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# Assessment

#### 2.1 RZ/14/2014 - Planning Proposal for Industrial Estate at Wallarah

TRIM REFERENCE: RZ/14/2014 - D11894831 MANAGER: Tanya O'Brien, Manager AUTHOR: Scott Duncan; Senior Strategic Planner

#### SUMMARY

A request has been received to prepare a planning proposal to rezone approximately 45 ha of land at Wallarah for industrial purposes. This rezoning is one site of a broader 5 site rezoning request proposed by the Darkinjung Local Aboriginal Land Council (LALC). Approximately 800 Ha of land is proposed to be set aside as ecological offsets for the multi-site rezoning proposal and zoned for environmental purposes.

This report recommends that Council endorse the planning proposal and proceed with forwarding it to DP&E seeking gateway determination.

Applicant	ADW Johnson			
Owners	Darkinjung LALC - majority of area			
Description of Land	Wallarah Employment Land			
	Real Description: Lots 1, 2 and 3 DP 1156997, 380 Motorway, Wallarah			
Site Area: Current Zoning Proposed Zoning Existing Use	Approximately 45ha RU6 – Transition IN1 - General Industrial and E2 - Environmental Conservation Vacant vegetated land			
Employment Generation	Rezoning will facilitate increased economic activity and potentially 900 jobs			
Environmental Offsets	Approximately 800ha (proposed to offset development of numerous sites)			
Estimated Value:	Future economic value of future area to be rezoned is estimated to be \$97.7M.			

#### RECOMMENDATION

- 1 That Council <u>prepare</u> a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the subject land generally in accordance with the proposed concept plan (attachment 1).
- 2 That Council <u>forward</u> the planning proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a gateway determination.
- 3 That Council <u>request</u> the assistance of the DP&E in obtaining a whole of Government approach to resolve outstanding regional planning, mining, infrastructure and biodiversity issues within the North Wyong Shire Structure Plan (NWSSP) which impact on the Planning Proposal.

- 4 That Council <u>require</u>, subject to the gateway determination that the landowner enter into a Funding Agreement with Council in accordance with Council's adopted Statement of Revenue Policy to recover the costs involved in further progressing the proposal.
- 5 That Council <u>authorise</u> the General Manager (or delegate) to sign the Funding Agreement for the rezoning.
- 6 That Council <u>prepare</u> an appropriate amendment to Wyong Development Control Plan (WDCP 2013) to provide provisions for the sites to be placed on public exhibition for 28 days concurrent with the planning proposal.
- 7 That Council <u>amend</u> the Section 94 Contributions Plans (if required) to support the development of the land subject to this planning proposal.
- 8 That Council <u>authorise</u> the General Manager (or delegate) to sign any voluntary planning agreement or application for biodiversity certification to support the rezoning. This agreement shall:
  - a Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
  - b Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 9 That Council <u>authorise</u> the General Manager (or delegate) to sign any documentation associated with any future application for biodiversity certification of the lands (as this can only be made by a planning authority).
- 10 That Council <u>undertake</u> community and public authority consultation, in accordance with the requirements of the gateway determination.
- 11 That Council <u>consider</u> a further report on results of community and public authority consultation.

#### **ORDINARY MEETING HELD ON 13 MAY 2015**

**RESOLVED** unanimously on the motion of Councillor BEST and seconded by Councillor TAYLOR:

- 437/15 That Council <u>prepare</u> a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the subject land generally in accordance with the proposed concept plan (attachment 1).
- 438/15 That Council <u>forward</u> the planning proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a gateway determination.

- 439/15 That Council <u>request</u> the assistance of the DP&E in obtaining a whole of Government approach to resolve outstanding regional planning, mining, infrastructure and biodiversity issues within the North Wyong Shire Structure Plan (NWSSP) which impact on the Planning Proposal.
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- 445/15 That Council <u>authorise</u> the General Manager (or delegate) to sign any documentation associated with any future application for biodiversity certification of the lands (as this can only be made by a planning authority).
- 446/15 That Council <u>undertake</u> community and public authority consultation, in accordance with the requirements of the gateway determination.
- 447/15 That Council <u>consider</u> a further report on results of community and public authority consultation.
- FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, TAYLOR, VINCENT AND WEBSTER

AGAINST: NIL

#### BACKGROUND

The Darkinjung LALC holds a portfolio of approximately 3,500 hectares and is the largest non-government landowner on the Central Coast. The Darkinjung LALC have undertaken a review of their lands within the NWSSP area and a number of sites have been identified which are considered to have some potential for future residential or employment uses.

Since 2010, the Darkinjung LALC has maintained ongoing dialogue with Council, DP&E and other Agencies concerning its land portfolio. This report relates to site 5 shown in Figure 1. On 10 December 2014 Council resolved to support Planning Proposals on Site 1 – Lake Munmorah and Site 3 – Doyalson and request Gateway Determinations from the Department of Planning and Environment.



Figure 1 Darkinjung DLALC Multi-site Rezoning Proposal

#### PLANNING PROPOSAL

This site is known as Site 5 – Link Road –Wallarah and forms part of a multi-site rezoning planning proposal request lodged by Darkinjung LALC in late 2015. The proposal seeks to rezone 45 hectares of land from RU6 – Transition to IN1- General Industrial.

The site is located to the south-west of the Doyalson Link Road, north-west of the Sydney-Newcastle Railway, approximately three kilometres west of Blue Haven. The site is proposed to be rezoned to IN1 General Industrial and developed for industrial/employment lands purposes.

Part of the site has also been identified by Transport for NSW as one of a number of possible suitable locations for a future train stabling yard, due to rail corridor frontage and desirable location to store/service Central Coast commuter trains.

#### Conservation offset land

The Darkinjung LALC are seeking to offset the impact of clearing on this and other development sites through establishment of a 800ha conservation area secured through a biodiversity certification process. The proposal establishes that the 800ha conservation lands would be owned and managed in perpetuity by Darkinjung LALC. It should be noted that these offsets are intended to serve as an offset for all 5 of the sites in the multi-site rezoning proposal (not just the one subject to this assessment).

#### **Resolution of Aboriginal Land Claims over Crown Lands**

Darkinjung LALC proposes to accept ownership of 37 unresolved Aboriginal Land Claims over Crown land within Wyong Shire. The majority of these sites will be zoned E2 Environmental Conservation and managed in perpetuity by the LALC as environmental offsets.

#### **KEY ISSUES**

A number of specialist reports have been submitted to support the request for the Planning Proposal preparation, including investigations assessing, and proposing mitigation strategies, in relation to ecology, water, sewer, traffic and transport. These reports provide a valuable baseline assessment of the issues, however further detailed investigations will be necessary to address deficiencies and further advance the proposal.

An overview of the main issues associated with the subject site is outlined below:

#### Mining and Resource Issues

#### Mineral Resource Impacts

The Planning Proposal impacts on a mineral resource deposit (see figure 2). The proposed future development site occurs on land that has been identified by the NSW Department of Trade and Investment - Resources and Energy as possibly containing State Significant clay deposits which are essential to the manufacturing of roof tiles.

Further consultation will be required as part of the rezoning process with NSW Trade and Investment and the owner of the lease to determine how the proposal will impact on resource extraction in the future. To ensure the proposal will not restrict mineral potential of the identified transition or resource areas a land use compatibility assessment must be undertaken to determine the most appropriate surface controls to apply to the proposed development.

The Darkinjung LALC has through the NSW Department of Premier and Cabinet attended a number of working group meetings prior to lodging this Planning Proposal. At these meetings development options over the Darkinjung LALC properties were discussed with various government agency representatives. Whilst clay mining and mineral lease issues were discussed and the responsible agency (DPI) was present for a number of these meetings, the matter is still not resolved. Proceeding to seek a 'gateway determination' will enable direct consultation with DPI to determine if there is development potential without compromising the clay mineral resource.

#### Mine Subsidence

The site is not in a Mine Subsidence District.



Figure 2: Mineral resource and transition areas

#### Bushfire

The site is classified as bushfire prone land. Future development will need to adopt appropriate Asset Protection Zones (APZ's) and incorporate these requirements into future street layouts and future building setbacks. An assessment of the proposal against Planning for Bushfire Protection 2006 and other relevant guidelines will be required. All APZ requirements will need to be incorporated into the areas proposed to be rezoned. Council will consult with the Rural Fire Service (RFS) to confirm bushfire planning requirements.

#### **Noise and Vibration Impacts**

The site adjoins a railway line and a vibration assessment will be required to confirm noise and vibration exposure (appropriate design measures will need specified). Further consultation with NSW Railcorp will be undertaken through the rezoning process to confirm requirements for siting development near railway lines and confirming railway access requirements.

#### Road infrastructure and traffic impacts

The proposal has direct access to the Doyalson Link Road via the existing Toohey's Road Interchange which currently services the Boral brick quarry and factory.

A preliminary traffic report has been submitted with the proposal. It has been estimated that the industrial land use will generate approximately 956 vehicle movements in the PM peak.

The Traffic Impact Assessment will need to be revised to assess traffic impacts associated with all parts of the rezoning proposal. This will also be required to determine the impact on the existing local and State road network.

Sidra modelling will be required to assess the impacts of the proposed developments at key intersections. The modelling is to include 2014 and 2024 scenarios with traffic generated by the proposals and background traffic growth at 2% PA.

Early consultation with the RMS will be required to determine access requirements and to confirm funding for a major intersection upgrade works to accommodate the extra traffic volumes triggered by the proposal.

Public transport routes will need to be investigated in order to adequately service the developable land in accordance with Transport for NSW guidelines. This will need to identify the type of public transport needed to service the development and means of encouraging public transport use. A pedestrian and cycleway plan identifying movement desire lines will also be required.

#### Water and Sewer

A preliminary water and wastewater study has been conducted to support the rezoning proposal.

#### Water Supply

This site is currently un-serviced by water supply and is not included in water supply strategies for the area. Dependant on the timing of development in the adjoining areas supply could be achieved through extension of infrastructure.

Developer Service Plan contributions would apply noting that trunk water main construction would be eligible to offset water supply contributions payable.

#### Sewerage Considerations

A high level sewer servicing strategy has been prepared for the lands north of the Doyalson Link Road which will not service this area. As such, the developer will need to prepare a sewer servicing strategy for the site in consultation with Council's Water and Sewer Section. Any development of the site will require the construction of a new sewerage pumping station and rising main to Charmhaven Sewage Treatment Plant (including Rail Crossing). The servicing strategy will be required to consider servicing options and compare the Net Present Costs of all options considering both capital and ongoing operational costs. Spare inlets exist at Charmhaven Sewage Treatment Plant for additional rising main connections.

Sewerage contributions would apply, noting that gravity main construction (225mm diameter and greater), rising main and sewage pumping station construction costs may be eligible to offset sewerage contributions payable.

#### Ecology and Environmental offsets

The site is substantially vegetated and as such, flora and fauna values are a key consideration in determining development potential. The Darkinjung LALC has undertaken some significant ecological investigations in developing their land strategy. The NWSSP identifies conservation corridors connecting areas of environmental significance. The subject land is not shown as a development precinct but is categorised as "strategically located and constrained land under the NWSSP. This category has been applied to land where development infrastructure, mining and conservation issues are yet to be resolved. These issues will be resolved through the rezoning process. The relationship of the proposed development sites to wildlife corridors in the NWSSP is shown in attachment 2. The main ecological issues with the proposal are discussed under the following sub-headings.

#### Wildlife Corridors

A number of wildlife corridor linkages and green corridor areas are identified in the NWSSP which affect the site (see attachment 2). The rezoning proposal is inconsistent with a number of linkages shown in the NWSSP and may create ecological impacts which reduce the viability of the planned corridors. Some changes will likely be needed to improve the proposal's consistency with the NWSSP and to ensure that corridor linkages are delivered. The Office of Environment and Heritage (OEH) will be consulted as part of the rezoning process to discuss these issues in more detail through the rezoning process.

#### Environmental Offsets

The proposed development will result in the removal of a substantial area of vegetation which will need to be offset under the Threatened Species Conservation (TSC) Act. A number of offset sites have been suggested by Darkinjung LALC, however, most of the proposed offsets have not been subjected to detailed ecological surveys. The offset sites are generally considered to contain important ecological attributes.

The proposed offset sites are land identified as Green Corridors and Strategically Located/Constrained sites category within the NWSSP. The exact dimensions of these offsets may change dependant upon the results of proposed ecological assessments and whether Crown Land Claims are resolved (note some of the proposed offsets occur on lands currently owned by the Crown).

Environmental offset lands are proposed to be zoned E2- Environmental Conservation and are shown on the draft zoning map in Attachment 3 (note that the identified offset sites are intended to offset the impacts of development of all 5 sites included in the multi-site rezoning).

#### Proposed Biodiversity Certification

Ecological survey data has been compiled by Eco-Logical Australia who conducted an Interim Ecological Inventory Report on the Darkinjung LALC land holdings within the NWSSP in 2012. This dataset will be further built upon to support a future biodiversity certification application.

The Biodiversity Conservation Assessment Methodology (BCAM) is a transparent methodology that is used to assess the impacts on biodiversity arising from large development projects and conservation outcomes consistent with NSW and Commonwealth offset policies, including a 'improve and maintain' outcome. BCAM also requires targeted surveys for threatened flora and fauna to be conducted as well.

Under the BCAM approach targeted surveys are not required on all species e.g. Squirrel Gliders and Masked Owls as they are assumed to be present in designated ecosystem types.

The map from the Eco-Logical Interim Ecological Inventory Report shows records and habitat for Wallum Froglet, White-throated Needletail, *Angophora inopina, Acacia bynoeana* and *Tetratheca juncea* within the development footprint (see figure 3). The information provided does not address whether the loss of that habitat (especially for *Angophora inopina* and Squirrel Glider) will leave the remaining populations unviable. This can be further examined through a Biocertification Assessment process across the entire development and offset lands area.

The proponent seeks to biodiversity certify the proposed development lands in order to provide certainty of development outcomes into the future. Only a 'planning authority' can make application for biodiversity certification (in this instance it is likely to be Wyong Shire Council) in accordance with the rules established under BCAM. As such it is recommended that once sufficiently assessed, Council utilise the available flora and fauna reporting to form an appropriate application.



FIGURE 3: Ecological communities and threatened species

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#### Riparian vegetation

The vegetation in the south-western portion of the proposed site is Alluvial Riparian Blackbutt Forest and most likely comprises Riverflat Eucalypt Forest EEC. There is very little of this vegetation community remaining in the Shire and therefore it is a high priority vegetation type for protection. It is recommended by Council's Senior Ecologist - Property Management proposal that these areas be protected. Minor adjustments will be required to the position of the proposed zone boundaries for this to occur and can be facilitated through the assessment of this application.

#### NWSSP

The land subject of this rezoning proposal is identified as strategically located and Constrained Land under the NWSSP. Land within this category requires the resolution of infrastructure, mining, wildlife corridor, development and offset strategies before land can be considered for rezoning. It is considered that these issues are likely to be resolved. The proponent will also need to demonstrate major and local conservation links identified in the NWSSP will not be impacted by the proposal and that securing environmental offsets around the perimeter will secure connectivity outcomes.

#### Future ownership of conservation land

The Darkinjung LALC proposes to retain the long term land ownership and management responsibilities for the approximately 800ha of proposed environmental offsets land.

#### Concept Development Plan

The applicant has prepared a preliminary Development Concept for the industrial subdivision (see attachment 1). It is recognised that the Concept Plan will change as it is informed by further technical studies and liaison with Council staff and agencies. The following preliminary comments are made:

#### Street and subdivision layout

There are a number of detailed comments provided from Council's Development Assessment - Design Engineering Unit concerning matters which will affect the street patterns and layouts of development concepts covering:

- Road safety planning
- Improvements in road layouts
- Road geometry and sight distances
- Planning of Urban Interface Areas (UIAs)
- Addressing noise and vibration impacts from railway lines.

These comments will be provided to the proponent to assist them in further refining their development concepts.

#### Landscape Treatment

A landscape and visual impact treatment strategy will be required for portions of the development which will be visible from the Rail Corridor and the Doyalson Link Road.

#### **Contaminated Land Assessment**

A preliminary contaminated land assessment will also be required addressing the requirements of SEPP 55 Contaminated Land.

#### Aboriginal Archaeology and European Cultural Heritage

No items of European heritage significance are known to exist on the site.

The rezoning will need to be supported by further Aboriginal Archaeological investigations which will involve reviewing relevant registers, undertaking community consultation and broad site assessments in accordance with OEH's Aboriginal cultural heritage consultation requirements.

#### Flooding

The site is flood free. Further work will be required to determine the amount of potential local overland flooding due to concentration of stormwater from proposed hardstand areas. It should also be noted that Council successfully applied for State and Federal grant funding to carry out an overland flood study within the Wallarah and Spring Creek catchment which includes a number of the sites proposed to be rezoned by the LALC. This study is expected to be completed by June 2016.

#### Stormwater Management

Stormwater management and drainage concept plans will be required for all future development sites. The Strategy must also include a Management Plan to address the treatment of generated run-off with a Stormwater Detention/Retention system.

The stormwater and drainage plans should also address immediate and long term maintenance responsibilities to achieve the required objectives and pollution targets. The proposed ownership of the proposed stormwater infrastructure/assets will also need to be clarified. The area of land necessary to accommodate a suitable stormwater treatment system should also be detailed in development concepts and its impacts considered.

#### LOCAL PLANS, POLICIES AND STRATEGIES

#### Wyong Local Environmental Plan 2013

The site is currently zoned RU6 - Transition and is proposed to be rezoned IN1 - General Industrial under Wyong LEP 2013. Environmental offset lands will be rezoned E2 - Environmental Conservation.

#### Regional Economic Development and Employment Strategy (REDES) 2010

The Regional Economic Development and Employment Strategy (REDES) was developed through a partnership between the NSW Government, Regional Development Australia Central Coast (RDACC), Gosford City Council and Wyong Shire Council.

It is estimated that up to 900 jobs will be created by the Wallarah Industrial Estate. Short term employment opportunities would be created through associated planning and construction work. Additional employment will be generated with the maintenance of biodiversity offsets.

#### Settlement Strategy

The proposal is generally consistent with the considerations of the Settlement Strategy. However, corridor, mining, infrastructure and offsetting issues will need to be resolved as required by the NWSSP.

#### Central Coast Regional Strategy and North Wyong Shire Structure Plan

The development proposal is generally consistent with the Central Coast Regional Strategy (CCRS). An assessment has been undertaken of sustainability criteria for new land releases as per the CCRS (See attachment 5).

The NWSSP categories the land as "strategically located and constrained land located in relation to existing and proposed infrastructure (e.g. major roads, water and sewer) and also identifies areas which contribute to the formation of the green corridor. The relationship of each of the proposed Darkinjung LALC rezoning sites to the NWSSP is shown in attachment 2.

The NWSSP states that the staging of development of any future urban land within the 'strategically located' sites layer is expected to be generally consistent with the staging identified for the adjoining land. Most of the development precincts are identified for release in the long term and early release of these areas as proposed through this application is inconsistent with timeframes mentioned in the NWSSP. The early release needs to be considered to ensure that adequate infrastructure and servicing is available.

Impacts on green corridors and linkages in the NWSSP will also need further justification from the applicant including examination of the cumulative impacts of other proposals e.g. Wallarah 2 Coal Mine, Clay mining and the CASAR project.

The NWSSP provides a framework and context for identifying and assessing future development opportunities in these areas, and for planning proposals to be prepared and progressed. The NWSSP identifies the following issues to be addressed:

- More detailed understanding of the environmental features of the land and opportunities to contribute to the proposed corridor and habitat networks;
- Resource extraction potential related to proposed coal mining and clay extraction (where these localised impacts occur);
- Determination of offsets for vegetation losses within future development areas;
- How the proposed development will relate to the green corridor; and
- The need for additional residential or employment uses to meet future community demand.

The planning proposal will create a relatively small industrial precinct which utilises the existing Tooheys Road interchange (this taking advantage of under utilised infrastructure). The demand for industrial land in Wyong Shire is estimated to be 7.7 ha per annum, thus the proposal will only have a small impact on the industrial land market representing less than 6 years supply.

#### **Section 117 Directions**

The proposal has been assessed on a preliminary basis against relevant Section 117 Ministerial Directions. The full assessment is contained within Attachment 4 of this report. It is apparent from undertaking this review that there are a number of inconsistencies with Section 117 Directions and regional strategy documents which may require the approval of The Secretary.

The following table identifies the applicability and consistency of the proposed rezoning with the current Section 117 Directions:

Number	Direction	Applicable	Consistent	
Employment and Resources				
1.1	Business and Industrial Zones	Yes	Yes	
1.2	Rural Zones	Yes	No	
1.3	Mining, Petroleum Production and Extractive Industries	Yes	No	
1.4	Oyster Aquaculture	No	-	
1.5	Rural Lands	No	-	
Environme	nt and Heritage			
2.1	Environmental Protection Zones	Yes	Yes	
2.2	Coastal Protection	No	-	
2.3	Heritage Conservation	Yes	Yes	
2.4	Recreation Vehicle Areas	Yes	Yes	
Housing, I	Housing, Infrastructure and Urban Development			
3.1	Residential Zones	No	-	
3.2	Caravan Parks and Manufactured Home Estates	No	-	
3.3	Home Occupations	No	-	
3.4	Integrating Land Use and Transport	Yes	Yes	
3.5	Development Near Licensed Aerodromes	No	-	
3.6	Shooting Ranges	No	-	
Hazard an	d Risk			
4.1	Acid Sulphate Soils	No	-	
4.2	Mine Subsidence and Unstable Land	No	-	
4.3	Flood Prone Land	No	-	
4.4	Planning for Bushfire Protection	Yes	Yes	

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Regiona	I Planning		
5.1	Implementation of Regional Strategies	Yes	No
5.2	Sydney Drinking Water Catchments	No	-
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	-
5.8	Second Sydney Airport: Badgerys Creek	No	-
Local Pl	an Making		
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	Yes
6.3	Site Specific Provisions	Yes	Yes

Metropolita	an Planning			
7.1	Implementation of the Metropolitan Strategy	No	-	

#### State Environmental Planning Policies

The proposal has been assessed and is generally consistent with relevant State Environmental Planning Policies (SEPPs).

#### SEPP 44 – Koala Habitat

Subject to the findings of further investigative fauna studies, consideration of the proposal against SEPP 44 – Koala Habitat will be required.

#### <u>SEPP 55 – Contaminated Land</u>

To address SEPP 55 Contaminated Land, a Phase 1 Contaminated Lands Assessment will be undertaken by a suitably qualified geotechnical engineer who will review site(s) history and undertake necessary fieldwork to establish the potential risk of site contamination resulting from past activities.

#### SEPP 71 – Coastal Protection Zone

The subject site is located within the "coastal zone" (i.e. one kilometre from the coast or a coastal estuary as indicated on the adopted maps) and is therefore subject to the provisions of SEPP 71- Coastal Protection. Council is required to have regard to the matters for consideration identified under Clause 8 when preparing a Draft Local Environmental Plan.

## SEPP State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007

As per the Mineral Resource Audit of Wyong Shire by NSW Trade & Investment (Resources & Energy) (TIRE), this site is within an Identified Resource Area, therefore, a land use compatibility assessment will be required to be undertaken along with consultation with NSW TIRE.

#### OPTIONS

#### **Option 1 – Proceed with the Proposal (Recommended)**

This report recommends additional investigative studies be undertaken to support the Planning Proposal.

Obtaining Council and Gateway approval to progress the Planning Proposal will provide the proponent with increased certainty before outlaying further funds on studies.

The proposal will also create local employment opportunities and will provide biodiversity offsets which if effectively located can achieve local conservation outcomes. Discontinuing the process will prevent these outcomes from being achieved.

# Option 2 – Defer the Proposal until Regional Growth and Infrastructure Plan is completed (Not Recommended)

There are a number of biodiversity, wildlife corridor, coal mining, clay extraction, development and infrastructure servicing issues which require resolution where land is proposed to be rezoned within the 'Strategically located/Constrained Sites' layer of the NWSSP'. The DP&E has commenced a review, and it is anticipated that it will provide more definition around some of these competing land uses within this part of Wyong Shire through this process.

Consultation with government agencies (post Gateway Determination) will be a trigger to resolve some of these issues. Delaying the assessment of the Planning Proposal until these issues are resolved is not recommended.

#### FURTHER REQUIREMENTS AND STUDY PROCESS

The proponent has undertaken some preliminary studies to support the initial lodgement of a Planning Proposal. The preliminary rezoning concept is likely to be impacted by the outcomes of additional studies and input from government agencies. Further revisions to the concept/zoning plan will be required to be prepared once these studies have been completed.

The following technical studies will need to be conducted to provide the required level of documentation to support the proposed rezoning of land:

- 1 Detailed water and sewer servicing plan (which will include details on who will design and build infrastructure. Details will also be required on the timing of the provision of funds to provide these services),
- 2 Services Review and infrastructure plan (gas, telecommunications, electricity provision etc.),
- 3 Complete ecological investigations (seasonal flora and fauna surveys/vegetation mapping/conservation offset strategy to be undertaken in accordance with approved OEH offset mythologies),
- 4 Drainage and stormwater management studies,
- 5 Open space and recreation analysis,
- 6 Land use compatibility assessment to examine clay mining resource issues,
- 7 Visual impact and landscape analysis,
- 8 Preliminary Contamination Study,

- 9 Noise Vibration assessment for land adjacent the railway line and Doyalson Link Road,
- 10 Aboriginal archaeological assessment prepared in accordance with the consultation guidelines,
- 11 Revised Traffic Report,
- 12 Draft Development Control Plan,
- 13 Draft VPA and possible revision to Section 94 Contribution Plan (dependent on infrastructure and servicing issues),
- 14 Updated Planning Proposal/Planning Controls (rezoning).

A detailed scope of works will be prepared by the applicant upon receipt of a Gateway Determination with input from Council staff and relevant Government agencies. Council staff will provide a review role on all technical studies to ensure that all relevant issues and community concerns are addressed.

Council will require the applicant to enter into a Funding Agreement to ensure that Council staff costs are recovered as per Council's Planning Proposal Policy Procedure and adopted Statement of Revenue.

#### STRATEGIC LINKS

#### Wyong Shire Council Strategic/ Annual Plan

The proposal is consistent with Wyong Shire Council's Strategy Annual Plan.

#### Link to Community Strategic Plan (2030)

Out of the eight priority objectives of the Community Strategic Plan, 3 are relevant:

- There will be ease of travel;
- Communities will have a range of facilities and services; and
- Areas of natural value will be enhanced and maintained.

The Planning Proposal will need to take into account the above objectives.

#### Governance and Policy Implications

Refer to discussion relating to Local Plans, Policies and Strategies

#### **Budget Impact**

There are no immediate budget impacts as the assessment of the Planning Proposal is being funded by payment of a Phase 1 Rezoning Fee. Further assessment work conducted by Council staff and all of the required supporting technical studies will be funded by the proponent under the terms of the funding agreement.

All infrastructure and services required to support the development will be required to be developer funded.

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The proposal will require a significant amount of land to be set aside as environmental offsets, this land will continue to be owned and managed by the Darkinjung LALC and will make an important contribution to local and regional biodiversity outcomes identified in the NWSSP.

#### CONSULTATION

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The proposal was referred to the following internal Council units for comment:

- Community and Cultural Development Social Planning
- Development Assessment Design Engineering
- Development Assessment Development Applications
- Floodplain and Stormwater Management Hydrology
- Land Management Ecology
- Land Management Bushfire
- Strategic Planning Transport and Airport Planning
- Strategic Planning Planning
- Strategic Planning Section 94
- Water and Sewer Planning

Comments received were utilised to assess the proposal and determine the need for additional investigative studies.

Future community and government agency consultation requirements will be outlined by the Gateway Determination.

#### CONCLUSION

This report seeks Council's endorsement to commence the rezoning of Site 5 – Wallarah for a 45ha industrial precinct. The proposal will also include a large number of sites to provide environmental offsets for this development and other sites which form part of the multi-site rezoning proposal.

An assessment of the Planning Proposal has been undertaken which identifies that the Planning Proposal has merit 'in principle' and that Council should initiate the rezoning process by referring it to the DP&E for a gateway determination. The gateway determination will provide Council with referral requirements and outline any additional information which will be required prior to public exhibition. Further supporting studies will be needed to support the rezoning as outlined in this report and the gateway determination.

There are a number of biodiversity, wildlife corridor, clay extraction, development and infrastructure servicing issues which require resolution within the NWSSP. The DP&E will be requested to assist Council in order to assist with the resolution of these issues, as it will be important to obtain a "whole of government" position on these matters in the NWSSP rather than "issue specific" agency responses.

#### ATTACHMENTS

1	Darkinjung Planning Proposal Site Plan	D11895495
2	Darkinjung Planning Proposal NWSSP	D11911481
3	Proposed Zone Map	D11897509
4	Section 117 Ministerial Direction Assessment	D11897525
5	Central Coast Sustainability Assessment	D11897527







#### Section 117 Ministerial Direction Assessment

Direction	Comment			
Employment & Resources				
1.1 Business & Industrial Zones				
Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic corridors. Applies when a planning proposal affects land within an existing or proposed business or industrial zone.	Applicable and consistent. Proposes to create new INI-General Industrial Zone over land zoned RU6- Transition.			
1.2 Rural Zones				
Aims to protect the agricultural production value of rural land. Applies when a planning proposal affects land within an existing or proposed rural zone.	<ul> <li>Applicable. Planning Proposal will remove land zoned rural as Site 5 is zoned RU6 – Transition Zone.</li> <li>This zoning has only been applied as an interim measure until planning investigations are undertaken and the ultimate land use determined.</li> </ul>			
1.3 Mining, Petroleum Production and Extractive	e Industries			
Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	<ul> <li>Applicable.</li> <li>Consultation will be required to be undertaken with NSW Trade and Investment (Resources and Energy – Geological Survey of NSW) to determine potential: <ul> <li>Impacts from or on future resource extraction; and</li> <li>Development guidelines for the site.</li> </ul> </li> <li>The proposal may be inconsistent with this Direction, further agency consultation will be undertaken as the planning proposal progresses.</li> </ul>			
1.4 Oyster Aquaculture				
Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers. Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster	Not Applicable. The Planning Proposal is not located in Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the <i>NSW</i> <i>Oyster Industry Sustainable Aquaculture Strategy</i> (2006)			

Direction	Comment
aquaculture lease in the national parks estate and other land uses.	
1.5 Rural Lands	
Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes.	Not Applicable. This direction does not apply to the Wyong LGA.
Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.	
Environment & Heritage	
2.1 Environmental Protection Zones	
Aims to protect and conserve environmentally sensitive areas. Applies when the relevant planning authority prepares a planning proposal.	<ul> <li>Applicable.</li> <li>The site is located within a proposed green corridors and strategically located land. The proposal conflicts with a number of the conservation links shown in the NWSSP.</li> <li>The proposed development footprint will be refined subject to the outcomes of additional ecological assessments.</li> <li>In order to achieve an 'improve or maintain' outcome, biocertification of the subject site and utilisation of land within the same ownership for offsets are proposed.</li> <li>At present, the proposal is inconsistent with this direction and further consultation will be required with the Office of Environment and Heritage in relation to biodiversity, threatened species and regional wildlife corridor planning considerations as the Planning Proposal progresses.</li> </ul>
2.2 Coastal Protection	
Aims to implement the principles in the NSW Coastal Policy. Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal</i> <i>Protection Act</i> 1979.	Not Applicable.
2.3 Heritage Conservation	
Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority prepares a planning proposal.	Applicable. The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance. Notwithstanding the above, consistency of the

Direction	Comment
	proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.
2.4 Recreational Vehicle Areas	
Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles. Applies when the relevant planning authority prepares a planning proposal.	Applicable. The proposal does not seek to enable development for recreational vehicle use. It is therefore considered that the proposal is consistent with this Direction.
Housing, Infrastructure and Urban Development	t
3.1 Residential Zones	
Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.	Not Applicable
Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	
3.2 Caravan Parks and Manufactured Home Esta	tes
Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates. Applies when the relevant planning authority prepares a planning proposal.	Not Applicable.
3.3 Home Occupations	
Aims to encourage the carrying out of low impact small business in dwelling houses. Applies when the relevant planning authority prepares a planning proposal.	Not Applicable.
3.4 Integrating Land Use & Transport	1
Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing	Applicable. It is considered that the proposal is generally consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for Transport and Development. The subject site is in close proximity to major road

Direction	Comment
transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight. Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	networks. Further assessment to ensure availability of alternative transport choices, cycleway planning and provision of bus routes/stops will be undertaken as part of traffic and transport investigations to support the rezoning. The proposal is consistent with this Direction, however; further assessment of this matter will occur as the planning proposal progresses.
3.5 Development Near Licensed Aerodromes	Sterre Le Sterre Le Sterre
Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. Applies when a planning proposal creates, alters or removes a zone or provision relating to land in	Not Applicable. The proposal does not seek to create, alter or remove a zone or provision relating to land in the vicinity of a licensed aerodrome.
the vicinity of a licensed aerodrome.	
3.6 Shooting Ranges	
Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	Not Applicable. The proposal is does not propose to affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.
Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	
Hazard & Risk	
4.1 Acid Sulfate Soils	
Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.	Applicable. The subject site may contain acid sulfate soils and proposes an intensification of land uses. Clause 7.1 Acid Sulfate Soils of Wyong LEP 2013 is not proposed to be altered by the proposal. Notwithstanding this, the consistency of the proposal with this Direction will required to be demonstrated by an acid sulphate soil assessment

Direction	Comment
	in accordance with the ASSMAC guidelines.
4.2 Mine Subsidence & Unstable Land	
Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence. Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf	Not Applicable as the site is not within a Mine Subsidence District.
of the relevant planning authority or other public authority and provided to the relevant planning authority.	
4.3 Flood Prone Land	
Aims to ensure development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land.	Site is flood free – Not Applicable
Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.	
4.4 Planning for Bushfire Protection	
Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.	Applicable. The site of the proposal contains land classified as Bushfire Prone under Council's Bushfire Prone Lands Map.
Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.	The consistency of the proposal with this Direction will required to be demonstrated by additional bushfire investigative studies.
Regional Planning	
5.1 Implementation of Regional Strategies	
Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies. Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central	Applicable. The proposal is inconsistent with the NWSSP staging plan for land release and land within the "strategically located sites" and proposes development on land identified within a future corridor. Notwithstanding this, part of the subject site is
Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.	identified for further investigation for development purposes. Given the above, and the proposed nature of

Direction	Comment
	investigations still to be undertaken (which will ultimately influence future development options for the site), the inconsistency will need to be further explained as the proposal develops.
5.2 Sydney Drinking Water Catchments	
Aims to protect water quality in the hydrological catchment. Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.	Not Applicable. The proposal is not located within Sydney's hydrological catchment.
5.3 Farmland of State and Regional Significance	
Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas. Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.	Not Applicable. The proposal is not located within the Far North Coast Region.
5.4 Commercial and Retail Development along t	he Pacific Highway, North Coast
Aims to manage commercial and retail development along the Pacific Highway, North Coast. Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.	Not Applicable. The proposal is not located between Port Stephens and Tweed Shire Councils.
5.8 Second Sydney Airport: Badgerys Creek	
Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek. Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.	Not Applicable. The proposal is not located within the Fairfield, Liverpool and Penrith City Council or Wollondilly Shire LGA.
Local Plan Making	
6.1 Approval and Referral Requirements	
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority	Applicable. The Planning Proposal does not seek to include provision which require concurrence from other agencies.

Direction	Comment	
prepares a planning proposal.	The proposal is consistent with this Direction.	
6.2 Reserving Land for Public Purposes		
Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal.	Applicable. Work has not yet been conducted at the required level of detail to determine if there will be requirement for land reservations for traffic improvements, parks and wildlife corridors. Future reservation areas may be identified as further work is conducted on the project. Consistency with this Direction is subject to determination.	
6.3 Site Specific Provisions		
Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.	Applicable, but is not inconsistent as draft planning provisions are not unduly restrictive.	
Metropolitan Planning		
7.1 Implementation of the Metropolitan Strategy		
Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy. Applies when the planning authority within a Metropolitan Local Government Area prepares a planning proposal.	Not Applicable. This Direction does not apply to Wyong LGA.	

### Sustainability Criteria for New Land Release – Central Coast

Criteria	Requirements	Consistency (Y/N)	Comment
Infrastructure Provision	Development is consistent with the CCRS, North Wyong	TBD	The site is subject to the NWSSP.
Mechanisms in place to ensure utilities, transport, open space and	Structure Plan (NWSSP), applicable regional infrastructure plans, Metropolitan Strategy and relevant section 117 directions.		The proposal is well located on major road network and makes use of the existing Toohey's Road/Link Rd Interchange.
communication are provided in a timely and efficient way.	The provision of infrastructure (utilities, transport, open space and communications) is costed and economically feasible based on government methodology for determining infrastructure contribution. Preparedness to enter into development agreement		Further assessment to ensure availability of alternative transport choices, cycleway planning and provision of bus routes/stops will be undertaken as part of traffic and transport investigations to support the rezoning.
			Water and sewer infrastructure will be required to be provided to service the development.
			Consistency with applicable Section 117 will be subject to the outcomes of additional investigative studies.
			The Proponent is willing to enter into a Voluntary Planning Agreement to ensure the provision of infrastructure will be costed and funded as development occurs.
Access	Accessibility of the area by public transport and appropriate	Y	The subject site is well situated to enable access
Accessible transport	road access in terms of:		for patronage of public transport.
options for efficient and sustainable travel	Location/land use: to existing networks and related activity centres.		
between homes, jobs, services and recreation	Network: the areas potential to be serviced by economically		

Criteria	Requirements	Consistency (Y/N)	Comment
to be existing or provided.	efficient public transport services. Catchment: the area's ability to contain or form part of the larger urban area which contains adequate transport services. Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals No net negative impact on performance of existing sub regional road, bus, rail, ferry and freight management.		
Housing Diversity Provide a range of housing choices to ensure a broad population can be housed.	Contributes to the geographic market spread of housing supply, including any government targets established for housing for the aged or disabled or affordable housing.	Not Applicable	Not Applicable
<b>Employment Lands</b> Provide regional/local employment opportunities to support the Central Coast's expanding role in the wider regional and NSW economies.	Maintains or improves the existing level of subregional employment self-containment. Meets subregional employment capacity targets.	Υ	The Multi Site Planning Proposal will result in an increase in residential development opportunities. Employment land losses on Site 4 – Bushells Ridge will be compensated for by the creation of the new employment precinct on Site 5 – Wallarah which is the subject of this rezoning proposal.
<b>Avoidance of Risk</b> Land use conflicts and risk to human health and life is avoided.	Where relevant, available safe evacuation route (flood and bushfire). No residential development within the 1:100 floodplain. Avoidance of physically constrained land.	Y	Bushfire risks on the subject site will be managed through preparation of an appropriate Bushfire Management Plan which will be prepared by the Proponent as the Planning

Criteria	Requirements	Consistency (Y/N)	Comment
	High Slope		Proposal progresses.
	Highly erodible Avoidance of land use conflicts with adjacent, existing or future land use and rural activities planned under the Regional Strategy.		The site is not located on flood prone land, significant watercourses are located adjacent to the site and protection of these waterways will be further investigated and incorporated into further development concepts.
			The sites are not located on steep land and are not physically constrained.
Natural Resources	ot flows.	Y	The proposal will not place unacceptable pressure on the Water Supply.
are not exceeded/environmental footprint minimised.			The proposed employment land use of the site appears to be the most efficient utilisation of the land.
			The proposal is not located on any land identified as significant agricultural land.
			The site is not located within a mine subsidence district therefore; consultation will be undertaken with the MSB on how the proposal will impact on resource extraction in the future. Timing for the delivery of future development on
			the site will be based on the outcomes of consultation.

<b>Environment Protection</b> Protect and enhance biodiversity, air quality, heritage and waterway health.	Consistent with the approved Regional Conservation Plan. Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity. This includes regionally significant vegetation communities, critical habitat, threatened species, populations, ecological communities and their habitat. Maintains or improves existing environmental conditions for air quality. Maintains or improves existing environmental conditions for water quality and quantity. Consistent with community water quality objectives for recreational water use and river health. Consistent with catchment and stormwater management planning. Protects areas of Aboriginal cultural heritage values.	TBD	An approved RCP does not exist for Wyong Shire or the Central Coast. Consultation will be required with the Office of Environment and Heritage to discuss biodiversity, threatened species and regional wildlife corridor planning considerations. Impacts of the proposal on biodiversity may be alleviated by the proposed conservation offsets of approximately 800 hectares which will be managed by the proponent which should reduce the impact on environmental protection areas.
Quality and Equity in Services Quality health, education, legal, recreational, cultural and community development and other government services are accessible.	Available and accessible services.	Υ	Services such as health, education and recreation facilities are located within 2km of the site. Access to other government services is available within 5km of the subject site.



### Central Coast Regional Plan (CCRP) 2036 Assessment

1	Direction 1: Grow Gosford City Centre as the region's capital		
<b>–</b>	Action	Assessment	
1.1	Grow Gosford City Centre as the region's capital and focus of professional, civic and health services for the region's population.	Not Applicable	
1.2	Undertake and integrate precinct planning for the Waterfront, Arts and Entertainment, City Core, Railway and Hospital precincts – to grow jobs and coordinate the delivery of improved transport infrastructure.	Not Applicable	
1.3	Attract and facilitate greater commercial development in Gosford City Centre by improving the public domain and providing opportunities for development through local planning controls.	Not Applicable	
1.4	Promote Gosford City Centre as a more attractive place to live, work and play through local planning controls that support vibrant and safe cultural, entertainment and visitor activities.	Not Applicable	
1.5	Enhance the growth potential of the health precinct around Gosford Hospital and allied health facilities in Gosford City Centre to drive the growth of services and specialisation in the region.	Not Applicable	
1.6	Integrate the railway station with other activities and seek opportunities to improve east-west connectivity across the railway line.	Not Applicable	
1.7	Identify opportunities for the consolidation and relocation of government services and agencies to Gosford City Centre.	Not Applicable	
1.8	Ensure that development in Gosford City Centre responds to its natural setting and complements the public domain.	Not Applicable	
1.9	Improve access to Gosford City Centre from the west and north.	Not Applicable	
2	Direction 2: Focus economic development Corridors Action	t in the Southern and Northern Growth Assessment	
2.1	Undertake precinct planning for Somersby Business Park, Mt Penang and Kariong to expand employment in the regional gateway and improve services, synergies	Not Applicable	



	between activities and access to the M1 Pacific Motorway and Central Coast Highway.		
2.2	Capitalise on improved access from the \$170 million upgrade of the Central Coast Highway, Brisbane Water Drive and Manns Road intersection to increase employment diversity and integrate land uses at West Gosford.	Not Applicable	
2.3	Deliver renewal plans for the Gosford City Centre to enhance the function of the Southern Growth Corridor.	Not Applicable	
2.4	Support revitalisation and localised development opportunities in East Gosford.	Not Applicable	
2.5	Plan for a growing and vibrant mixed use centre at Erina that is well-connected and has enhanced urban amenity.	Not Applicable	
2.6	Protect environmental values along the Southern Growth Corridor.	Not Applicable	
2.7	Plan for increased road, public transport and pedestrian and bicycle connections along the Southern Growth Corridor.	Not Applicable	
2.8	Revitalise Wyong as a mixed use centre servicing the northern part of the region, with infill residential development in central locations.	Not Applicable	
2.9	Plan for the development of a health precinct surrounding the redeveloped Wyong Hospital.	Not Applicable	
2.10	Create a diverse, connected and vibrant Tuggerah centre.	Not Applicable	
2.11	Promote Warnervale as a new strategic centre on the Central Coast and plan for its transport interchange.	Not Applicable	
2.12	Leverage the planned Pacific Highway upgrade and new Link Road to improve transport connectivity and amenity along the Tuggerah to Warnervale corridor.	Not Applicable	
2.13	Promote industry-focused investment in the Wyong Employment Zone by resolving infrastructure contributions and biodiversity offsets, including finalising biodiversity certification in the zone.	Not Applicable	
3	Direction 3: Support priority economic sectors		
	Action	Assessment	


3.1	Promote growth and renewal in centres by providing planning controls that create the right conditions for this to occur.	Not Applicable
3.2	Harness opportunities for business investment and employment by leveraging major public transport investment and projects.	Not Applicable
3.3	Establish the Northern and Southern Growth Corridors as key locations for economic development, residential growth and investment in health, education, research, knowledge-based industries, professional services, sport and leisure, agribusiness, food manufacturing, high-tech manufacturing and clean technologies.	Not Applicable
3.4	Leverage the existing University of Newcastle and the Central Coast campus at Ourimbah to drive innovation and specialisation in the region.	Not Applicable
3.5	Capitalise on the region's location and coastline to enhance the visitor economy with a focus on events-based tourism and update planning controls.	Not Applicable
3.6	Collaborate with Council and industry to prepare industry- specific planning strategies for priority economic sectors.	Not Applicable
3.7	Create a centre of innovation through plans that build on the specialisation in food manufacturing.	Not Applicable
4	Direction 4: Strengthen inter-regional and	intra-regional connections for business
-	Action	Assessment Applicable.
4.1	Enhance the competitive value of the region by encouraging business and employment activities that leverage the major inter- regional transport connections to Sydney and the Hunter regions.	The subject site is located on the Motorway Link with direct access to the north (Newcastle) via the Pacific Highway and south (Sydney) via the M1 Pacific Motorway. The northern railway line also borders the site to the east. The site is optimal for industrial land uses on the basis of its location.
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4.2	Strengthen inter-regional connections for business by linking the growth corridors	Applicable.



	corridor for the efficient and productive movement of freight and people.	Link with direct access to the north (Newcastle) via the Pacific Highway and south (Sydney) via the M1 Pacific Motorway. The northern railway line also borders the site to the east.
		The site is optimal for industrial land uses on the basis of its location.
4.3	Alleviate pinch points in the road network to improve freight and passenger access to improve intra-regional connectivity.	Not Applicable
		Applicable.
4.4	Improve connections between residential and employment areas, including opportunities to better use public transport, walking and cycling modes.	The subject site is located in close proximity to existing urban areas, including Blue Haven, with good access to public transport from the Pacific Highway.
5	Direction 5: Support new and expanded in	dustrial activity
5	Action	Assessment
5.1	Maintain an adequate supply of employment land that is appropriately serviced to respond to changing land use, location and the floor space demands of industry.	Applicable The proposal seeks to provide for additional industrial land. The area proposed (approximately 42ha) represents an additional six (6) year's supply of employment land.
		Applicable.
5.2	Locate large-scale industrial uses, freight, manufacturing and logistics businesses near freight routes and the M1 Pacific Motorway interchanges at Somersby, Tuggerah and Warnervale.	The subject site is located on the Motorway Link with direct access to the north (Newcastle) via the Pacific Highway and south (Sydney) via the M1 Pacific Motorway. The northern railway line also borders the site to the east.
		The site is optimal for industrial land uses on the basis of its location.
5.3	Enable the development of new industrial land and coordinate infrastructure delivery through collaboration between State and local government and infrastructure providers.	Applicable The proposal seeks to provide for additional industrial land. The area proposed (approximately 42ha) represents an additional



		six (6) year's supply of employment land.
5.4	Protect employment land in suburbs across the region to provide local services and employment.	Not Applicable
5.5	Monitor the supply of employment land and infrastructure servicing via the Employment Land Development Monitor.	Not Applicable
	Direction 6: Strengthen the economic	self-determination of Aboriginal
6	communities	
•	Action	Assessment
	Collaborate with the Central Coast Council and the Darkinjung Local Aboriginal Land	Applicable.
6.1	Council to strategically assess the Land	The subject site is in the ownership of the
0.1	Council's landholdings and identify priority	Darkinjung Local Aboriginal Land Council.
	sites to create a pipeline of projects.	
6.5	Incorporate the outcome of the assessment	Not Applicable
6.2	into a revised North Wyong Shire Structure Plan.	
7	Direction 7: Increase job containment in the	le region
	Action	Assessment
		Applicable
7.1	Facilitate economic development that will lead to more local employment opportunities on the Central Coast.	The proposal seeks to provide for additional industrial land. The area proposed (approximately 42ha) represents an additional six (6) year's supply of employment land.
7.2	<ul> <li>Update the Regional Economic</li> <li>Development and Employment Strategy to</li> <li>identify strategies and actions to:</li> <li>support priority economic sectors; and</li> <li>identify new economic employment</li> <li>opportunities for the region, including</li> <li>sectors for which residents currently</li> <li>commute outside the region.</li> </ul>	Not Applicable
0	Direction 8: Recognise the cultural landscape of the Central Coast	
8	Action	Assessment
		Applicable.
	Protect the Central Coast's scenic amenity	The subject site is leasted within an and
8.1	by planning for development that respects	The subject site is located within an area
	the distinct qualities of different places.	which is defined by industrial land uses and has an adequate buffer to existing residential
		has an adequate burier to existing residential



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		settlements.
8.2	Identify and protect heritage values to minimise the impact of urban growth and development, and to recognise its contribution to the character and landscape of the region.	Applicable. Specific heritage features of the site are to be further determined through site specific investigative studies.
8.3	Complete cultural landscape mapping and implement the findings through appropriate local planning controls.	Not applicable
9	Direction 9: Protect and enhance producti	ve agricultural land
3	Action	Assessment
9.1	Identify important agricultural land that is suitable for agricultural enterprises and protect it from incompatible development.	Not applicable
9.2	Manage Biophysical Strategic Agricultural Land and other important agricultural land as locations for agricultural activities and complementary uses.	Not applicable
		Applicable.
9.3	Facilitate the supply chain, including infrastructure, distribution, processing facilities, and research and development.	The proposed industrial zoning enables land uses which can facilitate the agricultural supply chain (e.g. distribution etc)
9.4	Protect the region's wellbeing and prosperity through increased biosecurity measures.	Not applicable
10	Direction 10: Secure the productivity and ca	apacity of resource lands
10	Action	Assessment
		Applicable.
10.1	Plan for the ongoing productive use of lands with regionally significant construction material resources in locations with established infrastructure and resource accessibility.	The subject site contains clay resources. Further consultation regarding this matter is to be undertaken with relevant state government agencies.
10.2	Ensure that longer term extractive resources are not sterilised and minimise impacts on communities and the environment.	Applicable. The subject site contains clay resources. Further consultation regarding this matter is to be undertaken with relevant state



		government agencies.
		Applicable.
10.3	Ensure development in the north of the region takes account of the extraction of coal, clay and gravel resources.	The subject site contains clay resources. Further consultation regarding this matter is to be undertaken with relevant state government agencies.
	Develop land use plans that respond to the	Applicable.
10.4	lifecycle of mineral and energy resources to enable all stakeholders to better understand the long term productive value of the land and provide greater certainty for adjoining land uses.	The subject site contains clay resources. Further consultation regarding this matter is to be undertaken with relevant state government agencies.
10.5	Manage the ongoing use of mineral resources and provide access to up-to-date information about these resources through the NSW Government Common Ground website and its Geoscientific Data Warehouse.	Not applicable
	Direction 11: Sustain and balance productiv	ve landscapes west of the M1
11	Action	Assessment
11.1	Identify and protect intensive agriculture clusters in local plans to avoid land use conflicts, particularly with residential and rural-residential expansion.	Not applicable
11.2	Encourage niche commercial, tourist and recreation activities that complement and promote a stronger agricultural sector, as well as build capacity to adapt to changing circumstances.	Not applicable
11.3	Address land use needs west of the M1 Pacific Motorway to provide integrated and adaptable outcomes for natural assets, productive lands and rural lifestyles.	Not applicable
	Direction 12: Protect and manage environmental values	
12	Action	Assessment
	Identify terrestrial and aquatic biodiversity	Applicable.
12.1	values and protect areas of high environmental value to sustain the lifestyle, economic success and environmental health	Further investigative studies are to be undertaken to determine, avoid and manage



	of the region.	any potential impacts associated with the proposal.
12.2	Identify and strengthen biodiversity corridors as places for priority biodiversity offsets.	Applicable. The subject site incorporates a proposed green corridor. This matter is to be further discussed and resolved through additional investigative studies and consultation with the Office of Environment and Heritage (OEH) and the Department of Planning and Environment (DP&E).
12.3	Undertake a precinct approach to biodiversity offsetting in northern Wyong to protect riparian corridors and terrestrial and aquatic biodiversity and achieve the conservation and development objectives of the North Wyong Shire Structure Plan.	Applicable. The proposal seeks to undertake bio- certification for this site in conjunction with a number of other sites in the same ownership.
12.4	Strengthen the Coastal Open Space System by expanding its links and extending new corridors to balance growth in the north of the region and protect the network of natural areas across the region.	Not applicable
12.5	Sensitively manage natural areas on the fringe of the urban areas and in the west of the region to mitigate land use incompatibility issues and provide important quality of life and tourism benefits for the region.	Applicable. The subject site is on the fringe of an existing urban area (Blue Haven). A buffer of natural vegetation exists between the subject site and Blue Haven. Visual impact and landscape analysis investigations will be required to be undertaken to further inform the extent of the proposed development area.
Direction 13: Sustain water quality and security		ırity
	Action	Assessment
13.1	Protect water catchments to sustain high quality and dependable water supplies across the region.	Applicable. The subject site is located within the Wallarah Creek Catchment. Further investigations will



		be required to be undertaken to enable the preparation of relevant development provisions to guide future development on the subject site to protect water quality within the catchment.
		Applicable.
13.2	Effectively manage surface and ground water use in agricultural areas to support ecosystem function, food production and cater for the increasing demand of urban communities and industry.	The subject site is located within the Wallarah Creek Catchment. Further investigations will be required to be undertaken to enable the preparation of relevant development provisions to guide future development on the subject site to protect water quality within the catchment.
		Applicable.
13.3	Incorporate water sensitive design into development that is likely to have an adverse impact on coastal water catchments, water quality and flows.	The subject site is located within the Wallarah Creek Catchment. Further investigations will be required to be undertaken to enable the preparation of relevant development provisions to guide future development on the subject site to protect water quality within the catchment.
13.4	Plan for the security of the region's water supply.	Not applicable
13.5	Implement catchment-based plans for the ongoing sustainable management and health of estuaries in the region.	Not applicable
13.6	Apply neutral or beneficial water quality objectives to land use planning in surface and groundwater drinking catchments to minimise the effects of development on waterways including watercourses, wetlands, groundwater dependent ecosystems, riparian lands, estuaries, lakes, beaches and marine waters.	Not applicable
13.7	Plan new development to reduce the risk of introduction or spread of aquatic pests and diseases on fisheries and aquaculture industry practices.	Applicable. The subject site is located within the Wallarah Creek Catchment. Further investigations will be required to be undertaken to enable the preparation of relevant development



		provisions to guide future development on the subject site to protect water quality within the catchment.
14	Direction 14: Protect the coast and manage	natural hazards and climate change
14	Action	Assessment
	Manage the risks of climate change and	Applicable. The area of the subject site proposed for future development is not identified as being
14.1	improve the region's resilience to hazards such as flooding, coastal erosion, bushfire,	subject to the 1% Annual Exceedance Probability (AEP) flood event.
	mine subsidence and land contamination.	Further investigations in relation to bushfire and land contamination will be required to be undertaken.
14.2	Review and update floodplain risk and coastal management programs to manage flood risk and protect the coast, particularly where urban growth is being investigated.	Not applicable
	Incorporate new knowledge on regional	Applicable.
14.3	climate projections and related cumulative impacts in local plans for new urban development.	Relevant provisions will be applicable for subsequent development of the site during the development assessment process.
15	Direction 15: Create a well-planned	, compact settlement pattern
15	Action	Assessment
		Applicable.
15.1	Create a well-planned, functional and compact settlement pattern around existing urban and employment areas, the Warnervale-Wadalba release area, the Northern and Southern Growth Corridors, existing rural villages and sites included in an endorsed local strategy.	Whilst not within the growth corridor, the subject site is located on the fringe of an existing urban area.
		The location of the site in close proximity to the Pacific Motorway and Pacific Highway provides opportunities for improved employment self-containment within the locality/region.



		Applicable
		Applicable.
15.2	Ensure the settlement pattern responds to settlement planning principles and does not encroach on sensitive land uses.	The subject site is located within an area nominated by the North Wyong Shire Structure Plan (NWSSP) as being strategically located constrained land. The proposal seeks to respond to the ecological constraints by restricting the development footprint to an area of the site which has been impacted by existing land uses (bike paths etc) and retaining the more ecological sensitive areas of the site, including riparian corridors for in perpetuity environmental conservation.
		Applicable
15.3	Plan for communities to be better connected by an integrated transport system that prioritises safe walking, cycling and public transport.	The location of the site in close proximity to the Pacific Motorway and Pacific Highway provides opportunities for improved employment self-containment within the locality/region.
15.4	Investigate options to improve public transport services and better link centres, corridors and growth areas.	Not applicable.
		Applicable.
15.5	Link communities with centres, employment areas, the Northern and Southern Growth Corridors, and greater open space and recreation opportunities.	The location of the site in close proximity to the Pacific Motorway and Pacific Highway provides opportunities for improved employment self-containment within the locality/region.
15.6	Deliver settlement planning principles and a local planning toolkit to assist Council in implementing the Plan.	Not applicable
16	Direction 16: Grow investment opportunities in the region's centres	
TO	Action	Assessment
16.1	Improve access to and through centres to support and encourage redevelopment.	Not applicable
16.2	Enhance the network of centres by encouraging business and infrastructure investment in centres and planning for attractive mixed use places that respond to	Not applicable



	the character and role of the centre.	
16.3	Protect the function of centres and ensure local environmental plans include appropriate controls to limit retail activity outside planned centres.	Not applicable
17	Direction 17: Align land use and infrastruct	ure planning
17	Action	Assessment
17.1	Align land use and infrastructure planning to maximise the use and capacity of existing infrastructure, and the efficiency of new infrastructure.	Applicable. The subject site is located within the NWSSP area, identified with potential for future development. Satisfactory arrangements are required to be in place to forward fund the necessary infrastructure, and other factors, such as supply and/or demand for additional land, support an earlier release.
17.2	Identify sites in partnership with the infrastructure providers for health, education, emergency services, energy production and supply, waste disposal, cemeteries and crematoria.	Not applicable.
		Applicable.
17.3	Protect infrastructure corridors and sites, including interregional transport routes such as the M1 Pacific Motorway, railway and water supply systems.	The location of the site in close proximity to the Pacific Motorway and Pacific Highway provides opportunities for improved employment self-containment within the locality/region.
		Applicable.
17.4	Coordinate the delivery of infrastructure to support the timely and efficient release of land for development, including inter- regional infrastructure and service delivery issues in the growing areas of Warnervale, Bushells Ridge and Wyee.	The subject site is located within the NWSSP area, identified with potential for future development. Satisfactory arrangements are required to be in place to forward fund the necessary infrastructure, and other factors, such as supply and/or demand for additional land, support an earlier release.
17.5	Ensure new and intensified development is serviced by enabling and supporting infrastructure, that it contributes to the	Applicable. The subject site is located within the NWSSP



	associated cost and that development which occurs outside of sequencing pays a greater proportion of infrastructure costs.	area, identified with potential for future development. Satisfactory arrangements are required to be in place to forward fund the necessary infrastructure, and other factors, such as supply and/or demand for additional land, support an earlier release.
17.6	Review development contributions in the North Wyong Shire Structure Plan area, incorporating Special Infrastructure Contributions Plans for the Wyong Employment Zone and Warnervale Town Centre.	Not applicable
17.7	Prepare a sequencing plan for the release of land in growth corridors and the Warnervale-Wadalba release area that coordinates with infrastructure planning.	Not applicable
18	Direction 18: Create places that are inclusi lifestyles	ive, well-designed and offer attractive
	Action	Assessment
18.1	Facilitate Council-led revitalisation of centres to integrate land use and transport planning, improve the quality of the public domain and encourage ecologically sustainable development.	Not applicable
18.2	Undertake planning and place-making for main streets and centres.	Not applicable
18.3	Enhance the amenity and attractiveness of existing places.	Not applicable
18.4	Review and update neighbourhood planning principles in partnership with Council, community and industry representatives.	Not applicable
18.5	Implement strategies to invest in open space, sporting and recreational infrastructure.	Not applicable
18.6	Work with Council to support initiatives that allow people to age positively on the Central Coast.	Not applicable
18.7	Implement health and active living strategies in local plans.	Not applicable
10	Direction 19: Accelerate housing supply and improve housing choice	
19	Action	Assessment



19.1	Release land for housing and employment in the North Wyong Shire Structure Plan area to align with the delivery of local and State infrastructure.	Not applicable
19.2	Review development controls to accelerate housing supply.	Not applicable
19.3	Monitor land and housing delivery and accelerate housing supply to meet a projected housing demand of 41,500 additional dwellings by 2036.	Not applicable
19.4	Monitor land and housing supply through an urban development program.	Not applicable
20	Direction 20: Grow housing choice in and a	round local centres
20	Action	Assessment
20.1	Improve housing choice by supporting housing delivery in and near the growth corridors and local centres.	Not applicable
20.2	Promote renewal opportunities in other local centres that have good accessibility and can support small-scale renewal.	Not applicable
20.3	Implement policies, plans and investment options that will support greater housing diversity in centres.	Not applicable
Direction 21: Provide housing choice to meet community needs		et community needs
21	Action	Assessment
21.1	Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield housing locations.	Not applicable
21.2	Review trends in weekend, seasonal and aged housing and the impact this has on housing and services.	Not applicable
21.3	Implement changes to address the housing needs of older people, students and seasonal populations.	Not applicable
21.4	Encourage housing diversity including studio, and one and two-bedroom dwellings, to match forecast changes in household sizes and provide greater housing choice.	Not applicable
21.5	Identify the discrete housing needs of each community, including for social and affordable housing, and develop	Not applicable



	appropriate planning responses.	
22	Direction 22: Deliver housing in new release new communities Action	se areas that are best suited to building Assessment
22.1	Coordinate infrastructure delivery to support the North Wyong Structure Plan release areas.	Not applicable
22.2	Review fringe urban zonings to identify areas suitable for urban development.	Not applicable
23	Direction 23: Manage rural lifestyles	
25	Action	Assessment
23.1	<ul> <li>Include guidance in local land use strategies for expanding rural villages and rural- residential development so that future rural-residential development will:</li> <li>not impact on strategic or important agricultural land, energy, mineral or extractive resource viability or biodiversity values;</li> <li>not impact on drinking water catchments;</li> <li>not result in greater natural hazard risk;</li> <li>occur on land that is unlikely to be needed for urban development;</li> <li>contribute to the conservation of important biodiversity values or the establishment of important corridor linkages; and</li> <li>facilitate expansion of existing and new tourism development activities in agricultural or resource lands and related industries across the region.</li> </ul>	Not applicable



# **Ministerial Section 117 Directions**

Direction	Comment		
Employment & Resources			
1.1 Business & Industrial Zones			
Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic centres. Applies when a planning proposal affects land within an existing or proposed business or industrial zone. <b>1.2 Rural Zones</b>	Applicable The proposal seeks to provide additional land for industrial purposes. The proposal is <u>consistent</u> with this Direction.		
Aims to protect the agricultural production value of			
rural land. Applies when a planning proposal affects land within an existing or proposed rural zone.	Applicable The proposal seeks to rezone land from RU6 Transition to IN1 General Industrial. The existing and permissible land uses within the RU6 zone indicate that it is rural in nature. However, the objectives of the zoning indicate that the zoning is an interim holding zone. This zone has been applied to all land within the North Wyong Shire Structure Plan (NWSSP) until such time as planning investigations are undertaken to determine the final land use as defined and informed by the Wyong Shire Settlement Strategy (WSSS). This strategy was endorsed by the Department of Planning and Environment in September 2013 On the basis of this endorsed strategy, the proposal is <u>consistent</u> with this Direction.		
1.3 Mining, Petroleum Production and Extractive In	dustries		
Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land	Applicable The subject site is located within an area identified as containing existing clay resources. The site also adjoins an existing clay extraction operation. Whilst the zoning would be compatible with the adjoining operations, extractive industries are a prohibited land use within the IN1 General Industrial zone proposed for the site. Further consultation with the Department of Industry – Resources and Energy (DI-R&E) is required.		



Direction	Comment	
use that is likely to be incompatible with such	At present, the proposal is <u>inconsistent</u> with this	
development.	Direction.	
1.4 Oyster Aquaculture		
Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers. Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease	Not Applicable The subject site is not within a Priority Oyster Aquaculture area.	
in the national parks estate and other land uses. 1.5 Rural Lands		
Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes. Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).	
Environment & Heritage		
2.1 Environmental Protection Zones Aims to protect and conserve environmentally sensitive areas. Applies when the relevant planning authority prepares a planning proposal.	Applicable The subject site incorporates land which is zone E2 Environmental Conservation. Further, the site is located within a proposed green corridors and strategically located land. The proposal conflicts with a number of the conservation links shown in the NWSSP. The E2 Conservation zoned portion of the site incorporates a riparian corridor which is centrally located on the subject site. The proposal seeks to extend the E2 Conservation zoning to encompass the riparian corridor and the southern portion of the site.	



The area proposed for rezoning for industrial development purposes is heavily vegetated and will require clearing to enable future development.         The proposed development footprint will be refined subject to the outcomes of additional ecological assessments.         Further consultation will be required with the Office of Environment and Heritage in relation to biodiversity, threatened species and regional wildlife corridor planning considerations as the Planning Proposal is currently inconsistent with this Direction         2.2 Coastal Protection         Aims to implement the principles in the NSW Coastal Policy.         Applies when a planning proposal applies to land in the Coastal Zone.         The orosistent with the NSW Coastal Zone.         Applicable         The subject land is located on the outskirts of the NSW coastal zone.         New coastal Zone.         Policy.         Applicable         The proposed is consistent with this Direction.         2.3 Heritage Conservation         Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.         Applies when the relevant planning authority prepares a planning proposal.         Proposal is consistent with this Direction.         2.4 Recreational Vehicle Areas         Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.         Applicable       Applicable	Direction	Comment	
subject to the outcomes of additional ecological assessments.Further consultation will be required with the Office of Environment and Heritage in relation to biodiversity, threatened species and regional wildlife corridor planning considerations as the Planning Proposal is currently inconsistent with this Direction <b>2.2 Coastal Protection</b> Aming proposal proposal applies to land in the Coastal Zone.Applies when a planning proposal applies to land in the Coastal Zone.Applicable The subject land is located on the outskirts of the NSW coastal zone. The proposal and section 733 of the Local Government Act, 1993. The proposal is consistent with this Direction. <b>2.3 Heritage Conservation</b> ApplicableAims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.Applicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.Applies when the relevant planning authority prepares a planning proposal.Applicable The subject site is not known to contain any registered items of Aboriginal cultural heritage in accordance with this Direction will be required to be demonstrated by additional assessment and investigations of A Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.Applies when the relevant planning authority prepares a planning proposal.ApplicableThe subject site is not known to contain any registered items of Aboriginal cultural heritage in accordance.ApplicableThe subject site is not known to contain any registered items of Aboriginal cultural heritage i		development purposes is heavily vegetated and will	
of Environment and Heritage in relation to biodiversity, threatened species and regional wildlife corridor planning considerations as the Planning Proposal progresses. The proposal is currently inconsistent with this Direction2.2 Coastal ProtectionApplicableAims to implement the principles in the NSW Coastal Policy. Applies when a planning proposal applies to land in the Coastal Zone.Applicable The subject land is located on the outskirts of the NSW coastal zone. The proposed rezoning is generally consistent with the NSW Coastal Policy, 1997, Coastal Design Guidelines, 2003 and section 733 of the Local Government Act, 1993. The proposal is consistent with this Direction.2.3 Heritage ConservationApplicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance. Applies when the relevant planning authority prepares a planning proposal.Applicable The subject site is not known to contain any registered items of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.2.4 Recreational Vehicle AreasApplicable The proposal does not seek to enable development for recreational vehicles. Applies when the relevant planning authority prepares a planning proposal.Applicable The proposal does not seek to enable development for recreational vehicle use. The proposal is consistent with this Direction.		subject to the outcomes of additional ecological	
Direction           2.2 Coastal Protection           Aims to implement the principles in the NSW Coastal Policy.         Applicable           Applies when a planning proposal applies to land in the Coastal Zone.         Applicable           1997, Coastal Design Guidelines, 2003 and section 733 of the Local Government Act, 1993. The proposal is consistent with this Direction.           2.3 Heritage Conservation         Applicable           Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.         Applicable           Applies when the relevant planning authority prepares a planning proposal.         Applicable           Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.         Applicable           Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.         Applicable           Applicable         The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.           Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.           2.4 Recreational Vehicle Areas         Applicable           Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehic		of Environment and Heritage in relation to biodiversity, threatened species and regional wildlife corridor planning considerations as the Planning	
Aims to implement the principles in the NSW Coastal Policy.ApplicableApplies when a planning proposal applies to land in the Coastal Zone.The subject land is located on the outskirts of the NSW coastal zone. The proposed rezoning is generally consistent with the NSW Coastal Policy, 1997, Coastal Design Guidelines, 2003 and section 733 of the Local Government Act, 1993. The proposal is consistent with this Direction.2.3 Heritage ConservationApplicableAims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority prepares a planning proposal.ApplicableAtereational Vehicle AreasNotwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.2.4 Recreational Vehicle AreasApplicableAims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles. Applies when the relevant planning authority prepares a planning proposal.Applicable The proposal does not seek to enable development for recreational vehicle use. The proposal is consistent with this Direction.			
Policy. Applies when a planning proposal applies to land in the Coastal Zone.The subject land is located on the outskirs of the NSW coastal zone. The proposed rezoning is generally consistent with the NSW Coastal Policy, 1997, Coastal Design Guidelines, 2003 and section 733 of the Local Government Act, 1993. The proposal is consistent with this Direction.2.3 Heritage ConservationAims to conserve items, areas, objects and places of environmental heritage significance. Applies when the relevant planning authority prepares a planning proposal.Applicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance. Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.APPlicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance. Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.APPlies when the relevant planning authority prepares a planning proposal.Applicable The proposal does not seek to enable development for recreational vehicles. Applies when the relevant planning authority prepares a planning proposal.	2.2 Coastal Protection		
Applies when a planning proposal applies to land in the Coastal Zone.The subject land is located on the outskirts of the NSW coastal zone. The proposed rezoning is generally consistent with the NSW Coastal Policy, 1997, Coastal Design Guidelines, 2003 and section 733 of the Local Government Act, 1993. The proposal is consistent with this Direction.2.3 Heritage ConservationAims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.Applicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance. Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.2.4 Recreational Vehicle AreasAims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.Applicable The proposal does not seek to enable development for recreational vehicle use. The proposal is consistent with this Direction.		Applicable	
2.3 Heritage Conservation         Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.       Applicable         Applies when the relevant planning authority prepares a planning proposal.       The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.         Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.         2.4 Recreational Vehicle Areas       Applicable         Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.       Applicable         Applies when the relevant planning authority prepares a planning proposal.       The proposal does not seek to enable development for recreational vehicles.	Applies when a planning proposal applies to land in	NSW coastal zone. The proposed rezoning is generally consistent with the NSW Coastal Policy, 1997, Coastal Design Guidelines, 2003 and section	
Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.Applicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.Applies when the relevant planning authority prepares a planning proposal.Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.2.4 Recreational Vehicle AreasApplicableAims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.Applicable The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.Applies when the relevant planning authority prepares a planning proposal.Applicable The proposal does not seek to enable development for recreational vehicle use.The proposal is consistent with this Direction.		The proposal is <u>consistent</u> with this Direction.	
environmental heritage significance and indigenous heritage significance.The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.Applies when the relevant planning authority prepares a planning proposal.The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance.Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines of the OEH.2.4 Recreational Vehicle AreasApplicableAims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.ApplicableApplies when the relevant planning authority prepares a planning proposal.The proposal is consistent with this Direction.	2.3 Heritage Conservation		
Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.Applicable The proposal does not seek to enable development for recreational vehicle use.Applies when the relevant planning authority prepares a planning proposal.The proposal is consistent with this Direction.	environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority	The subject site is not known to contain any registered items of Aboriginal cultural or European heritage significance. Notwithstanding the above, consistency of the proposal with this Direction will be required to be demonstrated by additional assessment and investigations of Aboriginal cultural heritage in accordance with requirements of relevant guidelines	
conservation values from adverse impacts from recreational vehicles.The proposal does not seek to enable development for recreational vehicle use.Applies when the relevant planning authority prepares a planning proposal.The proposal is consistent with this Direction.	2.4 Recreational Vehicle Areas		
	conservation values from adverse impacts from recreational vehicles. Applies when the relevant planning authority	The proposal does not seek to enable development for recreational vehicle use.	
		Ital Overlays in Far North Coast LEPs	



Direction	Comment		
Aims to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast.	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		
Housing, Infrastructure and Urban Development			
3.1 Residential Zones			
Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.	Not Applicable The proposal does not affect nor seek to provide for residential development.		
Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.			
3.2 Caravan Parks and Manufactured Home Estates			
Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal does not seek to alter existing provisions in relation to caravan parks or manufactured home estates. The proposal is <u>consistent</u> with this Direction.		
3.3 Home Occupations			
Aims to encourage the carrying out of low impact small business in dwelling houses. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal does not seek to alter existing provisions in relation to home occupations. The proposal is <u>consistent</u> with this Direction.		
3.4 Integrating Land Use & Transport			
Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient	Applicable The proposal seeks to provide additional industrial land on the Central Coast. The provision of additional employment land promotes self- containment within the region, reducing dependence for commuting for employment purposes. The site is located on an urban fringe and has optimal accessibility for movement of freight, goods		



Direction	Comment	
movement of freight. Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	<ul> <li>and services through proximity to the M1 Pacific Motorway, Pacific Highway and Northern rail corridor.</li> <li>The proposal is generally consistent with <i>Improving Transport Choice – Guidelines for planning and development, 2001.</i></li> <li>The proposal is <u>consistent</u> with this Direction.</li> </ul>	
3.5 Development Near Licensed Aerodromes		
Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.	Applicable. The subject site is located within 4km of the Central Coast Airport. However, that portion of the site within this affectation area is proposed to be zoned E2 Environmental Conservation, where development opportunities are limited. The area of the site proposed for development purposes is located outside this affectation area. Land outside of the affectation area is relatively unrestricted in terms of development height (i.e. 450m above airstrip RL). The proposal is <u>consistent</u> with this Direction.	
3.6 Shooting Ranges		
Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting	The proposal is does not propose to affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	
range.		
Hazard & Risk		
<ul><li>4.1 Acid Sulfate Soils</li><li>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</li><li>Applies when a planning proposal applies to land having a probability of containing acid sulfate soils</li></ul>	Applicable The subject site may contain acid sulfate soils and proposes an intensification of land uses. Clause 7.1 Acid Sulfate Soils of Wyong LEP 2013 is	



Direction	Comment		
on the Acid Sulfate Soils Planning Maps.	not proposed to be altered by the proposal. Notwithstanding this, the consistency of the proposal with this Direction will required to be demonstrated by an acid sulphate soil assessment in accordance with the ASSMAC guidelines.		
4.2 Mine Subsidence & Unstable Land			
Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence. Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.	Not Applicable The subject site is not located within a mine subsidence district.		
4.3 Flood Prone Land			
Aims to ensure: development on flood prone land is consistent with NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land. Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.	Applicable The Wallarah Creek riparian corridor through the centre of the site is affected by the 1% Annual Exceedence Probability (AEP) event. This portion of the site is proposed to retain the existing E2 Environmental Conservation zoning. The proposal does therefore not propose to rezone land affected by the 1%AEP for more intensive development purposes. The proposal is <u>consistent</u> with this Direction.		
4.4 Planning for Bushfire Protection			
Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas. Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.	Applicable The subject site contains land classified as Bushfire Prone under Council's Bushfire Prone Lands Map. The consistency of the proposal with this Direction will required to be demonstrated by additional bushfire investigative studies.		
Regional Planning			
5.1 Implementation of Regional Strategies			
Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained	Applicable The proposal is inconsistent with the NWSSP staging		



Direction	Comment		
within regional strategies. Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.	<ul> <li>plan for land release and land within the "strategically located sites" and proposes development on land identified within a future corridor.</li> <li>Notwithstanding this, part of the subject site is identified for further investigation for development purposes.</li> <li>Given the above, and the proposed nature of investigations still to be undertaken (which will ultimately influence future development options for the site), the inconsistency will need to be further explained as the proposal develops.</li> </ul>		
5.2 Sydney Drinking Water Catchments			
Aims to protect water quality in the hydrological catchment. Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		
5.3 Farmland of State and Regional Significance on	the NSW Far North Coast		
Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non- agricultural use of farmland caused by urban encroachment into farming areas. Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.	This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		
5.4 Commercial and Retail Development along the Pacific Highway, North Coast			
<ul> <li>Aims to manage commercial and retail development along the Pacific Highway, North Coast.</li> <li>Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.</li> <li>5.8 Second Sydney Airport: Badgerys Creek</li> </ul>	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		



Direction	Comment		
Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek. Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		
5.9 North West Rail Link Corridor Strategy			
Aims to promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL) and ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans. Applies to the This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		
5.10 Implementation of Regional Plans			
Aims to give legal effect to the vision, land use strategy, goals, directions and actions contained within Regional Plans. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposed land use for the subject site is consistent with the goals of the <i>Central Coast</i> <i>Regional Plan (CCRP) 2036</i> and assists in achieving a number of key directions and actions of the plan. The proposal is <u>consistent</u> with this Direction.		
Local Plan Making			
6.1 Approval and Referral Requirements			
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority prepares a planning proposal.	Applicable The proposal does not seek to include provisions which require concurrence from other agencies. The proposal is <u>consistent</u> with this Direction.		
6.2 Reserving Land for Public Purposes			
Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal.	Applicable Work has not yet been conducted at the required level of detail to determine if there will be requirement for land reservations for traffic improvements, parks and wildlife corridors. Future reservation areas may be identified as further work is conducted on the project.		



Direction	Comment		
6.3 Site Specific Provisions			
Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.	Applicable The proposal seeks to rezone the subject site to existing zones under Wyong LEP 2013, inclusive of development standards that are already applicable within the principle instrument. The proposal is <u>consistent</u> with this Direction		
Metropolitan Planning			
7.1 Implementation of A Plan for Growing Sydney			
Aims to give legal effect to the planning principles, directions and priorities for sub regions, strategic centres and transport gateways contained in A Plan for Growing Sydney	Not Applicable. This Direction does not apply to the Central Coas Local Government Area (or former Wyong or Gosford LGAs).		
7.2 Implementation of Greater Macarthur Land Release Investigations			
Aims to ensure development within the Greater Macarthur Land Release Investigation Area is consistent with the Greater Macarthur Land Release Preliminary Strategy and Action Plan.	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		



# **NSW Coastal Policy Assessment**

#### **Principles**

# 1 Protecting, rehabilitating and improving the natural environment of the coastal zone.

The proposal seeks to incorporate the in perpetuity conservation of approximately half of the vegetation on the subject site, which encompasses locally and state significant vegetation communities.

That portion of the site proposed for development although containing vegetation has been highly modified and disturbed through the construction of informal roads and bike paths. The rezoning of the area to provide for additional industrial land, facilitating future employment opportunities and self-containment within the Central Coast.

# 2 Recognising and accommodating the natural processes of the coastal zone.

The subject site does not have foreshore frontage and is located a significant distance from the coastline. Future development would be unlikely to be impacted by coastal processes and coastal hazards.

# 3 Protecting and enhancing the aesthetic qualities of the coastal zone.

The proposal seeks to incorporate the in perpetuity conservation of approximately half of the vegetation on the subject site, which encompasses locally and state significant vegetation communities.

That portion of the site proposed for development although containing vegetation has been highly modified and disturbed through the construction of informal roads and bike paths.

The subject site does not have foreshore frontage and is located a significant distance from the coastline. Impacts to the aesthetic qualities of the immediate coastal zone are therefore not likely.

# 4 Protecting and conserving the cultural heritage of the coastal zone.

The subject site is not known to contain and areas or objects of Aboriginal cultural significance, however this is subject to confirmation through further investigative studies.

# 5 Providing for ecologically sustainable development and use of resources.

The proposal seeks to incorporate the in perpetuity conservation of approximately half of the vegetation on the subject site, which encompasses locally and state significant vegetation communities.

That portion of the site proposed for development although containing vegetation has been highly modified and disturbed through the construction of informal roads and bike paths. The rezoning of the area to provide for additional industrial land, facilitating future employment opportunities and self-containment within the Central Coast.

# 6 Providing for ecologically sustainable human settlement in the coastal zone.

The adjoining landuses include extractive industries to the north, rail and road infrastructure to the north and east and extensive areas of native vegetation. The proposed industrial land uses is an extension of and is compatible with the surrounding locality.



# Principles

#### 7 Providing for appropriate public access and use.

The subject site does not have foreshore frontage and is located a significant distance from the coastline.

# 8 Providing information to enable effective management of the coastal zone.

Not applicable.

#### 9 Providing for integrated planning and management of the coastal zone.

The subject site is identified as strategically located constrained land under the North Wyong Shire Structure Plan (NWSSP). This plan established that land categorised as such may have future development potential subject to the outcomes of relevant site constraints including mining and vegetation.

The investigative studies to be undertaken as part of the rezoning process will enable these matters to be resolved.



# SEPP 71 (Coastal Protection) Assessment

**Matters for Consideration** 

#### The aims of the Policy:

The subject land, although not directly adjacent to the coast, is located within the coastal zone. Direct access to the coast is not available from the subject site.

The subject site is identified as a Strategically Located Constrained Land within the North Wyong Shire Structure Plan (NWSSP), suitable for development subject to further investigations. As part of the proposal, extensive areas of conservation land are proposed, including land which is locally and state significant.

The proposal, subject to the outcomes and inclusion of considerations from relevant investigative studies is considered to be consistent with the objectives of the policy.

(b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved

The subject site does not have foreshore frontage.

(c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability

The subject site does not have foreshore frontage.

(d) the suitability of development given its type, location and design and its relationship with the surrounding area

The adjoining landuses include extractive industries to the north, rail and road infrastructure to the north and east and extensive areas of native vegetation. The proposed industrial land uses are compatible with the surrounding area.

(e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,

The subject site does not have foreshore frontage.

(f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,

The subject site is identified as a Strategically Located Constrained Land within the North Wyong Shire Structure Plan (NWSSP), suitable for development subject to further investigations. As part of the proposal, extensive areas of conservation land are proposed, including land which is locally and state significant.

(g) measures to conserve animals (within the meaning of the *Threatened Species Conservation Act 1995*) and



#### **Matters for Consideration**

# plants (within the meaning of that Act), and their habitats

The proposal seeks to incorporate the in perpetuity conservation of approximately half of the vegetation on the subject site, which encompasses locally and state significant vegetation communities.

That portion of the site proposed for development although containing vegetation has been highly modified and disturbed through the construction of informal roads and bike paths.

# (h) measures to conserve fish (within the meaning of Part 7A of the *Fisheries Management Act 1994*) and marine vegetation (within the meaning of that Part), and their habitats

The subject site does not have foreshore frontage and is located a significant distance from the coastline such that the future development would not result in any adverse impact on fish or marine vegetation.

# (i) existing wildlife corridors and the impact of development on these corridors

The land is also within a green corridor as nominated by the North Wyong Shire Structure Plan (NWSSP).

The proposal, subject to the outcomes and inclusion of considerations from relevant investigative studies is considered to be able to maintain and contribute to functional corridors within the locality.

# (j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards

The subject site does not have foreshore frontage and is located at such a distance from the coastline that the future development would be impacted by coastal processes and coastal hazards.

# (k) measures to reduce the potential for conflict between land-based and water-based coastal activities

The subject proposal and future development does not have foreshore frontage and is located at such a distance from the coastline that potential conflict between land and water based activities is limited.

# (I) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals

Subject to progression of the proposal, further assessment of this matter will be required to be undertaken.

# (m) likely impacts of development on the water quality of coastal waterbodies,

The subject proposal and future development does not have foreshore frontage or direct connectivity to coastal waterbodies.

# (n) the conservation and preservation of items of heritage, archaeological or historic significance,

Subject to progression of the proposal, further assessment of this matter will be required to be undertaken.



# Matters for Consideration

(o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities

The adjoining landuses include extractive industries to the north, rail and road infrastructure to the north and east and extensive areas of native vegetation. The proposed industrial land uses are compatible with the surrounding area.

(p) only in cases in which a development application in relation to proposed development is determined:

- (i) the cumulative impacts of the proposed development on the environment, and
- (ii) measures to ensure that water and energy usage by the proposed development is efficient.

Not applicable



# Wyong Shire Community Strategic Plan

Objectives & Actions	Applicable (Y/N)	Assessment/Comment
1. Communities will be vibrant, caring and local neighbourhood	connected with a	a sense of belonging and pride in their
1a - Expanding and supporting programs that increase participation among all ages	Ν	Not Applicable
1b - Expanding and supporting programs and activities that encourage and enhance neighbourhood connections	Ν	Not Applicable
1c - Encouraging and valuing genuine youth and seniors participation in the community	Ν	Not Applicable
1d - Expanding and resourcing children and family service programs	N	Not Applicable
1e - Developing and implementing the Wyong Shire-wide Settlement Strategy	Y	The proposal is consistent with the WSSS
1f - Improving the effectiveness of the system of connections that tie towns/suburbs and facilities of the Shire together as well as connecting to the wider region	N	Not Applicable
1g - Implementing the Regional Strategy for the Central Coast that will guide appropriate development, maintain the lifestyle and environment and include Government intervention to provide more than 45,000 jobs in the next 25 years (Regional Strategy)	Y	The proposal is consistent with a number of the goals, directions and actions of the Central Coast Regional Plan.
1h - Planning and delivering a new Town Centre at Warnervale including a new railway station and transport interchange (Regional Strategy)	N	Not Applicable
1i – Having residents as active participants in setting the direction of their communities	Y	During exhibition, residents and members of the community will be requested to provide feedback in relation to the proposal.
1j – Ensuring communities are safe and have a clear perception of security	N	Not Applicable



Objectives & Actions	Applicable (Y/N)	Assessment/Comment
1k – Providing individuals with access to a variety of housing types that enable residents to buy or rent accommodation locally	N	Not Applicable
<ol> <li>1I – Taking a long-term integrated approach to the provision of both new and existing infrastructure</li> </ol>	Ν	Not Applicable
2. There will be ease of travel within the Shin available at all hours and will be safe, clean an		regional centres and cities. Travel will be
2a - Ensuring public and private bus services are timely, clean, safe and affordable	Ν	Not Applicable
2b - Upgrading train and public transport services between Newcastle and Sydney Central ensuring the service is safe, timely and reliable	Ν	Not Applicable
2c - Improving and linking the bicycle/shared pathway network and related facilities to encourage more cycling opportunities	N	Not Applicable
2d - Improving commuter parking at railway stations	N	Not Applicable
2e - Improving commuter hubs along the freeway	N	Not Applicable
2f - Creating a better public transport system including new outer suburban train carriages, upgrades of the Tuggerah station, rail maintenance upgrades and better local bus services (Regional Strategy)	Y	The subject site will be identified as an urban release area which requires associated state infrastructure to be adequately resourced and addressed to enable the development of the site.
2g - Ongoing upgrading of roads in the region including The Entrance Road and Pacific Highway (Regional Strategy)	Y	The subject site will be identified as an urban release area which requires associated state infrastructure to be adequately resourced and addressed to enable the development of the site.
2h - Improving the M1 links to Sydney to three lanes in each direction in partnership with the Federal Government (Regional Strategy)	N	Not Applicable
2i – Providing an integrated transport system that satisfies users' needs	N	Not Applicable



Objectives & Actions	Applicable (Y/N)	Assessment/Comment
2j – Supporting commuters and their families	Y	The proposal aims to provide additional industrial land supply to provide local employment opportunities on the Central Coast, reducing the need for commuting.
2k – Supporting the development of a regional airport within the Shire	N	Not Applicable
<ol><li>Communities will have access to a c programs and services.</li></ol>	liverse range of	affordable and coordinated facilities,
3a - Providing and maintaining local and regional community facilities for recreation, culture, health and education	Ν	Not Applicable
3b - Providing and maintaining a range of community programs focused on community development, recreation, culture, environment, education and other issues	N	Not Applicable
3c - Providing recurrent funding for community support and development services	N	Not Applicable
3d - Promoting community facilities to help maximise their benefits and use	N	Not Applicable
3e - Balancing the varying provision of facilities and amenities between towns/suburbs to enhance the quality of life in the Shire	Ν	Not Applicable
3f - Maximising the access to, and potential for, new and existing facilities/infrastructure to support growth	Y	The proposal aims to provide additional industrial land supply to provide local employment opportunities on the Central Coast, reducing the need for commuting.
3g – Supporting people in the community to lead healthy, active lifestyles	Y	Future development of the site will require this issue to be addressed, including servicing of the site by the local bus company, and the provision of internal cycleways which link to the external road network. Relevant provisions have been incorporated in the draft site specific chapter of DCP 2013.



Objectives & Actions	Applicable (Y/N)	Assessment/Comment
3h – Providing access to basic and specialist health care services to all community residents	Ν	Not Applicable
<ol> <li>The community will be well education knowledge potential at all stages of life.</li> </ol>	ted, innovative	and creative. People will attain full
4a - Generating community awareness and behavioural change about the value of ongoing education	Ν	Not Applicable
4b - Creating programs that encourage lifelong learning for everyone	N	Not Applicable
4c - Creating and maintaining programs to actively encourage community involvement in educational institutions	N	Not Applicable
4d - Establishing and maintaining a committed network of education, community, business and government representatives	Ν	Not Applicable
4e - Providing programs and services which respond to changes in the field of education in Wyong Shire	N	Not Applicable
4f – Accessing a range of post school, tertiary, and degree based educational facilities. Promote innovation in areas important to the local and regional economy	Ν	Not Applicable
4g – Providing education, training and skills development that reflect the region's specific employment needs	N	Not Applicable
4h – Ensuring that all students and educational institutions have access to high quality services and technological resources	Ν	Not Applicable
5. Areas of natural value in public and priv level in the context of ongoing development.		ill be enhanced and retained to a high
5a - Preserving threatened and endangered species as well as ecological communities and biodiversity	Y	Areas of high biodiversity value are proposed to be retained and rezoned E2 Environmental Conservation, The highly modified central area of the site is proposed for future development. The proponent has offered to biocertify



Objectives & Actions	Applicable (Y/N)	Assessment/Comment
		the development site utilising a recognised biodiversity conservation methodology.
5b - Expanding and continuing programs focused on restoring degraded natural areas in our community	Ν	Not Applicable
5c - Ensuring all development areas create or maintain tree covered ridgelines and waterways	N	Not Applicable
5d - Developing and implementing strategies to reduce the Shire's Environmental Footprint	Ν	Not Applicable
5e - Developing and implementing a Natural Resource Management Strategy for Wyong Shire	Ν	Not Applicable
5f – Ensuring sustainable development that is sympathetic to the local setting and reflects community values	Y	Areas of high biodiversity value are proposed to be retained and rezoned E2 Environmental Conservation, The highly modified central area of the site is proposed for future development. The proponent has offered to biocertify the development site utilising a recognised biodiversity conservation methodology.
6. There will be a sense of community ow		tural and built environment through
direct public involvement with programs and 6a - Improving and promoting public access to environmental areas	N	Not Applicable
6b - Establishing and maintaining projects and programs to encourage more active participation in community based environmental activities	N	Not Applicable
6c - Creating and promoting a network of renowned bush trails	N	Not Applicable
6d - Establishing a community event based around our lakes and beaches	N	Not Applicable
6e - Developing and implementing a tree planting program	N	Not Applicable
6f - Creating, maintaining and promoting a series of community gardens	N	Not Applicable



Objectives & Actions	Applicable (Y/N)	Assessment/Comment
6g - Supporting and encouraging volunteer groups and champions	N	Not Applicable
6h – Maintaining and making available information about the environment and environmental change	N	Not Applicable
6i – Community awareness of sustainability and environmental issues impacting Wyong Shire	N	Not Applicable
7. There will be a strong sustainable busir Central Coast's business strengths	ness sector and in	creased local employment built on the
7a - Providing a coordinated approach to business generation, employment and development for the region	Y	The proposal aims to provide additional industrial land supply to provide local employment opportunities on the Central Coast, reducing the need for commuting.
7b - Identifying and leveraging the competitive advantages of Wyong Shire	Ν	Not Applicable
7c - Supporting the growth of the Shire as a competitive major business sector while reducing the alienation of towns/ suburbs that can result from regional pressures	N	Not Applicable
7d - Actively promoting the business benefits of Wyong Shire. Creating a single executive level voice to attract employment generating development to the Central Coast and negotiating in liaison with all relevant agencies	N	Not Applicable
7e - Establishing and maintaining a strategic database on business and economic trends on the Central Coast	N	Not Applicable
7f - Establishing and maintaining key industry networking roundtables	N	Not Applicable
7g - Regularly identifying Central Coast businesses that are innovative and creative with high growth potential ("gazelles")	N	Not Applicable
7h - Supporting the development of a major Conference Centre in the Shire	N	Not Applicable
7i - Ensuring adequate and appropriate employment land in the Shire	Y	The proposal aims to provide additional industrial land supply to provide local employment opportunities on the



Objectives & Actions	Applicable (Y/N)	Assessment/Comment	
		Central Coast, reducing the need for commuting.	
7j - Sourcing tourist attractions across the Shire	Ν	Not Applicable	
8. Information communication technology will be consistent with world's best practice and adaptive to technological advances across all sectors.			
8a – Advocating for the provision of high speed broadband throughout Wyong Shire	Ν	Not Applicable	
8b - Developing and implementing guidelines to ensure all residences and businesses as well as commercial and educational centres can be quickly linked to fibre-optic telecommunications networks	Ν	Not Applicable	