



Telephone (02) 4325 8260

Please Quote: 3744897
Brian McCourt
4 October 2007

Gosford City Council

49 Mann Street
Gosford NSW 2250
PO Box 21
Gosford NSW 2250
DX 7211 Gosford

Telephone: 02 4325 8222
Facsimile: 02 4323 2477
goscity@gosford.nsw.gov.au
www.gosford.nsw.gov.au
ABN 78 303 458 861

Mr Peter Childs
Crighton Properties
PO Box 3369
TUGGERAH NSW 2259

RECEIVED
09 OCT 2007

BY: _____

RA 2005.205 - Parkside - Kings Avenue, Terrigal--Local Environmental Study

Dear Sir

I refer to our correspondence of 6 August 2007 relating to the preparation of specifications for the local environmental study for the above rezoning application.

Council has completed consultations with the public agencies concerning the local environmental study specifications. Amendments have been requested by DECC and the RTA. These amendments are shown in *italics* in the attached revised copy of the specifications.

Council considers that the preparation of the specifications is now complete and commencement of the local environmental study can occur. Please contact Mr Brian McCourt on 4325 8260 to discuss how you wish to proceed with the process of preparing the local environmental study.

Yours faithfully

Brian McCourt
Senior Landuse Planner

Draft Gosford LEP - Parkside @ Terrigal

Specifications for an Environmental Study under s.57 of the Environmental Planning & Assessment Act

Pursuant to s.57 of the Act, the following specifications apply for an environmental study prepared with regard to the proposed draft Local Environmental Plan for Lot 2 DP 155116, Lots 8 and 9 DP 876102, Lot 202 DP 831864, Lot 4 DP 37914 and Lot 1 DP 3811971 Kings Avenue Terrigal

The Environmental Study for the draft LEP is to address the following specifications:

1. *The rationale and basis for the draft LEP, and the appropriateness of the site compared to other sites;*

Discuss the need for / opportunities presented by development of the proposed type.

Discuss the nature of the project as a "pilot" project, and what would be the measures of success by which such a project should be judged.

Describe how development allowed under the draft LEP will vary from other forms of urban development in the locale and the appropriateness of likely development of the site. The appropriateness of the proposed subdivision of 7c(2) lots below minimum lot size provisions.

Identify issues associated with the proposed development that would help inform site selection, i.e. size, location, natural assets etc.

Compare the constraints and opportunities upon the site to other sites that may be available for similar development. Explain why this site is more suited for the draft LEP than other sites considered.

2. *The implications of the draft LEP for the rezoning of other environmental protection land in the locality;*

Discuss the likely effect this LEP would have on the expectations of the owners of other similar 7c(2) zoned land in the locality. Would such a rezoning set a precedent with regard to other similarly zoned land within the locality? How does the status of the proposal as a "pilot" project as a precedent?

3. *Identify environmental features and constraints on the site, including but not limited to:*

a. *Geotechnical and topographical features and constraints;*

Detailed description and analysis of the slopes, soils and topographical features of the site and its immediate surrounds with particular reference to GCC DCP 163 'Geotechnical Requirements for Development Applications'.

Identification of slopes, soils and topographical features which might impose constraints to future development or require specialized engineering approaches to address site constraints.

Location of land displaying slopes in excess of 20%.

b. *The location or potential habitat of any vulnerable or threatened species or endangered ecological communities, and any relevant draft or adopted Recovery Plans;*

Identify and map habitat of:

- Threatened Species
- Yellow-bellied Glider
- Grey headed flying fox
- Micro bats
- Stephens Banded Snake
- Hollow bearing trees (refuge / breeding habitat)

Endangered Ecological Communities

- Riverflat Forest on Coastal Floodplains (if present)
- Lowland Rainforest

Assessment of the proposal against any approved and draft recovery plans, including recovery plans for:

- Yellow-bellied Gliders
- Large Forest Owls (Powerful Owl, Masked Owl, Sooty Owl)

c. *Riparian areas and water courses;*

- Identification of riparian areas including riparian vegetation surrounding any creeklines, watercourses or aquatic areas.
- Identification of potential impacts to riparian areas / vegetation.
- Identification of constraints and long term management requirements for retained riparian areas.
- Consideration and establishment of necessary required setbacks from water courses and Riparian Areas.
- Consultation with the Department of Environment & Conservation with regard to setbacks and appropriate management.

d. *Vegetation on the site;*

- Completion of detailed surveys, description and analysis of vegetation present on-site and on the immediate adjoining lands.
- Identification of any threatened flora species, endangered ecological vegetation community or locally significant vegetation both on site and on the immediate adjoining lands.

- Mapping of trees and vegetation communities at a suitable scale for site planning purposes.
- Identification and analysis of any hollow bearing habitat trees.
- Identification of key fauna habitat features including, but not limited to, aquatic habitats, vegetation habitats, habitat trees and terrestrial habitats.
- Identification of any habitat linkages from or through the site to the adjoining bushland areas.
- Assessment of significance of vegetation communities, particularly rainforests.
- Identification of issues, impacts, possible environmental off-sets and biodiversity management requirements resulting from the proposed development and removal / modification of habitat.

e. *Flooding and drainage hazards;*

- Identification of hydrological features / characteristics including drainage lines, floodways, aquatic areas, etc.
- Identification of any groundwater seepages or areas of impeded drainage.
- Assessment of constraints (hydrological) to future development.
- Assessment of impacts on existing water cycle characteristics for both the site and downstream flows / environments.
- Assessment and management details for impacts on riparian areas including the watercourses and adjoining riparian land.
- Determination by survey of the 1% AEP line and an assessment of the infrastructure requirements necessary to ensure flows from the development of the land are at pre-development levels.

f. *Bushfire risks;*

- Undertake an assessment of the proposed development in accordance with the requirements of Planning for Bushfire Protection (RFS 2006).
- Identify bushfire hazard of areas of retained vegetation and any specific measures required to implement bushfire hazard reduction measures within these areas or create bushfire asset protection zones external to areas of retained vegetation / habitats.
- Prepare a fuel management plan for areas of retained vegetation that are to be managed as an asset protection zone.

g. *Determine appropriate land uses and development controls, as well as management options and any environmental offsets requirements, commensurate with the features and constraints on the land;*

- Identify areas to be developed / retained within the site and any possible environmental offsets external to the site (e.g. COSS land transfers / purchases).
- Identify management requirements for lands retained within the site (e.g. open space, riparian areas, etc).

- Indicate and explain the system of implementation, to ensure ongoing adherence to relevant controls and management plans such as land tenure, common ownership, commitments and restrictions.

h. Integration of Basic Physical Constraints in Mapping Layer;

- Integration of basic constraints to residential or related development in a mapping layer to identify combined constraints. Mapping layer to contain overlays of;
- Location of proposed development of land
- Location of land in excess of 20% slope.
- Location of;
 - Threatened species
 - Endangered species
 - Vulnerable species
 - Locally significant species of flora and fauna as well as fauna habitat plus habitat linkages.
- Location of 1% AEP line;
 - pre-development
 - post-development (with infrastructure to control flows).
- Location of APZ.
- Location of riparian zones.

i Assessment of improvement or maintenance of biodiversity valuer

- *Assess losses in biodiversity from clearing/development and gains in biodiversity from actions taken to improve biodiversity values elsewhere (e.g. management actions, removal of threats).*

4. Traffic generation and the impact of the draft LEP on local roads;

Consider and describe the existing performance of the local road network in the vicinity of the site, and following preparation of a traffic model, contrast this with the likely future performance of the road network *including the State Road Network* post development.

Consider the impacts upon and any required mitigation measures for any proposed intersections required to access the site.

Make any recommendations for augmentation of the local road network with regard to roadworks, public transport infrastructure and traffic management.

Consider the broader effects upon the regional road network that may result from this particular type of proposed development. In particular, consider the likely effects of local employment opportunities upon the traffic network.

5. Relationship and compatibility between the draft LEP and surrounding land;

Consider the compatibility between likely development under the proposed Draft LEP and all surrounding land both developed and undeveloped.

Consider and discuss any impacts upon the amenity of adjoining land owners as a result of likely development of the land.

Consider the impact of occupation of the land and likely impacts on surrounding ecological resources.

6. The consistency of the draft LEP with Council's long-term land use planning strategies, and the impact on population capacities of existing zones;

Consider and discuss the consistency of the draft LEP with;

- The Draft Central Coast Regional Strategy
- Gosford Vision 2025
- Standard Instrument (Local Environment Plans)
- Gosford Community Strategic Plan.

Consider the impact of likely development of the site on the provision of infrastructure within the site catchment including;

- Hard Infrastructure, such as sewer, water, electricity, communications, drainage, etc.
- Soft Infrastructure such as schools, public transport, retail facilities, recreation facilities, etc.

7. The effect of any Council DCP, strategy, management plan or policy on the land, and the implications of the draft LEP on Council's policies with respect to the rezoning and development of land with slopes greater than 20%. Further, analysis of the implications of the proposal for the subdivision and development of other conservation/steep lands in the city, whether for employment purposes, as a pilot project or for other uses;

Comment on the draft LEP with respect to:

- IDO No. 122
- Council's Rainforest Policy
- Council's Landscape and Vegetation Management Policy
- Council's Erosion /Sedimentation Control Policy
- Council's Policy on Rezoning Conservation Land
- Council's Biodiversity Strategy
- Terrigal Lagoon Management Strategy
- Council's DCP No. 89 Scenic Quality
- Council's DCP No. 163 Geotechnical requirements for development applications.

8. *Identify and address compliance with State planning policies that affect the site, including section 117 directions, SEPP's the draft Central Coast Regional Strategy etc.*

Relevant SEPP's for consideration include:

- SEPP 19 Urban Bushland Management
- SEPP 44 Koala Habitat Assessment

Relevant State Planning documents / guidelines to be considered include:

- NSW Biodiversity Strategy
- Floodplain Development Manual / Guidelines
- Coastal Development Strategy
- Planning for Bushfire Protection, 2006.

9. *Measures to ensure compliance of future development on the site with the objectives of the draft LEP;*

Suggest and detail the operation of any measures or mechanisms that will operate to ensure that future development upon the site is in accordance with the objectives of the draft LEP. For example by way of VPA, Section 88 instruments, Common title structures, deeds of agreement etc.

Draft any such instruments and explain the operation insofar as this detail may be useful at the draft LEP stage.

10. *Assessment of the draft LEP against the Sustainability Criteria in the draft Central Coast Regional Strategy; and*

Assess the draft LEP directly against the sustainability criteria contained within the draft Central Coast Regional Strategy.

11. *Consideration of the scale and operation of business-related activities on the site, the catchments they will serve and the impact on other business lands in the locality.*

Consider and detail the need for and likely success of the business related activities on the site. Consider the trend toward home based business activities and the likely long term effects in the locality.

Consider provisions to ensure that such activities remain at a scale and type that preserve the residential amenity of lot owners both within and adjacent to the site.

Consider the impact upon / opportunities to other existing and future businesses within the locale on zoned business lands.