

# Kariong Planning Proposal

PP-2021-7303

Hunter and Central Coast Regional Planning Panel

# Contents

- Part 1 – Objectives of the planning proposal..... 3
- Part 2 – Explanation of provisions..... 5
- Part 3 – Justification of strategic and site-specific merit..... 8
  - Section A – need for the planning proposal ..... 8
    - Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report? ..... 8
    - Q2. Is the planning proposal the best means of achieving the objective of the planning proposal or is there a better way? .....10
  - Section B – relationship to strategic planning framework .....12
    - Q3. Will the planning proposal give effect to the objectives and actions of the Central Coast Regional Plan 2041? .....12
    - Q4. Is the planning proposal consistent with the Central Coast Local Strategic Planning Statement or another endorsed local strategy or strategic plan?.....21
    - Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies? .....25
    - Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?.....25
    - Q7. Is the planning proposal consistent with applicable section 9.1 Ministerial directions or key government priority?.....32
  - Section C – environmental, social and economic impact.....54
    - Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal? .....54
    - Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?.....56
    - Q10. Has the planning proposal adequately addressed any social and economic effects? .....57

Section D – infrastructure (Local, State and Commonwealth).....	59
Q11. Is there adequate public infrastructure for the planning proposal? .....	59
Section E – State and Commonwealth interests .....	64
Q12. What are the views of state and federal public authorities and government agencies? .....	64
Part 4 – Maps .....	69
Locality.....	69
Aerial photograph.....	70
Existing zone.....	72
Existing lot size.....	73
Proposed zone.....	74
Proposed lot size.....	75
Proposed height of buildings.....	77
Proposed additional permitted uses.....	79
Part 5 – Community consultation .....	80
Part 6 – Project timeline .....	80

# Part 1 – Objectives of the planning proposal

The objective of the planning proposal is to enable residential and environmental conservation outcomes on land at Woy Woy Road, Kariong (Lots 512-513, DP 727686).

The planning proposal gives effect to chapter 3 – Aboriginal Land of the *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) and the Darkinjung Development Delivery Plan (DDP) to support social outcomes and economic self-determination for the local Aboriginal community.

The planning proposal seeks to amend the *Central Coast Local Environmental Plan 2022* (CCLEP 2022) to:

- enable future urban development on part of the site;
- protect environmentally and culturally significant land;
- provide for public recreation; and
- support the economic self-determination of the Darkinjung Local Aboriginal Land Council (LALC) and community.

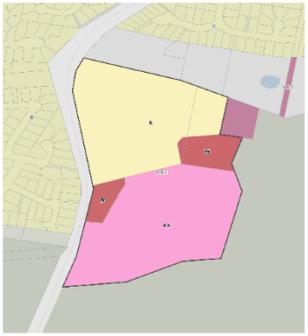
A concept proposal is provided in Figure 1 below.



# Part 2 – Explanation of provisions

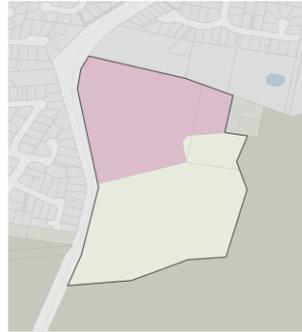
Table 1: Explanation of Provisions

CCLEP	Intended provisions
Land Zoning	<p>Rezone 6.1ha of the land from C2 Environmental Conservation to to:</p> <ul style="list-style-type: none"> <li>• R2 Low Density Residential (5.7ha); and</li> <li>• C3 Environmental Management (0.4ha).</li> </ul> <p>Retain the remaining 7.1ha of land as C2 Environmental Conservation to enable the long-term management of Aboriginal cultural heritage and biodiversity values by Darkinjung LALC.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>Current</p> </div> <div style="text-align: center;">  <p>Proposed</p> </div> </div>
Lot Size	<p>Amend the minimum lot size from 40ha to:</p> <ul style="list-style-type: none"> <li>• 550m<sup>2</sup> for land proposed to be zoned R2 Low Density Residential to enable a maximum of 50 dwellings;</li> <li>• 4,000m<sup>2</sup> for land proposed to be zoned C3 Environmental Management to enable construction of a wetland for urban stormwater detention;</li> <li>• 4,000m<sup>2</sup> for part of the land to be retained in the C2 Environmental Conservation zone that contains a cluster of Aboriginal sites (see concept plan in Figure 1); and</li> <li>• 5ha for the remaining land to be retained in the existing C2 Environmental Conservation zone.</li> </ul>

CCLEP	Intended provisions	
	 <p style="text-align: right;">Current</p>	 <p style="text-align: right;">Proposed</p>
<p>Height of Buildings</p>	<p>Introduce a maximum height of building limit of 8.5m for land proposed to be zoned R2 Low Density Residential.</p> <div style="display: flex; justify-content: space-around;"> <div data-bbox="363 789 898 1167">  <p style="text-align: right;">Current</p> </div> <div data-bbox="898 789 1432 1167">  <p style="text-align: right;">Proposed</p> </div> </div>	
<p>Additional Permitted Uses</p>	<p>Amend schedule 1 to:</p> <ul style="list-style-type: none"> <li>• permit the development of attached dwellings, dual occupancies, dwelling houses, semi-detached dwellings, and multiple dwelling housing in a community title scheme (within the meaning of the <i>Community Land Development Act 1989</i>), with a maximum of 50 total dwellings on the land to which the clause applies; and</li> <li>• require a site-specific development control plan to be in place for the land prior to development consent being granted, which addresses future character, site access, visual amenity, bushfire, Aboriginal heritage, and environmental conservation.</li> </ul>	

CCLEP

Intended provisions



*No current map*

Proposed

# Part 3 – Justification of strategic and site-specific merit

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## Section A – need for the planning proposal

**Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?**

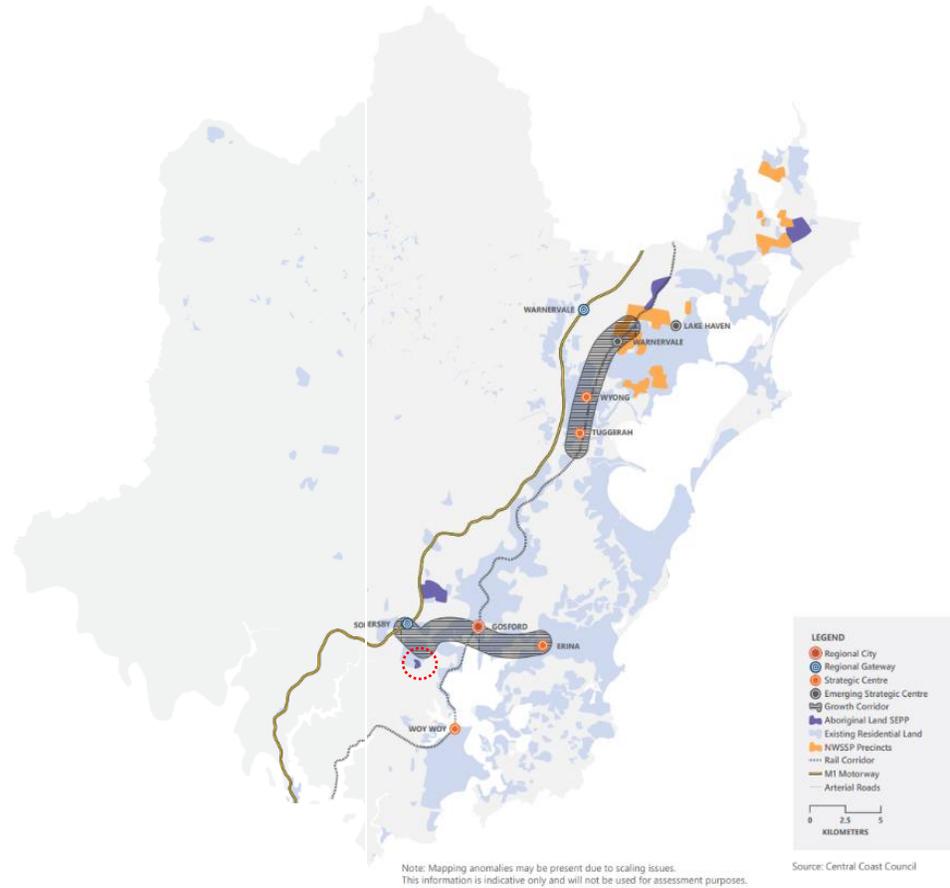
Yes. The planning proposal is the result of implementing the:

- Central Coast Local Strategic Planning Statement (LSPS); and
- Darkinjung Development Delivery Plan (DDP).

### **Central Coast Local Strategic Planning Statement (LSPS)**

The Central Coast LSPS (2020) identifies the site on the housing precincts map, along with other Darkinjung-owned land identified under chapter 3 – Aboriginal Land of the Planning Systems SEPP (previously SEPP (Aboriginal Land) 2019) (refer to Figure 2 below).

## HOUSING PRECINCTS



72 CENTRAL COAST COUNCIL

Figure 2: Housing Precincts map in Central Coast LSPS identifying land under chapter 3 - Aboriginal Land from Planning Systems SEPP

The Central Coast LSPS states (p. 16) that:

*The NSW Government and Central Coast Council will work with Local Aboriginal Land Councils to identify how their land can best be planned, managed, and developed through the Planning Systems SEPP... Council will also work with the NSW Government to achieve good planning outcomes through application of State Environmental Planning Policies as part of our environmental assessment processes.*

This planning proposal has been prepared in accordance with the collaborative approach between Council, Darkinjung LALC, and the NSW Government as described by the Central Coast LSPS, to ensure balanced environmental, social and economic outcomes can be achieved on the site.

## Darkinjung Development Delivery Plan

The Darkinjung DDP (2022) identifies the site as a short-term priority to assist Darkinjung LALC achieve its social and economic aspirations for the local Aboriginal community (refer to Figure 3 below).

The 13.2ha site was strategically assessed among Darkinjung LALC's 3,700ha of land holdings and determined, comprising 31 sites in total, as having the most appropriate development potential given that the site adjoins an existing urban area to the north and west, has access to existing infrastructure and services, and provides an opportunity to secure over half the site for long-term environmental conservation.

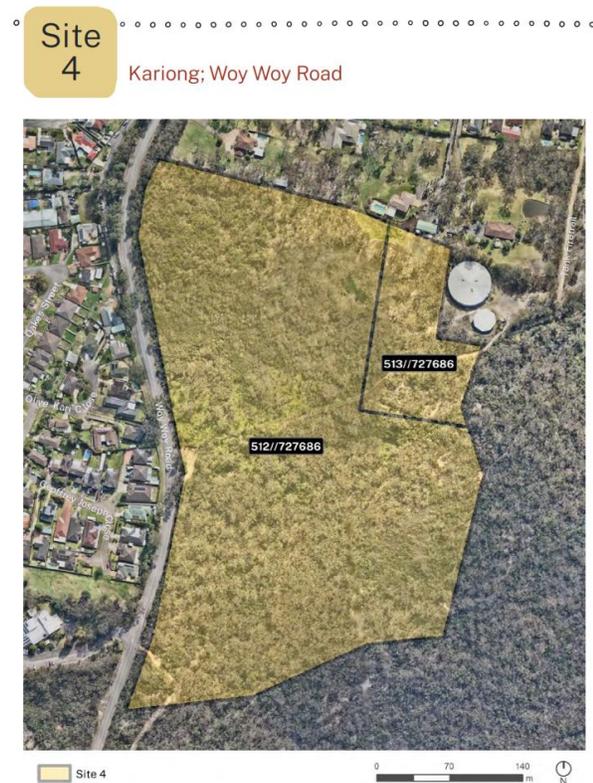


Figure 3: Kariong site mapped in the Darkinjung DDP

### Q2. Is the planning proposal the best means of achieving the objective of the planning proposal or is there a better way?

Yes. The planning proposal is the best means of achieving the planning proposal's objective to enable residential and environmental conservation outcomes.

The site has been assessed as having development potential for up to 50 dwellings on 6.1ha of the site given that it:

- adjoins an existing urban area to the north and west;
- has access to existing infrastructure and services; and
- provides an opportunity to secure over half the site for long-term environmental conservation.

The current planning controls, including the C2 Environmental Conservation zoning, do not reflect the site's development potential and therefore a planning proposal is required.

Other options considered to achieve the planning proposal's objective include:

- seeking to vary applicable development standards via clause 4.6 of the relevant LEP;
- whether the outcome could be achieved through an amendment to a development control plan; and
- waiting for council to finalise a study and/or separate planning proposal.

The proposal is beyond the scope of a clause 4.6 variation and could not be achieved via an amendment to the Central Coast Development Control Plan. Central Coast Council does not intend to rezone the site through a Council-led planning proposal and there are no further studies required to inform the planning proposal.

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## Section B – relationship to strategic planning framework

### Q3. Will the planning proposal give effect to the objectives and actions of the Central Coast Regional Plan 2041?

Yes. The site is identified in the Central Coast Regional Plan 2041 (CCRP 2041) for residential investigation within the Somersby regionally significant growth area (refer to Figure 4 below).

The planning proposal gives effect to:

- Objective 2 to support the right of Aboriginal residents to economic self-determination by enabling Darkinjung LALC to achieve its development aspirations for land that is has reclaimed from the Crown;
- Action 2.1 by implementing the Darkinjung DDP and enabling Darkinjung LALC to achieve its development aspirations for land that has been strategically assessed for its development suitability; and
- Action 2.3 by facilitating the progression of a planning proposal identified in the Darkinjung DDP and that has addressed relevant site-specific considerations, including environmental values and infrastructure demands, as outlined in this planning proposal.

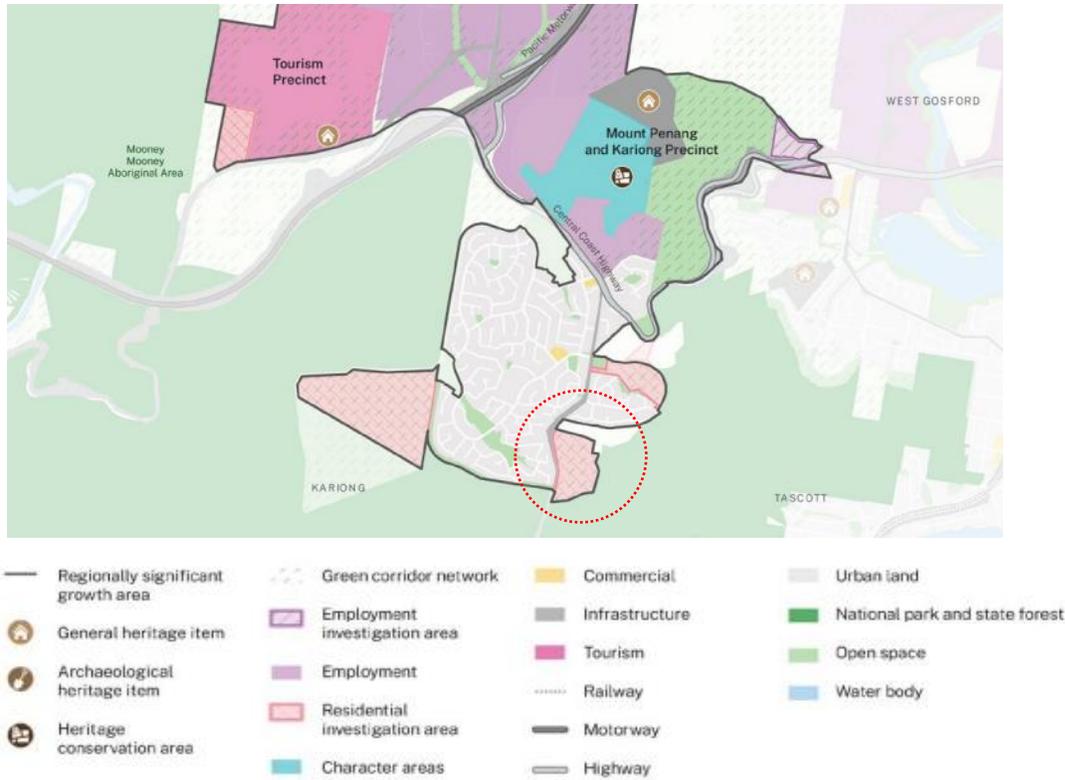


Figure 4: Woy Woy Road, Kariong site identified in CCRP 2041 as 'Residential investigation area'

Table 2 below explains how the proposal relates to relevant strategies in the CCRP 2041.

Table 2: Assessment against Central Coast Regional Plan 2041

Central Coast Regional Plan	Consistency
Objective 1: A prosperous Central Coast with more jobs close to home	
Strategy 1.2	The strategy is not applicable as the planning proposal does not propose new employment lands.
Strategy 1.5	The strategy is not applicable as the planning proposal does not relate to a power station site.
Objective 2: Support the right of Aboriginal residents to economic self-determination	
Nil	
Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities	

Central Coast Regional Plan	Consistency		
Strategy 3.2	<p>The strategy is applicable as it proposes a residential zone within a general suburban context. The strategy requires that the following uses not be prohibited:</p> <table border="1" data-bbox="483 436 1458 793"> <tr> <td> <ul style="list-style-type: none"> <li>• business premises</li> <li>• restaurants or cafes</li> <li>• take-away food and drink premises</li> <li>• neighbourhood shops and supermarkets</li> <li>• educational establishments</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>• early education and care facilities</li> <li>• health services facilities</li> <li>• markets</li> <li>• community facilities</li> <li>• recreation areas</li> </ul> </td> </tr> </table> <p>The R2 zone in the CCLEP 2022 prohibits the above land uses, except for neighbourhood shops, educational establishments and community facilities.</p> <p>The planning proposal does not seek to permit the remaining uses and is therefore inconsistent with the strategy. However, the proposal relies on access to the Kariong local centre where those uses are permitted and currently available, including businesses premises, restaurants and cafes, take-away food and drink premises, a neighbourhood supermarket and medical centre.</p> <p>The centre is estimated to be a 10min walk and 3min bike ride from the boundary of the planning proposal site. Given the availability of these uses within a 15-min walk or cycle of the site, the planning proposal’s inconsistency with the strategy is justified.</p>	<ul style="list-style-type: none"> <li>• business premises</li> <li>• restaurants or cafes</li> <li>• take-away food and drink premises</li> <li>• neighbourhood shops and supermarkets</li> <li>• educational establishments</li> </ul>	<ul style="list-style-type: none"> <li>• early education and care facilities</li> <li>• health services facilities</li> <li>• markets</li> <li>• community facilities</li> <li>• recreation areas</li> </ul>
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Strategy 3.3	The strategy is not applicable as the planning proposal’s proposed residential yield is less than 1,500 dwellings.		
Objective 4: An interconnected Central Coast without car-dependent communities			
Nil			
Objective 5: Plan for ‘nimble neighbourhoods’, diverse housing and sequenced development			

Strategy 5.3

The strategy is applicable as it proposes a residential zone within a general suburban context.

The strategy requires certain housing typologies not to be prohibited. The following provides an assessment against those housing typologies:

Housing typologies	Planning proposal response
Attached dwellings	<p>Prohibited in the R2 zone under the CCLEP.</p> <p>The planning proposal does not seek to permit attached dwellings. This housing typology requires each attached dwelling to be on its own lot and would result in lots that are smaller than the proposed minimum lot size of 550m<sup>2</sup> and are therefore viewed as incompatible with the low-density scale of the intended built form.</p>
Boarding houses	<p>Prohibited in the R2 zone under the CCLEP.</p> <p>The planning proposal does not seek to permit boarding houses. This housing typology is not aligned with the scale of the development envisioned, being a maximum of 50 dwellings.</p>
Dual occupancies	<p>Currently permitted with consent in the R2 zone under the CCLEP.</p> <p>The planning proposal seeks to permit dual occupancies under a Community Title Scheme as an additional permitted use.</p>
Group homes	<p>Currently permitted with consent in the R2 zone under the CCLEP.</p> <p>The planning proposal seeks to permit group homes under a Community Title Scheme as an additional permitted use.</p>

Central Coast Regional Plan	Consistency	
	Multi dwelling housing	<p>Prohibited in the R2 zone under the CCLEP.</p> <p>The planning proposal also seeks to permit multi dwelling housing under a Community Title Scheme as an additional permitted use.</p>
	Secondary dwellings	<p>Currently permitted with consent in the R2 zone under the CCLEP.</p> <p>The planning proposal also seeks to permit secondary dwellings under a Community Title Scheme as an additional permitted use.</p>
	Semi-detached dwellings	<p>Currently permitted with consent in the R2 zone under the CCLEP.</p> <p>The planning proposal also seeks to permit semi-detached dwellings under a Community Title Scheme as an additional permitted use.</p>

Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments

Strategy 6.4	The strategy is applicable as the planning proposals relates to land within the biodiversity network.
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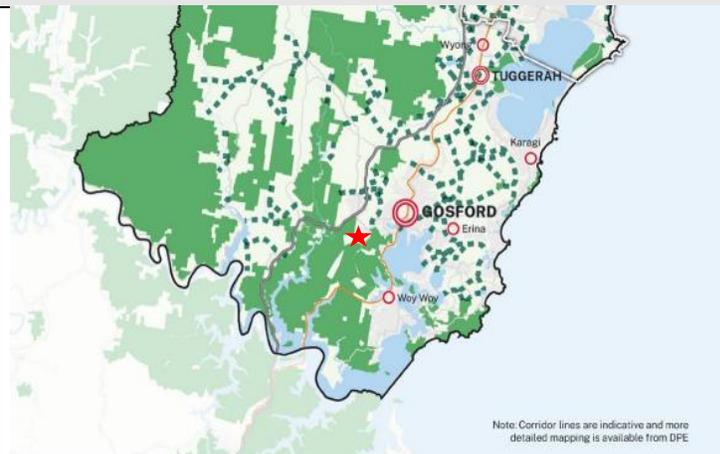


Figure 5: Biodiversity network

- |                                   |                                  |
|-----------------------------------|----------------------------------|
| — Central Lakes district boundary | — Railway                        |
| — Regional boundary               | — Motorway                       |
| ⊙ Metropolitan city               | — Road                           |
| ⊙ Regional city                   | ■ National park and state forest |
| ⊙ Strategic centre                | ■ Urban land                     |
| ••• Biodiversity corridors        | ■ Water body                     |



The strategy requires protection of the biodiversity network within an appropriate conservation zone unless an alternate zone is justified following application of the avoid, minimise, offset hierarchy.

The planning proposal will retain more than half of the site (7.1ha) within the existing C2 Environmental Conservation to protect the site’s high conservation values. The proposed zoning has been determined following application of avoidance and mitigation measures.

Darkinjung has indicated it is committed to providing a biodiversity offset strategy that appropriately compensates for the unavoidable loss of biodiversity values.

Strategy 6.5

The strategy is applicable as the planning proposals relates to land within the biodiversity network.

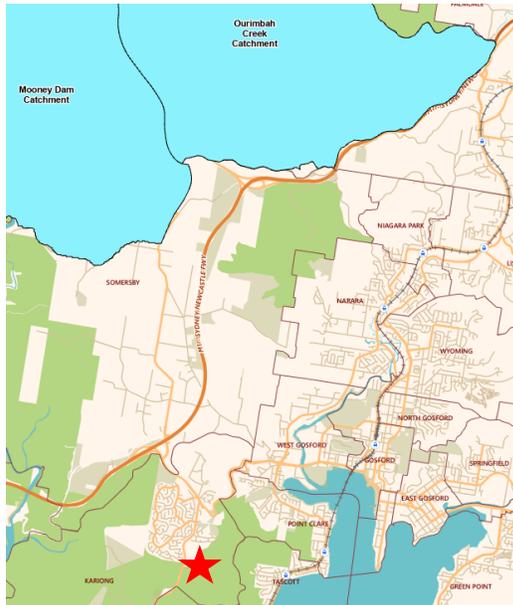
The strategy requires planning proposals to promote enterprises, housing and other uses that complement the biodiversity, scenic and water quality outcomes of biodiversity corridors. Particularly, where they can help safeguard and care for natural areas on privately owned land.

The planning proposal complement the adjoining biodiversity network by retaining the southern portion of the site within an environmental conservation zone and

Central Coast Regional Plan	Consistency
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focusing development within the northern portion of the site adjoining existing urban development.

Strategy 6.12 The strategy is not applicable as the site does not lie within a drinking water catchment (DWC), with the two nearest catchments (Mooney Dam and Ourimbah Creek) located to the north of the site, north-west of the M1 Pacific Motorway.



Objective 7: Reach net zero and increase resilience and sustainable infrastructure

Strategy 7.5 The strategy is applicable as it proposes a sensitive land use (i.e. residential). The strategy requires planning proposals to protect sensitive land uses from sources of air pollution, such as major roads, railway lines and designated freight routes, using appropriate planning and development controls and design solutions to prevent and mitigate exposure and detrimental impacts on human health and wellbeing.

The area proposed for development adjoins existing urban land uses to the north and west. The site is bounded by Woy Woy Road to the west however is unlikely to be a potential source of air or noise pollution given the opportunity to retain or plant new vegetation between the road and future dwellings.

The site is also located approximately 2,150m northeast of a rifle range (see below). The existing distance between the proposal and the rifle range will provide a sufficient buffer and protection from noise pollution for any future residents.

Central Coast Regional Plan	Consistency
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Objective 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities	
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Strategy 8.2	The strategy is not applicable as the planning proposal does not propose new commercial activity.
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Strategy 8.6	The strategy is not applicable as the planning proposal does not intend to facilitate tourism activities.
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Objective 9: Sustain and balance productive rural landscapes	
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Strategy 9.1	<p>The strategy is applicable as it requires consideration of the location of mineral and energy resources, mines and quarries and ensure sensitive land uses would not encroach on those operations.</p> <p>The subject area is located approximately 2km and 3km to the southeast of two nearby quarries in Somersby, and 3.7km north of a sand/landscaping supply site. The proposed development will not impact on these operations given the substantial buffer distances form the planning proposal site.</p> <p>The Geological Survey of NSW has advised that is has no objections to the proposal.</p>
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Strategy 9.4

The strategy is not applicable as the planning proposal does not relate to the expansion of a rural town or village.

#### Q4. Is the planning proposal consistent with the Central Coast Local Strategic Planning Statement or another endorsed local strategy or strategic plan?

Yes. The planning proposal is consistent with the:

- Central Coast Local Strategic Planning Statement (LSPS);
- Coastal Open Space System (COSS) Strategy; and
- Somersby to Erina Corridor Strategy.

#### Central Coast Local Strategic Planning Statement (LSPS)

As outlined in response to Question 1 of this planning proposal, the Central Coast LSPS (2020) identifies the site on the housing precincts map, along with other Darkinjung-owned land identified under chapter 3 – Aboriginal Land of the Planning Systems SEPP (previously SEPP (Aboriginal Land) 2019) (refer to Figure 5 below).

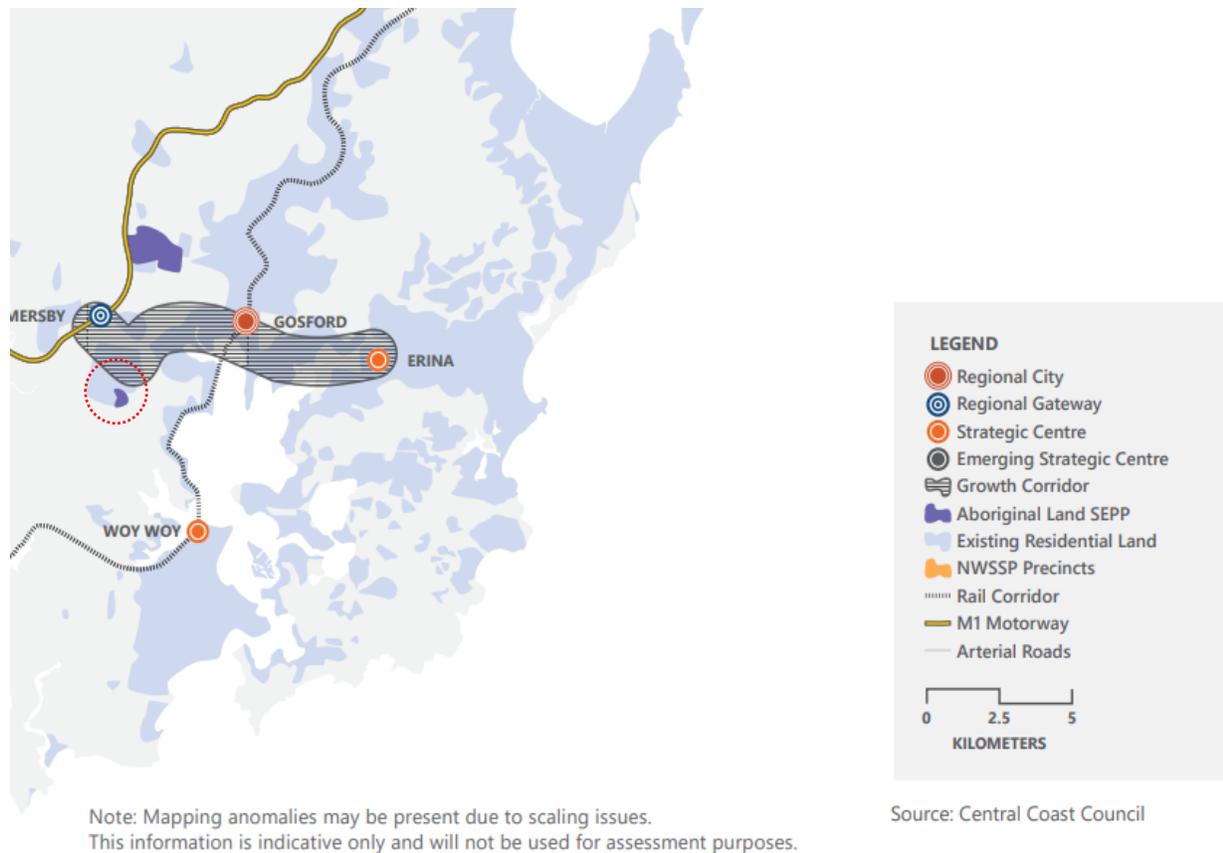


Figure 5: Detail of Housing Precincts Map from Central Coast LSPS showing the subject site in red

## **Coastal Open Space System (COSS) Strategy**

The COSS Strategy aims to protect and secure lands for the protection of native flora and fauna. The site is identified by the COSS Strategy as a private landholding with potential for incorporation into the COSS (refer to Figure 6 below).

The COSS Strategy recognises that not all private land may be available for incorporation into the COSS and negotiations between Council and landowners is required.

The planning proposal is consistent with the COSS Strategy because the proposed environmental conservation zone applying to over half of the site will contribute to the function of the COSS and broader biodiversity network.

In determining the long-term management arrangements for the site's environmental conservation area, Darkinjung LALC may consider the potential dedication or transfer of the proposed environmental conservation lands into the COSS. It's expected that any such arrangements would be determined via the biodiversity certification process under the *Biodiversity Conservation Act 2016*.

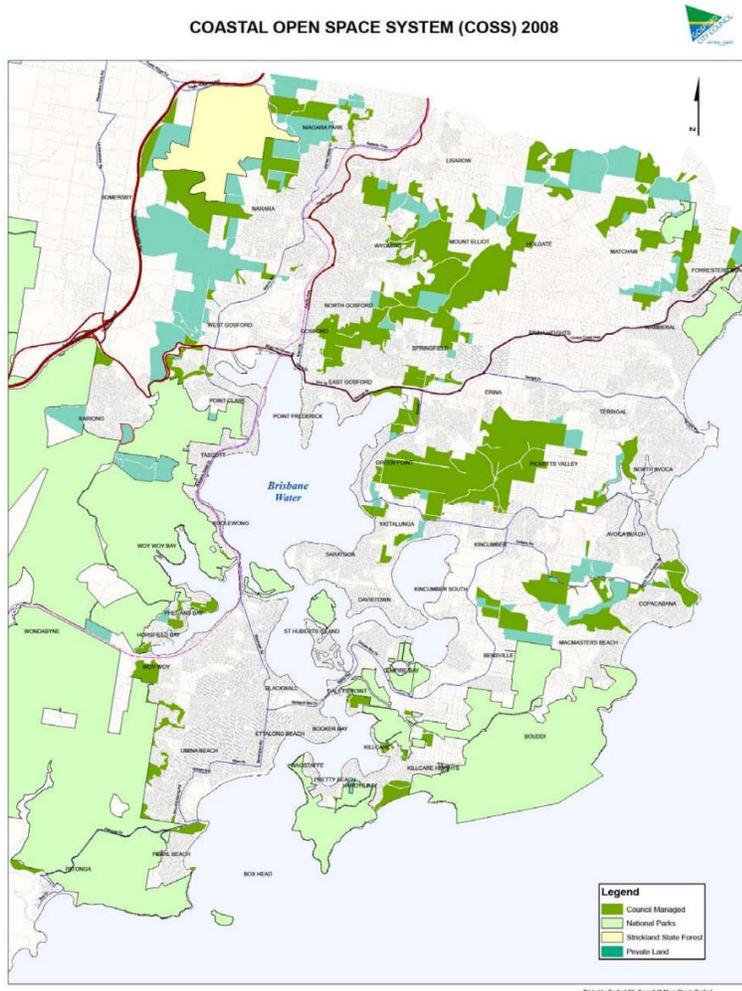


Figure 6: COSS map identifying privately owned land as part of the COSS (Central Coast Council, 2010). Woy Woy Rd, Kariong is indicated in red.

## Somersby to Erina Corridor Strategy

The site is located in the Central Coast’s southern growth corridor from Somersby to Erina. (refer to Figure 7). Council’s Somersby to Erina Corridor Strategy envisions future character in Kariong to consist of low scale residential development. This is supported by Direction 9 of the strategy to “Retain and enhance the existing residential amenity of Kariong and its local centre”.

The planning proposal is consistent with the strategy as it proposes a low-density residential zone, adjoining existing urban development. The planning proposal will allow a maximum of 50 dwellings across the 6.1ha residential zoning area, reflecting a density of 8 dwellings per hectare.

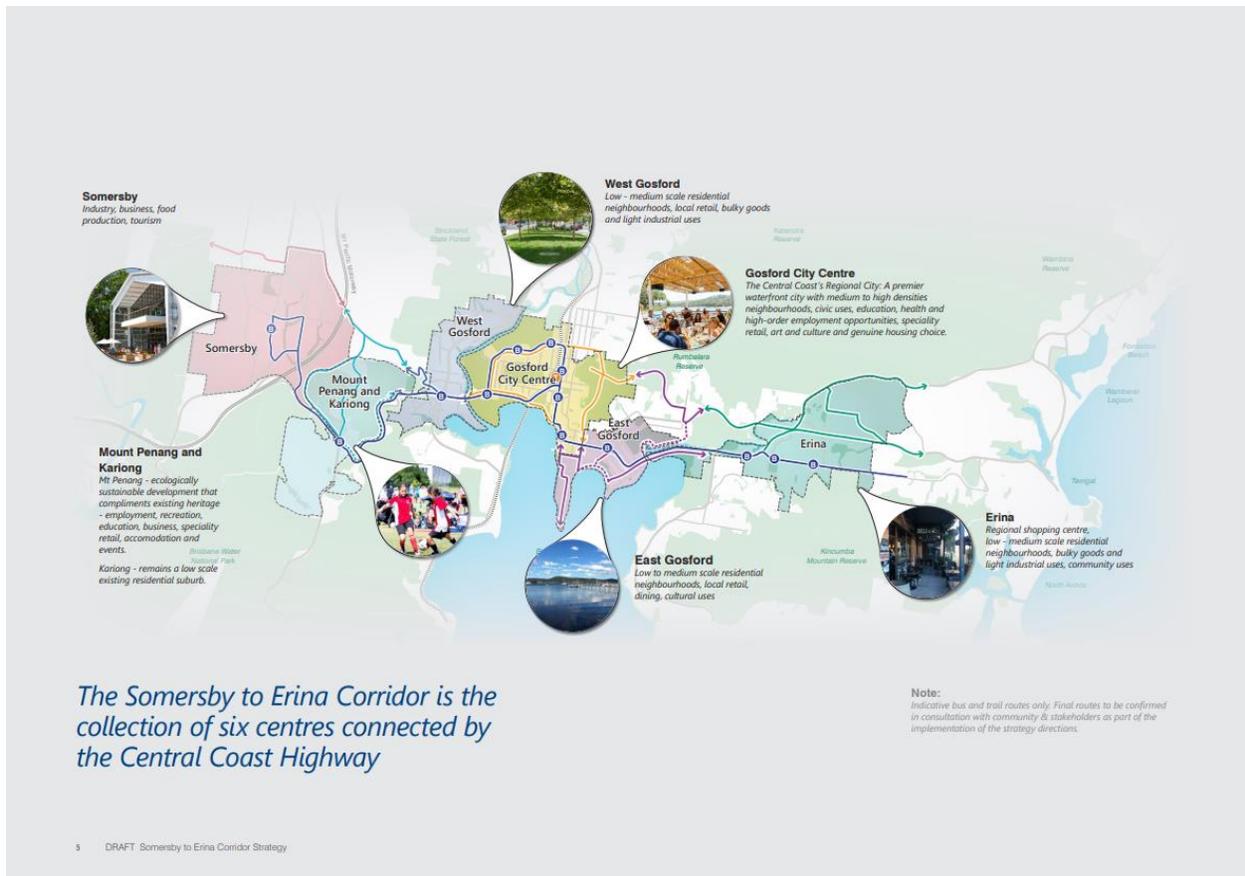


Figure 7: Somersby to Erina Corridor Strategy (Central Coast Council, 2019)

## Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

### NSW Housing Strategy

Yes. The proposal is consistent with NSW Housing Strategy aspirations for 2041, including:

1. delivering housing supply in the right locations at the right time by giving effect to the *Central Coast Regional Plan 2041* which identifies the site as a residential investigation area;
2. providing housing that is diverse and meets varied and changing needs by incorporating low density residential zoning that will enable various lot size and housing typology options to be developed and adapted over time;
3. providing housing that is affordable and secure by providing new housing opportunities within an established suburban area with access to local facilities, employment opportunities and jobs; and
4. delivering enduring and resilient housing by designing in response to natural hazards, such as extreme heat, bushfires, flooding.

## Q6. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Table 3: Assessment of State Environmental Planning Policies

Assessment of State Environmental Planning Policies
State Environmental Planning Policy (Planning Systems) 2021

### Chapter 2 State and regional development

The policy aims to identify development that is State significant development, State significant infrastructure, critical State significant infrastructure, and regionally significant development.

The proposal is capable of being determined as regionally significant development should the planning proposal proceed given that it comprises land owned by a Local Aboriginal Land Council as set out in chapter 3 of the Planning Systems SEPP.

The planning proposal is consistent with chapter 2 of the Planning Systems SEPP.

### **Chapter 3 Aboriginal land**

The policy aims to provide for development delivery plans for areas of land owned by Aboriginal Land Councils to be considered when development applications are considered, and to declare specified development carried out on land owned by Aboriginal Land Councils to be regionally significant development.

The planning proposal comprises Darkinjung LALC land as shown on the Land Application Map of the Planning Systems SEPP. A development delivery plan (DDP) has been made under the SEPP and the planning proposal authority must take the DDP into account when preparing a Planning Proposal.

As outlined in response to Question 1 of this planning proposal, the proposal is a result of the Darkinjung DDP and is therefore consistent with the Planning Systems SEPP.

**The planning proposal is consistent with chapter 3 of the Planning Systems SEPP.**

### **Chapter 2 Vegetation in non-rural areas**

The policy aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Chapter 2 applies to land zoned C2 Environmental Conservation under an environmental instrument. The site is currently zoned C2 under CCLEP 2022 and therefore the policy applies to this planning proposal.

The policy states that priority is to be given to retaining bushland, unless it is satisfied that significant environmental, economic, or social benefits will arise which outweigh the value of the bushland.

While the proposed rezoning will result in the removal of bushland, over half of the site will remain undisturbed and contained in the existing C2 Environmental Conservation zone. The proposal will also support social and economic opportunities for the local Aboriginal community by supporting economic self-determination of Darkinjung Local Aboriginal Land Council in line with the objectives

## Assessment of State Environmental Planning Policies

of the Aboriginal Land Planning Framework. The policy will need to be considered further through the development assessment process.

The planning proposal is justifiably inconsistent with chapter 2 of the Biodiversity and Conservation SEPP.

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### Chapter 4 Koala habitat protection 2021

The policy aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

The planning proposal is supported by a Biodiversity Assessment Report (Umwelt, May 2022). The report advised that koalas were not detected on the site. As koalas were not detected on the site, the proposal will not impact identified koala habitat and population and is consistent with this direction.

The planning proposal is consistent with chapter 4 of the Biodiversity and Conservation SEPP.

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### Chapter 6 Water catchments

The policy aims to ensure planning authorities consider the effect and/or impact of proposed development on water quality and quantity and applies to regulated catchments, including the Hawkesbury-Nepean Catchment.

The site adjoins the boundary of the Hawkesbury-Nepean Catchment, with part of the site falling to the west and draining to the Hawkesbury-Nepean Catchment (refer to Figure 8). Consideration is therefore required to be given to the requirements of the policy.

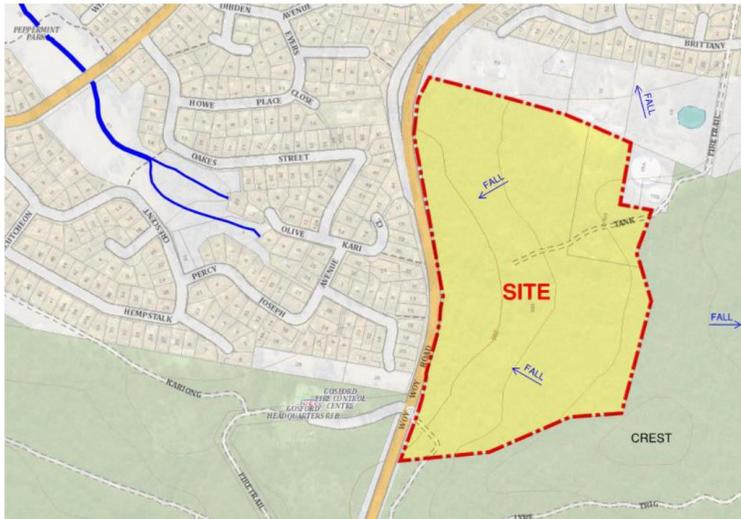


Figure 8: Existing downstream watercourse (Northrop, 2022)

The planning proposal is supported by a preliminary servicing assessment report which considers the impact of the proposed development on water quantity and quality. The report concludes that onsite detention measures can be adopted to attenuate post developed flows to pre-developed rates. In addition to this, through the adoption of water sensitive urban design principles, water quality reduction targets can be achieved. A detailed servicing strategy would be prepared to support any future development application for subdivision of the land.

The planning proposal is consistent with chapter 6 of the Biodiversity and Conservation SEPP.

State Environmental Planning Policy (Resilience and Hazards) 2021

### Chapter 4 Remediation of land

The policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

The preliminary site contamination assessment report (refer Figure 9) submitted with the planning proposal concludes that:

- asbestos containing material (ACM) was identified in one of the four stockpile samples from the area proposed for residential development. Concentrations were not considered to pose a risk to human health;
- two locations within the proposed residential zone returned total recoverable hydrocarbons concentrations more than the ecological criteria but as these locations were outside the proposed environmental conservation zone, they are not considered to pose a constraint to the development;

## Assessment of State Environmental Planning Policies

- no suspected contamination or illegal dumping of waste was identified within the proposed environmental conservation zone; and
- conditions at the site are suitable for the proposed residential and environmental conservation zoning.

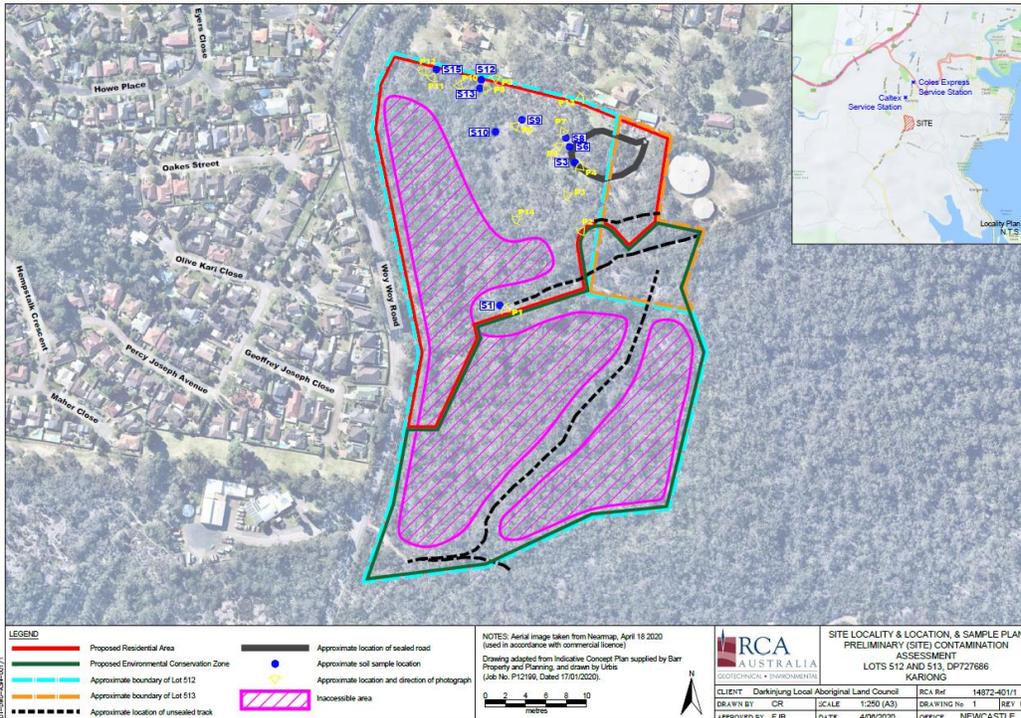


Figure 9: Sample plan – preliminary site contamination assessment

Given the findings of the preliminary site contamination assessment report, the planning proposal is consistent with this policy.

The planning proposal is consistent with chapter 4 of the Resilience and Hazards SEPP.

## State Environmental Planning Policy (Transport and Infrastructure) 2021

### Chapter 2 Infrastructure

The policy aims to facilitate the effective delivery of infrastructure across the State.

The ability for infrastructure to be provided to the additional dwellings has been assessed as part of the proposal. The proposal is supported by a preliminary servicing assessment (Northrop, 2022) and preliminary traffic advice (SECA solution, May 2020).

The preliminary servicing assessment concluded that service infrastructure, including electricity, telecommunications, and gas can be extended or augmented from existing adjacent services in

## Assessment of State Environmental Planning Policies

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Kariong. Water and sewer connections are required to service the site and advice has been sought from Central Coast Council's water and sewer section on the design and location of these services.

The preliminary traffic advice indicates that there is sufficient capacity in the existing road network to cope with the additional population that would result from the rezoning. Transport for New South Wales were consulted post-Gateway and did not raise an objection to the planning proposal.

Further consideration infrastructure provision is provided in response to Question 11 of this planning proposal.

**The planning proposal is consistent with chapter 2 of the Transport and Infrastructure SEPP**

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## State Environmental Planning Policy (Housing) 2021

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### **Chapter 2 Affordable housing**

The policy aims to encourage the development of housing that will meet the needs of more vulnerable members of the community.

A key objective of the proposal is to improve housing affordability by delivering greater housing choice. Opportunities for affordable housing can be considered at the development application stage.

The planning proposal outcomes are capable of satisfying the requirements of the Housing SEPP.

**The planning proposal is consistent with chapter 2 of the Housing SEPP.**

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### **Chapter 3 Diverse housing**

The policy aims to enable the development of diverse housing types.

The planning proposal includes the provision of an additional permitted use clause that will permit a range of housing typologies within a community title scheme. This includes secondary dwellings, multi-dwelling housing, and group homes.

**The planning proposal is consistent with chapter 3 of the Housing SEPP.**

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## State Environmental Planning Policy (Resources and Energy) 2021

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### **Chapter 2 Mining, petroleum production and extractive industries**

The policy aims to recognise the importance of mining, petroleum production and extractive industries to New South Wales.

## Assessment of State Environmental Planning Policies

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The planning proposal is unlikely to impact on mining, petroleum production or extractive industries. Geological Survey NSW has been consulted and supports the proposal.

The planning proposal is consistent with chapter 2 of the Resources and Energy SEPP.

---

### **Chapter 3 Extractive industries in Sydney area**

The policy aims to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area.

The planning proposal is unlikely to impact on extractive resources. Geological Survey NSW has been consulted and supports the proposal.

The planning proposal is consistent with chapter 3 of the Resources and Energy SEPP.

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## State Environmental Planning Policy (Primary Production) 2021

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### **Chapter 2 Primary production and rural development**

The policy aims to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources.

The site does not hold any existing agricultural value nor do the site attributes, including size, location and ground and soil conditions, indicate potential for future agricultural activity. The planning proposal will not undermine the ability for any existing farmers in exercising their right to farm or enable fragmentation of rural land that increases the risk of land use conflict between residential land uses and other rural land use.

The planning proposal is consistent with chapter 2 of the Primary Production SEPP.

## Q7. Is the planning proposal consistent with applicable section 9.1 Ministerial directions or key government priority?

Table 4: Assessment of Ministerial Directions

Assessment of Ministerial Directions
Focus area 1: Planning Systems
<b>1.1 Implementation of Regional Plans</b>
<u>Objective</u>
To give legal effect to the vision, strategy, goals, directions and actions contained in Regional Plans.
<u>Direction</u>
Planning proposals must be consistent with the relevant Regional Plan released by the Minister.
<u>Consistency</u>
The planning proposal is consistent with the CCRP 2041 as provided in response to Question 3.
The planning proposal is consistent with Ministerial Direction 1.1 Implementation of Regional Plans.
<b>1.2 Development of Aboriginal Land Council land</b>
<u>Objective</u>
To provide for the consideration of development delivery plans prepared under chapter 3 of the <i>State Environmental Planning Policy (Planning Systems) 2021</i> when planning proposals are prepared by a planning proposal authority.
<u>Direction</u>
As the planning proposal authority, the Hunter and Central Coast Regional Planning Panel must take into account the Darkinjung DDP.
<u>Consistency</u>
As outlined in response to Question 1 of this planning proposal, the Darkinjung DDP identifies the site as a short-term priority to assist Darkinjung LALC achieve its social and economic aspirations for the local Aboriginal community.
The planning proposal gives effect to the Darkinjung DDP and is consistent with the planning policy.
The planning proposal is consistent with Ministerial Direction 1.2 Development of Aboriginal Land Council land.

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### 1.3 Approval and Referral Requirements

#### Objective

To ensure that LEP provisions encourage the efficient and appropriate assessment of development.

#### Direction

A planning proposal must:

- minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority; and
- not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless approved by the appropriate Minister or public authority the Planning Secretary; and
- not identify development as designated development.

#### Consistency

The planning proposal does not propose to include provisions in the CCLEP 2022 that require the concurrence, consultation or referral of future development applications to a Minister or public authority.

## Assessment of Ministerial Directions

The planning proposal is consistent with Ministerial Direction 1.3 Approval and Referral Requirements.

### 1.4 Site Specific Provisions

#### Objective

To discourage unnecessarily restrictive site-specific planning controls.

#### Direction

A planning proposal to allow a particular development must either:

- a. allow that land use in the zone the land is situated on; or
- b. rezone the site to an existing zone that allows the land use; or
- c. allow that land use on the relevant land without imposing any development standards or requirements in addition to those contained in the existing principal environmental planning instrument being amended.

A planning proposal must also not contain or refer to drawings that show details of the proposed development.

#### Consistency

The planning proposal seeks to allow a particular development of a residential subdivision by rezoning the site to R2 Low Density Residential. On this basis, the planning proposal is consistent with Ministerial Direction 1.4 Site Specific Provisions.

However, the planning proposal is inconsistent with the direction as it proposes an additional permitted use clause to:

- enable subdivision of the land under a Community Title Scheme; and
- require a site-specific development control plan be prepared to address matters including future character, site access, visual amenity, bushfire, Aboriginal heritage, and environmental conservation.

#### Justification

A planning proposal may be inconsistent with this direction if the provisions of the planning proposal that are inconsistent are of minor significance.

The proposed provisions would provide flexibility in the final subdivision design outcome to ensure the appropriate protection and ongoing management of Aboriginal cultural heritage and biodiversity values.

## Assessment of Ministerial Directions

In this instance, the inconsistency is of minor significance given the improved conservation and development outcomes that would be enabled by the proposed additional permitted use clause.

The planning proposal is justifiably inconsistent with Ministerial Direction 1.4 Site Specific Provisions.

### Focus area 1: Planning Systems – Place-based

Nil

### Focus area 2: Design and Place

Nil

### Focus area 3: Biodiversity and Conservation

## 3.1 Conservation Zones

### Objective

To protect and conserve environmentally sensitive areas.

### Direction

A planning proposal:

1. must include provisions that facilitate the protection and conservation of environmentally sensitive areas; and
2. that applies to land within a conservation zone must not reduce the conservation standards that apply to the land.

### Consistency

The planning proposal is inconsistent with this direction as it reduces the conservation standards that apply to the land by seeking to rezone part of the site from C2 Environmental Conservation to R2 Low Density Residential and C3 Environmental Management.

### Justification

The planning proposal is justified by a Biodiversity Assessment Report (BAR) prepared in support of the planning proposal which considers the objectives of this direction.

## Assessment of Ministerial Directions

The BAR supports retaining over half of the site within the existing environmental conservation zoning while part of the site has been assessed as appropriate for development following application of the avoidance and mitigation measures.

The C2 Environmental Conservation zone will have a 5ha minimum lot size to facilitate a suitable subdivision that enables long term conservation of the land.

Darkinjung LALC are committed to delivering a biodiversity offset strategy that appropriately compensates for the unavoidable loss of biodiversity values because of the project under the *Biodiversity Conservation Act 2016* and the *Biodiversity Conservation Regulation 2017*. The project design and development footprint were altered at the project planning stage to avoid and minimise biodiversity impacts. A range of impact mitigation strategies to mitigate the impact of ecological values were also considered prior to consideration of offsetting requirements.

The BAR adequately demonstrates the avoidance and mitigation of biodiversity impacts. The BAR identifies the residual biodiversity impacts and any likely credit obligations of the development.

Credit obligations required to offset any development impacts will be considered through the relevant biodiversity approval pathways in accordance with the provisions of the *Biodiversity Conservation Act 2016* and *Environmental Planning and Assessment Act 1979*. This may include progression of a:

- strategic biocertification;
- the establishment and retirement of credits within a stewardship site;
- securing required credits through the open credit market; and/or
- payments to the Biodiversity Conservation Fund.

The planning proposal is justifiably inconsistent with Ministerial Direction 3.1 Conservation Zones.

Further consideration of biodiversity values is provided in response to Question 8 of this planning proposal.

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## 3.2 Heritage Conservation

### Objective

To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

### Direction

A planning proposal must contain provisions that facilitate the conservation of Aboriginal and non-Aboriginal heritage.

Consistency

*Aboriginal heritage*

An Aboriginal Cultural Heritage Assessment was prepared in support of the planning proposal to facilitate the conservation of Aboriginal heritage in accordance with Ministerial Direction 3.2.

Several Aboriginal heritage items have been recorded within the site (refer to Figure 10), although these are outside the area of impact. One identified item in the vicinity of the site's northern boundary is proposed to be protected from development impacts by being incorporated into a local park, with appropriate landscape elements surrounding the item.

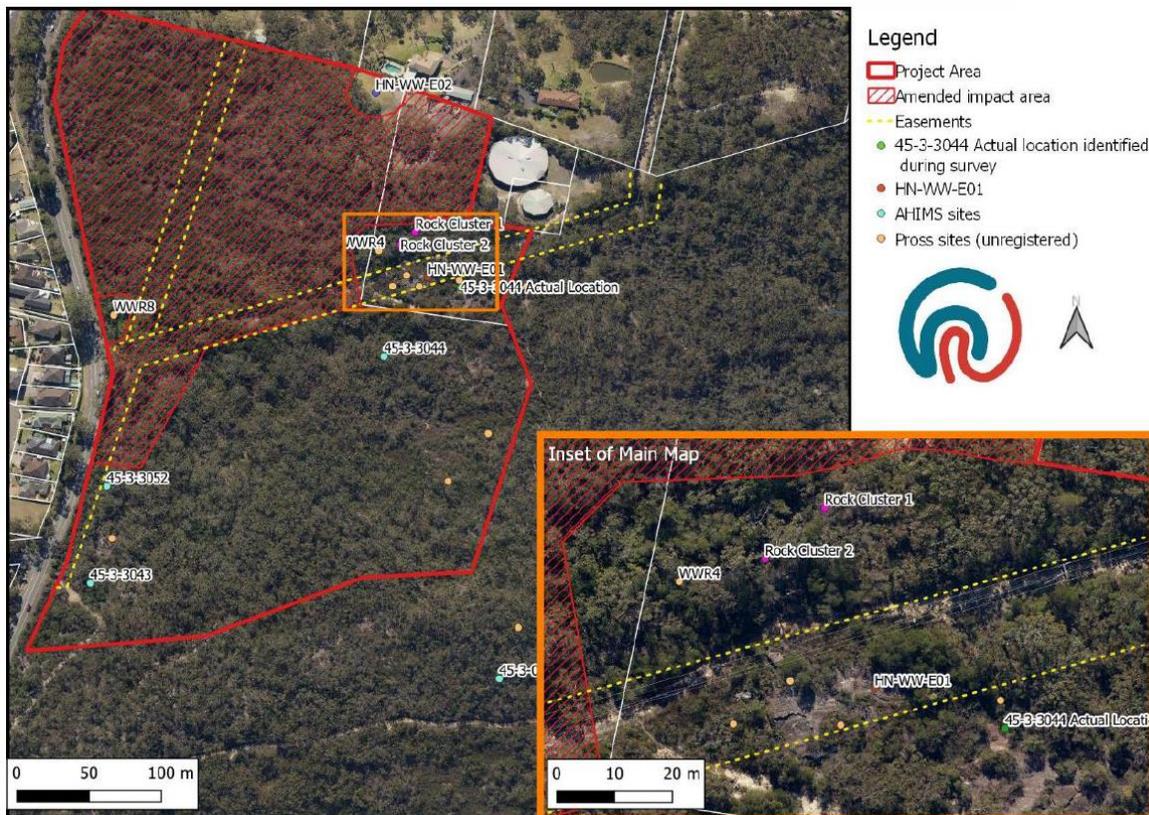


Figure 10: Impact area with Aboriginal sites (Heritage Now, 2019)

Following consultation with Heritage NSW, the planning proposal was amended to include an additional permitted use clause to provide a flexible approach to the delivery of housing on the site that will avoid impact on Aboriginal heritage. This will assist the design of any subsequent development being responsive to any potential unknown items being discovered.

A minimum lot size of 4,000m<sup>2</sup> is proposed for part of the site containing a cluster of Aboriginal sites. The land will be retained within the current environmental conservation zoning.

## Assessment of Ministerial Directions

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Applying a minimum lot size of 4,000m<sup>2</sup> minimum lot size will enable subdivision of the area and:

- ensure the cluster of Aboriginal sites are protected from development impacts, as identified in the Concept Proposal, urban design principles, and De;
- separate the biodiversity conservation and Aboriginal heritage conservation areas if required to satisfy any requirements of the *Biodiversity Conservation Act 2016*;
- allow for appropriate ownership and management of the site as a pocket park or similar, that could be retained by Darkinjung LALC, contained within a community title scheme as community land, or potentially dedicated to Council.

### *Non-Aboriginal heritage*

The site does not contain any items of heritage significance listed in Central Coast LEP 2022 or the State Heritage Register, and it is not located within a heritage conservation area.

The planning proposal is consistent with Ministerial Direction 3.2 Heritage Conservation.

---

## 3.5 Recreation Vehicle Areas

### Objective

To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

### Direction

A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area on certain land.

### Consistency

The proposal is consistent with the direction as it does not propose to enable land to be developed for a recreation vehicle area.

The planning proposal is consistent with Ministerial Direction 3.5 Recreation Vehicle Areas.

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## 3.7 Public Bushland

### Objective

To protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland.

### Direction

## Assessment of Ministerial Directions

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A planning proposal must be consistent with the objective of the direction and gives priority to retaining public bushland, unless the planning proposal authority is satisfied that significant environmental, economic or social benefits will arise that outweigh the value of the public bushland.

### Consistency

The proposed rezoning will result in the removal of bushland that is currently in private ownership. However, over half the site will remain in environmental conservation zone.

### Justification

A planning proposal may be inconsistent with the terms of this direction if justified by the Central Coast Regional Plan 2041. In this instance, the site is identified in the Central Coast Regional Plan 2041 (CCRP 2041) for residential investigation within the Somersby regionally significant growth area.

The proposal will also support social and economic opportunities for the local Aboriginal community by supporting economic self-determination of Darkinjung Local Aboriginal Land Council in line with the objectives of the Aboriginal Land Planning Framework.

The planning proposal is justifiably inconsistent with Ministerial Direction 3.7 Public Bushland.

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## 3.10 Water Catchment Protection

### Objectives

- a. To maintain and improve the water quality (including ground water) and flows of natural waterbodies, and reduce urban run-off and stormwater pollution
- a. To protect and improve the hydrological, ecological and geomorphological processes of natural waterbodies and their connectivity
- b. To protect and enhance the environmental quality of water catchments by managing them in an ecologically sustainable manner, for the benefit of all users
- c. To protect, maintain and rehabilitate watercourses, wetlands, riparian lands and their vegetation and ecological connectivity.

### Application

The site adjoins the boundary of the mapped Hawkesbury-Nepean Catchment (refer to Figure 11):

## Assessment of Ministerial Directions

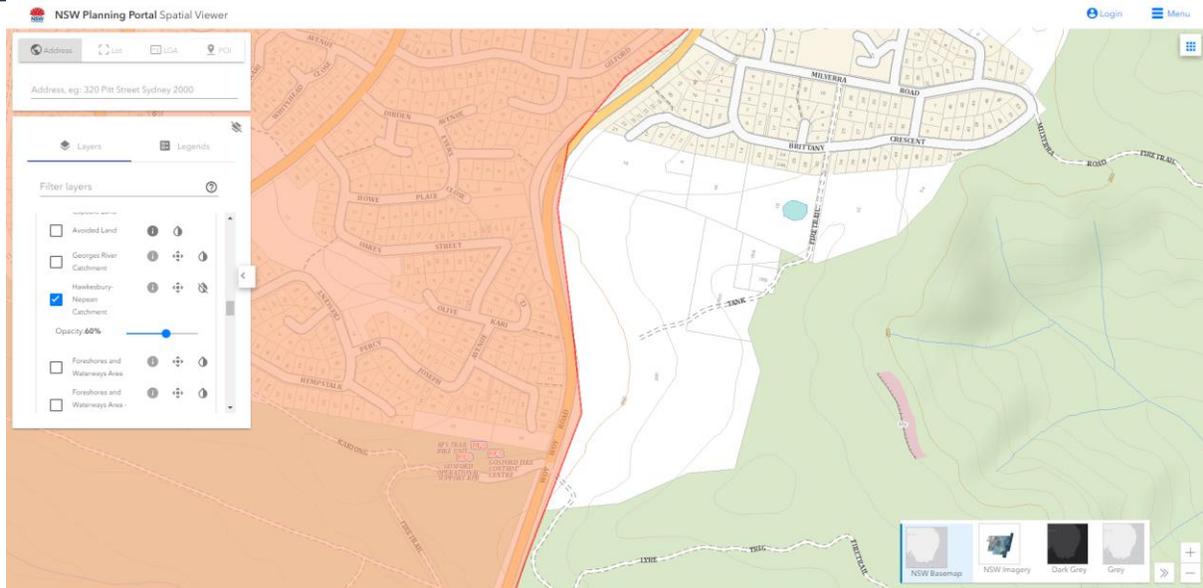


Figure 11: Hawkesbury-Nepean Catchment (ePlanning viewer, accessed November 2023)

While no land subject to the planning proposal is mapped within the catchment, the slope of the site indicates that stormwater runoff has the potential to fall west towards the catchment area.

### Direction

A planning proposal must be consistent with the objectives of this direction and

- demonstrate through a report prepared by a suitably qualified person(s) that the planning proposal considers adverse impacts on migratory animals or vegetation, impacts on water quality and water quantity; and
- identify how the planning proposal will protect and improve environmental values and the social, economic and environmental interests of the community.

### Consistency

The preliminary servicing assessment prepared in support of the planning proposal identifies stormwater management strategies, including the provision of a stormwater detention facility (refer Figure 12), to mitigate the impact on downstream property/waterways. The report concludes that the post-development impacts on water quality and quantity are negligible and unlikely to have any adverse impacts downstream.

Consultation with adjoining councils is not required in this instance given the planning proposal is unlikely to have an adverse environmental impact on land downstream of the site

## Assessment of Ministerial Directions

The planning proposal is also supported by a Biodiversity Assessment Report that considers the impact of development on migratory animals and vegetation and found that any potential impacts can be avoided, mitigated or offset in accordance with the *Biodiversity Conservation Act 2016*.

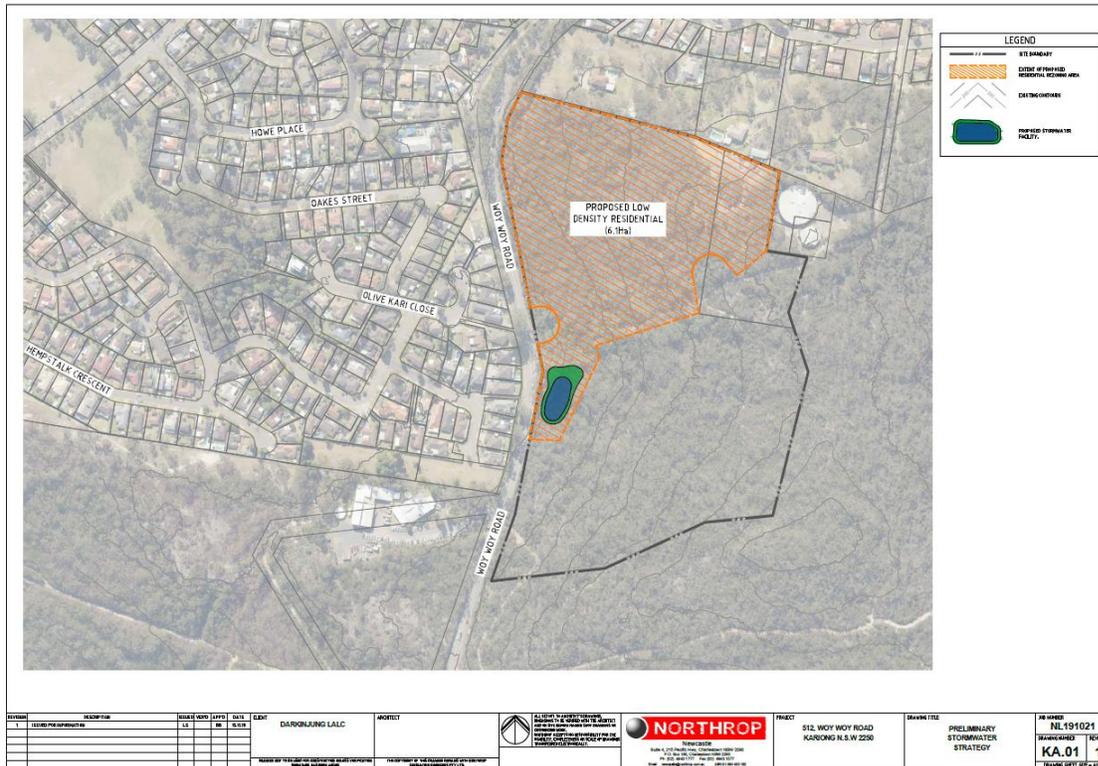


Figure 12: Preliminary Stormwater Strategy (Northrop, 2022)

The planning proposal is consistent with Ministerial Direction 3.10 Water Catchment Protection.

## Focus area 4: Resilience and Hazards

### 4.3 Planning for Bushfire Protection

#### Objectives

- To protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas; and
- To encourage sound management of bush fire prone areas.

#### Application

The site is mapped as bushfire prone land (Figure 13: Bushfire Prone Land Map:

## Assessment of Ministerial Directions

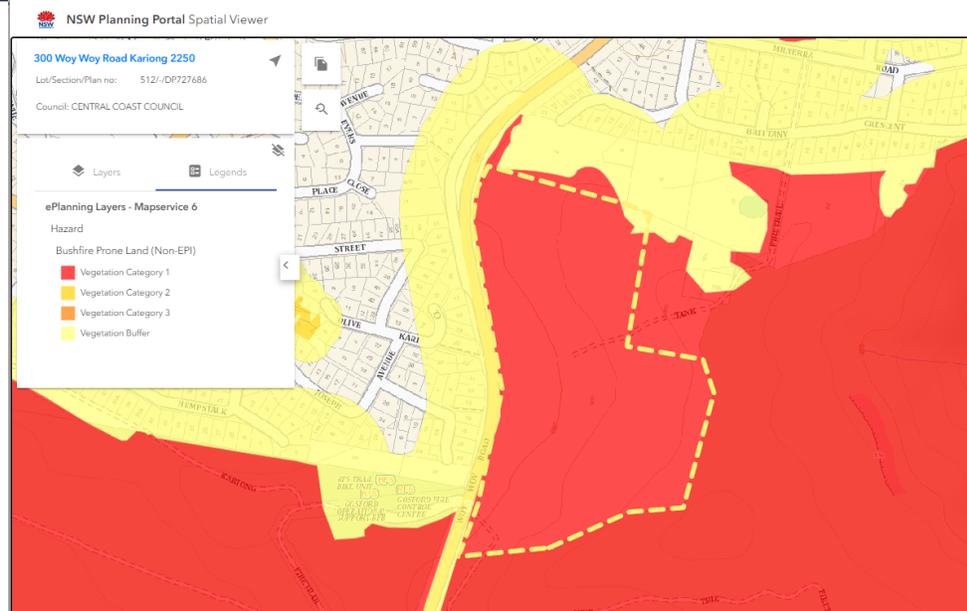


Figure 13: Bushfire Prone Land Map

### Direction

A planning proposal must:

- have regard to Planning for Bushfire Protection 2019,
- introduce controls that avoid placing inappropriate developments in hazardous areas, and
- ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).

### Consistency

NSW Rural Fire Service (RFS) were consulted on two occasions pre and post-Gateway determination. Initial pre-Gateway consultation (21 April 2021) required the preparation of a strategic bushfire study, and the follow up post-Gateway consultation (30 June 2022) considered the report. Consultation with RFS, dated 30 June 2022, confirms that the RFS had no objection to the planning proposal.

The strategic bushfire study report was prepared by BCBHS, 2022 to comply with the initial advice from RFS. The report concluded that the proposed development has the capacity to comply with the relevant specifications and requirements of *Planning for Bush Fire Protection 2019* (PBP 2019).

The report further concluded that the proposed development, in combination with the bushfire protection measures in the study recommendations, will not result in areas that are difficult to evacuate, create control difficulties during a bushfire or adversely affect other bush fire protection strategies or place existing development at increased risk.

## Assessment of Ministerial Directions

The study findings confirm an earlier preliminary bushfire risk assessment report (Umwelt, 2019) which concluded that compliance with the requirements of PBP 2019 can be achieved if the proposed development, APZ areas, access and water supply facilities within the subject development site are constructed/designed/maintained in accordance with the report recommendations.

RFS did note however, that the indicative concept plan provided as part of this planning proposal did not provide sufficient detail to satisfy PBP 2019, in relation to the requirement to provide more than one access in and out of the development for subdivisions of three or more allotments. The planning proposal was amended following consultation with the RFS in June 2022 to include an emergency egress (refer Figure 14: Residential asset protection zone overlay (BCBHS, 2022)). This is to be addressed in the Site Specific DCP to be prepared and considered in future Development Applications.

Future development applications for the site will also need to be supported by a Bush Fire Assessment Report which has been produced in accordance with the requirements of Appendix 2 of PBP 2019.

The planning proposal is consistent with Ministerial Direction 4.3 Planning for Bushfire Protection.



Figure 14: Residential asset protection zone overlay (BCBHS, 2022)

## 4.4 Remediation of Contaminated Land

### Objective

## Assessment of Ministerial Directions

To reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.

### Application

The direction applies when a planning proposal authority prepares a planning proposal that applies to land on which development for residential purposes is proposed to be carried out.

### Direction

A planning proposal must not permit a change of use on land that is contaminated unless:

- the planning proposal authority has considered whether the land is contaminated,
- if the land is contaminated the planning proposal authority is satisfied the land is suitable in its contaminated site (or will be suitable, after remediation), and
- if the land requires remediation, the planning proposal authority is satisfied the land will be remediated before the land is used.

The planning proposal authority is also required to obtain a preliminary investigation report in relation to the potentially contaminated land.

### Consistency

The proposal is to carry out development for residential purposes. A Phase 1 Contamination Assessment (Preliminary Site Investigation) has been prepared in support of the planning proposal and concluded that:

- asbestos containing material (ACM) was identified in one of the four stockpile samples from the area proposed for residential development. Concentration was not considered to pose a risk to human health.
- two locations within the proposed residential zone returned total recoverable hydrocarbons concentrations in excess of the ecological criteria but as these locations were outside the proposed Environmental Conservation zone, they are not considered to pose a constraint to the development.
- No suspected contamination or illegal dumping of waste was identified within the proposed Environmental Conservation zone.
- conditions at the site are suitable for the proposed residential zone and Environmental Conservation zone.

The assessment concluded that the site conditions are suitable for the proposed residential and environmental conservation zones.

## Assessment of Ministerial Directions

The planning proposal is consistent with Ministerial Direction 4.4 Remediation of Contaminated Land.

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### 4.5 Acid Sulfate Soils

#### Objective

To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

#### Application

The site is not mapped as containing acid sulfate soils as per Figure 15 below:



Figure 15: Acid Sulfate Soils Map (Central Coast Council)

Ministerial Direction 4.5 Acid Sulfate Soils is not applicable to the planning proposal.

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### 4.6 Mine Subsidence and Unstable Land

#### Objective

To prevent damage to life, property and the environment on land identified as unstable or potentially unstable.

#### Application

The site is not in a Mine Subsidence District (MSD), with the nearest MSD located in Wyong to the north as per Figure 16 below:

## Assessment of Ministerial Directions

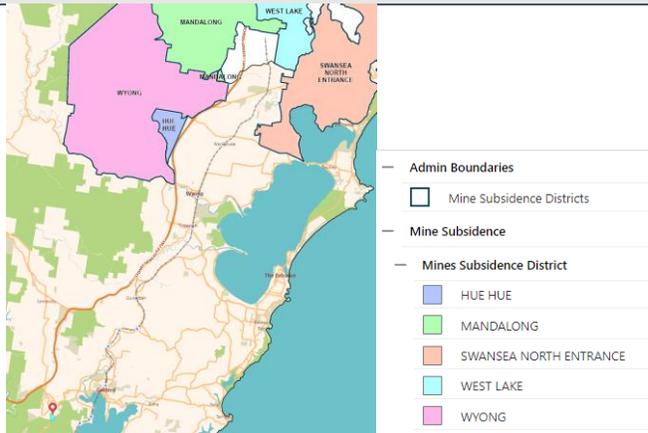


Figure 16: Mine Subsidence District Map (Central Coast Council)

Ministerial Direction 4.6 Mine Subsidence and Unstable Land is not applicable to the planning proposal.

### Focus area 5: Transport and Infrastructure

#### 5.1 Integrating Land Use and Transport

##### Objective

To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve specific planning objectives.

##### Direction

A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:

- a. Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and
- b. The Right Place for Business and Services – Planning Policy (DUAP 2001).

##### Consistency

Aims, objectives and principles	Consistency
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*Improving Transport Choice – Guidelines for planning and development*

## Assessment of Ministerial Directions

<p>Principles:</p> <ul style="list-style-type: none"> <li>• Concentrate in centres</li> <li>• Mix uses in centres</li> <li>• Align centres within corridors</li> <li>• Link public transport with land use strategies</li> <li>• Connect streets</li> <li>• Improve pedestrian access</li> <li>• Improve cycle access</li> <li>• Manage parking supply</li> <li>• Improve road management</li> <li>• Implement good urban design</li> </ul>	<p>The site directly adjoins the existing urban footprint of Kariong, which contains a small centre and is serviced by the Central Coast bus network.</p> <p>The planning proposal is supported by a servicing report which concludes the site has sufficient capacity to accommodate the proposed rezoning, subject to further investigations required to support detailed design of the subdivision application.</p> <p>Augmentation to existing infrastructure would be undertaken by the proponent in conjunction with infrastructure authorities and neighbouring development.</p>
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### *The Right Place for Business and Services – Planning Policy*

<p>Aim: To encourage a network of vibrant, accessible mixed-use centres which are closely aligned with and accessible by public transport, walking and cycling.</p>	<p>The planning proposal will reinforce Kariong centre’s role as a vibrant, accessible mixed-use centre.</p>
<p>Objectives:</p> <p>Locate trip-generating development which provides important services in places that:</p> <ul style="list-style-type: none"> <li>• help reduce reliance on cars and moderate the demand for car travel</li> <li>• encourage multi-purpose trips</li> <li>• encourage people to travel on public transport, walk or cycle</li> <li>• provide people with equitable and efficient access</li> </ul>	<p>The planning proposal will enable a development that makes best use of existing services and infrastructure within the Kariong local area.</p> <p>Options for public transport, walking, and cycling are all available for residents to access daily needs within 15 mins as intended by the Central Coast Regional Plan 2041.</p>

## Assessment of Ministerial Directions

A bus service to Gosford (route 34) is available from the Kariong local centre every 8-10min during morning peak, every 20-30 mins in the afternoon and evening peak, and every 20-30min from Gosford to Kariong in throughout the day (see

Figure 17). The Kariong local centre is estimated to be a 10min walk and 3min bike ride from the boundary of the planning proposal site.

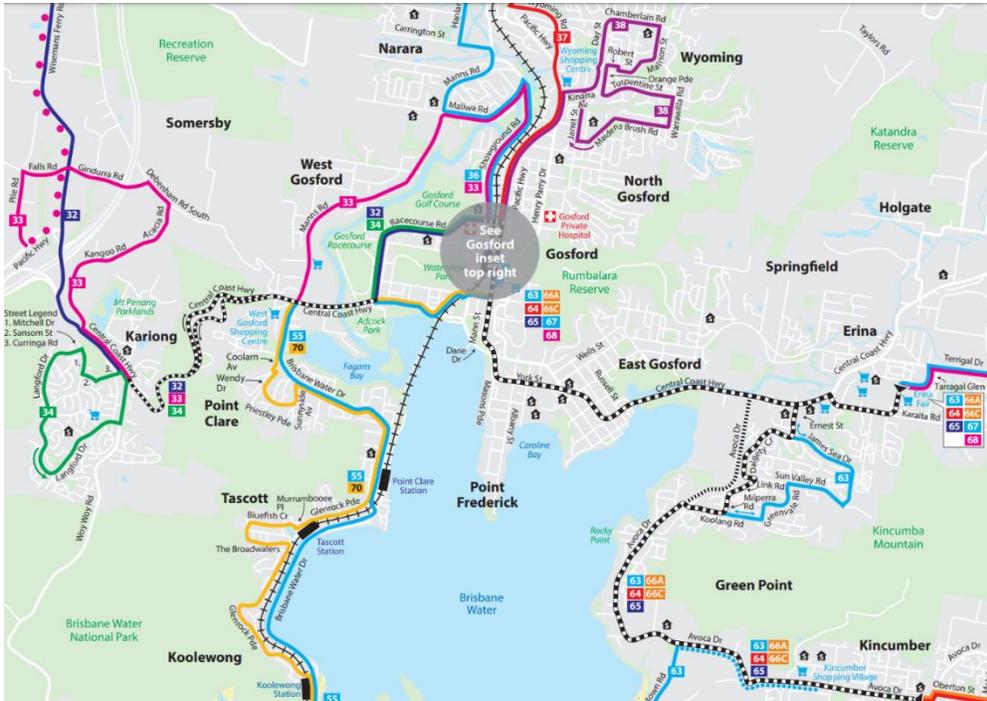


Figure 17: Bus route map (Busways, accessed October 2023)

Given the availability of public transport services and proximity to the planning proposal site, the planning proposal is consistent with the objective to ensure that new development reduces dependence on motor vehicle trips, enables walking and cycling to services and facilitates the use of public transport.

The planning proposal is consistent with Ministerial Direction 5.1 Integrating Land Use and Transport.

## 5.2 Reserving Land for Public Purposes

### Objectives

- To facilitate the provision of public services and facilities by reserving land for public purposes, and

## Assessment of Ministerial Directions

- To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

### Direction

A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary.

### Consistency

The planning proposal includes a pocket park which is likely to be owned/managed by Darkinjung LALC or managed under Community Title. Therefore, no public land reservation is expected to occur as a result of the proposed rezoning.

**The planning proposal is consistent with Ministerial Direction 5.2 Reserving Land for Public Purposes.**

## Focus area 6: Housing

### **6.1 Residential Zones**

#### Objectives

- a. To encourage a variety and choice of housing types to provide for existing and future housing needs,
- a. To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- b. To minimise the impact of residential development on the environment and resource lands.

#### Direction

A planning proposal must:

1. include provisions that encourage the provision of housing that will:
  - a. broaden the choice of building types and locations available in the housing market, and
  - b. make more efficient use of existing infrastructure and services, and
  - c. reduce the consumption of land for housing and associated urban development on the urban fringe, and
  - d. be of good design.
2. in relation to land to which this direction applies:
  - a. contain a requirement that residential development is not permitted until land is adequately serviced, and

## Assessment of Ministerial Directions

- b. not contain provisions which will reduce the permissible residential density of land.

### Consistency

#### *Choice of building types*

The planning proposal will broaden the choice of building types and locations available in the housing market by permitting dual occupancies, group homes, secondary dwellings, semi-detached dwellings and multi-dwelling housing within a Community Title Scheme.

Multi-dwelling housing is proposed to be permitted through this clause, which is an exception to the residential accommodation land uses permitted in the R2 zone under CCLEP 2022 in the remainder of the LGA. This will allow for dwellings to be detached but contained within one lot of land, providing for a diversity of dwelling types, configurations, and subdivision sizes.

The proposed low density residential zoning will facilitate residential development of the land forming an extension to the existing urban footprint of Kariong. The proposed minimum lot size of 550m<sup>2</sup> is consistent with the lot size that applies to other residential zoned land in proximity to the site.

It is likely that some future residential allotments will be created larger than 550m<sup>2</sup> to incorporate asset protection zones and enable a buffer to existing large lot residential development to the north. The subdivision design and layout, including lot sizes, will be guided by urban design principles and a site-specific DCP prepared in support of this planning proposal.

An additional permitted use clause is proposed to provide flexibility in the built form outcomes for the site. The clause will enable a community title subdivision, the ability for housing to be clustered together as attached dwellings, reducing the development footprint and ensuring the conservation of Aboriginal cultural heritage sites and biodiversity values on the land.

The clause will restrict the number of dwellings to a maximum of 50 dwellings and require the site-specific DCP to be in place prior to development consent being granted.

#### *Use of existing infrastructure and services*

The planning proposal proposes the inclusion of a 0.4ha C3 Environmental Management zone, located south of the development footprint. This has been included to facilitate stormwater management for the site and has been sized to accommodate a future stormwater detention basin. Other infrastructure and services have been confirmed as available to support the future development.

#### *Reduce consumption of land for housing on the urban fringe*

The planning proposal does not reduce the consumption of land for housing on the urban fringe. However, the planning proposal is justified from a strategic and site-specific merit perspective as demonstrated throughout this planning proposal.

## Assessment of Ministerial Directions

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### *Be of good design*

A site-specific DCP will contain provisions to address future character, site access, visual amenity, bushfire, Aboriginal heritage, and environmental conservation. This will ensure the efficient and appropriate assessment of the constraints, characteristics and opportunities of the site are considered for future development.

### *Land to be adequately serviced*

As demonstrated in response to Question 11 of this planning proposal, the land can be adequately serviced by public infrastructure.

### *Not reduce permissible residential density of land*

The planning proposal seeks to increase the permissible residential density on part of the land and is therefore consistent.

The planning proposal is consistent with the direction except that it will not reduce the consumption of land for housing on the urban fringe and is therefore inconsistent with part of the direction.

### Justification

A planning proposal may be inconsistent with the terms of this direction if justified by the Central Coast Regional Plan 2041. In this instance, the site is identified in the CCRP 2041 for residential investigation within the Somersby regionally significant growth area.

Identifying the site as a residential investigation area acknowledges the strategic merit of the site for housing pending resolution of site-specific investigations. These investigations have been undertaken and the results discussed throughout this planning proposal which demonstrate the site is suitable for housing. Therefore, the minor inconsistency with the direction is justified.

The planning proposal is justifiably inconsistent with Ministerial Direction 6.1 Residential Zones.

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## **6.2 Caravan Parks and Manufactured Home Estates**

### Objectives

- a. To provide for a variety of housing types, and
  1. To provide opportunities for caravan parks and manufactured home estates.

### Direction

## Assessment of Ministerial Directions

A planning proposal that relates to the identification of suitable zones, locations and provisions for caravan parks and manufactured homes estates must take into account considerations provided by this direction.

### Consistency

The planning proposal is consistent with this direction as it does not propose to alter any provisions applying to caravan parks or manufactured home estates.

**The planning proposal is consistent with Ministerial Direction 6.2 Caravan Parks and Manufactured Home Estates.**

## Focus area 7: Industry and Employment

Nil	
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## Focus area 8: Resources and Energy

### **8.1 Mining, Petroleum Production and Extractive Industries**

#### Objective

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.

#### Application

To determine whether the Ministerial Direction applies, the planning proposal was referred to the Geological Survey of NSW (on behalf of the Secretary of the Department of Primary Industries).

The Geological Survey of NSW confirmed that the planning proposal would not have the effect or restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance in the area.

Therefore, the Ministerial Direction does not apply to the planning proposal.

**Ministerial Direction 8.1 Mining, Petroleum Production and Extractive Industries is not applicable to the planning proposal.**

## Focus area 9: Primary Production

### **9.2 Rural Lands**

## Assessment of Ministerial Directions

### Objective

To protect the agricultural production value of rural land.

### Application

The direction applies to land outside of the local government areas of Lake Macquarie, Newcastle Wollongong and the LGAs in the Greater Sydney Region that will affect land within an existing or proposed rural or conservation zone.

Even though the land is not considered to rural land or agricultural land, the Ministerial Direction applies given the site's current C2 Environmental Conservation zoning.

### Direction

A planning proposal must:

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Be consistent with the strategic planning framework</li><li>• Consider agricultural and primary production significance of the land</li><li>• Identify and protection environmental values</li><li>• Consider natural and physical constraints of the land</li></ul> | <ul style="list-style-type: none"><li>• Promote opportunities for rural economic activities</li><li>• Support the right of farmers to farm</li><li>• Minimise rural land fragmentation</li><li>• Consider social, economic and environmental interests of the community</li></ul> |
|--|---|

### Consistency

The planning proposal is consistent with the strategic planning framework as demonstrated in responses to Questions 1, 3 and 4 of this planning proposal.

The planning proposal does not relate to land (within or surrounding the site) that contains significant agricultural land. Therefore, the planning proposal will not limit the ability of any farmers to exercise their right to farm nor remove any opportunities to promote rural economic activities.

The planning proposal has identified and proposed measures to protect environmental values of the land as demonstrated in response to Ministerial Direction 3.1 Conservation Zones and in response to Question 8.

The planning proposal has considered the social and economic interests of the community as demonstrated in response to Question 10 of this planning proposal.

**The planning proposal is consistent with Ministerial Direction 9.2 Rural Lands.**



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## Section C – environmental, social and economic impact

### Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

A Biodiversity Assessment Report (BAR) has been prepared concurrently with the planning proposal to align its biodiversity findings with the proposed zoning and development standards.

The BAR has applied the principles of avoid and minimise in accordance with the *Biodiversity Conservation Act 2016*. This resulted in 7.1ha of the site being avoided from development that will be retained within the current environmental conservation zoning.

The remainder of the site has been assessed as suitable for development however will result in direct impacts on some endangered and vulnerable species. The following biodiversity credits are required to offset the impacts of the proposed development:

#### Plant Community Types

(refer to Figure 18)

- 75 ecosystem credits for PCT1641 Dwarf Apple Scribbly Gum heathy low woodland on sandstone ranges of the Central Coast (Good Condition)
- 75 ecosystem credits for PCT1642 Scribbly Gum – Red Bloodwood – Old Man Banksia heathy woodland of southern Central Coast (Good Condition)
- 9 ecosystem credits for PCT 1699 Heath-leaved Banksia – Coral Fern wet heath on sandstone ranges of the lower Central Coast (Good Condition)

#### Threatened Flora species

- 5 species credits for *Callistemon linearifollus*
- 9 species credits for *Darwinia glaucophylla*
- 202 species credits for *Hibbertia procumbens* – Spreading Guinea Flower
- 101 species credits for *Hibbertia puberula*

#### Fauna species

- 202 species credits for eastern pygmy possum
- 151 species credits for large-eared pied bat

- 270 species credits for swift parrot
- 38 species credits for southern myotis

Darkinjung LALC will prepare an offset strategy in consultation with the Department's Biodiversity Conservation Division to nominate one or more of the following offset approaches:

- strategic biocertification;
- the establishment and retirement of credits within a stewardship site;
- securing required credits through the open credit market; and/or
- payments to the Biodiversity Conservation Fund.

### **Strategic biocertification: Central Coast Strategic Conservation Plan**

The Department is currently preparing the Central Coast Strategic Conservation Plan (CCSCP). This involves:

- Strategic biodiversity certification under the NSW *Biodiversity Conservation Act 2016*; and
- Strategic assessment under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

The CCSCP provides an option for the resolution of biodiversity outcomes. If Darkinjung LALC seeks to progress development ahead of finalisation of the CCSCP, or if the CCSCP does not come to fruition for some other reason, the requirements of the *Biodiversity Conservation Act 2016* will still need to be met prior to consent being granted to development.

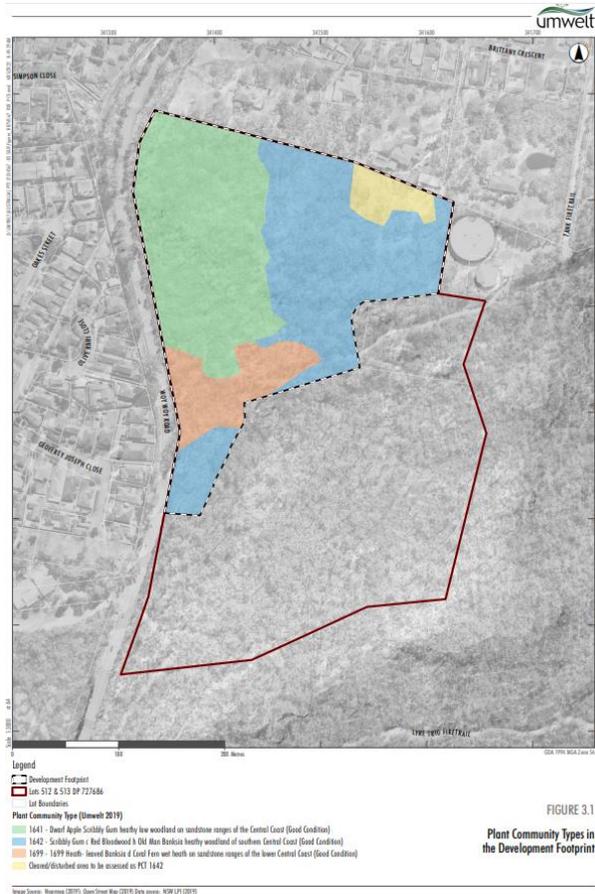


Figure 18: Plant Community Types in the Development Footprint (Umwelt, 2022)

## Q9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Other potential environmental effects of the planning proposal and proposed management measures have been addressed throughout this planning proposal, including:

- Aboriginal cultural heritage (see response to Ministerial Direction 3.2 Heritage Conservation on page 28-30);
- Bushfire risk (see response to Ministerial Direction 4.3 Planning for Bushfire Protection on page 33-34);
- Contamination (see response to Ministerial Direction 4.4 Remediation of Contaminated Land on page 35);
- Stormwater management (see response to Ministerial Direction 3.10 Water Catchment Protection on page 31-32); and

- Traffic and parking (see response to Ministerial Direction 5.1 Integrating Land Use and Transport on page 37-38).

## **Earthworks**

The site has a slope ranging from approximately 6-7% from west to east.

The Central Coast Development Control Plan (CCDCP) 2022 includes requirements for subdivision on sloped sites to ensure lot sizes take account of the natural features of a site and locality.

The CCDCP 2022 identifies sites with a slope from 0-10% as the lowest risk category (Category A) when considering site slopes. It requires residential lots within this category to have a minimum area of 450m<sup>2</sup> and a minimum width of 15m.

The planning proposal will be capable of complying with these requirements as the proposed minimum lot size is 550m<sup>2</sup>.

Any future development application would need to include details of any necessary retaining walls (including height, location and extent of cut and/or fill) required to permit construction of a dwelling.

## **Q10. Has the planning proposal adequately addressed any social and economic effects?**

### **Social and economic benefits to the Aboriginal community**

Economic development has been a key objective of the Aboriginal land rights movement in NSW throughout its 40-plus year history. The planning proposal can assist Darkinjung LALC realise economic and social benefits for Aboriginal people and help to compensate Aboriginal people for the dispossession of their land.

The planning proposal is consistent with the vision of the Darkinjung Community Land and Business Plan to strengthen and empower our community for all generations.

The planning proposal is part of a development pipeline to provide sustainable economic development opportunities for the Aboriginal community of the Central Coast. Rules governing local aboriginal land councils require profit from land development to be reinvested into the Aboriginal community. Proceeds from future development will be re-invested by Darkinjung LALC into the provision of significant community benefits, including Darkinjung's Affordable Housing Program and the continued operation of Darkinjung Barker College.

Proceeds from the development will also improve Darkinjung's capacity to manage the remainder of its estate, delivering environmental, social and cultural benefits to all residents of the Central Coast.

### **Broader social and economic benefits to the Central Coast community**

The planning proposal will have positive social and economic benefits for the broader Central Coast community in the form of job creation through the dwelling construction phase, the opportunity for housing choice and diversity, and a modest increase in the Kariong population able to contribute to the local economy and community life.

The construction of up to 50 homes will create jobs for local tradespeople during construction as well as support existing retail and service jobs in the Kariong local centre.

The proposal will provide the opportunity for greater housing choice and affordability that support varying household types and community needs.

The proposal will have minimal impacts on existing social infrastructure, such as schools and hospitals as the increase in population is small, being a maximum of 50 dwellings. The site has good access to local schools and services with the Kariong local centre being located close by. Kariong Public School is an estimated 10min walk from the proposed development site, and numerous childcare centres and local parks are an estimated 15min walk or 5min drive from the site.

Existing retail centres in Kariong, West Gosford, and Gosford will benefit from the small population increase. Kariong local centre is an estimated 10min walk or 3min drive from the site boundary, whereas West Gosford and Gosford retail centres are an estimated 5-15min drive from the site and are accessible by public transport with the existing Central Coast bus network services to West Gosford and Gosford.

The proposal will generate the need for local public open space and green infrastructure. This need is suitably addressed in the proposal. The proposal includes a pocket park within the development site as well as draft Development Control Plan objectives and controls that relate to tree planting, the retention of an urban tree canopy to maintain green linkages, and measures to reduce the urban heat island effect.

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## Section D – infrastructure (Local, State and Commonwealth)

### Q11. Is there adequate public infrastructure for the planning proposal?

Yes. There is adequate public infrastructure (or arrangements for public infrastructure to be made available) to support the planning proposal as detailed below.

#### Essential services

A preliminary servicing assessment prepared by Northrop Consulting Engineers determined that the proposal is capable of being serviced by essential services, including:

#### Water supply

No potable water connection currently services the site.

Future servicing will require the construction of new water mains from the existing supply network servicing adjacent residential zones. Due to the proximity of lots on the western boundary to the reservoir, some lots may require pressure boosting.

Central Coast Council advises there are two possible water connection points, an existing DN250 AC located on the corner of Milyerra Road and Woy Woy Road, or alternatively the existing DN250 CICL main adjacent to the reservoirs west of the site. Preliminary investigation into available pressure indicates that due to the proximity of the reservoirs, some lots may require pressure boosting which would be feasible via a local booster.

The final water servicing methodology will need to be considered as part of a detailed servicing strategy but appears feasible for the site.

#### Sewerage

The site is not currently serviced by sewer connections.

Gravity sewer mains will need to be extended from the adjacent residential area. Central Coast Council advises there may be capacity constraints with the receiving pump station therefore developer-funded augmentation of these pump stations may be required.

The final sewer servicing methodology will need to be considered as part of a detailed servicing strategy.

## **Stormwater**

A preliminary management strategy for the site has been considered to outline the measures required to mitigate the effects of future development on stormwater quantity and quality.

Through hydrological modelling it was found that development would result in increased peak flows which would likely have an adverse impact on downstream properties. Detention measures have therefore been proposed to attenuate runoff to pre-developed flow rates. It is anticipated that detention basins will be located within dedicated drainage reserves designed to cater for the full contributing catchment once developed. Inundation or flood waters were not found to affect the site.

Through the adoption of Water Sensitive Urban Design (WSUD) principals Council's water quality reduction targets were shown to be achievable for the future zoning. In accordance with Council's guidelines a treatment train approach could be implemented in the future with rainwater tanks and an end-of-line gross pollutant trap to provide primary treatment and a biofiltration basin to provide secondary treatment.

## **Electricity**

Electrical infrastructure exists in the adjacent residential area. In addition, high voltage electrical infrastructure currently passes through the site. Confirmation of available capacity will be sought from Ausgrid at the development application stage.

## **Telecommunications**

It is anticipated that telecommunications infrastructure can be extended from adjacent residential areas. Confirmation of connection requirements can be confirmed with applicable service providers at the development application stage.

## **Gas**

Gas services are available within the adjacent residential areas. It is anticipated that gas servicing can be extended to the site from adjacent services. An economic valuation is typically undertaken by Jemena once the final layout is known which will determine the viability of gas servicing.

## **State infrastructure**

There are no State infrastructure implications for the proposed development given the low residential yield.

## Local infrastructure

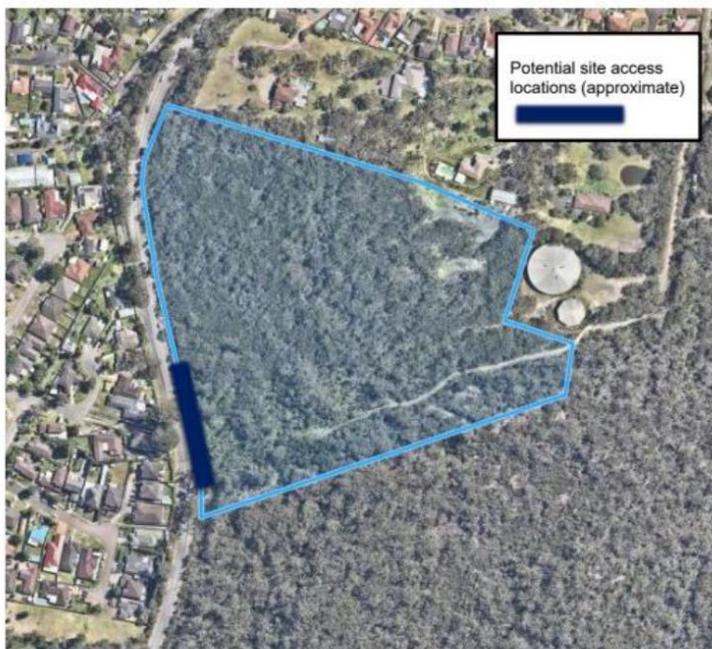
### Roadworks and traffic management

Preliminary traffic advice by SECA Solution determined that there are no traffic or access impediments to the proposal.

Most traffic movements generated by the development are likely to be from / to the north of the site via Woy Woy Road to the Central Coast Highway. This will require construction of a:

- left turn deceleration lane (travelling from the north); and
- basic right (BAR) turn treatment (travelling from the south) with shoulder widening to accommodate through traffic.

The potential site access locations onto Woy Woy Road are shown in Figure 19 over the page.



Base Map Source: NearMap

Figure 19: Potential site access locations (SECCA solutions, 2020)

Secondary access options to the north of the site onto Jeniwa Close or Brittany Crescent may be beneficial in terms of traffic distribution and bushfire evacuation (see Structure Plan in Figure 1). However, any such access would rely on a third party and would be subject to further negotiation at the development application stage following the preparation of a detailed subdivision design.

## Open space facilities

The site is located close to existing open space facilities. These include a mix of local and regional playspaces, public gardens, an off-leash dog area, and sporting ovals (Figure 20).

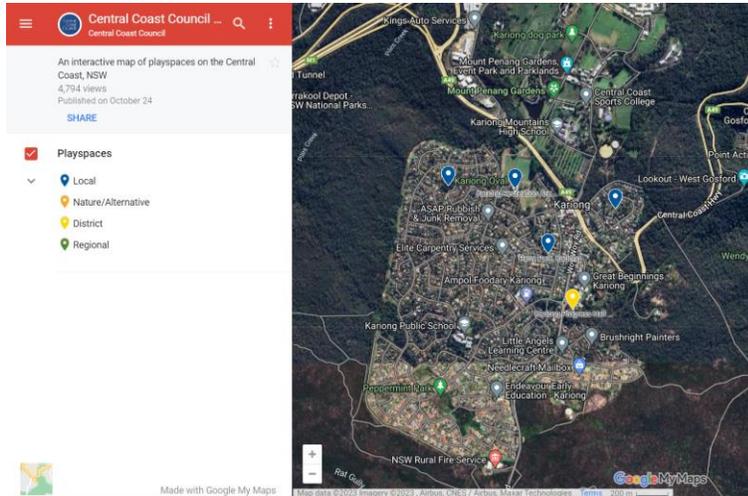


Figure 20: Local and Regional playspaces in Kariong (Central Coast Council)

The proposal will provide additional local open space, in the form of the proposed pocket park (local park), which will include and protect an identified Aboriginal cultural heritage item. Including the Aboriginal cultural heritage item into a local park also presents an opportunity to promote and develop Aboriginal cultural knowledge in the broader community.

## Community facilities

Central Coast Council's *Regional Section 7.12 Development Contributions Plan 2019* applies to the site. Contributions collected from the new dwellings created by this proposal will go toward funding the improvement and embellishment of existing open space, community and cultural facilities, and recreational facilities such as cycle ways, wharves and boat ramps.

Existing community facilities, including the Kariong public library, tennis courts, and community garden are located within an estimated 5min drive from the development site (refer Figure 21).

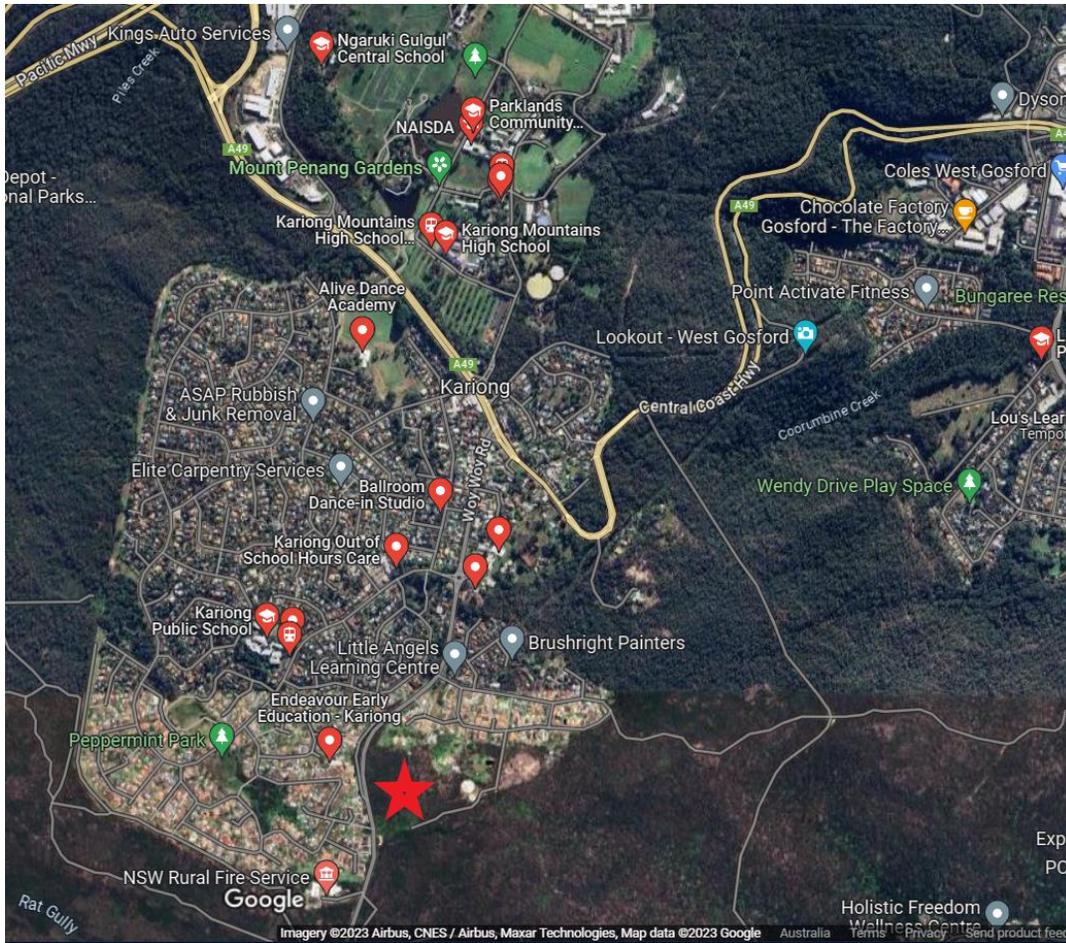


Figure 21: Location map showing existing community facilities (Google Maps)

## Section E – State and Commonwealth interests

### Q12. What are the views of state and federal public authorities and government agencies?

The following agencies and service authorities have been consulted during the preparation of the planning proposal:

Agency and summary of comments	Response
<p><b>Biodiversity Conservation Division</b></p> <p>The Biodiversity and Conservation Division (BCD) recommended on 17 June 2022 that the planning proposal has justified its inconsistencies with Ministerial Direction 3.1 Conservation Zones.</p> <p>BCD noted further recommendations that would need to be addressed should Darkinjung LALC choose to pursue a stand-alone biodiversity certification application for the site.</p>	<p>As noted in response to Question 8 of this planning proposal, the stand-alone application is one biodiversity certification option available to Darkinjung LALC along with the Central Coast Strategic Conservation Plan which may resolve the biodiversity certification recommendations made by the BCD.</p> <p>Darkinjung LALC has identified a stand-alone biodiversity certification application is the preferred pathway and has commenced consultation with BCD to address their recommendations.</p> <p>Following determination of the planning proposal, a biodiversity certification will be sought over the proposal site under Part 8 of the BCA 2016.</p>
<p><b>Central Coast Council – Environment and Planning</b></p> <p>Central Coast Council’s Environment and Planning Division raised no objection to the intended outcomes of the planning proposal and provided the below recommendations on 8 September 2023:</p>	
<ul style="list-style-type: none"> <li>• Supportive of proposed R2 zone</li> </ul>	Noted.
<ul style="list-style-type: none"> <li>• Recommend site specific DCP is prepared and exhibited concurrently</li> </ul>	A draft site-specific DCP has been prepared and is being exhibited with the planning proposal.

Agency and summary of comments	Response
with the PP and provided advice regarding controls to include.	The DCP has addressed Council's recommended controls.
<ul style="list-style-type: none"> <li>Clarification of size and management of pocket park in line with draft Council Open Space requirements.</li> </ul>	DLALC will continue to work with Central Coast Council to ensure the proposed park satisfies Council's Open Space requirements.
<ul style="list-style-type: none"> <li>HOB map = 8.5m is required.</li> </ul>	A Height of Buildings Map (8.5m) has been included in the proposal.
<ul style="list-style-type: none"> <li>Does not support the minimum lot size being less than 40ha in the C2 zone as Council is progressing a PP to resolve sub-40ha conservation zoned lots.</li> </ul>	Noted. The intention of the minimum lot size of 4000m <sup>2</sup> and 5ha respectively, is to allow for the creation of undersized lots to ensure conservation, protection and management outcomes are achieved whilst allowing for different ownership structures and title arrangements. Council's preparation of this clause is supported, and it is acknowledged that this would enable subdivision of undersized lots. However, this clause is only being prepared and does not yet have any guarantee of being successfully adopted. If the clause is ultimately adopted a change to the lot size of this parcel back to 40ha would be acceptable. In the interim it is suggested that the minimum lot size remain as part of the planning proposal.
<ul style="list-style-type: none"> <li>APU map requires minor amendments. APU proposal to include multi-dwelling housing is not supported in the R2 zone – consideration to be given to R3 zone on part/s of the site.</li> </ul>	The APU map has been amended as per Council's comments. Further justification and clarification for including multi-dwelling housing in the APU is provided in the planning proposal. The dwelling cap will ensure the site can be developed sensitively, with a subdivision layout and built form that responds to the site constraints.
<ul style="list-style-type: none"> <li>Biodiversity: further information and clarification required regarding MD 3.1</li> </ul>	The proposal has been amended to address the issues Council raised regarding biodiversity

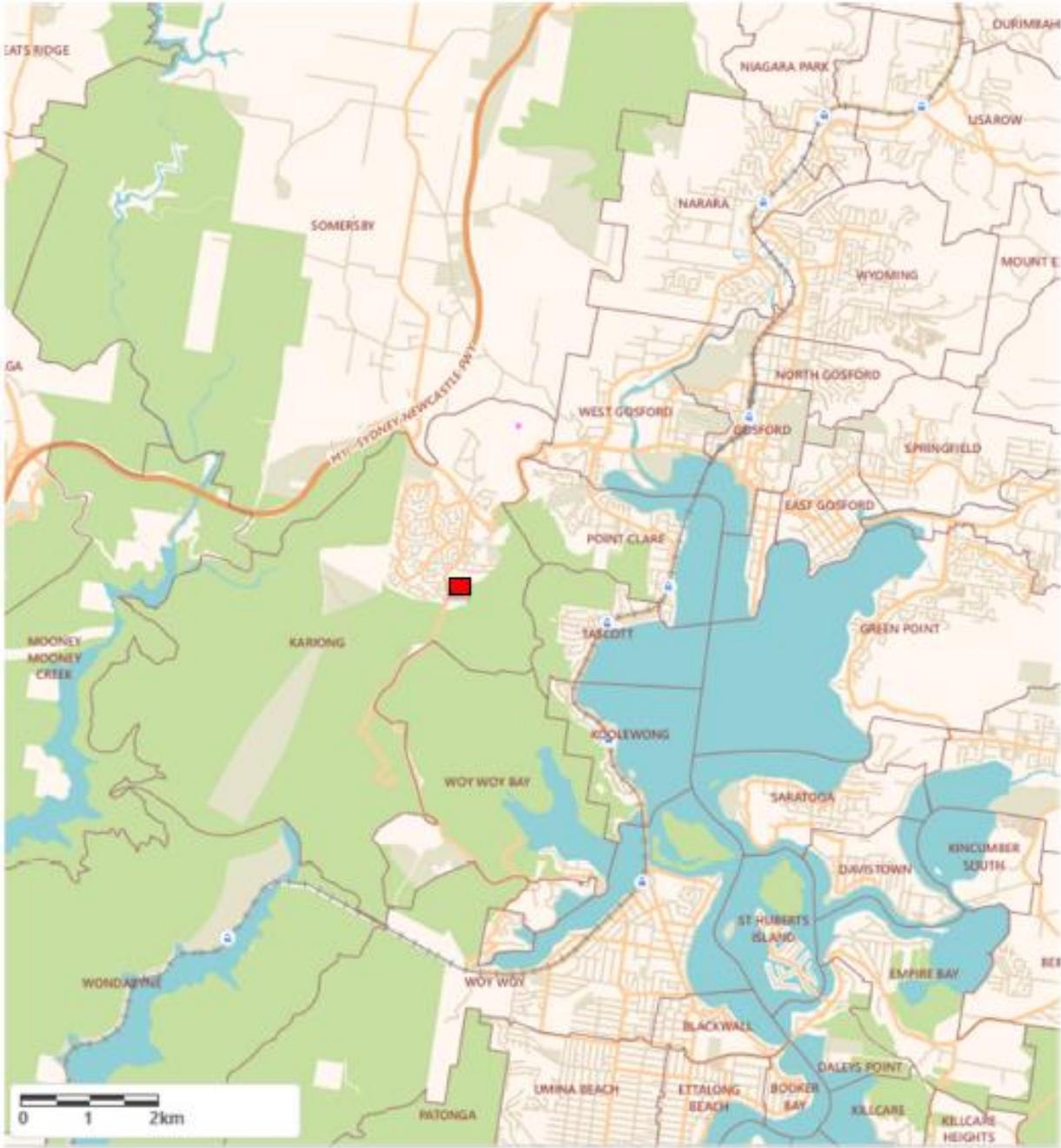
Agency and summary of comments	Response
<p>Conservation Zones, CCLEP 2022 Clause 5.23, Biodiversity &amp; Conservation SEPP. Recommendations relating to the BCAR stage.</p>	<p>matters. The proponent notes Council's recommendations regarding the BCAR stage.</p>
<ul style="list-style-type: none"> <li>• Serviceability – roads and drainage. <ul style="list-style-type: none"> <li>- No existing road network in the site</li> <li>- Drainage network may require updating to accommodate any proposed development.</li> <li>- On-site detention for stormwater and required to be privately managed</li> <li>- Post-development stormwater discharge to match pre-development flows.</li> </ul> </li> </ul>	<p>Any future road and drainage network would be the subject of a development application and supported by appropriate technical studies.</p> <p>The Preliminary Servicing Assessment identifies measures to mitigate stormwater impacts on adjacent properties and on downstream waterways. The proposal includes on-site detention in the form of a natural wetland located in the proposed C3 zone.</p> <p>The Preliminary Servicing Assessment concludes that post-development stormwater discharge can match pre-development flows. A detailed servicing strategy would be prepared to support any future application for subdivision of the land.</p>
<ul style="list-style-type: none"> <li>• Access – sight lines for the proposed access road and details of the proposed road and pedestrian network within and outside of the development site.</li> </ul>	<p>The proponent will commission a Traffic Impact Assessment report to provide more detail on the most appropriate access location/s and design. This report would accompany any future development application for subdivision.</p> <p>Similarly, details of the design of the road and pedestrian network would also accompany any future development application for subdivision.</p>
<p><b>Central Coast Council – Water and Sewer</b></p> <p>Central Coast Council's Water and Sewer Division advised on 19 May 2022 that:</p> <ul style="list-style-type: none"> <li>• Servicing strategy required for development.</li> </ul>	<p>The Preliminary Servicing Assessment prepared for the proposal indicates that water servicing will require the construction of new water mains from the existing supply network. It also concluded sewer connections are feasible and</p>

Agency and summary of comments	Response
<ul style="list-style-type: none"> <li>The report will need to be developed in accordance with the WSA code Hunter Water version for the planning perspective.</li> </ul>	<p>additional pump station works are likely required to facilitate this.</p> <p>A detailed servicing strategy would be prepared to support any future application for subdivision of the land.</p>
<p><b>Geological Survey of NSW</b></p> <p>The Geological Survey of NSW advised on 20 May 2022 that it supports the proposal and has no concerns regarding resource sterilisation.</p>	<p>Noted.</p>
<p><b>Heritage NSW</b></p> <p>Heritage NSW advised on 12 May 2022 that:</p> <ul style="list-style-type: none"> <li>it supports the conservation and protection measures for Aboriginal cultural heritage values identified on the site; and</li> <li>any future development will require an Aboriginal Heritage Impact Permit in accordance with the relevant guidelines.</li> </ul>	<p>Noted.</p>
<p><b>National Parks and Wildlife Service</b></p> <p>Preliminary consultation with National Parks and Wildlife Service has led to consideration being given to possible incorporation of the proposed C2 Environmental Conservation zone area of the site within the adjoining National Park. If this occurred, the planning proposal would be adjusted to zone that portion of the site C1 National Parks and Nature Reserves.</p>	<p>Negotiations between the proponent and NSW NP&amp;WS are ongoing. The planning proposal does not propose to rezone the remainder of the C2 portion as C1.</p>
<p><b>NSW Rural Fire Service</b></p> <p>The NSW Rural Fire Service advised on 30 June 2022 that:</p>	<p>Noted.</p> <p>Any future DA for subdivision would be required to demonstrate compliance with PBP 2019.</p>

Agency and summary of comments	Response
<ul style="list-style-type: none"> <li>• it has no specific objection to the proposal; and</li> <li>• any future development application will need to provide more than one access in and out of the subdivision to be able to comply with <i>Planning for Bushfire Protection 2019</i>.</li> </ul>	<p>The indicative subdivision plan reserves an access handle for emergency services vehicles/pedestrians/egress onto Woy Woy Road.</p>
<p><b>Transport for NSW</b></p> <p>Transport for NSW advised on 22 April 2022 that:</p> <ul style="list-style-type: none"> <li>• it has no objection to the planning proposal; and</li> <li>• potential traffic impacts at the intersection of Woy Woy Road and the Central Coast Highway can be considered in any future development application.</li> </ul>	<p>Noted.</p> <p>Woy Woy Road is an unclassified regional road. Council is the roads authority under Section 7 of the <i>Roads Act 1993</i> and TfNSW do not need to provide concurrence under the Roads Act.</p>

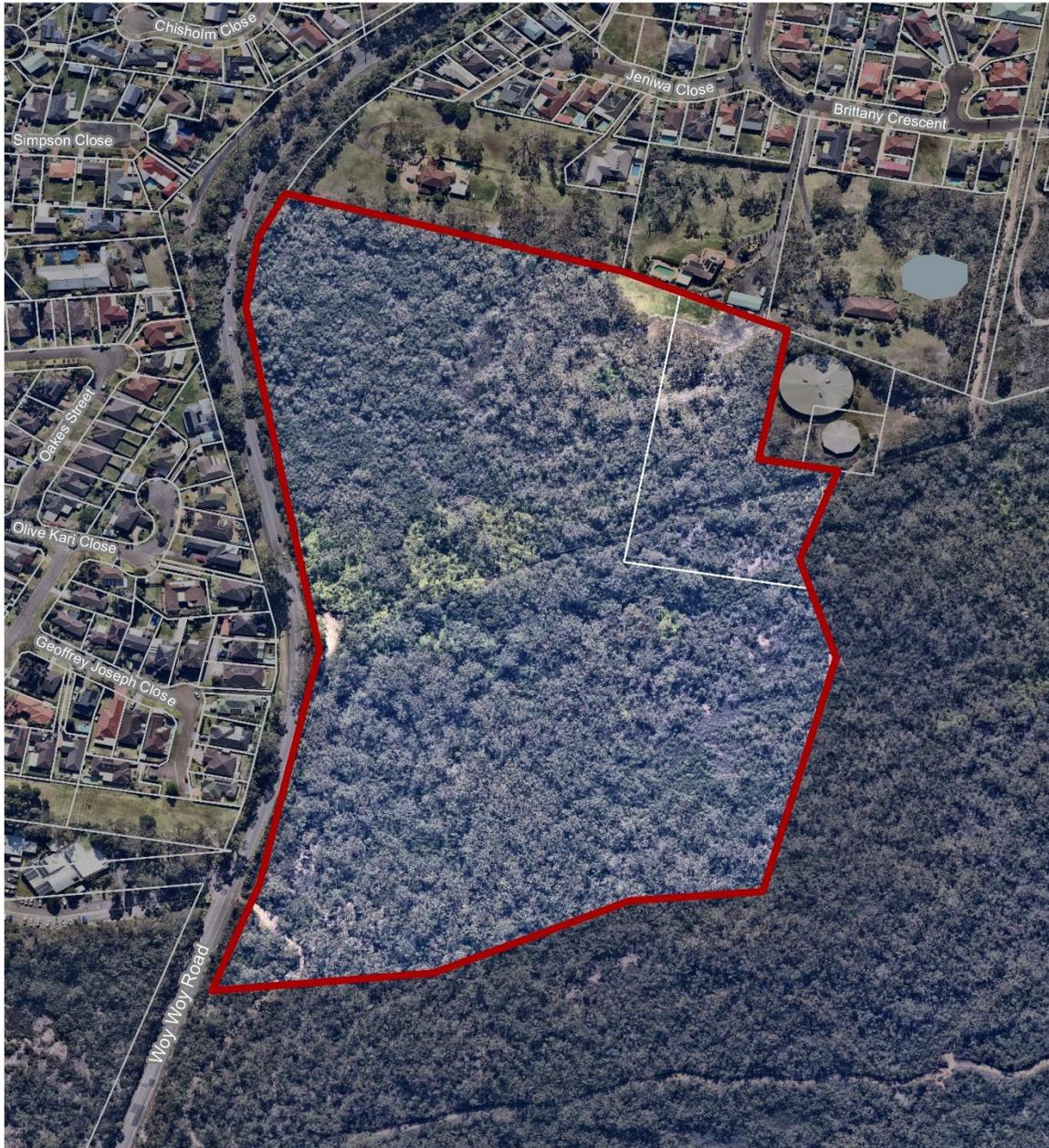
# Part 4 – Maps

## Locality



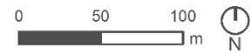
■ Subject land

# Aerial photograph



Woy Woy Road, Kariong: Aerial Imagery

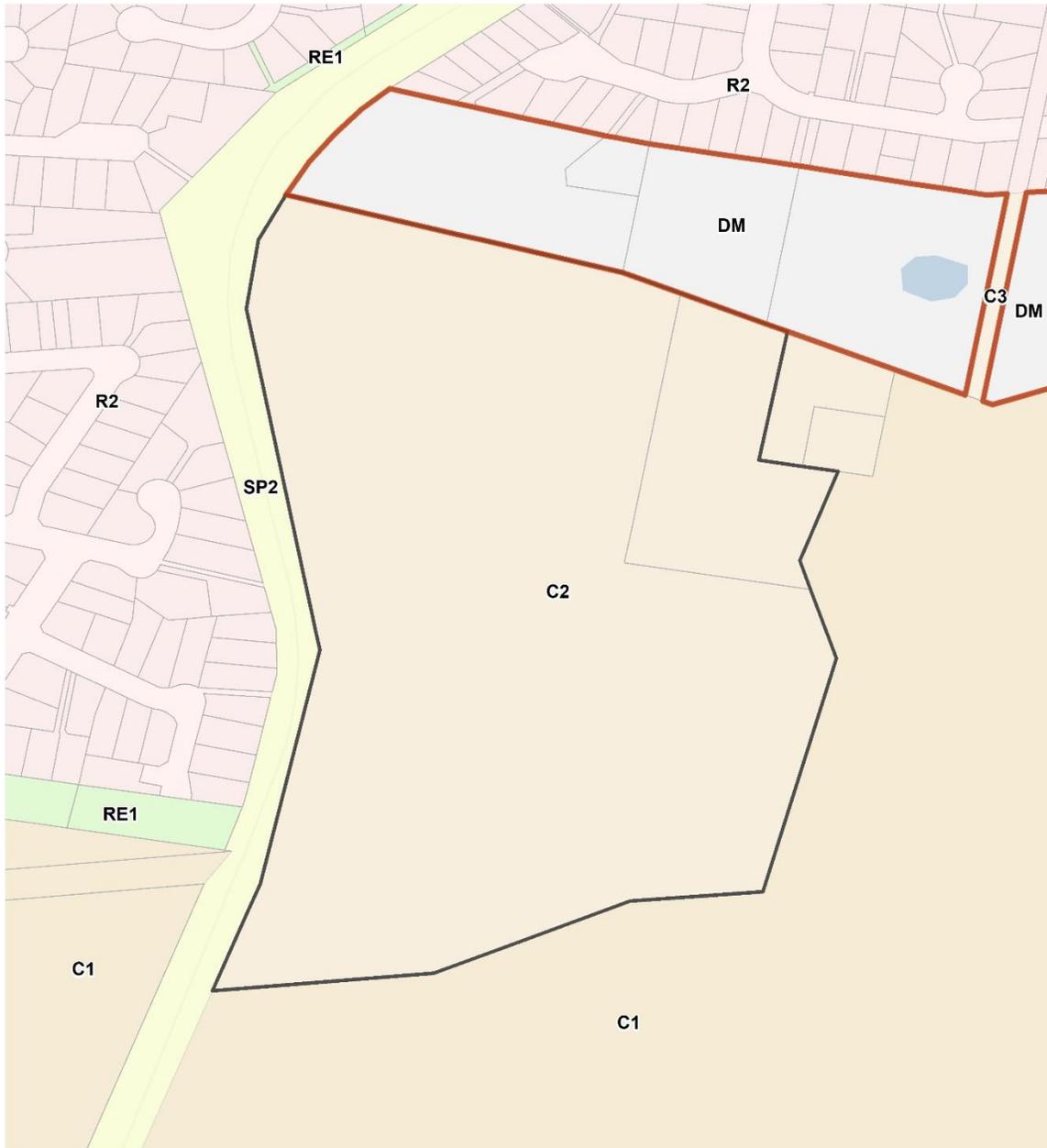
-  Planning Proposal Boundary
-  Cadastre © NSW Spatial Services



Intended Map Size: A4  
Publication Date: 20/06/2023  
Coordinate System: GCS GDA 1994

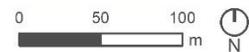


# Existing zone



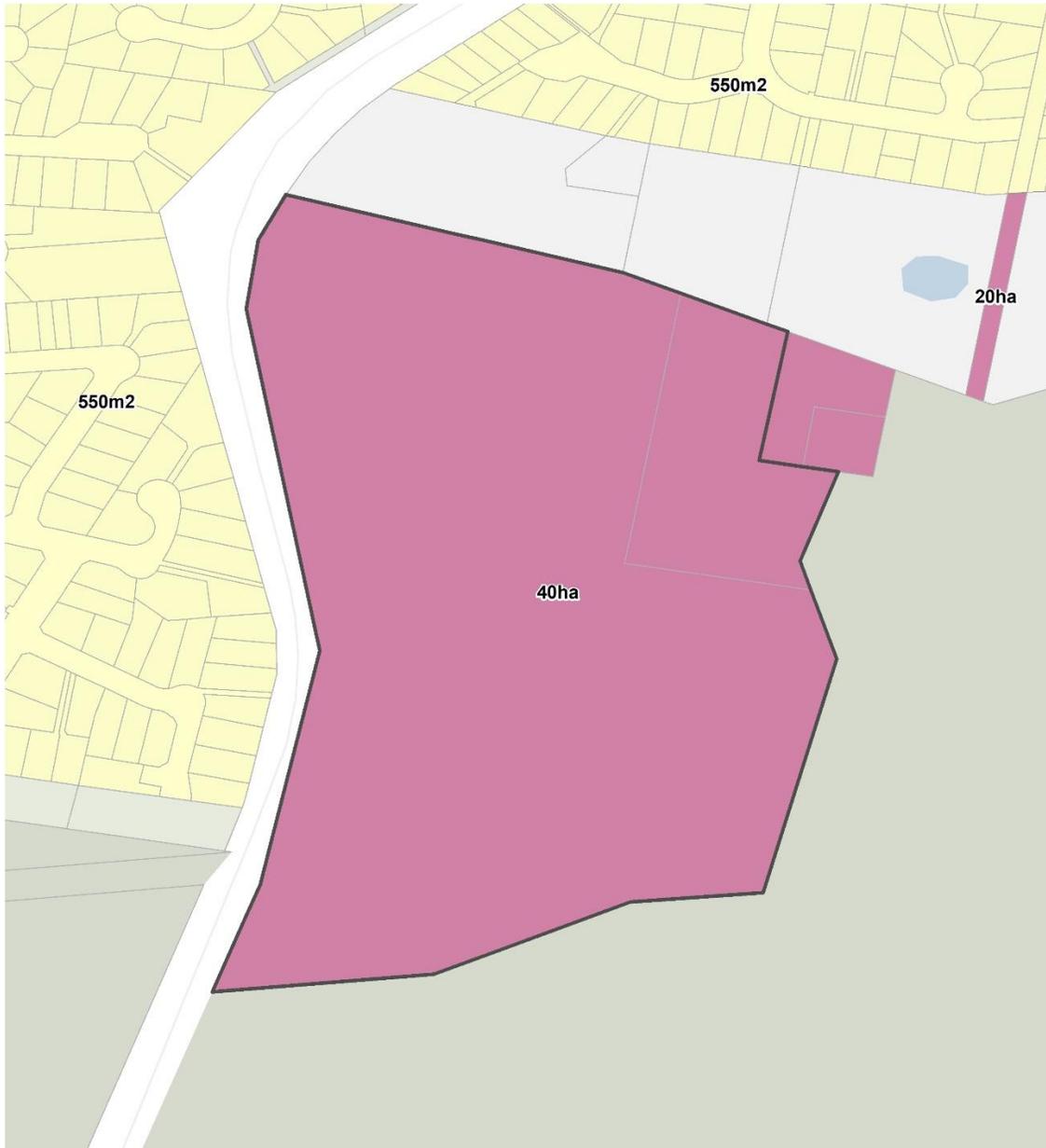
**Woy Woy Road, Kariong: Existing Land Zoning**

- |   |                                 |
|---|---------------------------------|
| <b>EPI Land Zoning</b>                  | Planning Proposal Boundary      |
| C1 - National Parks and Nature Reserves | Cadastre © NSW Spatial Services |
| C2 - Environmental Conservation         | Waterbody                       |
| C3 - Environmental Management           |                                 |
| SP2 - Infrastructure                    |                                 |
| R2 - Low Density Residential            |                                 |
| RE1 - Public Recreation                 |                                 |
| DM - Deferred Matter                    |                                 |



Intended Map Size: A4  
 Publication Date: 20/06/2023  
 Coordinate System: GCS GDA 1994

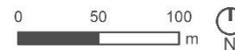
# Existing lot size



Woy Woy Road, Kariong: Existing Lot Size

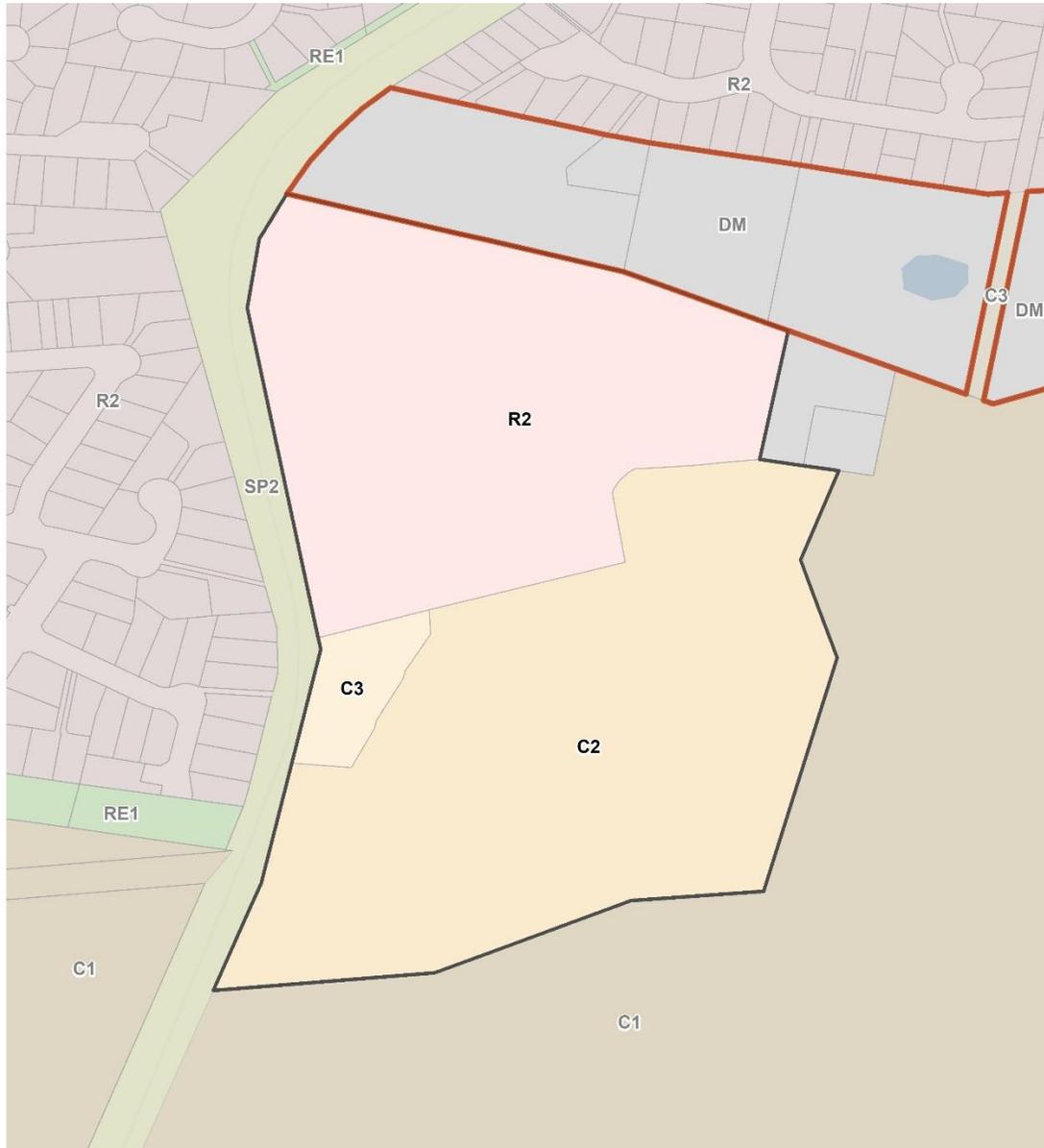
- Planning Proposal Boundary
- Cadastre © NSW Spatial Services
- Waterbody
- Open Space
- National Parks and Wildlife Service Estate

- EPI Lot Size**
- 550-574 m2
  - 10 - 49.9 ha



Intended Map Size: A4  
Publication Date: 20/06/2023  
Coordinate System: GCS GDA 1994

# Proposed zone



**Woy Woy Road, Kariong: Proposed Land Zoning**

**EPI Land Zoning**

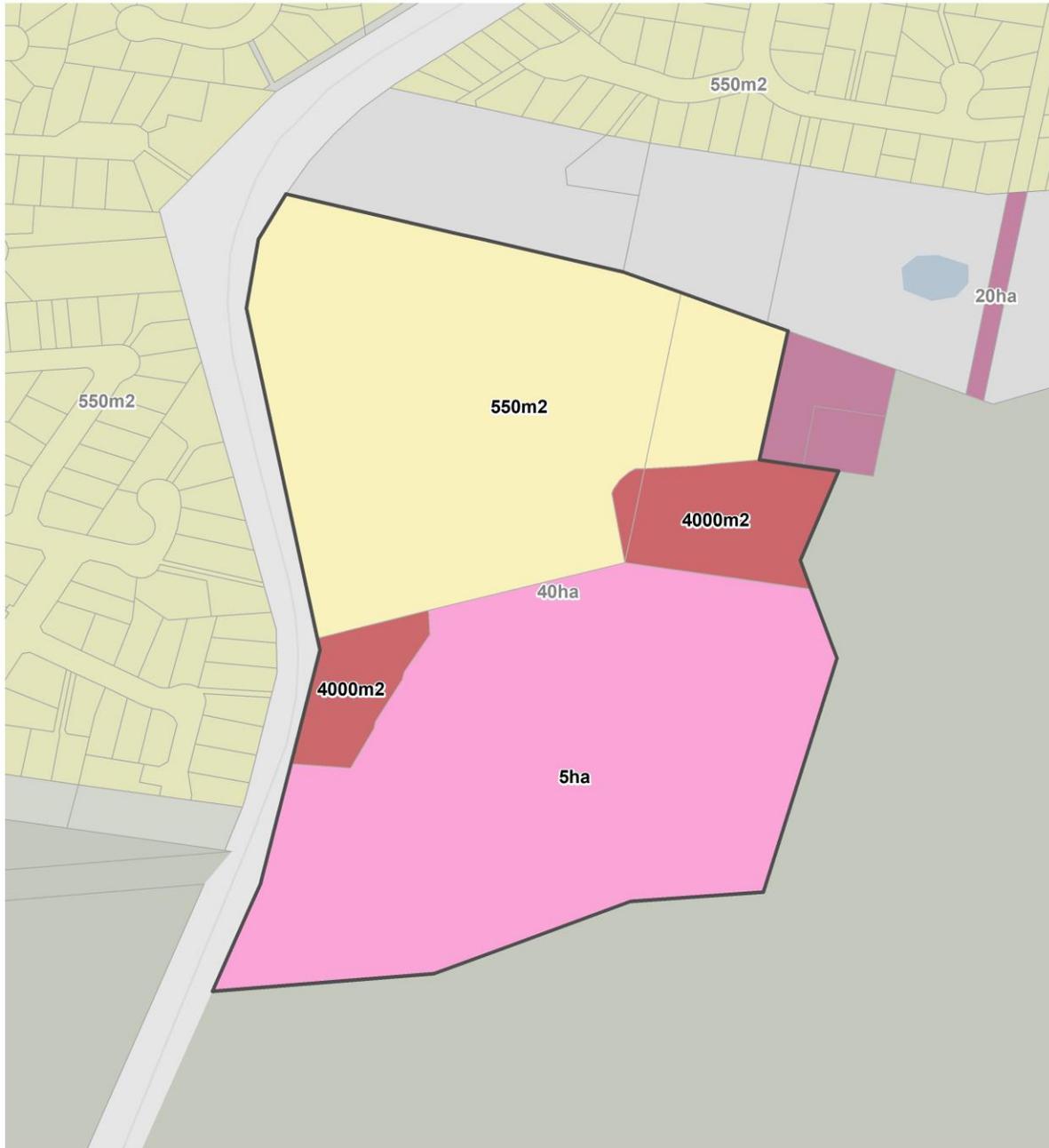
- C1 - National Parks and Nature Reserves
- C2 - Environmental Conservation
- C3 - Environmental Management
- SP2 - Infrastructure
- R2 - Low Density Residential
- RE1 - Public Recreation
- DM - Deferred Matter

- Planning Proposal Boundary
- Cadastre © NSW Spatial Services
- Waterbody



Intended Map Size: A4  
 Publication Date: 20/06/2023  
 Coordinate System: GCS GDA 1994

# Proposed lot size



**Woy Woy Road, Kariong: Proposed Minimum Lot Size**

- |  |                            |
|--|----------------------------|
| Planning Proposal Boundary                 | <b>EPI Lot Size</b>        |
| Cadastre © NSW Spatial Services            | 550 - 574 m <sup>2</sup>   |
| Waterbody                                  | 3000 - 4999 m <sup>2</sup> |
| Open Space                                 | 5 - 9.9 ha                 |
| National Parks and Wildlife Service Estate | 10 - 49.0 ha               |



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 Publication Date: 08/08/2023  
 Coordinate System: GCS GDA 1994



# Proposed height of buildings

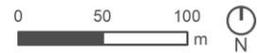


**Woy Woy Road, Kariong: Proposed Height of Buildings**

- Planning Proposal Boundary
- Cadastre © NSW Spatial Services
- Waterbody
- Open Space
- National Parks and Wildlife Service Estate

**EPI Height of Buildings**

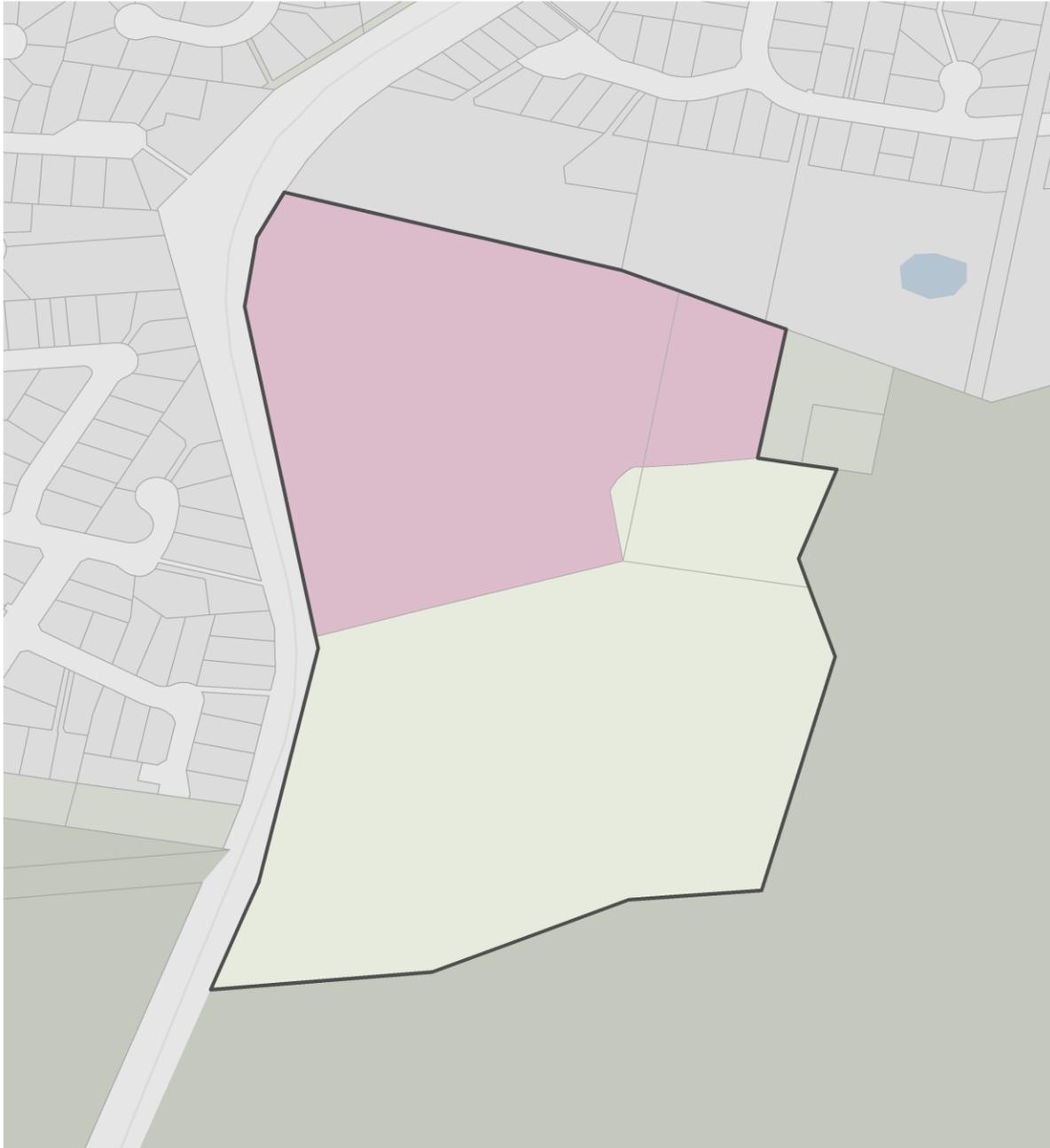
- I (8.5m)



Intended Map Size: A4  
Publication Date: 18/09/2023  
Coordinate System: GCS GDA 1994



# Proposed additional permitted uses

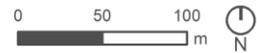


**Woy Woy Road, Kariong: Proposed Additional Permitted Uses**

- Planning Proposal Boundary
- Cadastre © NSW Spatial Services
- Waterbody
- Open Space
- National Parks and Wildlife Service Estate

**EPI Additional Permitted Uses**

- Additional Permitted Uses



Intended Map Size: A4  
Publication Date: 11/09/2023  
Coordinate System: GCS GDA 1994

# Part 5 – Community consultation

The planning proposal will be placed on public exhibition for a period of at least 28 days, with public submissions invited during this time.

Adjoining landholders will be notified of the exhibition of the planning proposal.

# Part 6 – Project timeline

The planning proposal is categorised as ‘complex’ given that it is being progressed under the Planning Systems SEPP.

Below is the anticipated project timeline as per the Local Environment Plan Making Guideline’s benchmark timeframes:

Stage	Timeframe and/or date
Gateway determination	December 2021
Post-Gateway stage	January 2022 – October 2023
Commencement and completion of public exhibition period	10 November – 8 December 2023
Consideration of submissions	December 2023 – January 2024
Post-exhibition review	February 2024
Submission to the local plan making authority for finalisation	March 2024
Gazettal of LEP amendment	June 2024