period; and
  - 18 month completion date.

Supporting Reasons : Resubmit: refer to the discussion under the 'Need for the Planning Proposal' section.

Conditions recommended to be imposed if the Gateway supports the progression of the PP without the need to resubmit:

- strategic justification condition to inform consistency with s117 direction 5.1 and to inform community/ agency consultation;
- studies identified are needed as discussed in the 'Environmental, social, economic' section of this report;
- agency consultation: OEH (ecology, heritage), OEH (NPWS) (proximity of National Park), OEH (EPA) (PP relates to waste management), DPI (s117 direction 1.3 and former quarry site), DPI (Office of Water) (water impacts), RFS (s117 direction 4.4, bush fire prone), RMS (traffic);
- SEPP and s117 direction requirements as per discussed in the 'Consistency with the Strategic Framework' section of this report;
- 28 day consultation period due to potential impacts;
- 18 month completion (allow time for studies, consultation etc) and to align with the time given to the resource recovery facility Springfield PP.

Signature:

G HOPKINS

Printed Name:

GARRY HOPKINS

Date:

11.7.2012

