

**Amendment to expand Somersby Industrial Park, Somersby**

Proposal Title : **Amendment to expand Somersby Industrial Park, Somersby**

Proposal Summary : **The proposal is to rezone land currently zoned 1(a) Rural (Agriculture) in the Gosford Interim Development Order 122 to 4(a1) General Industrial in the Gosford Local Environmental Plan No. 22. The land is located on the western edge of the existing Somersby Industrial Park.**

PP Number : **PP\_2012\_GOSFO\_009\_00**      Dop File No : **12/08961**

**Proposal Details**

Date Planning Proposal Received : **18-May-2012**      LGA covered : **Gosford**

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

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

LEP Type : **Spot Rezoning**

**Location Details**

Street : **Somersby Falls Rd/ Ghilkes Rd**

Suburb : **Somersby**      City :      Postcode : **2250**

Land Parcel : **Lot 4 DP 654894; Lot 2 DP 712505; Lot 3 DP 712505**

**DoP Planning Officer Contact Details**

Contact Name : **Ben Holmes**

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**RPA Contact Details**

Contact Name : **Bruce Ronan**

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**DoP Project Manager Contact Details**

Contact Name :

Contact Number :

Contact Email :

**Land Release Data**

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

Regional / Sub Regional Strategy : **Central Coast Regional Strategy**      Consistent with Strategy : **Yes**

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|                                                                                  |              |                                                      |                        |
|----------------------------------------------------------------------------------|--------------|------------------------------------------------------|------------------------|
| MDP Number :                                                                     |              | Date of Release :                                    |                        |
| Area of Release (Ha) :                                                           | <b>43.77</b> | Type of Release (eg Residential / Employment land) : | <b>Employment Land</b> |
| No. of Lots :                                                                    | <b>0</b>     | No. of Dwellings (where relevant) :                  | <b>0</b>               |
| Gross Floor Area :                                                               | <b>0</b>     | No of Jobs Created :                                 | <b>680</b>             |
| The NSW Government Lobbyists Code of Conduct has been complied with : <b>Yes</b> |              |                                                      |                        |
| If No, comment :                                                                 |              |                                                      |                        |

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

### Supporting notes

Internal Supporting Notes : **Jobs created:**  
Council has not identified how many jobs would be created by the Planning Proposal. The number above is an estimate which assumes 20 jobs/ ha (ie the regional average for employment lands) and assumes 80% of the land is developed (ie 35 ha). (note: 80 % is sourced from the ELI discussed below).

**Employment Lands Investigation 2010 (ELI):**  
This study was undertaken by consultants on behalf of Council using Planning Reform Fund funding (round 6). While LGA wide, it identifies the subject land as potentially suitable for future industrial use, as an expansion of the existing industrial park. The land is identified for possible release in the long term, although no clear rationale is provided in the study as to why 'long term' release was appropriate.

The study is used for information purposes by Council and DG endorsement of the study has not been sought.

**Somersby Industrial Park Plan of Management (PoM):**  
The Somersby area has ecological and heritage value. Take-up of the Somersby Industrial Park land has historically been slow. This was due to difficulties in balancing development/ conservation outcomes on a site-by-site basis with each individual development application (DA).

To overcome these problems, Council and agencies established a management framework to address these issues strategically across the entire estate. A PoM was introduced in 2008 which set out agreed mechanisms for dealing with ecology/ heritage issues. It involved OEH (formerly DEC) issuing assumed concurrence under cl. 64 of the EP&A Regulation 2000 (ie for concurrence required under the TSC Act 1995 for DAs). The PoM is supported by a specific LEP provision and DCP controls. The Department understands that the introduction of these measures has assisted the take-up of land in the Somersby Industrial Park.

Council does not intend to include this land within the PoM. It intends to pursue different mechanisms (eg biocertification for ecology issues) instead. This matter is discussed in more detail later in this report.

**Land to which the Planning Proposal applies:**  
Council identifies a number of sites in the vicinity of the subject land which could potentially be included in this proposal, including land owned by Council. Including these

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sites in the Planning Proposal would have merit. Council states however that both it and one private landowner intend to wait until Council undertakes its own separate investigations, which would include other land identified in the ELI at Somersby.

Council states that the other private landowner had not responded to Council's request within the specified timeframe. Presumably, Council would have updated the proposal prior to submitting it to the Gateway should a late response have been received.

Adjoining the proposed site to the west are a further two lots which contain a dwelling each, are largely cleared and adjoin National Park land to their west. These lots are approximately 200 metres wide and are to be zoned E2 in the draft comprehensive LEP, reflecting their existing 7(a) zoning. Council does not intend to include these lands in the proposal, stating they should be retained as a buffer to the National Park.

In light of the above, Council's proposed boundary could be supported.

### Gateway Determination Delegation:

The Minister has generally delegated Gateway Determinations to Departmental executive staff (ie DG/ DDG). Delegation does not however extend to proposals which 'would release rural land that is not identified for that purpose in a regional strategy'. A case could be made that while this land is currently rural, the proposal is not a 'release' because it would not create new housing and would extend an existing industrial park in a manner that is generally consistent with the intentions of the Central Coast Regional Strategy. However, the Department would require satisfactory arrangements for State infrastructure to apply via mapping as an Urban Release Area and as the land is not specifically identified as a future release in the CCRS, the Minister should make the Gateway Determination.

External Supporting  
Notes :

## Adequacy Assessment

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

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

Comment : **The statement of objectives is consistent with the Department's "A guide to Preparing Local Environmental Plans."**

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

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

Comment : **The explanation of provisions is consistent with the Department's "A guide to Preparing Local Environmental Plans."**

**The explanation focuses on the existing environmental planning instruments. It is possible however that the proposal may amend the finalised Gosford comprehensive LEP. The explanation should be amended to identify this possibility.**

**Reference should also be made to including requirements for State infrastructure contributions.**

### Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

**1.1 Business and Industrial Zones**

**1.2 Rural Zones**

**2.3 Heritage Conservation**

**3.4 Integrating Land Use and Transport**

**4.4 Planning for Bushfire Protection**

**5.1 Implementation of Regional Strategies**

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### 6.1 Approval and Referral Requirements

#### 6.3 Site Specific Provisions

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

c) Consistent with Standard Instrument (LEPs) Order 2006 : **No**

d) Which SEPPs have the RPA identified?

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

**SEPP No 44—Koala Habitat Protection**

**SEPP No 55—Remediation of Land**

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

**SREP No. 20 - Hawkesbury–Nepean River (No. 2 - 1997)**

**SREP No. 8 - Central Coast Plateau Areas**

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

**N/A**

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

If No, explain :

**Further discussion on relevant s117 directions and SEPPs is provided later in this report.**

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

Is mapping provided? **Yes**

Comment :

**Council has provided 10 maps which relate to different aspects of the proposal (eg zoning maps, significant vegetation, aerial photo etc). This number could potentially be increased further if the additional maps referred to below are included. Council could consider including an explanatory note in the community consultation material, so the purpose of each map is clearly understood - particularly those relating to amendments to the existing planning instruments and the future comprehensive LEP.**

**Comments relating to specific maps are as follows:**

**Council should provide maps which show the proposed zoning of the site in terms of the existing Gosford LEP 22 and future Gosford comprehensive LEP zones.**

**Council should also include relevant development standard maps for the site in terms of the future Gosford comprehensive LEP development standards. URA maps for State infrastructure should also be provided.**

**Council should also update:**

- the 'Existing zoning' map to provide a legend; and**
- the 'Proposed zoning under DLEP 2009' map to label zones on the map and provide a legend.**

**Council's proposed maps are otherwise considered adequate for community consultation.**

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

Has community consultation been proposed? **Yes**

Comment :

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

### Additional Director General's requirements

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

If Yes, reasons :

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### Overall adequacy of the proposal

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

If No, comment :

**The proposal is adequate for progression to a Gateway Determination.**

### Proposal Assessment

#### Principal LEP:

Due Date : **December 2012**

Comments in relation  
to Principal LEP :

**The comprehensive LEP is with the Department for finalisation.**

**The draft comprehensive LEP would zone the land RU1 Primary Production. This is Council's equivalent standard instrument zone to the existing 1(a) Rural (Agriculture) zone that applies to the site.**

**The proposal would rezone the land to 4(a1) in the Gosford LEP 22. Its equivalent standard instrument zone is IN1 General Industrial. (note: Council's draft comprehensive LEP uses two industrial zones only, IN1 and IN4). IN1 zoned land would be subject to the minimum lot size development standard (4,000 m<sup>2</sup> or 2 ha) in the finalised comprehensive LEP.**

**Council does not appear to discuss potential standard instrument zones or development standards. Given that the comprehensive LEP is now being finalised by the Department, it is likely that this Planning Proposal may not be completed until after the comprehensive LEP is made. Therefore, it is recommended that Council update the Planning Proposal to reflect both potential outcomes (eg the proposal may amend the current instruments or future instrument).**

**Note: as discussed earlier, the Gosford LEP 22 contains a provision giving effect to the Somersby Industrial Park Plan of Management. This clause would be carried over into the comprehensive LEP. As Council does not intend to include the land in the PoM, this clause would (presumably) not apply however depending on the way that ecology and heritage impacts are addressed it may.**

### Assessment Criteria

Need for planning  
proposal :

**Council appears to suggest that the need for the Planning Proposal has arisen as a result of the landowner seeking to rezone the land.**

**While Council notes that the subject land is identified as potential employment land in Council's Employment Lands Investigation (ELI), Council states that the ELI does not to form the basis of rezoning specific sites. Rather, it is used for identifying areas for future investigations.**

**Notwithstanding the above, Council's ELI identifies the need for more industrial land to be released on the Central Coast in order to meet projected demand. It also notes that there are limited locations in the Gosford LGA which would potentially be suitable. This precinct is identified as a potential area subject to further investigations and these investigations would occur as part of the Planning Proposal process. On this basis, and noting Council's support for the proposal, the need for the Planning Proposal is considered justified.**

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Consistency with  
strategic planning  
framework :

### **Central Coast Regional Strategy (CCRS):**

The proposal is consistent with the CCRS as it would increase employment lands and help achieve CCRS employment targets. It would also increase employment self-containment and aligns with the CCRS intention to expand existing employment nodes.

### **Regional Economic Development and Employment Strategy (REDES):**

The REDES is a high level strategy that aims to strengthen the local economy and boost employment. The proposal aligns with the REDES objective to deliver 45,000 jobs by 2031 and increase employment self-containment. It is also consistent with REDES Strategy 4 which seeks to ensure adequate supply of lands for employment.

### **Gosford 2025 - Community Strategic Plan (Local Strategy):**

Council states that the proposal is consistent with several of this high level plan's objectives relating to jobs and business growth. It also identifies objectives relating to ecology which would also be relevant. The proposal is not considered to be inconsistent with this strategy at this time.

### **Draft Gosford Landuse Strategy (Local Strategy):**

Council identifies the proposal as being consistent with components of this strategy, specifically those relating to the possible expansion of the Somersby Industrial Park. Council's assessment is supported.

### **Biodiversity Strategy (Local Strategy):**

Council identifies one of the objectives of this high level strategy as relevant to the proposal. Biodiversity impacts would need to be considered as part of the rezoning process. Council intends to investigate biodiversity impacts further and so the proposal is not considered to be inconsistent with this strategy at this time.

### **State Environmental Planning Policies (SEPPs):**

#### **SEPP 19 - Bushland in Urban Areas:**

The intention of this policy is ensure that Council gives priority to retaining bushland in urban areas. Council states that this SEPP applies as the proposal would rezone land to an urban zone. Ecological impacts, and in turn retaining bushland in urban areas, is an issue which would be further examined as part of the rezoning process. As a result, the proposal is not considered to be inconsistent with this SEPP at this time.

#### **SEPP 44 - Koala Habitat Protection:**

Council has advised that this SEPP does not apply. It states that as the feed trees listed in schedule 2 of the SEPP are not found on the site, the land is not considered to be potential koala habitat. Council's rationale is supported. However, if the ecology study identifies the relevant feed trees to be present then Council would presumably update its SEPP 44 assessment in the planning proposal.

#### **SEPP 55 - Remediation of Land:**

Council states that the land was used for orchards in the 1950-1960s but has reverted to grass fields since that time. It is not clear from the information provided whether the site has been used since the 1960s. Notwithstanding this, Council states that a contaminated land preliminary assessment is required.

In lieu of a complete land-use history or a site inspection to determine whether illegal dumping may have occurred, it is difficult to determine whether a contaminated land preliminary assessment is necessary. Given this, and that Council states that an assessment is necessary, a preliminary contaminated land assessment should occur.

#### **SREP 8 Central Coast Plateau Areas (deemed SEPP):**

The land is subject to SREP 8. SREP 8 sets out a framework for balancing conservation with competing land uses (agriculture, extraction, rural-residential) on the plateau. Certain matters need to be considered by Council when preparing a LEP. Council identifies these matters but has not undertaken the assessment as it states that the matters do not apply. The assessment should occur.

Having said the above, a case could be made that the site should be removed from the SREP. Somersby Industrial Park was omitted from the SREP, with the estate's western boundary forming part of the eastern boundary of the SREP (which is also the eastern boundary of the Planning Proposal site). It is questioned whether the SREP provisions would have much relevance to possible future development applications for industrial uses as the SREP is oriented towards non-urban uses.

Potentially the SREP could be amended by this Planning Proposal or a separate Planning Proposal/ SREP amendment. The change would however effectively be a house-keeping matter, of which there are other house-keeping matters which could also be addressed. This could delay the progression of the Planning Proposal. In light of the above, it is recommended that SREP 8 not be amended as part of this proposal.

**SREP 9 Extractive Industries (deemed SEPP):**

SREP 9 applies to the site. It requires Council to consult with DPI and OEH when preparing a local environmental plan if the land is in the vicinity of certain sites identified in the SREP. Council states that the site is not within the vicinity of any of those sites. Therefore consultation with DPI and OEH is not required under SREP 9. Notwithstanding this, the SEPP (Mining, Petroleum Production and Extractive Industries) 2007 ensures that extractive industries remain permitted.

**SREP 20 Hawkesbury Nepean River (deemed SEPP):**

SREP 20 applies to the site. It sets out a number of issue specific matters which must be considered by Council when determining a development application or preparing a planning proposal. Council notes that a SREP 20 assessment would need to occur prior to community consultation. This is agreed. Consideration against cl. 5 and 6 of the SREP should occur and the proposal be updated accordingly. Consultation with the CMA could inform this assessment.

**s117 directions:**

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

**1.1 Business and Industrial Zones:**

This direction applies because a new employment area is proposed. The direction requires that the proposed new employment area be in accordance with a DG approved strategy. In this instance, no DG approved strategy applies which specifically identifies this land as a new employment area and so the proposal is inconsistent.

The inconsistency is considered to be justified. The CCRS identifies the possibility of expanding existing employment nodes, such as the adjoining Somersby Industrial Park. Council's ELI identified the need to provide more industrial land and this site was seen as being potentially suitable for this purpose. As a result, the DG could agree that the inconsistency is of minor significance.

**1.2 Rural Zones:**

The proposal is inconsistent with this direction because rural land would be rezoned to industrial land. Council states that the inconsistency is justified because the ELI supports its rezoning to industrial.

As per the discussion with s117 direction 1.1, the CCRS identifies the possibility of expanding existing nodes like Somersby. The ELI identifies this land as potentially being suitable for industrial. Notwithstanding this, SREP 8 applies which identifies prime agricultural land on the Central Coast, and while included in the SREP, this land is not identified as being prime agricultural land. On this basis, the DG could agree that the inconsistency is of minor significance, however consultation with DPI should occur first.

**2.1 Environment Protection Zones:**

Council did not identify this direction as applying. The Somersby area could be considered

to be an environmentally sensitive area given its ecological constraints (eg threatened species). It is therefore considered that this direction applies. The proposal is inconsistent with this direction because it does not include provisions that facilitate the protection and conservation of environmentally sensitive areas.

Council has identified the need for an ecology study to occur which would confirm ecological constraints and identify suitable mitigation measures, potentially including off-sets. OEH should be consulted as part of this process.

At this stage consistency with this direction cannot be determined. Once Council and OEH have considered the findings of an ecological study, consistency with this direction can be reconsidered. Further discussion on ecological impacts is discussed later in this report.

#### **2.3 Heritage Conservation:**

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

While the Planning Proposal would not include specific provisions, both the Gosford LEP 22 and the draft comprehensive LEP include heritage provisions. The DG could therefore agree that inconsistency with this direction is of minor significance.

Notwithstanding the above, heritage impacts are a relevant issue which would not to be addressed through the rezoning process. Council has identified the need for a heritage study to be undertaken and further discussion on heritage impacts is provided later in this report.

#### **3.4 Integrating Land Use and Transport:**

This direction applies because the proposal would create urban zoned land (ie industrial land). As Somersby is located on the Central Coast plateau, distant from the majority of the residential population (on the coast to the east), the proposal is considered inconsistent with this direction.

As discussed earlier, the ELI identifies the need for future employment land, notes that there are limited locational opportunities for this land, and states that this site may be a suitable site for employment land.

The site also adjoins an established industrial estate which Council notes has a limited bus service (connecting the site to the Gosford train station). Should this rezoning proceed, then it is possible that the bus service could be increased and/ or the service route changed. Consultation with Transport of NSW should occur.

The estate is also well connected by road being near the F3, Central Coast Highway and Pacific Highway.

Given these factors, and that the proposal aligns with the CCRS and REDES, the DG could agree that the inconsistency is of minor significance.

#### **4.4 Planning for Bushfire Protection:**

As the proposal would affect land that is bushfire prone, consultation with the RFS would need to occur before consistency with this direction can be determined.

Environmental social  
economic impacts :

#### **Ecology impacts:**

It is likely that ecological impacts requiring some form of mitigation/ off-set would result from the proposal. As a result, Council proposes to pursue biocertification. An alternative option may be to seek the assumed concurrence of OEH under cl. 64 of the EP&A Regulation 2000 (ie arrangements similar to those discussed earlier which apply to the adjoining Somersby Industrial Park). Council would need to consult with OEH as part of this process. The Department should be involved in these discussions. The Planning Proposal should be updated as required.

#### **Heritage impacts:**

Council states that the Somersby Industrial Park area is known to contain many significant aboriginal heritage sites and so a heritage assessment would be required. This is agreed. Consultation with OEH should occur to determine appropriate mitigation measures. This potentially could include utilising the existing PoM arrangements which apply to the adjoining Somersby Industrial Park.

**Traffic impacts:**

Council states that the existing road network is able to accommodate the additional traffic generated by all the Somersby land identified as potentially being suitable for future industrial use. (note: approximately 72 ha was identified, of which 44 ha relates to this proposal).

**Visual assessment:**

Nearby dwellings would potentially have their visual amenity affected by the future development of the land for industrial. Currently a ridge line which extends across the site would limit views of the existing industrial park. Council states that a visual assessment should be required prior to community consultation.

It is unclear whether significant benefit would be gained from undertaking a visual assessment at the rezoning stage. Council's IN1 zone, which would ultimately apply to the site if the rezoning proceeds, permits a broad range of uses (ie sex service premises to offensive industry). The visual impact on the dwellings would therefore vary greatly depending on what specific development is proposed.

On this basis, a case could be made that the visual assessment would be of more benefit at the development application stage. Notwithstanding this, a high level scoping assessment which identified possible impacts/ mitigation measures based on different development scenarios may assist Council in identifying whether additional development controls (eg height, setback etc) may be necessary. The visual assessment could therefore be supported.

**Noise impacts:**

Nearby dwellings may potentially experience noise impacts if the land was developed for industrial purposes. As discussed, a ridge line extends across the site and this may potentially limit noise from the existing industrial park. Council has not discussed the need for a noise assessment.

Similar to the visual assessment, the wide range of permitted uses in the IN1 zone may result in very different noise profiles and so a case could be made for noise impacts to be assessed at DA stage. A scoping assessment which identified possible impacts/ mitigation measures based on different development scenarios may assist Council in identifying suitable development controls (eg including a noise buffer) or the need for an alternative industrial zone (eg create a new IN2 zone which excluded certain development like offensive industry). Council should be required to undertake a noise assessment.

**Other matters - conditions relating to sewer and water:**

The Planning Proposal contains a list of conditions requiring the landowner to undertake certain actions regarding sewer and water infrastructure provision. These conditions appear similar to consent conditions. Council does not clarify how these conditions relate to the Planning Proposal ie whether the conditions to be incorporated directly into a planning instrument, form part of a VPA, be addressed via a satisfactory arrangements provision to be included in a planning instrument (eg as part of the URA clauses), or to be applied to a development consent for subdivision. Council should clarify its intention and update the Planning Proposal accordingly. Discussion with the Department should occur as part of this process.

**Other matters - DCP No 137:**

Council includes discussion on DCP No 137 which relates to the use of the site for tourist accommodation and conference training facilities. Presumably it is provided for information purposes and would no longer apply should the land be rezoned to industrial. Council should clarify this matter in the Planning Proposal.

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### Assessment Process

Proposal type : **Precinct** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 Month** Delegation : **Minister**

Public Authority **Hunter - Central Rivers Catchment Management Authority**  
Consultation - 56(2)(d) **Office of Environment and Heritage**  
: **NSW Department of Primary Industries - Agriculture**  
**NSW Rural Fire Service**  
**Transport for NSW**  
**Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

**Council has identified the need for ecology, heritage, bushfire, SEPP 55 and visual amenity studies. As discussed earlier, it is considered that visual amenity issues could be better dealt with at the DA stage. No additional studies are required.**

Identify any internal consultations, if required :

**No internal consultation required**

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **The Infrastructure team has advised that including the Satisfactory Arrangements clause is supported, although it should be noted that removal of this clause is possible should arrangements for State contributions change in the future.**

### Documents

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

### Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**  
**1.2 Rural Zones**  
**2.3 Heritage Conservation**  
**3.4 Integrating Land Use and Transport**  
**4.4 Planning for Bushfire Protection**

## Amendment to expand Somersby Industrial Park, Somersby

### 5.1 Implementation of Regional Strategies

#### 6.1 Approval and Referral Requirements

#### 6.3 Site Specific Provisions

**Additional Information :** It is suggested that the following conditions could be applied in order to progress the PP.

#### Prior to community consultation:

- Council amend the 'Explanation of Provisions' to make clear that the Planning Proposal may amend the finalised comprehensive LEP and would require satisfactory arrangements for State infrastructure;
- Council provide maps which show the proposed zoning of the site in terms of the existing Gosford LEP 22 and future Gosford comprehensive LEP zones;
- Council include relevant development standard maps for the site in terms of the future Gosford comprehensive LEP development standards and URA maps for State infrastructure;
- Council update the 'Existing zoning' map to provide a legend and the 'Proposed zoning under DLEP 2009' map to label zones on the map and provide a legend;
- Council undertake an ecology study, heritage study, contaminated land preliminary assessment, bushfire assessment, visual scoping assessment, noise scoping assessment;
- following the studies above, Council consult with DPI, RFS, OEH, RMS, Transport for NSW and the CMA;
- Council consider the proposal against the matters in cl. 11 of SREP 8 and cl.4 to cl. 6 of SREP 20 and update the proposal accordingly;
- Council update Council's SEPP 19, SEPP 44 and SEPP 55 considerations in the planning proposal once the studies have been completed;
- Council re-assess consistency with s117 directions 1.2, 2.1 and 4.4 following consultation with DPI, OEH and RFS respectively;
- Council confirm how the conditions relating to sewer and water are to be implemented by the planning proposal (eg URA map) or other mechanism (eg consent); and
- Council confirm how DCP 137 would be affected by the planning proposal.

#### Other conditions:

- 28 day consultation period; and
- 12 month completion date.

#### The Gateway letter could also discuss the following matters:

- recommend that Council consult with OEH regarding Council's intention to biocertify (or otherwise gain OEH concurrence). The Department's regional team can be involved in those discussions.
- recommend that Council include an explanatory note in the exhibition material which explains the purpose/ relationship between the relevant maps.
- consult with the Department when confirming how the conditions relating to sewer and water are to be implemented by the planning proposal .

#### The DG could agree that inconsistencies with the following directions are of minor significance:

- 1.1 Business and Industrial zones
- 2.3 Heritage conservation
- 3.4 Integrating land use and transport

#### Supporting Reasons :

- Amend the explanation of provisions to refer to possibility of amending the finalised comprehensive LEP
- Mapping changes/ new maps to assist with consultation and reflect point above
- Consultation with OEH for heritage/ noise/ ecology/ s117 direction 2.1, DPI for direction 1.2, RFS for direction 4.4, Transport for NSW for bus provision, RMS (for SIC), CMA for SREP 20
- SEPPs and SREPs reconsideration is to update with information from studies or to address omissions
- 28 day consultation and 12 month completion is due to proposal being a 44 ha employment land release area.

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Signature:

G. P. Hopkins

Printed Name:

GARRY HOPKINS

Date:

1.6.2012