

## **Central Coast Council**

Planning Proposal Lot 5 DP 207799; Lot 1022 DP 1054632; Lot 1023 DP1054632 65; 77 and 111 Beaufort Road Terrigal File No: PP/90/2016; April 26



Planning Proposal Lot 5 DP 207799; Lot 1022 DP 1054632; Lot 1023 DP1054632 65; 77 and 111 Beaufort Road Terrigal

File No: PP/90/2016; Date: April 26 Version Pre Gateway Central Coast Council **Wyong Office:** 2 Hely St / PO Box 20 Wyong NSW 2259 | **P** 02 4350 5555 **Gosford Office:** 49 Mann St / PO Box 21 Gosford NSW 2250 | **P** 02 4325 8222 **E** ask@centralcoast.nsw.gov.au | **W** www.centralcoast.nsw.gov.au | ABN 73 149 644 003

Opening Hours 8.30am - 5.00pm

Lot 5 DP 207799; Lot 1022 DP 1054632; Lot 1023 DP1054632 65 Beaufort Road; 77 Beaufort Road; 111 Beaufort Road Terrigal

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Backgro	ound & Locality Context	4
Part 1	<b>Objectives or Intended Outcomes</b>	5
Part 2	Explanation of Provisions	5
Part 3	Justification	6
Section A -	- Need for the Planning Proposal	6
Section B -	<ul> <li>Relationship to strategic planning framework</li> </ul>	6
Section C -	- Environmental, Social and Economic Impact	13
Section D	- State and Commonwealth Interests	14
Part 4	Mapping	15
Part 5	Community Consultation	15
Part 6	Project Timeline	16
Suppor	ting Documentation	17

## **Background & Locality Context**

The subject land comprises three lots that are located to the south of the Entrance Road (Central Coast Highway) between Beaufort Road and Fairway Drive (figure 1). Each lot has a frontage to Beaufort Road to the south, while properties 77 and 111 Beaufort Road, have vehicular access to Fairway drive to the north. The total area of the subject properties is calculated at 2.77 Ha. Each of the sites contains one dwelling house each with associated ancillary structures. The sites have vegetation along significant portions of each boundary of the properties



Figure 1 Contextual Detail Plan

The locality of three sites are characterised by bordering R2 Low Density Residential development to the south, east and north of the properties. To the west of the sites are a number of large lot properties that are currently zoned 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) under *Interim Development Order No 122-Gosford (IDO 122) (*Figure 2).



Figure 2 Contextual Locality Plan (Sites outlined in Blue)

## Part 1 Objectives or Intended Outcomes

The objective of this proposal is to rezone Lot 5 DP 207799; Lot 1022 DP 1054632; Lot 1023 DP 1054632; (65, 77 & 111 Beaufort Road, Terrigal) from 7(c2) Conservation and Scenic Protection (Scenic Protection – Rural Small Holdings) under *Interim Development Order 122* to R2 Low Density Residential under *Gosford Local Environment Plan 2014*. The intended outcome of the proposal is to enable future residential subdivision and residential development.

## Part 2 Explanation of Provisions

The proposed outcome Planning Proposal will be achieved by:

- Amending the *Gosford Local Environmental Plan (LEP) 2014* Land Zoning Map LZN\_017B to R2 Low Density Residential for each lot;
- Amending the *Gosford Local Environmental Plan (LEP) 2014* Acid Sulfate Soils Map ASS\_017B to Class 5 for each lot;
- Amending the *Gosford Local Environmental Plan (LEP) 2014* Floor Space Ratio Map FSR\_107B to D (0.5:1) for each lot;
- Amending the *Gosford Local Environmental Plan (LEP) 2014* Height of Building Map HOB\_17B to I (8.5m) for each lot;

• Amending the *Gosford Local Environmental Plan (LEP) 2014* Lot Size Map LSZ\_017B to K (550m<sup>2</sup>) for each lot

## Part 3 Justification

### Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any Strategic Study or report?

The Planning Proposal is not a result of any strategic study or report.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal requesting rezoning and amendment to other relevant provisions is the most appropriate means of achieving the objectives/intended outcomes.

## Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

#### **Central Coast Regional Strategy 2031**

The *Central Coast Regional Strategy 2006-2031 (CCRS)* applies to both of the former Gosford and Wyong local government areas (LGAs). A primary purpose of the strategy is to ensure that adequate land is available and appropriately located to sustainably accommodate projected housing needs until 2031. The *CCRS* refocuses development to strengthen and increase the vibrancy of centres and to support Gosford City Centre as a Regional City and Tuggerah-Wyong as a Major Centre.

Terrigal is nominated as a "village" within the *CCRS*. The *CCRS* indicates that "it is anticipated that renewal and increased residential densities" shall occur in town and village centres "but at an appropriate scale to protect and enhance the character of these centres".

The CCRS is to provide the basis of the planning by the local government sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the relevant actions identified in the CCRS:

Action	Consistency
4.2 Councils are to provide for a mix of housing types, including housing that will accommodate an ageing population and smaller household sizes through the preparation of LEPs and strategies.	Under Gosford Local Environmental Plan 2014 the R2 Low Density Residential zone provides for a range of housing types to suit market requirements.
4.3 Councils are to facilitate competitive land releases in the Region and to meet, as a minimum, the dwelling capacity targets and distribution by centres provided in this Regional Strategy, Work to be done in conjunction with the Department of Planning and delivered through	The proposal will provide additional housing to the area which will assist in achieving housing targets for Terrigal.

the timely proparation of LEDs	
the timely preparation of LEPs.	
4.4 Councils are to investigate the potential for land located within and around centres for future housing opportunities. consistent with the centres hierarchy and the dwelling and employment capacity targets through the preparation of LEPs and local planning strategies, (i.e. generally within a radius of 1000 metres of a regional city and major centre, 800 metres for towns, 400- 600 metres for villages and 150 metres for neighbourhoods).	The subject site is adjoins an urban release area which is ideal for future housing opportunities given the site's proximity to local services.
4.6 Land to be rezoned for housing during the life of the Strategy is to be located within the existing urban areas, existing MDP areas, areas identified through preparation of LEP's and greenfield areas nominated in the North Wyong Shire Structure Plan.	The site is located within an existing urban area.
<ul> <li>4.10 Provide around 70 per cent of new housing in existing urban areas and the new Warnervale Town Centre by: <ul> <li>focusing new development in key centres to take advantage of services, shops and public transport as well as identifying and preserving the character of the Central Coast's smaller neighbourhoods and suburbs</li> <li>ensuring that existing centres will be developed consistent with the centres hierarchy.</li> </ul> </li> </ul>	The proposal will provide new subdivision and residential development potential in an existing urban area which has access to a variety of services.
4.22 Councils are to ensure location of new dwellings improves the Region's performance against the target for State Plan priority E5 'Jobs closer to home -increase the proportion of people living within 30 minutes of a city or major centre by public transport in metropolitan Sydney'.	The subject site is within an existing urban area nearby an existing bus route which provides services to the Gosford City Centre and rail station.

Table 1: Central Coast Regional Strategy Assessment

#### Central Coast Regional Plan 2036

The *Central Coast Regional Strategy 2036 (CCRP)* applies to both of the former Gosford and Wyong local government areas (LGAs). The Planning Proposal will assist Council in meeting the targets set by the State Government in the Regional Strategy for provision of housing and or jobs.

The CCRP is to provide the basis of the planning by the local government sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the relevant actions identified in the CCRP: housing delivery in the locality.

19	Direction 19: Accelerate housing supply and improve housing choice		
19	Action	Assessment	
19.3	Monitor land and housing delivery and accelerate housing supply to meet a projected housing demand of 41,500 additional dwellings by 2036.	The request is considered consistent with Action 19.3. The proposed zone change to R2 Low Density Residential will accelerate the delivery of new dwellings in order to support the projected housing demand.	
20	Direction 20: Grow housing choice in and aro	und local centres	
20	Action	Assessment	
20.1	Improve housing choice by supporting housing delivery in and near the growth corridors and local centres.	The request is considered within proximity of the Terrigal Local Centre and Growth Corridor. The land release from the proposal will support housing delivery in the locality.	
21	Direction 21: Provide housing choice to meet	community needs	
21	Action	Assessment	
21.1	Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield housing locations.	The request seeks to enable subdivision of land of 650m <sup>2</sup> or greater. This is a marginal reduction from the current one (1) hectare permissible under Gosford Interim Development Order 122. The reduced lot size will provide greater housing diversity.	

Table 2: Central Coast Regional Plan Assessment

#### 4. Is the planning proposal consistent a local Council's local strategy or other local strategic plan?

#### Gosford 2025 Community Strategic Plan

The *Gosford Community Strategic Plan (CSP)* outlines a set of guiding principles, aspirations and values for the community. These reflect on social, economic, environmental and governance aspects for now and the future.

The following strategies outlined in the Community Strategic Plan are applicable to this Planning Proposal:

CSP Objective	Consistency
A3.4 – Increase the availability of appropriate housing.	The subject land is within an existing residential area with good access to services. The potential subdivision from the request will increase the availability of housing to the locality.
B6.3 – Plan for population growth within existing developed footprint	The subject land has been assessed as being on minimal natural value and suitable for residential

		development.
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Table 3: Community Strategic Plan Assessment

#### **Biodiversity Strategy**

The following action from the biodiversity strategy is applicable to the Planning Proposal

7. Focus development around existing urban centres to maintain the urban development in the existing urban footprint to protect agricultural and environmentally sensitive lands.

The Planning Proposal is consistent with this action as it proposes to zone land for residential purposes generally within the existing urban footprint. The subject lots are predominantly cleared and the remaining vegetation of the site can be addressed by a hollow bearing tree assessment should the gateway support the request.

#### **Residential Strategy**

The Residential Strategy has the following action applicable to this Planning Proposal:

• Proposed rezoning for low density residential land will be preferred where the result is the consolidation of existing residential zoned areas, rather than the extension of these zones as ribbon development or as incremental extensions into adjoining areas.

The Planning Proposal is an example of urban consolidation as it seeks to rezone land to residential, which is surrounded on three sides by existing residential zoned land. Such a scenario will not result in ribbon development which is consistent with this strategy.

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

The proposal has been considered against the relevant State Environmental Planning Policies (SEPP) as detailed below.

State Environmental Planning Policy	Comment
SEPP No. 44 – Koala Habitat	
Aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:	The request was not accompanied by a Flora and Fauna Assessment Report. Although it is unlikely the site contains koala habitation, it is recommend that an assessment of Koala Habitation be included in the flora and fauna assessment report.
<ul> <li>(a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and</li> </ul>	
(b) by encouraging the identification of areas of	

Sta	te Environmental Planning Policy	Comment
	core koala habitat, and	
(c)	by encouraging the inclusion of areas of core koala habitat in environment protection zones	
SEP	P No. 55 – Remediation of Land	
land hun env	is to promote the remediation of contaminated d for the purpose of reducing the risk of harm to nan health or any other aspect of the ironment	Council's historical aerial photography indicates that the subject land was used for agricultural purposes (crops and orchards). As the land has been used for agricultural or horticultural purposes, a preliminary contamination report should be
	by specifying when consent is required, and when it is not required, for a remediation work, and	undertaken prior to public exhibition should the gateway support the request.
	by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and	
	by requiring that a remediation work meet certain standards and notification requirements.	
SEP	P No. 71 – Coastal Protection	
	This Policy Aims: to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and	The subject land is located within the area as defined by SEPP 71. An assessment of the proposal against Clause 8 of the SEPP has been undertaken (refer to supporting documentation). The proposed land use is considered consistent with the location.
(b)	to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and	
(c)	to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and	
(d)	to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and	
(e)	to ensure that the visual amenity of the coast is protected, and	
(f)	to protect and preserve beach environments and beach amenity, and	
1		10

Sta	te Environmental Planning Policy	Comment
(g)	to protect and preserve native coastal vegetation, and	
(h)	to protect and preserve the marine environment of New South Wales, and	
(i)	to protect and preserve rock platforms, and	
(j)	to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the <u>Protection of the Environment</u> <u>Administration Act 1991</u> ), and	
(k)	to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and	
(I)	to encourage a strategic approach to coastal management.	

Table 4: State Environmental Planning Policy Assessment

#### 6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposal has been considered against the relevant Ministerial Section 117 Directions as summarised below. The full assessment of these Directions is contained within the supporting documentation of this proposal.

No.	Direction	Applicable	Consistent
Employ	rment & Resources		
1.1	Business & Industrial Zones	Ν	N/A
1.2	Rural Zones	Ν	N/A
1.3	Mining, Petroleum Production and Extractive Industries	Ν	N/A
1.4	Oyster Aquaculture	Ν	N/A
1.5	Rural Lands	Ν	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	γ	Υ
2.2	Coastal Protection	γ	Υ

No.	Direction	Applicable	Consistent
2.3	Heritage Conservation	Y	Y
2.4	Recreation Vehicle Areas	Y	Y
2.5	Application of E2 & E3 Zones and Environmental Overlays in the Far North Coast LEPS	N	N/A
Housi	ng, Infrastructure & Urban Development		
3.1	Residential Zones	Y	Υ
3.2	Caravan Parks and Manufactured Home Estates	Ν	N/A
3.3	Home Occupations	Υ	Y
3.4	Integrating Land Use & Transport	Y	Y
3.5	Development Near Licensed Aerodromes	Ν	N/A
3.6	Shooting Ranges	Ν	N/A
Hazaro	d & Risk		
4.1	Acid Sulfate Soils	γ	Υ
4.2	Mine Subsidence and Unstable Land	Ν	N/A
4.3	Flood Prone Land	Ν	N/A
4.4	Planning for Bushfire Protection	Y	TBD
Regio	nal Planning		
5.1	Implementation of Regional Strategies	γ	Υ
5.2	Sydney Drinking Water Catchments	Ν	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	N	N/A
5.9	North West Rail Link Corridor Strategy	Ν	N/A
5.10	Implementation of Regional Plans	Y	Y
Local I	Plan Making		
6.1	Approval and Referral Requirements	Y	Y

No.	Direction	Applicable	Consistent
6.2	Reserving Land for Public Purposes	Ν	N/A
6.3	Site Specific Provisions	Υ	Υ
Metrop	oolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Ν	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	Ν	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	Ν	N/A

Table 5: S117 Ministerial Direction Compliance

## Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Vegetation on the sites comprise of two vegetation communities namely, Alluvial Bluegum Paperbark Forest and Coastal Narrabeen Moist Forest (Bell 2014).

The Alluvial Blue Gum Forest occurs along moist alluvial flats and creek lines and is identified as an Endangered Ecological Community (EEC) under the Threatened Species Consideration Act, 1995. Vegetation along the northern property boundary of lot 65 is mapped as the EEC however, the site inspection confirmed the ground cover was dominated by weed species including blackberry, privet, ginger and asparagus fern. The canopy comprised Blackbutts, Pittosporum and Camphor laurel. Overall this vegetation showed signs of historical disturbances and was generally poor condition.

Blackbutts, Allocasurinas and Terpentines dominate the vegetation community that occurs along the frontage of Beaufort Road and eastern property boundary of lot 77. The large Eucalypt trees on the sites are mature and have the potential to bear hollows. The understorey is sparse and shows signs of disturbance by way of weeds and regrowth.

Should the proposal proceed, the proposal is required to adequately survey potential threatened fauna species. The large trees on the site may contain hollows and therefore a hollow bearing tree assessment would be required to progress this rezoning application. Particular attention will need to be paid to hollow bearing trees and their ability to provide habitat for threatened species recorded within the locality.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

#### **Bushfire**

The subject land is classified as Rural Fire Service Bushfire Category 1 and Vegetation Buffer. Should the Planning Proposal be supported the gateway determination will require the provision of a bushfire report and consultation with the Rural Fire Service.

#### **Contaminated Land and Acid Sulfate Soils**

Council's historical aerial photography indicates that the subject land was used for agricultural purposes (crops and orchards). As the land has been used for agricultural or horticultural purposes, a preliminary contamination report should be undertaken prior to public exhibition should the gateway support the request.

The subject sites are not identified as containing Acid Sulfate Soils. As part of this planning proposal, the *GLEP 2014* Acid Sulfate Soils Map is to be amended to include the land as Class 5 acid sulfate soils.

#### Flooding and Drainage

The land is located in the upper catchment of Terrigal Lagoon. Contributing runoff from future urban land uses will require additional stormwater management infrastructure to be provided. Council's records indicate that a 600 mm diameter pipe discharges on the subject land.

Whilst Council's records do not show the land as being flood affected, there may be localised overland flood flow paths which need to be considered in developing a subdivision concept plan. A flooding and drainage study will be required to be undertaken should a gateway determination be issued by the NSW Department of Planning and Environment (DP&E) to further investigate this issue. This report will be required to identify overland flood flow paths, delineate or map whether there is any increase in flood risk due to the change of land use or identify any stormwater measures to ameliorate any risks.

9. Has the planning proposal adequately addressed any social and economic impacts?

The planning proposal is for the provision of future housing supply and housing choice as designated in the *Central Coast Regional Plan*. The Planning Proposal will contribute to the supply of housing for the Central Coast and generate employment during construction stage.

#### Section D – State and Commonwealth Interests

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

#### Traffic

The subject site is accessed from Beaufort Road and Fairway Drive, with the main feeder road to the site being Willoughby Road.

A traffic study will be required to be undertaken by the proponent to ensure that adequate sight lines are able to be provided along Beaufort Road with particular attention will need to be given to future driveway placement and intersection of Beaufort Road and Wycombe Road.

#### Water and Sewer

Water is available to service the land. The properties are located within Council's defined water service area and a water supply main is located adjacent to the properties in Beaufort Road, Wycombe Road and Fairway Drive.

Sewer is not currently available and would need to be extended to service future development. The lots are located outside Councils defined sewer service area. Council's sewer reticulation system is located within existing developed residential zoned land located north and south of the land. This current proposal would require further augmentation of C19 sewer pump station and potentially C19 sewer rising main.

The applicant would be responsible for undertaking a sewer systems capacity analysis on Councils C19 sewer pump station, rising main and downstream reticulation system. The analysis shall assess the impact of the proposed development on Council's existing sewerage reticulation system. This analysis will need to be undertaken to Council's satisfaction.

Practical options exist to provide sewer to service the land, however the cost of extending water and sewer services will need to be examined in more detail by the proponent before the planning proposal is finalised. Council's Water Assessment Section advise that no objection to the proposal exists, providing the cost of augmenting water and sewer services is funded by land owners as part of any future subdivision.

**11**. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No consultations have yet been undertaken with State and Commonwealth agencies as the gateway determination has not yet been issued. However it is likely that the following agenices will be consulted, should a gateway determination be issued:

- New South Wales Rural Fire Service
- Office of Environment and Heritage

## Part 4 Mapping

See Supporting Documentation

## Part 5 Community Consultation

The proposal will be made available for **28** days for community/agency consultation and undertaken in accordance with any determinations made by the Gateway. The community will be notified of the commencement of the exhibition period via a notice in the local newspaper and on the web-site of Gosford City Council. A letter will also be sent to the adjoining landowners.

It is expected that the proposal will be made available at the following locations:

- Gosford Office: 49 Mann Street, Gosford, and;
- Council's website: http://www.gosford.nsw.gov.au/about-council/general-informationrates/items-on-exhibition

# Part 6 Project Timeline

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	N/A	21 April 2017	21 June 2017
Anticipated timeframe for the completion of required technical information	3 months	21 June 2017	21 Sep 2017
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	21 days	21 Sep 2017	21 Nov 2017
Commencement and completion dates for public exhibition	21/11/2017 to 19/12/2017	21 Nov 2017	19 Dec 2017
Dates for public hearing (if required)	N/A	N/A	N/A
Timeframe for consideration of submissions	28 Days	19 Dec 2017	16 Jan 2018
Timeframe for consideration of a proposal post exhibition	2 Months	16 Jan 2018	16 March 2018
Date of submission to the Department to finalise LEP	1 Month	16 March 2018	16 April 2018
Anticipated date RPA will make the plan (if delegated)	14 Days	16 April 2018	30 April 2018
Anticipated date RPA will forward to the Department for notification	1 Day	30 April 2018	01 May 2018

Table 6: Key Project Timeframes

# Supporting Documentation

## **Ministerial Section 117 Directions**

Direction	Comment		
Environment & Heritage			
2.1 Environmental Protection Zones			
Aims to protect and conserve environmentally sensitive areas.	Consistent		
Applies when the relevant planning authority prepares a planning proposal.	Clause (4) of the Direction requires the request to include provisions that facilitate the protection and conservation of environmentally sensitive areas. A Planning Proposal		
What a relevant planning authority must do if this direction applies A planning proposal must include provisions that	request that applies to land within an environmental protection zone or land otherwise identified for environmental protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development		
facilitate the protection and conservation of environmentally sensitive areas.	standards that apply to the land).		
A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development	The request is not supported by a <i>Flora and Fauna Report.</i> Council's Environment officer has reviewed the request and identifies that although there is the presence of Endangered Ecological Communities, the vegetation is disturbed and in poor condition.		
standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 <i>"Rural Lands"</i> .	The objective of this direction is to "protect and conserve environmentally sensitive areas". The land in question has not been identified as an environmentally sensitive area.		
	Should the proposal proceed, the proposal is required to adequately survey potential threatened fauna species. The large trees on the site may contain hollows and therefore a hollow bearing tree assessment would be required to progress this request.		
2.2 Coastal Protection			
The objective of this direction is to implement the principles in the NSW Coastal Policy.	Consistent		
This direction applies to the coastal zone, as defined in the <i>Coastal Protection Act 1979</i> .	<ul> <li>The NSW Coastal Policy sets out the following goals relevant to the Planning Proposal:</li> <li>Protecting, rehabilitating and improving the natural environment of the coastal zone.</li> </ul>		
This direction applies when a relevant planning authority prepares a planning proposal that applies to land in the coastal zone.	<ul> <li>Protecting and enhancing the aesthetic qualities of the coastal zone.</li> <li>Providing for ecologically sustainable human settlement in the coastal zone.</li> </ul>		
What a relevant planning authority must do if this	The subject land is generally cleared of native vegetation so the rezoning to allow closer human settlement is 17		

Direction	Comment
Direction direction applies A planning proposal must include provisions that give effect to and are consistent with: (a) the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and (b) the Coastal Design Guidelines 2003, and (c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW Coastline Management Manual 1990).	<ul> <li>Comment</li> <li>ecologically sustainable. The aesthetic qualities of the coastal zone are maintained as the subject land adjoins an area already used for low density residential development.</li> <li>The Coastal Design Guidelines relate to design of dwellings and location of new settlements and is relevant to this Planning Proposal. The following objectives are relevant to this Planning Proposal: <ul> <li>To protect and enhance the cultural, ecological and visual characteristics of a locality.</li> <li>To limit coastal sprawl by establishing separation and greenbelts between settlements.</li> <li>To encourage new coastal settlements to be appropriately located.</li> <li>To create neighbourhoods centred around services and facilities.</li> </ul> </li> <li>The subject land adjoins an existing residential development thus future subdivision will be visually consistent with the residential character of the area and integrate with the adjoining land use.</li> <li>The NSW Coastline Management Manual provides "information to assist present and potential users and occupiers of the coastline to understand the nature of coastline hazards and the options available for their management."</li> </ul>
	As the site is not subject to immediate coastal processes it is not relevant to the Planning Proposal.
2.3 Heritage Conservation	·
Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority prepares a planning proposal.	Consistent There are no identified European Heritage items or areas in the vicinity of the site. An Aboriginal Heritage Information Management System (AHIMS) search of the area provided with the application indicates no aboriginal sites or places in or near the location.
2.4. Recreation Vehicle Areas	
The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. This direction applies to all relevant planning authorities.	Consistent The Land subject to the planning proposal is not identified as or adjacent to any land that would is to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983).

Direction	Comment
This direction applies when a relevant planning authority	
prepares a planning proposal.	
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands. Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	Consistent Under Gosford Local Environment Plan (LEP) 2014 the R2 Low Density Residential zone provides for a variety of housing forms including small lot and secondary dwelling development in addition to traditional single dwelling houses. The provisions of Gosford LEP 2014 and the conditions of any development consent issued will ensure that the land is adequately serviced for residential development.
3.3 Home Occupations	
Aims to encourage the carrying out of low impact small business in dwelling houses. Applies when the relevant planning authority prepares a planning proposal.	Consistent The proposal does not impact on the permissibility of home occupations.
3.4 Integrating Land Use & Transport	·
Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight. Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Consistent The proposal will integrate with the established road and public transport system.
Hazard & Risk	
4.1 Acid Sulfate Soils	
The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of	Consistent The proposal and associated sites have no record of containing Acid Sulfate Soils. As part of this planning proposal, the GLEP 2014 Acid Sulfate Soils Map is to be amended to include the land as Class 5 acid sulfate soils.

Direction	Comment
Planning. This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.	
4.4 Planning for Bushfire Protection	
Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas. Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.	Consistency – TBA This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land. In the preparation of a planning proposal request, the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination. The subject land is classified as Rural Fire Service Bushfire Category 1 and Vegetation Buffer.
	Should Council and the Gateway support the Planning Proposal, then the gateway determination would require consultation with the Rural Fire Service.
Regional Planning 5.1 Implementation of Regional Strategies	
Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies. Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.	Consistent The proposal has been assessed against the actions of the Central Coast Regional Strategy and the Draft Central Coast Regional Plan and is consistent with these documents (See Question 3).
5.10 Implementation of Regional Plans	
The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. This direction applies to land to which a Regional Plan has been released by the Minister for Planning. This direction applies when a relevant planning authority prepares a planning proposal.	Consistent The land subject to the planning proposal has not been released by the Minister of Planning or specifically been identified for by a regional plan for future development. However, in this instance the subject request is consistent with the directions and actions of the Regional Plan. The Planning proposal will accelerate the delivery of new dwellings by providing greater housing diversity to support projected housing demand in within the Central Coast Region.

Direction	Comment
Local Plan Making	
6.1 Approval and Referral Requirements	
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent
Applies when the relevant planning authority prepares a planning proposal.	The planning proposal will not increase the need for referrals for development applications.
	Referral requirements will be similar to those that are have been undertaken for the development application for the residential development of the remainder of the lot, generally in accordance with Section 91 of the Environmental Planning and Assessment Act 1979.
6.3 Site Specific Provisions	
Aims to discourage unnecessarily restrictive site specific	Consistent
planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be	While a Development Application is yet to be lodged for the subject site it is apparent that there will be an application lodged for residential subdivision as soon as possible.
carried out.	
	It is proposed that the relevant LEP mapping be updated only subsequent to this proposal and not additional development standards than currently exist will apply.

Table 7: Ministerial Section 117 Directions

## State Environmental Planning Policy 71, Clause 8

Clause	e	Comment
a)	The aims of the Policy:	The request seeks to rezone land from 7c2 Conservation and Scenic Protection to R2 Low Density Residential. The request will not impact on state significant vegetation and wetlands, and is not considered to have a potential impact on the marine environment. The request is consistent with the aims of the policy.
b)	existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved	The subject site does not have direct foreshore frontage and does not front a public reserve. Future development of the site is not likely to impede access to any reserve.
C)	opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability	The subject site does not have direct foreshore frontage and does not front a public reserve. No future opportunity for access is warranted.
d)	the suitability of development given its	The locality comprises predominantly low density

	type, location and design and its relationship with the surrounding area	single and double storey dwellings. The request is compatible in this regard. The site is generally clear of vegetation and considered suitable.
e)	any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore	It is considered that there will be no loss of view to nearby coastal foreshores from the request or any associated future development.
f)	the scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The request and future development would require minimal removal of existing vegetation from the subject site. It is considered to not detract from the scenic qualities of the locality.
g)	measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats	Detailed investigations have not yet been undertaken to determine any potential impacts the request may have on native flora and fauna. A hollow bearing tree assessment is recommended to progress this request
h)	measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats	The request is not considered to have a potential unquantified impact on the marine environment.
i)	existing wildlife corridors and the impact of development on these corridors,	The subject land does not adjoin any existing or proposed wildlife corridors.
j)	the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards	The subject site is not identified to be subject to coastal processes (e.g. erosion, dune instability etc)
k)	measures to reduce the potential for conflict between land-based and waterbased coastal activities	No land-based and waterbased coastal activity conflict is considered to result from this request.
l)		An Aboriginal Heritage Information Management System (AHIMS) search of the area provided with the application indicates no aboriginal sites or places in or near the location.
m)	likely impacts of development on the water quality of coastal waterbodies	The request is not considered to have a potential impact on the marine environment of coastal waterbodies.
	the conservation and preservation of items of heritage, archaeological or historic significance	There are no identified European Heritage items or areas in the vicinity of the site
0)	only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities	The locality comprises predominantly low density single and double storey dwellings. The proposed development is compatible in this regard.

Table 8: State Environmental Planning Policy 71, Clause 8 Assessment

Mapping -



Figure 3 – Locality Map



Figure 4 – Pre Gosford LEP 2014 Zoning 7c2 (Scenic Protection – Rural Small Holdings) under *Interim Development Order No 122* 



Figure 5 – Proposed Land Zoning Map (R2 = Low Density Residential Development)



Figure 6 – Proposed Floor Space Ratio Map (D = 0.5:1)



Figure 7 – Proposed Height of Buildings Map (I = 8.5m)



Figure 8 – Proposed Minimum Lot Size Map (K = 550m<sup>2</sup>)



Figure 9 – Acid Sulfate Soils - Class 5