



## Central Coast Council

Planning Proposal

Lot 3 DP 716082

682a Coleridge Road

Bateau Bay

File No: RZ/4/2022; PP-2022-807

December 22





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Version 1

Central Coast Council

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## Background & Locality Context

The subject site is located at 682a Coleridge Road, Bateau Bay. Figure 1 below shows the locality.

The real property description includes Lot 3 DP 716082.

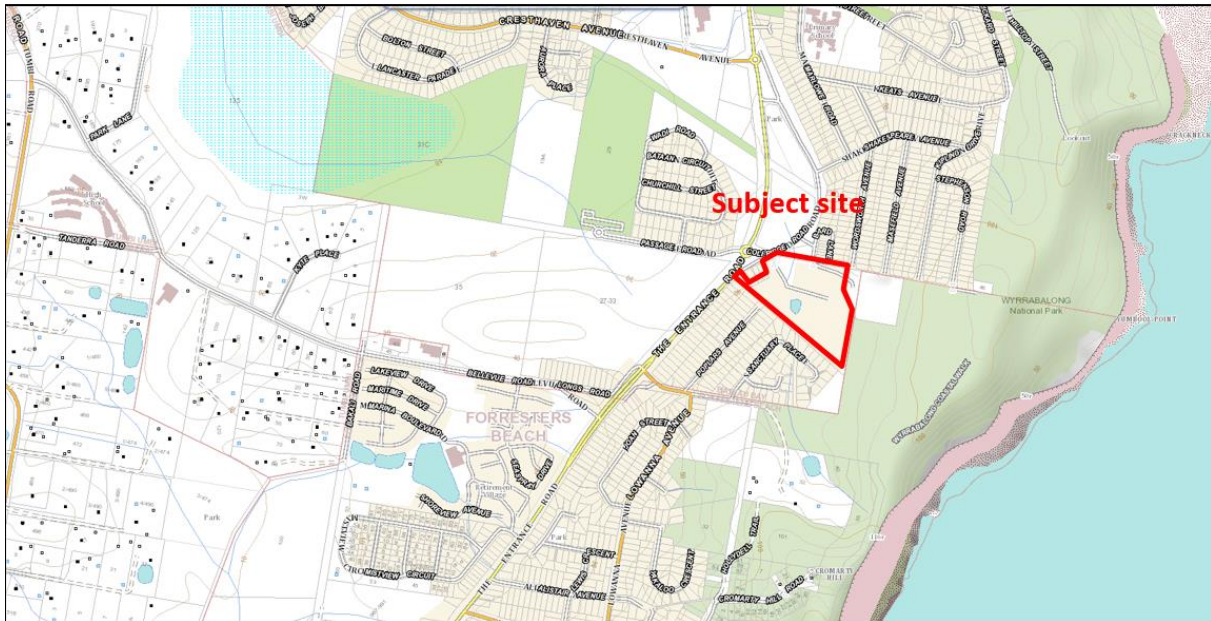


Figure 1 Contextual Locality Plan

The irregular shaped allotment is characterised by a relatively flat site with a steep slope along the south-eastern boundary. The site adjoins residential development and road infrastructure along the western and northern boundaries and adjoins neighbourhood development (Bard Lane) also along the northern boundary and National Park and a water supply reservoir along its eastern boundary. Located 2.4km north of the site is Bateau Bay shopping centre and approximately 1km south is Forrester's Beach. The site fronts Coleridge Road and the Entrance Road and is owned by The Entrance Red Bus Services Pty Ltd.

### Background

682a Coleridge Rd, Bateau Bay has an area of 5.261 hectares with vehicle access provided from Coleridge Road and additional informal access being available from Bard Lane. The site is strategically located adjacent to Central Coast Highway (The Entrance Road), Bard Lane Neighbourhood Centre, and adjoins nearby green infrastructure within Wyrribalong National Park including Wyrribalong Coastal Walk (refer to Figures 2 and 3).

The site operated as a Sandstone Quarry prior to its current use as the Red Bus Depot (operating since 1981). The installation of a Hydrogen Refuelling Station ancillary to the bus depot was approved in March 2022.

The site is predominately cleared with remnant vegetation located along the eastern boundary. This vegetation is mapped as containing Biodiversity Values and Important Swift Parrot Habitat Areas. Category 1 and Vegetation Buffer Bushfire Prone Land is throughout the site. The site is impacted by Precinct 1 PMF and Precinct 2 Flood Planning Areas mapping.



The site is zoned SP2 Infrastructure, as shown in Figure 2 below.

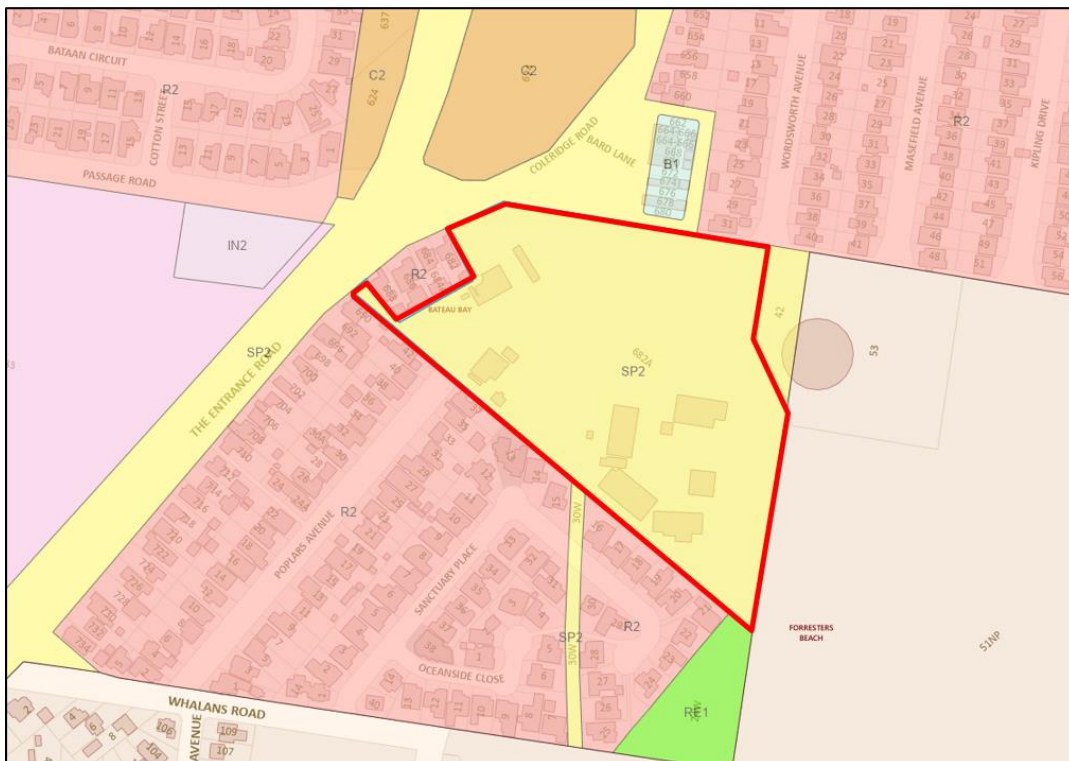


Figure 2 Existing Zoning under Central Coast Local Environmental Plan (CCLEP) (2022)



Figure 3 Aerial photograph of existing site

## Part 1 Objectives or Intended Outcomes

The Planning Proposal seeks to rezone the site, apply a minimum lot size, building height and floor space ratio (FSR) and allow for additional permitted use (APU) under the Central Coast Local Environmental Plan (CCLEP) 2022.

The objective of this proposal is to amend the CCLEP 2022 to:

- (a) Rezone the site to R1 General Residential;
- (b) Apply the minimum lot size of 450m<sup>2</sup>;
- (c) Apply the Building Height of 9.5m;
- (d) Apply the Floor Space Ratio of 0.6:1 and;
- (e) Allow additional permitted use of 'Transport Depot'.

The intended outcomes of the proposal area:

- a) rezone the site to a zone that appropriately reflects the land's location within the Karagi regionally significant growth area which is identified in the Central Coast Regional Plan 2041 and includes residential development.
- b) apply an appropriate minimum lot size, building height and FSR which accounts for the future residential development and introduce the additional permitted use that will enable the bus depot to continue operation on site until such time as it is no longer required.

### Additional Permitted Use

Development for the purpose of *transport depot* is not permitted within the R1 General Residential zone. Therefore, an amendment to Schedule 1 Additional Permitted Uses of CCLEP is required.

In accordance with CCLEP 2022, the definition of the above use includes:

***transport depot*** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

The proposed wording of the APU would likely be:

### Use of certain land at 682a Coleridge Road, Bateau Bay

- (1) This clause applies to land at 682a Coleridge Road, Bateau Bay, being Lot 3 DP 716082, identified as 'Transport Depot' on the Additional Permitted Uses Map.
- (2) Development for the purposes of transport depot is permitted with development consent.
- (3) Notwithstanding Clause (2) above, should development consent be granted for a residential subdivision on Lot 3 DP 716082, the transport depot must cease operation and shall become a prohibited use on the site.

## Part 2 Explanation of Provisions

The proposal seeks to apply the Additional Permitted Use of 'Transport Depot', rezone the site to R1 General Residential, apply the minimum lot size of 450m<sup>2</sup>, apply the Building Height of 9.5m (two storey high) and the Floor Space Ratio of 0:6:1.

The following table identifies the proposed amendments to the CCLEP:

*Table 1:* Explanation of Map and Instrument Amendments

Existing Provision	Proposed Amendment
Additional Permitted Uses Map	To include Lot 3 DP 716082 (682a Coleridge Rd, Bateau Bay) on the additional permitted use mapping.
Schedule 1 – Additional Permitted Uses	<p><b>Use of certain land at 682a Coleridge Road, Bateau Bay</b></p> <p>(1) This clause applies to land at 682a Coleridge Road, Bateau Bay, being Lot 3 DP 716082, identified as 'Transport Depot' on the Additional Permitted Uses Map.</p> <p>(2) Development for the purposes of transport depot is permitted with development consent.</p> <p>(3) Notwithstanding Clause (2) above, should development consent be granted for a residential subdivision on Lot 3 DP 716082, the transport depot must cease operation and is prohibited on the site.</p>
Land Zoning Map	R1 General Residential
Lot Size Map	450m <sup>2</sup>
Building Height	9.5m
Floor Space Ratio	0:6:1

A concept plan for the proposal includes an indicative concept of residential housing layout across the site as shown in Figure 4 below. With low density residential proposed to be concentrated to the south and western portion of the site and the remainder proposed to be medium density housing. The proposed dwelling provision is between 40-70 dwellings, as confirmed by the applicant.



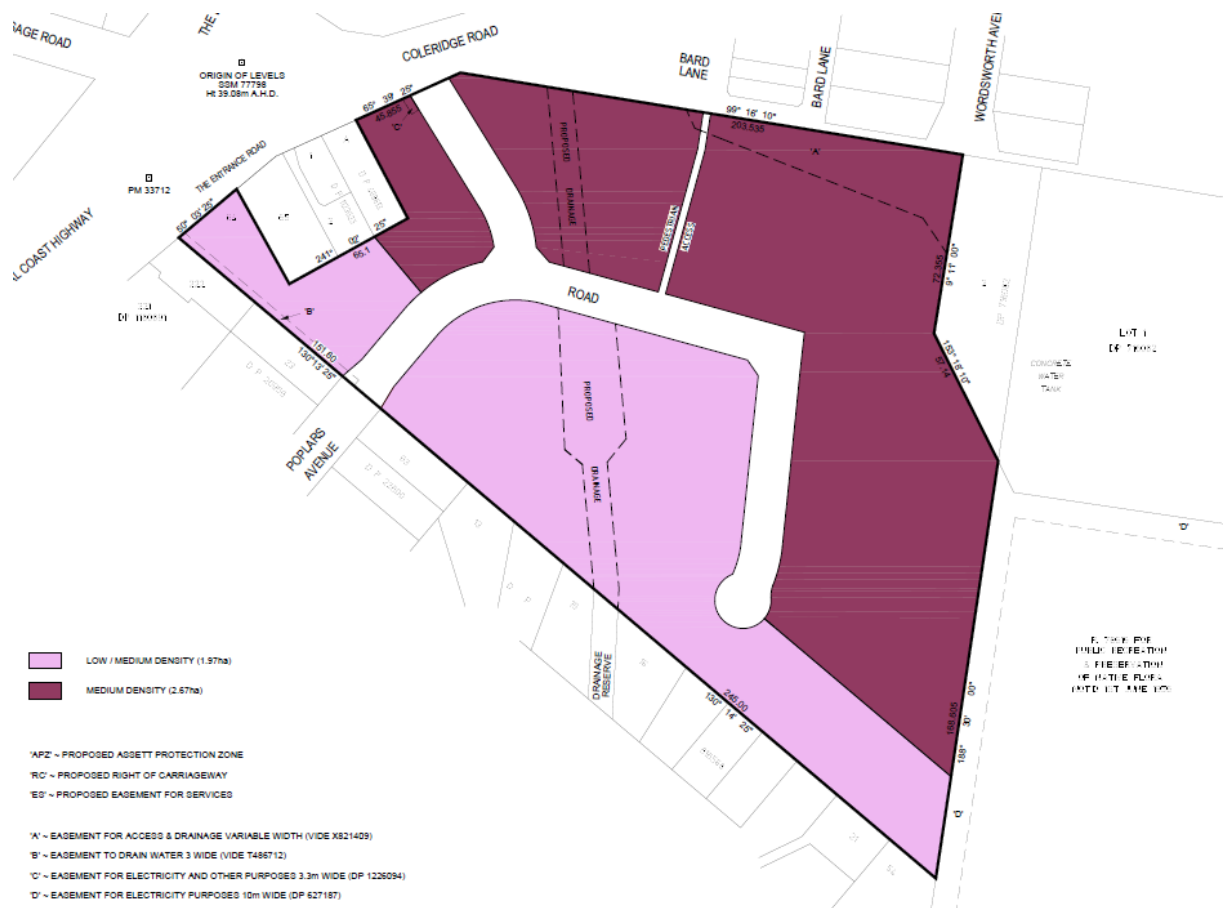


Figure 4: Concept Plan

## Instrument Amendments

### 1. Zoning

-rezone the SP2 Infrastructure land to R1 General Residential

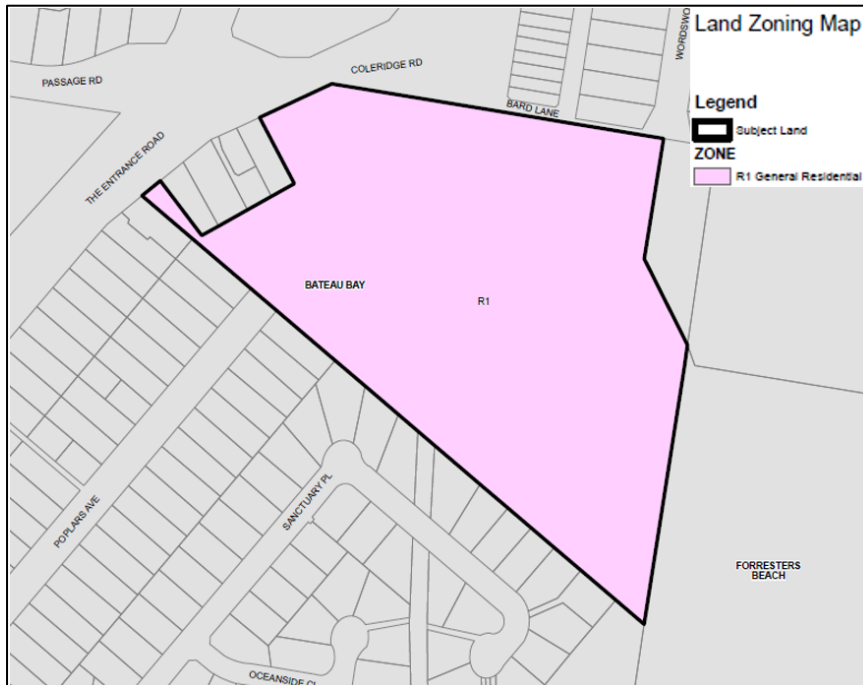


Figure 5 proposed R1 Zoning under CCLEP

### 2. Lot Size

-apply the minimum lot size of 450m<sup>2</sup> to the entirety of the site

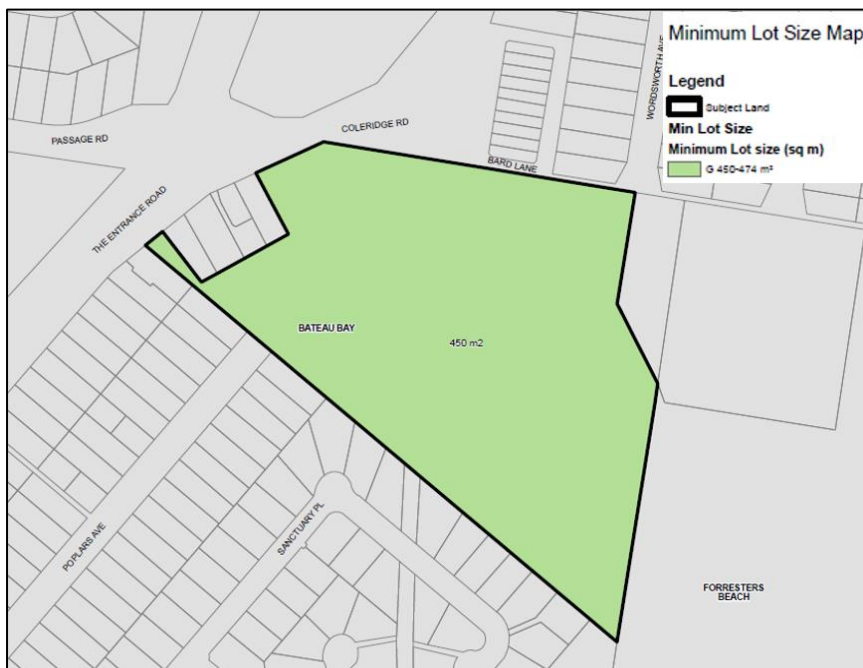


Figure 6 proposed minimum lot size under CCLEP

### 3. Additional Permitted Use

-allow the APU of 'Transport Depot' on site

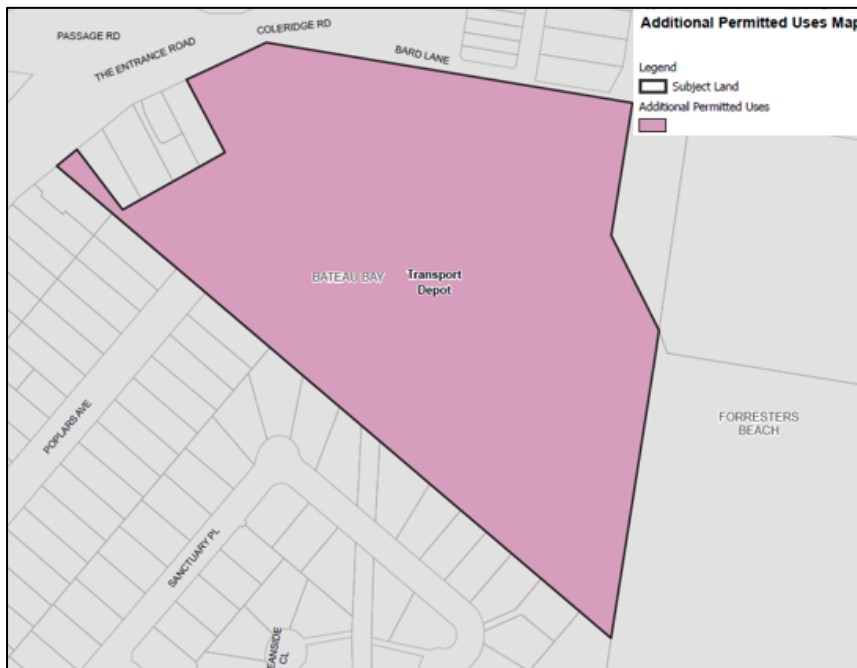


Figure 7 proposed APU under CCLEP

### 4. Building Height

-apply the building height of 9.5m



Figure 8 Proposed Building Height under CCLEP

## 5. Floor Space Ratio

-apply the Floor Space Ratio of 0.6:1

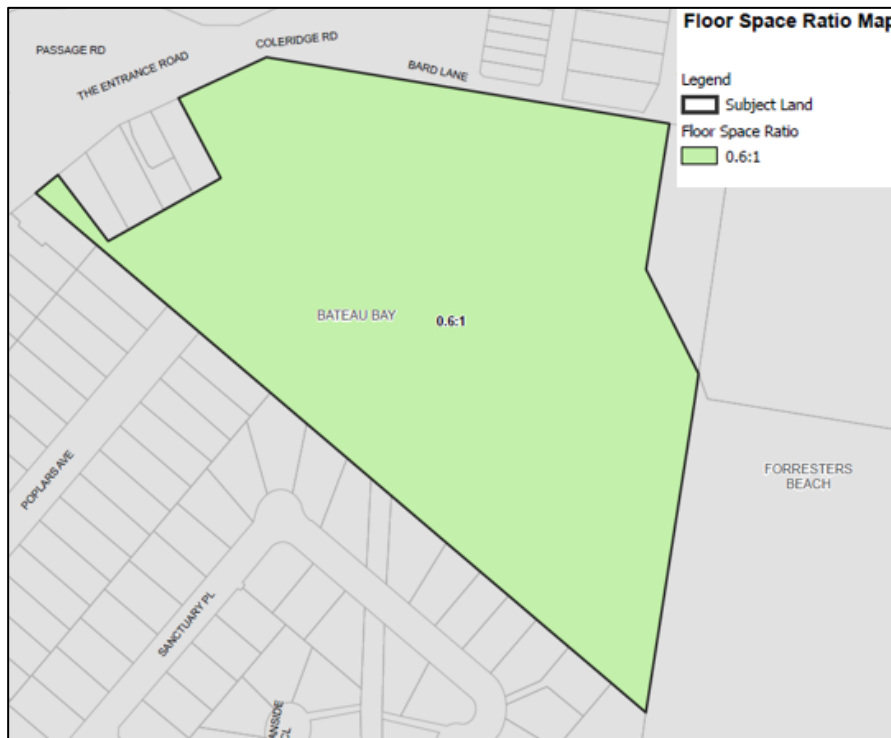


Figure 9 Proposed FSR under CCLEP

## 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 the result of a strategic study or report. However, the Planning Proposal does have strategic merit for the following reasons:

- The CCRP 2041 identifies the site as part of the Karagi regionally significant growth area. The CCRP 2041 direction for the Karagi growth area is for urban activation, future rapid transport bus routes, harnessing of green infrastructure for residential use, and the expansion of housing stock alongside neighbourhood centres. The proposal aligns with this direction.
- The proposal aligns with the Central Coast Regional Plan 2041 (CCRP) by facilitating compact infill '15-minute neighbourhood' settlement patterns in an established neighbourhood, whilst protecting the environmental and coastal values of the site and providing attractive lifestyle opportunities in the Tuggerah District (aligning with Objective 3, 4, 5, 6 and 7 of the CCRP). There is the potential for a minor impact to existing employment from removal of the bus depot on the site, however, these jobs would transfer to the new depot location and additional employment opportunities would be generated to service future residents of the site.
- It provides for diverse housing within an established centre with quality lifestyle connections between the natural and built environment. This is consistent with Council's *Local Strategic Planning Statement (LSPS) 2020*.
- Supporting studies indicate that site constraints including traffic, land contamination, flooding and vegetation can be adequately managed within the development design for the site. A site-specific DCP will be prepared to ensure that specialist staff recommendations to address these site constraints are considered and applied to any future Development Application for residential subdivision or housing.

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

A Planning Proposal process is the only means of achieving the objectives/intended outcomes of the rezoning, applying the minimum lot size and APU.

## 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)?*

### Interim Local Strategic Planning Statement

Outline how the proposal is supported by or consistent with the Interim Local Strategic Planning Statement.

### Central Coast Regional Plan (2041) – Objectives

Table 2: CCRP 2041 Assessment – Objectives

Direction	Applicable	Assessment/Comment
<b>Objective 1:</b> A prosperous Central Coast with more jobs close to home	Yes	The continued operation of the bus depot provides employment generation in the short term. Additional employment opportunities will be required to service future residents if the site is developed for residential purposes.
<b>Objective 2:</b> Support the right of Aboriginal residents to economic self-determination	N/A	The Planning Proposal does not relate to Aboriginal Land.
<b>Objective 3:</b> Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities	Yes	The site is located within an existing urban area, with access to nearby infrastructure and services. It promotes healthy lifestyles through providing access to adjoining green infrastructure (National Park).
<b>Objective 4:</b> An interconnected Central Coast without car-dependent communities	Yes	The site is located within the regionally significant growth area known as Karagi. Karagi focuses development within 15 minutes' walk of strategic centres including Bateau Bay and takes advantage of existing access to open space, coastal walks (Wyrabalong coastal walk) and bicycle networks.
<b>Objective 5:</b> Plan for 'nimble neighbourhoods', diverse housing and sequenced development	Yes	The site is a part of the Tuggerah District, which is planned for 80% infill development. The proposed aids in the generation of infill development through residential housing opportunities.
<b>Objective 6:</b> Conserve heritage, landscapes, environmentally sensitive areas,	Yes	The site is mapped as Swift Parrot habitat along the north-eastern and eastern boundary of the site. The proposal will protect and conserve the environmental values on site through avoiding this area and maintaining the land as a buffer to the national park's estate to the east. The 4



Direction	Applicable	Assessment/Comment
waterways and drinking water catchments		hollow-bearing trees and dam on site will be retained.
<b>Objective 7:</b> Reach net zero and increase resilience and sustainable infrastructure	Yes	The proposal will provide resilient and sustainable infrastructure in the development design.
<b>Objective 8:</b> Plan for businesses and services at the heart of healthy, prosperous and innovative communities	N/A	The site is suited to residential use as it adjoins existing infrastructure and services and is well located in terms of access to public and active transport routes.
<b>Objective 9:</b> Sustain and balance productive rural landscapes	No	The site is not located within a rural area.

### Central Coast Regional Plan (2041) – Planning Priorities

Table 3: CCRP 2041 Planning Priorities – Tuggerah District

Planning Priorities – Tuggerah District	Applicable	Assessment/Comment
1. Focus growth in the Tuggerah to Wyong Growth Corridor to support an economy that is adaptive, innovative and creates new jobs	Yes	The proposed provides the opportunity for additional housing choice within the new Karagi regionally significant growth area. The continued operation of the bus depot provides employment generation in the short term. Additional employment opportunities will be required to service future residents if the site is developed for residential purposes.
2. Plan for the development of a health precinct at Wyong Hospital	No	The proposed is not located in the vicinity of Wyong Hospital.
3. Maintain and improve the strong relationship with green open space and the environment	Yes	The proposed is located in close proximity to green open space to the north and east of the site, cycleways and coastal walking opportunities.
4. Maximise connectivity between key activity destinations	Yes	The proposed provides infill housing opportunities in close proximity to Bateau Bay Town Centre, taking advantage of the area's access to open space and bicycle networks.

Planning Priorities – Tuggerah District	Applicable	Assessment/Comment
5. Maintain or improve the water quality of Tuggerah Lakes	No	The proposed is not located in the vicinity of Tuggerah Lakes.

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

**Community Strategic Plan**

The proposal is consistent with the five themes of the One – Central Coast, Community Strategic Plan 2018-2028 (Community Strategic Plan). An assessment of the proposal against the Community Strategic Plan is located in Table 5 below.

Table 4: Community Strategic Plan Assessment

Objective/Requirement		Comment
<b>BELONGING</b>		
<b>OUR COMMUNITY SPIRIT IS OUR STRENGTH</b>		
	A1 Work within our communities to connect people, build capacity and create local solutions and initiatives	The proposal creates opportunities for more recreational and community activities through the provision of additional housing in close proximity to existing community services and infrastructure.
	A2 Celebrate and continue to create opportunities for inclusion where all people feel welcome and participate in community life	
	A3 Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people	
	A4 Enhance community safety within neighbourhoods, public spaces and places	
<b>CREATIVITY, CONNECTION AND LOCAL IDENTITY</b>		
	B1 Support reconciliation through the celebration of Aboriginal and Torres Strait Islander cultures	The proposal enables residential uses located close to existing services, jobs, and active transport options. The proposal aligns with surrounding land uses and will support increased economic activity within the existing Bard Lane Neighbourhood Centre.
	B2 Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year	
	B3 Foster creative and performing arts through theatres, galleries and creative spaces, by integrating art and performance into public life	
	B4 Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors	
<b>SMART</b>		
<b>A GROWING AND COMPETITIVE REGION</b>		

Objective/Requirement		Comment
	C1 Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast	The retention of the bus depot will provide employment generation in the short term. Additional employment opportunities will be available to support the future residents in the longer term.
	C2 Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for businesses, local residents, visitors and tourists	
	C3 Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents	
	C4 Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly	
<b>A PLACE OF OPPORTUNITY FOR PEOPLE</b>		
	D1 Foster innovation and partnerships to develop local entrepreneurs and support start-ups	N/A
	D2 Support local business growth by providing incentives, streamlining processes and encouraging social enterprises	
	D3 Invest in broadening local education and learning pathways linking industry with Universities, TAFE and other training providers	
	D4 Support businesses and local leaders to mentor young people in skills development through traineeships, apprenticeships and volunteering	
<b>GREEN</b>		
<b>ENVIRONMENTAL RESOURCES FOR THE FUTURE</b>		
	E1 Educate the community on the value and importance of natural areas and biodiversity and encourage community involvement in caring for our natural environment	A site specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure the residential buildings provide comfort and protection from weather extremes and encourage energy efficient housing.
	E2 Improve water quality for beaches, lakes and waterways including minimising pollutants and preventing litter entering our waterways	
	E3 Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours	
	E4 Incorporate renewable energy and energy efficiency in future design and planning and ensure responsible use of water and other resources	
<b>CHERISHED AND PROTECTED NATURAL BEAUTY</b>		
	F1 Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	The proposal embraces the biodiversity value of the site by retaining environmentally sensitive areas within the development design.
	F2 Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)	
	F3 Improve enforcement for all types of environmental non-compliance including littering and illegal dumping and encourage excellence in industry practices to protect and enhance environmental health	

Objective/Requirement		Comment
	F4 Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions	
<b>RESPONSIBLE</b>		
<b>GOOD GOVERNANCE AND GREAT PARTNERSHIPS</b>		
	G1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice	Significant stakeholder engagement has occurred to inform the Planning Proposal including consultation with the Department of Planning & Environment and Transport for NSW.
	G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect	
	G3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions	Further consultation will occur with the community and interested stakeholders should the proposal progress to public exhibition.
	G4 Serve the community by providing great customer experience, value for money and quality services	
<b>DELIVERING ESSENTIAL INFRASTRUCTURE</b>		
	H1 Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region	The development will provide extensions and capacity upgrades to water and sewer services to cater for the proposal.
	H2 Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities	
	H3 Create parking options and solutions that address the needs of residents, visitors and businesses whilst keeping in mind near future technologies including fully autonomous vehicles	
	H4 Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water	
<b>BALANCED AND SUSTAINABLE DEVELOPMENT</b>		
	I1 Preserve local character and protect our drinking water catchments, heritage and rural areas by concentrating development along transport corridors and town centres east of the M1	The proposal will meet the changing demand for housing with opportunity for a range of different housing types and lot sizes.
	I2 Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport	
	I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management	
	I4 Provide a range of housing options to meet the diverse and changing needs of the community including adequate affordable housing	
<b>LIVABLE</b>		
<b>RELIABLE PUBLIC TRANSPORT AND CONNECTIONS</b>		

Objective/Requirement		Comment
	J1 Create adequate, reliable and accessible train services and facilities to accommodate current and future passengers	The site has good connection to bus stops along Coleridge Road and The Entrance Road, connecting residents with commercial centres and existing services via car and bus service.
	J2 Address commuter parking, drop-off zones, access and movement around transport hubs to support and increase use of public transport	
	J3 Improve bus and ferry frequency and ensure networks link with train services to minimise journey times	
	J4 Design long-term, innovative and sustainable transport management options for population growth and expansion	
<b>OUT AND ABOUT IN THE FRESH AIR</b>		
	K1 Create a regional network of interconnected shared pathways and cycle ways to maximise access to key destinations and facilities	The site adjoins green infrastructure within Wyrabalong National Park which has a range of walking tracks to enable pedestrian movement and use and enjoyment of an open space public area.
	K2 Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members	
	K3 Provide signage, public facilities, amenities and playgrounds to encourage usage and enjoyment of public areas	
	K4 Repair and maintain wharves, jetties, boat ramps and ocean baths to increase ease of access to and enjoyment of natural waterways and foreshores	
<b>HEALTHY LIFESTYLES FOR A GROWING COMMUNITY</b>		
	L1 Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated	The proposal promotes healthy living with new residential housing located adjoining green infrastructure within Wyrabalong National Park and other parks and sporting fields within walking distance of the site.
	L2 Invest in health care solutions including infrastructure, services and preventative programs to keep people well for longer	
	L3 Cultivate a love of learning and knowledge by providing facilities to support lifelong learning opportunities	
	L4 Provide equitable, affordable, flexible and co-located community facilities based on community needs	This will promote walkability within the site and local area and encourage social interaction.

### Local Strategic Planning Statement

The interim *Central Coast Local Strategic Planning Statement* (LSPS) sets a clear vision for the future and a proactive framework for delivering a growing and sustainable Region with a strong network of Centres and thriving and connected communities. The LSPS is Council's guide to how the Central Coast will respond to future population growth challenges in a manner that benefits our existing residents.

The following strategies and priorities outlined in the LSPS are applicable to this Planning Proposal and the proposal is consistent with these, or in the few cases where inconsistent, it is considered to be minor and justifiable.

Table 5: Local Strategic Planning assessment

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Strategies	Assessment/Comment
1 Revitalise our centres	The proposal will provide a range of housing options in close proximity to existing infrastructure and services.
2 Renew urban form	The proposal will meet the changing demand for housing with the opportunity for a range of different housing types. The housing will be supported by a range of recreational and open space facilities and supporting vehicular and pedestrian connections.
3 Define the urban edge	The proposal will locate infill residential development in an urban area with existing services and infrastructure. The vegetated portion of the site will be retained.
4 Create a sustainable region	The proposal will provide a range of housing options to support increased activation and growth of the Karagi growth area. The proposed development aligns with surrounding land uses whilst preserving the bushland setting adjoining the site.

Table 6: Local Strategic Plan assessment

Planning Priority	Actions	Assessment/Comment
<b>Centres and Corridors</b>		
1 Align development to our infrastructure capacity	Develop a Central Coast Regional Infrastructure Plan that considers our infrastructure capacity, appropriate trigger points for infrastructure provision and prioritises opportunities for integrated infrastructure delivery across the Central Coast. <b>(CCRP Direction 4, 17)</b>	The proposed development aligns with this priority with existing infrastructure to be extended to the site to cater for the proposal.
<b>Housing</b>		
7 Provide well designed housing with high standards of sustainability features.	Develop Centre Structure and Precinct Plans, together with a comprehensive review of planning controls to ensure that housing density and built form is planned and designed to maximise amenity. <b>(CCRP Direction 2, 15, 18)</b>	A site-specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site.
8 Provide for the housing needs of our growing region	Prepare Housing Strategy for the Central Coast to provide a clear vision and strategic direction to accommodate the population growth envisaged for the region in a sustainable manner. <b>(CCRP Direction 15,</b>	The proposal aligns with the physical constraints of the site and will increase residential density in close proximity to existing services, jobs and active transport options.



Planning Priority	Actions	Assessment/Comment
<b>17, 19, 20, 21, 22)</b>		The R1 zone enables a range of housing typologies providing choice reflective of changing demographics
<b>Environment</b>		
22 Create Sustainable and Resilient communities	Review planning controls to require high standards of design and construction, including energy and water efficiency, liveability measures, waste minimization and emissions reduction	A site-specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure the residential buildings are designed to provide comfort and protection from weather extremes and encourage energy efficient housing.
24 Map, protect, and cherish natural areas and ecosystems	Prepare and implement the Central Coast Biodiversity Strategy, including land use planning principles to protect and manage natural areas and ecosystems of high biodiversity value and the Coastal Open Space System. <b>(CCRP Direction 12)</b>	The mapped Biodiversity Values and Swift Parrot Habitat Mapping are to be protected and avoided.

### Biodiversity Strategy

Table 7: Biodiversity Strategy assessment

Goals/Actions	Assessment/Comment
Goal 4.1 High biodiversity value areas are appropriately identified, protected and restored as part of future land use planning investigations	The proposal facilitates the protection and retention of environmentally sensitive areas.
Action 4.1.5 Identify appropriate mechanisms to achieve rehabilitation and enhanced landscape connectivity through the rezoning and development assessment process (such as Vegetation Management Plans)	The Flora and Fauna Assessment (FFA) concludes the proposal is unlikely to significantly impact any species or populations on the site. Impacts to Sensitive Biodiversity Land Values Map (SBV) and Important Areas for Swift Parrot (IASP) BV mapped areas can be avoided by an 88b instrument (RDA) and 88e positive covenant (VMP for APZ management) on the titles of proposed Lots 13-23.

### 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. The proposal is considered to be consistent with all applicable SEPPs.

Table 8: SEPP Assessment

SEPP	Applicable	Consistent
<b>State Environmental Planning Policy (Biodiversity and Conservation) 2021.</b>		
<b>Chapter 2 – Vegetation in Non-Rural Areas</b>	Y	<p>Consistent with the provisions of this SEPP.</p> <p>Four hollow-bearing trees were identified on site with native vegetation along the north-eastern and eastern boundary mapped as containing Biodiversity Values (and is proposed to be maintained). Vegetation along the eastern boundary is mostly cleared of native vegetation and contains scattered trees that provide limited arboreal connectivity between adjacent vegetation. Given the minor impact of the proposal on remnant canopy vegetation, it is unlikely to significantly impact on connectivity or movement corridors.</p>
<b>Chapter 3 – Koala habitat protection 2020</b>	N	
<b>Chapter 4 – Koala Habitat Protection 2021</b>	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The Flora and Fauna Assessment Report submitted to support the proposal states:</p> <p><i>"The subject property does not form part of an approved Koala plan of management. Koala habitat was assessed by inspecting all feed trees to identify indicative scratches on the trunk and droppings around the bases of feed trees. No Koalas were observed during the fauna survey and there was no evidence (scats or scratches) of previous Koala habitation in the area. The study area is also not considered to be 'Core Koala Habitat' as defined by State Environmental Planning Policy (Koala Habitat Protection) 2019. As no Koalas or evidence of Koalas were detected within the study area no further assessment under this Policy is required."</i></p>
<b>Chapter 5 – River Murray lands</b>	N	
<b>Chapter 6 – Bushland in Urban Areas</b>	N	
<b>Chapter 7 – Canal Estate Development</b>	N	
<b>Chapter 8 – Sydney drinking water catchment</b>	N	

SEPP	Applicable	Consistent
Chapter 9 – Hawkesbury – Nepean River	N	
Chapter 10 – Sydney Harbour Catchment	N	
Chapter 11 – Georges Rivers Catchment	N	
Chapter 12 – Willandra Lakes Region World Heritage Property	N	
State Environmental Planning Policy (Housing) 2021		
Chapter 2 – Affordable Housing	Y	Consistent with the provisions of this SEPP.  The proposal provides an opportunity to develop a range of diverse housing options on the site to accommodate the growing housing demand.
Chapter 3 – Diverse Housing	Y	Consistent with the provisions of this SEPP.
Part 1: Secondary Dwellings	Y	The proposal provides an opportunity to develop a range of diverse housing options on the site to accommodate the growing housing demand.
Part 2: Group Homes	Y	
Part 3: Co-living Housing	Y	
Part 4: Built-to-rent Housing	Y	
Part 5: Seniors Housing	Y	
Part 6: Short-term Rental Accommodation	Y	
Part 7: Conversion of Certain Serviced Apartments	Y	
Part 8: Manufactured Home Estates	N	
Part 9: Caravan Parks	N	
State Environmental Planning Policy (Industry and Employment) 2021.		
Chapter 3 – Advertising and Signage	N	
State Environmental Planning Policy (Planning Systems) 2021		
Chapter 2 – State and Regional Development	N	
Chapter 3 – Aboriginal Land	N	There are four sites within the Central Coast LGA which are subject to the SEPP. The Planning Proposal does not apply to any of these sites.
State Environmental Planning Policy (Precincts—Regional) 2021		
Chapter 5 – Gosford City Centre	N	
State Environmental Planning Policy (Primary Production) 2021.		
Chapter 2 - Primary Production and Rural Development	N	
Chapter 3 - Central Coast Plateau Areas	N	

SEPP	Applicable	Consistent
<b>State Environmental Planning Policy (Resilience and Hazards) 2021.</b>		
<b>Chapter 2 - Coastal Management</b>	Y	<p>Consistent with the provisions of this SEPP.</p> <p>A small section of land in the south-eastern corner of the site is located within the Coastal Use Area. Given the minor nature of the area included within the mapped Coastal Use Area, it is envisaged that any future development consent associated with the proposed would not cause adverse impacts associated with coastal processes, as no works are proposed within this area of the site.</p>
<b>Chapter 3 – Hazardous and Offensive Development</b>	N	
<b>Chapter 4 - Remediation of Land</b>	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The Preliminary Site Investigation by WSP (2022) confirms the site can be made suitable for residential purposes provided a Detailed Contamination Assessment is undertaken and accompanied by a Remedial Action Plan at the development application (DA) stage. The proposal is supported by Council's Environment and Public Health Section. A Site-Specific Development Control Plan (DCP) has been prepared to support the planning proposal and will include appropriate development requirements to ensure staff recommendations relating to contaminated land management are addressed in the development design for the site.</p>
<b>State Environmental Planning Policy (Resources and Energy) 2021.</b>		
<b>Chapter 2 – Mining, Petroleum Production and Extractive Industries</b>	N	
<b>Chapter 3 – Extractive Industries in Sydney Area</b>	N	
<b>State Environmental Planning Policy (Transport and Infrastructure) 2021</b>		
<b>Chapter 2 – Infrastructure</b>	N	
<b>Chapter 3 – Educational Establishments and Childcare Facilities</b>	N	

## 6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within the supporting documentation of this proposal.

Table 9: S.9.1 Ministerial Direction Compliance

No.	Direction	Applicable	Consistent
<b>Planning Systems</b>			
1.1	Implementation of Regional Plans	Y	Consistency with the CCRP 2041 is outlined at the beginning of this document.
1.2	Development of Aboriginal Land Council Land	N	Land within the Planning Proposal is not shown on the Land Application Map of Chapter 3 Aboriginal Land <i>State Environmental Planning Policy (Planning Systems) 2021</i> .
1.3	Approval and Referral Requirements	Y	The proposal does not seek to include additional approval or referral requirements.
1.4	Site Specific Provisions	Y	The proposal does not seek to impose any development standards or requirements in addition to those already contained in the LEP. Additional site-specific development control plan provisions have been prepared.
1.5	Parramatta Road Corridor Urban Transformation Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.6	Implementation of Northwest Priority Growth Area Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	This Direction does not apply to the Central Coast Local Government Area.
1.10	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.

No.	Direction	Applicable	Consistent
1.11	Implementation of Bayside West Precincts 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	N	This Direction does not apply to the Central Coast Local Government Area.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.14	Implementation of Greater Macarthur 2040	N	This Direction does not apply to the Central Coast Local Government Area.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.16	Northwest Rail Link Corridor Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.17	Implementation of Bayside West Place Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
<b>Design &amp; Place</b>			
2.1	Not active	N	N/A
<b>Biodiversity &amp; Conservation</b>			
3.1	Conservation Zones	Y	<p><b>Consistent</b> - The proposal facilitates the retention and conservation of environmentally sensitive areas.</p> <p>A Flora and Fauna Assessment (FFA) by Fraser Ecological (2022) has been prepared and concludes the proposed works are unlikely to result in a significant impact upon species or populations on site. Impacts to Sensitive Biodiversity Land Values Map (SBV) and Important Areas for Swift Parrot (IASP) BV mapped areas can be avoided by an 88b instrument (RDA) and 88e positive covenant (VMP for APZ management) on the titles of proposed Lots 13-23.</p> <p>Three threatened fauna species were observed on site - Little Bent-winged Bat (<i>Miniopterus australis</i>), Large Bent-winged Bat (<i>Miniopterus orianae oceanensis</i>) and Yellow-bellied Sheath-tailed Bat (<i>Saccolaimus flaviventris</i>) – all of which are highly mobile insectivorous microchiropteran bat species. However, important breeding habitat that are</p>



No.	Direction	Applicable	Consistent
			critical to the life cycle of local populations of these species are not present on the site.
3.2	Heritage Conservation	Y	<p><b>Consistent</b> - The AHIMS database has identified no Aboriginal sites recorded near the subject site.</p> <p>The proposal was supported by an Aboriginal Due Diligence Report (Kleinfelder 2021) that concluded no site-specific recommendations are advised. General recommendations included:</p> <ol style="list-style-type: none"> <li>1. All site personnel are to be made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010, under the National Parks and Wildlife Act 1974; and</li> <li>2. Should any Aboriginal objects be uncovered during works; activities should halt in that location and the Environmental Line contacted to report the discovery.</li> </ol>
3.3	Sydney Drinking Water Catchments	N	This Direction does not apply to the Central Coast Local Government Area.
3.4	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N	This Direction does not apply to the Central Coast Local Government Area.
3.5	Recreational Vehicle Areas	N	This Direction does not apply to the Central Coast Local Government Area.
3.6	Strategic Conservation Planning	N	This Direction does not apply to the Central Coast Local Government Area.
<b>Resilience &amp; Hazards</b>			
4.1	Flooding	Y	<p><b>Consistent</b> - A portion of the site is affected by both the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events.</p> <p>A Flood Impact Assessment has been prepared by Stantec (2022) which concludes the proposed generally complies with Council's DCP requirements, however once the cut and fill plan is developed during the detailed design phase the flood impact assessment should be refined as needed.</p>

No.	Direction	Applicable	Consistent
			<p>Councils Flood Engineer concludes the following issues to be resolved at DA stage:</p> <ul style="list-style-type: none"> <li>• 0.03m increases in flood levels observed along Coleridge Rd will need to be reduced to around 0.01m</li> <li>• 0.03m increases in flood levels on Nos 17-20 Sanctuary Place will need to be reduced to around 0.01m.</li> <li>• The ground level for all lots within the subdivision shall at least be level with the 1%AEP flood level</li> <li>• The floor level for the buildings on site shall at least be level with the Flood Planning Level.</li> </ul> <p>A safe evacuation route is available during the 1% AEP event and the duration of inundation is expected to be short.</p>
4.2	Coastal Management	Y	<p><b>Consistent</b> - A small section in the south-eastern corner of the site is located within the Coastal Use Area. It is not envisaged that any future development would cause adverse impacts as no works are proposed within this area.</p> <p>The proposal is generally consistent with the <i>Principles of the Coastal Policy NSW</i>. The proposal does not include land within a Coastal vulnerability area, nor is it in a coastal hazard area or a coastal wetland/littoral rainforest area.</p>
4.3	Planning for Bushfire Protection	Y	<p><b>Consistent</b> - A Strategic Bushfire Study has been prepared by Clarke Dowdle &amp; Associates (2022). The Study concludes that the rezoning is not incompatible with the surrounding environment and bushfire risk.</p> <p>At the detailed design phase, lot design, APZ provision, infrastructure, access, and construction plans will be required to meet the specifications outlined in <i>Planning for Bushfire Protection (PBP) 2019</i>. The orderly provision of bushfire protection measures to achieve the deemed to satisfy standards prescribed within PBP is achievable.</p>
4.4	Remediation of Contaminated Lands	Y	<p><b>Consistent</b> - A Preliminary Site Investigation (PSI) has been prepared by WSP (2022) in support of this proposal.</p>

No.	Direction	Applicable	Consistent
			<p>The PSI report concludes the site is suitable for continued commercial and/or industrial use. Prior to any residential redevelopment, further assessment of groundwater and vapour intrusion shall be undertaken with relevance to human health. Future actions to mitigate possible impacts may include a remedial action plan and/or site management plan.</p> <p>Council's Environment and Health Section confirms the site has the capacity to be made suitable for residential purposes provided a Detailed Contamination Assessment supported by a Remedial Action Plan is prepared at the development application (DA) stage.</p>
4.5	Acid Sulfate Soils	Y	The subject site is not subject to Class 5 Acid Sulfate soils (located within 500m of a Class 1 and 2 acid sulfate soil). The site is located adjacent to Class 5 acid sulfate soils along the eastern boundary.
4.6	Mine Subsidence & Unstable Land	N	The proposed is not situated within a Mine Subsidence district.
Transport & Infrastructure			
5.1	Integrating Land Use & Transport	Y	<b>Consistent</b> - The proposal provides for a range of residential land uses in close proximity to existing infrastructure and services.
5.2	Reserving Land for Public Purposes	N	The subject site is not identified for acquisition for public purposes.
5.3	Development Near Regulated Airports and Defence Airfields	N	The site is not located in the vicinity of a licensed aerodrome.
5.4	Shooting Ranges	N	The proposal is not located in the vicinity of a shooting range.
Housing			
6.1	Residential Zones	Y	<b>Consistent</b> - The proposal enables a range of housing development options in an existing urban area in close proximity to infrastructure and services.

No.	Direction	Applicable	Consistent
6.2	Caravan Parks and Manufactured Home Estates	N	The proposal does not propose or impact any caravan parks.
<b>Industry &amp; Employment</b>			
7.1	Business & Industrial Zones	Y	<b>Consistent</b> - The continued operation of the bus depot provides employment generation in the short term. Additional employment opportunities will be required to service future residents if the site is developed for residential purposes.
7.2	Reduction in non-hosted short-term rental accommodation period	N	This Direction does not apply to the Central Coast LGA.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N	This Direction does not apply to the Central Coast LGA.
<b>Resources &amp; Energy</b>			
8.1	Mining, Petroleum Production and Extractive Industries	Y	The Proposal is consistent with this direction.
<b>Primary Production</b>			
9.1	Rural Zones	N	The Proposal is consistent with this direction.
9.2	Rural Lands	N	The Proposal is consistent with this direction.
9.3	Oyster Aquaculture	N	The Proposal is consistent with this direction.
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N	The Proposal is consistent with this direction.

## **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?***

No critical habitat or threatened species, populations or ecological communities, or their habitats are expected to be affected as a result of the proposal.

A Flora and Fauna Assessment (FFA) by Fraser Ecological (2022) (see Appendix 4E) concludes the proposed works are unlikely to result in a significant impact upon species and/or populations on site.

The site contains mapped Biodiversity values and mapped Swift Parrot important areas along the north-eastern and eastern boundary. The planning proposal does not propose removal of such vegetation. As

discussed above Council's Environmental Strategies Section has recommended a number of measures to limit any impact to this vegetation, such as the provision of a vegetation management plan.

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

**Bushfire**

A Strategic Bushfire Study has been prepared by Clarke Dowdle & Associates (2022) (see Appendix 4B) to support the proposal. The orderly provision of bushfire protection measures prescribed within PBP are deemed to be achievable (see Section 6). Consultation with NSW Rural Fire Service (RFS) will be required following a Gateway Determination being obtained.

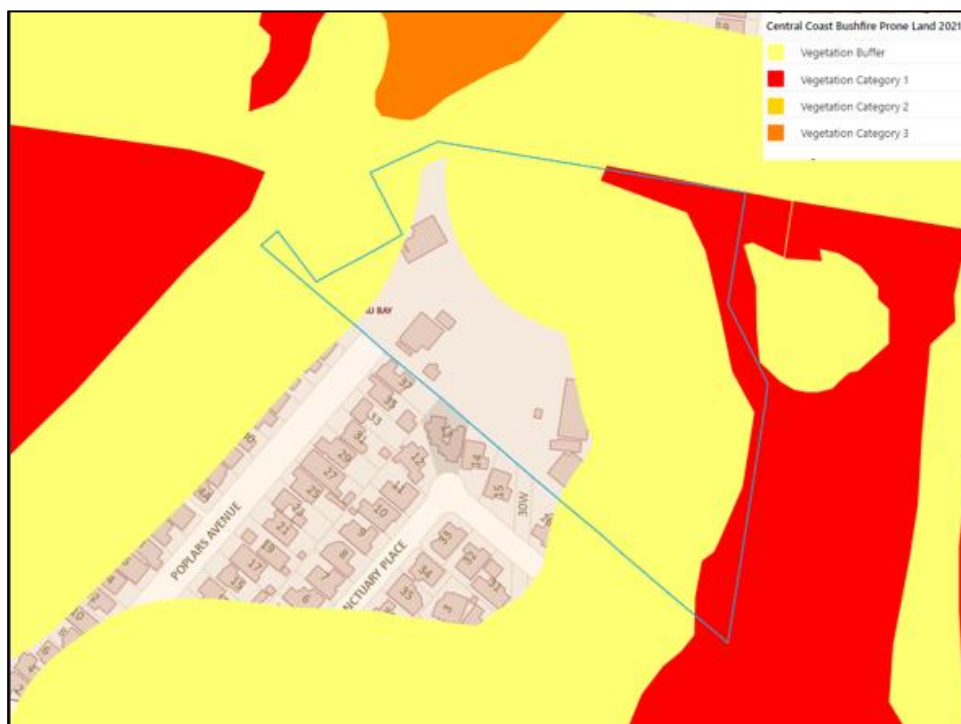


Figure 10 Central Coast Bushfire Prone land mapping 2021

**Indigenous and Non-Indigenous Cultural Heritage Items**

The site is not located within the vicinity of heritage items nor within an environmental heritage zone.

The AHIMS database did not identify any Aboriginal sites recorded near the subject site. The proposal was supported by an Aboriginal Due Diligence Report by Kleinfelder (2021) (Appendix 4A) that concluded no site-specific recommendations are advised. Further Heritage Assessment may be required to be undertaken by the applicant post a Gateway Determination.

**Contaminated Land and Acid Sulfate Soils**

The land has been utilised as a bus depot since 1981 and is currently identified as being contaminated land. At the DA stage the proposed will need to address the requirements under State Environmental Planning Policy (Resilience and Hazards) 2021.

The Preliminary Site Investigation by WSP (2022) confirms the site can be made suitable for residential purposes provided a Detailed Contamination Assessment is undertaken and accompanied by a

Remedial Action Plan (RAP) at the development application (DA) stage. Localised potential contamination sources were identified from diesel and metals (nickel). Such contaminants could be mitigated with additional assessment and the development of a RAP. WSP considers the detection of nickel to be negligible risk to the ecological receptors due to current and future usage of the site and lack of coverage of significant ecological population requiring protection on site.

Council's Environmental Health Officer has concluded that the findings are not significant enough in nature to prevent the rezoning proposal from proceeding. Further detailed assessment will be required at DA stage to ensure the land is made suitable for its proposed use. Appropriate provisions will be added into a site specific DCP Chapter which will support the rezoning of the site outlining the matters which will need to be examined in the contaminated land at the DA stage.

The site is not mapped as containing Acid Sulfate Soils.

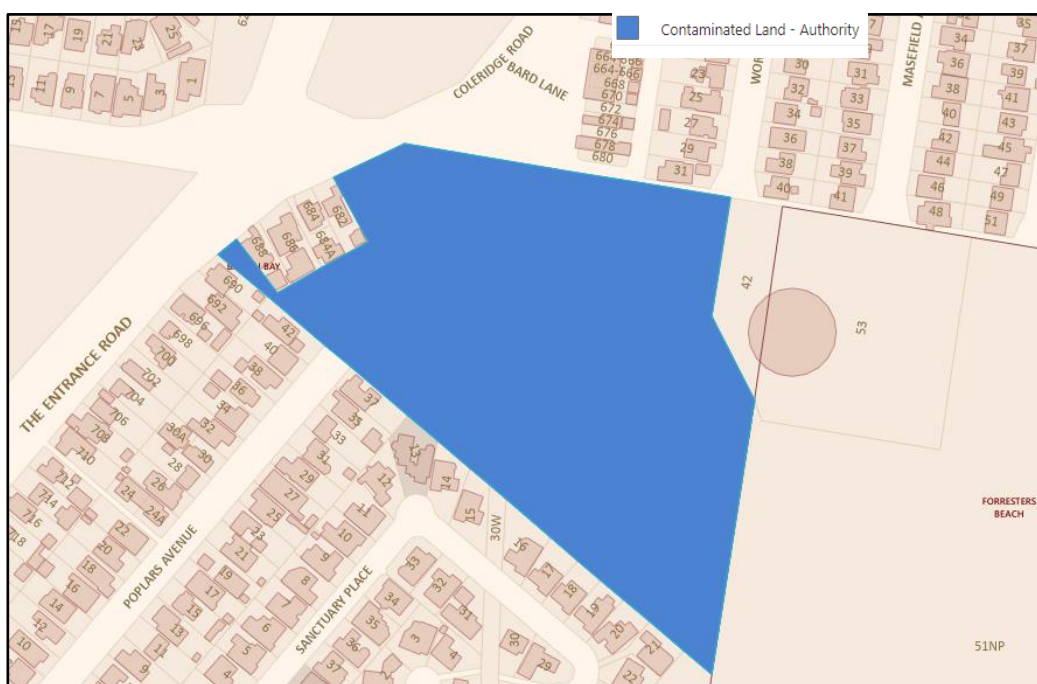


Figure 11 Contaminated Land - Authority mapping

### Flooding and Drainage

The site is flood affected with Probable Maximum Flooding (PMF) and is located within a Flood Planning Area. With the implementation of measures such as the floor level of all residential buildings to be level with the flood planning level, Council's Floodplain Management Team support the planning proposal.

A Flood Impact Assessment has been prepared by Stantec (2022) which concludes the proposed generally complies with Council's DCP requirements, however once the cut and fill plan is developed during the detailed design phase the flood impact assessment should be refined as needed.

A Stormwater Management Plan would be prepared at the development application stage to address stormwater management and disposal from the site, in accordance with the requirements of Central Coast DCP 2022.



### *Has the planning proposal adequately addressed any social and economic impacts?*

#### **Social Issues**

Council's Affordable and Alternate Housing Strategy (AAHS) identifies a need for diversity of housing options on the Central Coast. The planning proposal allows for the possibility of a range of housing options in an existing locality with proximity to services and infrastructure. Providing an increase and greater variety in housing choice in a well-located area (Karagi) marked for regionally significant growth.

**Table 10 Social Impact Assessment CPS 2022- social impacts and proposed mitigation measures**

Social Impact	Mitigation
Place and Identity/ Traffic issues – increased vehicle movement and safety issues and potential impacts to active transport and affects to place	Safety impacts to be considered in Traffic Impact Assessment, and consideration for impacts on nearby streets i.e., retention of biophysical features and/ or continuing desirable features. And ensure opportunities for cycling and walking infrastructure are considered in the redevelopment of the site (Councils DCP prepared to accompany this planning proposal addresses pathway and cycling requirements).
Loss of bus depot – employment impacts and loss of services, but minor improvements in noise, pollution, and visual impact	The site would either remain vacant or be put to another purpose- i.e. residential purposes as proposed with this planning proposal
Loss of bus services	If Red Bus lose the contract, it will be awarded to another transport bus provision provider to fill the service provision.
Housing supply and potential affordable housing	Nil required. Proposed increased housing supply and potential for affordable housing.

Table 11 is a summary of the potential social impacts and various mitigations measures as discussed within the Social Impact Assessment (SIA) (CPS 2022) submitted with this planning proposal.

Consideration of matters such as crime prevention through environmental design is a matter that would need to be addressed in detail in a future development application for the site.

#### **Economic Impacts**

The proposal has potential to increase the permanent population in the area, increasing local patronage to local businesses and services. Particularly located in the adjacent Coleridge Road/ Bard Lane Neighbourhood Centre.

There is the potential for a minor impact to existing employment from removal of the bus depot on the site, however, these jobs would transfer to the new depot location and additional employment opportunities would be generated to service future residents of the site.

## Section D – State and Commonwealth Interests

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

#### Traffic

A Traffic Assessment (TIA)(BRS 2022) (Appendix 4K) has been prepared to support the proposal and concludes that the subject site is suitable for the proposed rezoning/development in relation to the impact of traffic, vehicle and pedestrian access and safety considerations.

Councils Traffic Engineering Team have reviewed the Traffic Assessment and comments received from TfNSW and have no objection to the planning proposal.

#### Water & Sewer

Councils Water and Sewer Assessment Team support the servicing concept (Barry Hunt Associates 2021) (Appendix 4G) proposed with this planning proposal, on the condition that an access track must be maintained to Councils Water Reservoir (Wyrabalong Reservoir). The subject site is sited adjacent existing water and sewerage systems and is therefore well located for future residential subdivision.

#### Electricity and Gas

The provision of electricity is currently provided to the site and on-site gas supply is provided.

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

Consultation with the following agencies is proposed, based on the identified triggers and site constraints:

Table 3: Agency Consultation

Agency
Department of Planning and Environment – Biodiversity and Conservation Division
NSW Rural Fire Service
Transport for NSW
Darkinjung Local Aboriginal Land Council

*\* NOTE: Section 3.25 of the EP&A Act requires the RPA to consult with the Chief Executive of the Office of Environment and Heritage (OEHS) if, in the opinion of the RPA, critical habitat or threatened species, populations or ecological communities, or their habitats may be adversely affected by the proposed instrument.*

- The consultation is to commence after a Gateway Determination is issued unless the Regulations specify otherwise.
- The period for consultation is 21 days unless agreed differently between the RPA & the DG or by the Regulations.

Pre Gateway consultation has occurred with the following agencies. Their comments are summarised below: -

#### **Department of Planning & Environment (DPE)**

Council consulted with DPE on July 20<sup>th</sup> 2022. DPE acknowledge that the proposal is capable of demonstrating strategic merit given its alignment with a range of strategic plans, in particular the *Central Coast Regional Plan (CCRP) 2041*.

The proposal aligns with R1 General Residential land located to the west of the site. It was initially proposed to rezone the site to R2 Low Density Residential consistent with the surrounding R2 Low Density zoning of land to the north and south of the site. However, pre-gateway comments received from the DPE recommended a higher density residential zone to give effect to the *Central Coast Regional Plan (CCRP) 2041* and recognise the site attributes that are conducive to medium density residential (i.e., the site's location within the Karagi regionally significant growth area, proximity to Bard Lane neighbourhood centre and access to green infrastructure within Wyrabalong National Park).

This planning proposal has been updated as per the recommendations provided within the Pre-Gateway advice provided by DPE.

Advice included:

#### **Strategic merit**

*The Department acknowledges that the proposal is capable of demonstrating strategic merit.*

*Further, the planning proposal should also ensure consistency is demonstrated with the following actions of the CCRP 2036:*

- *Action 12.5 – considering the interface between the proposal and Wyrabalong National Park*
- *Action 14.1 – specifically in relation to flooding and bushfire*
- *Action 15.1 – considering connections to surrounding existing residential and Coleridge Road neighbourhood centre*
- *Action 20.1*
- *Action 20.3 and 21.1 – addressing how the proposal will support greater housing diversity*

*The site is identified by the CCRP 2041 within the Karagi regionally significant growth area (RSGA) and should address the place strategy outcomes for the Bateau Bay precinct.*

*The planning proposal should also address the strategic merit of a transport depot within a residential zone and justify the inclusion of an additional permitted use despite the 'existing use' provisions of the Environmental Planning and Assessment Act 1979.*

#### **Site-specific merit**

*The planning proposal does not contain sufficient information to undertake an assessment of site-specific merit.*

*The planning proposal must address the requirements of relevant Ministerial Directions to determine whether the planning proposal is consistent. Where the planning proposal is inconsistent, those inconsistencies must be specifically explained and justified in the planning proposal.*

*Throughout the planning proposal, the outcomes of supporting technical studies may be provided as part of the justification however any findings, conclusions or recommendations from those studies must be provided in the planning proposal.*

### **Transport for NSW (TfNSW)**

A stage 1 Planning Proposal review was received from TfNSW July 27<sup>th</sup> 2022.

The TIA accompanying this planning proposal has been updated per the recommendations of TfNSW below.

TfNSW has provided the below comments (see dot points below), which Councils Traffic Engineer has provided response to. TfNSW comments were provided to assist Council to undertake an initial assessment, identify potential issues, and outline planning proposal requirements for the proponent:

- It is understood that the existing bus depot could continue to operate under existing use rights. The introduction of an additional permitted use does not appear to be accompanied by a sunset clause whereby the depot could benefit from continued use without limitations on site intensification.

Response (from Councils Traffic Engineer):

*Should the applicant pursue the residential subdivision the Bus Depot operation will cease to exist. If the subdivision does not proceed and the bus depot continues operation any intensification of the use of the site will be subject to a separate development application and any measures to mitigate traffic impacts will be identified. The traffic report accompanying the re-zoning has identified that traffic generated by the proposed subdivision will be significantly less than the existing bus depot use.*

- As the existing transport depot has not been factored into anticipated development, a provision to maintain current traffic volumes for the overall site should be considered.

Response

*This would already be taken into account in the current design for the proposed traffic signals at the intersection of Central Coast Highway and Passage Road/Coleridge Road.*

- Based on the SIDRA model results, the Central Coast Highway / Passage Road Roundabout is very close to the capacity. The proponent has requested TfNSW's base model for the proposed Central Coast Highway upgrade (spanning from Bellevue Road in the North to Tumby Road) and it is anticipated this should be available mid-August 2022.

Response

*Information to be provided by TfNSW.*

- TfNSW may be able to share recent modelling with the applicant to assist in understanding the anticipated performance into future years. TfNSW is committed to meeting with the applicant to progress this matter.

Response

*Noted.*

- The right turn lane on the eastern roundabout leg has potential to cause queueing onto the Central Coast Highway/ The Entrance Road. The performance of the roundabout in accommodating future traffic generation is to be considered in the final TIA including any required mitigation measures.

Response

*Should the re-zoning and subdivision proceed traffic generated by the site will be less than the existing bus depot therefore no mitigation measures will be required.*

- In the absence of certainty for any upgrade works to the Pacific Highway it is the developer's responsibility to identify and mitigate traffic and transport impacts of the future residential development.

Response

*Should the re-zoning and subdivision proceed traffic generated by the site will be less than the existing bus depot therefore no mitigation measures will be required.*

- The Planning Proposal would benefit the existing transport network as it provides and alternative local road link between Whalans Road and Coleridge Road independent of the Highway, by extending Poplars Ave through the subdivision site to Coleridge Road.

Response

*Agreed.*

- TfNSW's traffic modelling and strategic design may result in a right turn ban onto the Highway from Whalans Road for safety and efficiency reasons.

Response

*This right turn movement can be accommodated at the proposed traffic signals at the intersection of Central Coast Highway and Coleridge Road/Passage Road. It is anticipated that this would be the case if right turns were permitted onto the highway at Whalans Road.*

- Traffic modelling accompanying the final TIA must demonstrate that the TfNSW design for the Central Coast Highway/ Coleridge Road Signal has capacity for the increased demand (alternatively, the proposed design would need to be modified to address the required capacity).

Response

*The proposed residential subdivision will generate approximately 60 trips in the AM peak and 64 in the PM. Traffic modelling will confirm that the proposed traffic signals can accommodate this demand as it will be significantly less than the existing use as a bus depot.*

- The proposal should address road upgrades on the existing Poplars Ave to the south of the subject site to cater for additional traffic (including but not limited to kerb and gutter on the eastern side and pavement upgrade).

Response

*Noted.*

- The footpath connection to the existing pavement for the bus stops along the Entrance Road is supported.

Response

*Agreed.*

- Council should ensure that any required infrastructure is provided for within an appropriate funding mechanism(s) and is fully scoped and estimated including appropriate contingencies and delivery triggers.

Response

*Noted.*

- The proposed LEP amendment has the potential to generate an increase in traffic along the broader classified road network and therefore a Traffic Impact Assessment (TIA), which is prepared for the final masterplan, is required to support the site-specific merits of the proposal.

Response

*The proposed LEP Amendment will result in a reduction in traffic onto to the surrounding road network as traffic generated by the site will be significantly less than the current use as a bus depot.*

### **Local Planning Panel**

The Local Planning Panel (LPP) considered the matter on 11 October 2022. The LPP comments were:

*The Panel recommends that before the draft council report and planning proposal go forward, Council should:*

1. *Identify what the development capacity of the site would be under the proposed R1 zoning and the development standards that would apply including lot size, floor space ratio, and building height.*
2. *Council should also complete a traffic impact assessment, contamination report, flooding assessment constraints, biodiversity conservation assessment, and flora and fauna study prior to exhibition.*

- 3 *Prepare and develop a site-specific development control plan (DCP) with the planning proposal. The DCP should address any constraints identified in the above studies and identify measures to address them.*
- 4 *Identify a suitable funding mechanism to cover the costs associated with the provision of infrastructure and services, prior to the final plan being made.*

These comments have been addressed within this planning proposal. The Council Report was updated prior to the Council Meeting to reflect the advice provided by the LPP and additional information was included within the Council Report. Additional information regarding councils suitable funding mechanism was included for instance:

*This site is included in The Entrance District Contributions Plan, as confirmed by Councils Contributions Team. Council is satisfied with a s7.11 Contributions review that additional population impacts from this planning proposal can be adequately dealt with, as the site is within an existing established residential area and isn't generating a significant amount of new lots (i.e. in comparison to greenfield zoning). Further, it is recommended that the infrastructure requirements such as footpaths and cycleway connections be addressed in the site specific DCP so these are captured as the site is redeveloped.*

## Part 4 Mapping

Table 4: Existing and Proposed Provisions

Map	Map Title
<b>Existing Provisions/ Mapping</b>	
A.	Contextual Locality Plan
B.	Existing Zoning under CCLEP
C.	Aerial Photograph
<b>Proposed Provisions</b>	
D.	Proposed R1 Zoning under CCLEP
E.	Proposed Minimum Lot Size under CCLEP
F.	Proposed Additional Permitted Use Map – transport depot
G.	Building Height under CCLEP
H.	Floor Space Ratio under CCLEP



## **Part 5 Community Consultation**

The Planning Proposal will be made available for community/agency consultation as specified in the Gateway Determination and will be undertaken in accordance with any determinations made by the Gateway.

The planning Proposal will be required to be publicly exhibited for 28 days.

It is anticipated that the proposal will be made available on Council's website [www.yourvoiceourcoast.com](http://www.yourvoiceourcoast.com).

Additionally, notification of the exhibition of the proposal will be provided to adjoining landholders prior to commencement of the exhibition period.

## Part 6 Project Timeline

Table 5: Key Project Timeframes

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	1 month	January 2022	February 2022
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	2 months	February 2023	April 2023
Commencement and completion dates for public exhibition	28 days	May 2023	June 2023
Timeframe for consideration of submissions	1 month	June 2023	July 2023
Timeframe for consideration of a proposal post exhibition	1 month	August 2023	September 2023
Date of submission to the Department to finalise LEP	1 month	September 2023	October 2023
Anticipated date RPA will make the plan (if delegated)	14 days	October 2023	November 2023
Anticipated date RPA will forward to the Department for notification	7 Days	November 2023	December 2023

## Appendix 1 – Land Use Tables

### Existing Land Use Table under Central Coast Local Environmental Plan 2022

#### **Zone SP2 Infrastructure**

##### **1 Objectives of zone**

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To recognise existing railway land, major roads, and utility installations and to enable their future development and expansion.

##### **2 Permitted without consent**

Nil

##### **3 Permitted with consent**

Aquaculture; Roads; The purpose shown on the [Land Zoning Map](#), including any development that is ordinarily incidental or ancillary to development for that purpose

##### **4 Prohibited**

Any development not specified in item 2 or 3

## **Zone R1 General Residential**

### **1 Objectives of zone**

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote best practice in the design of multi dwelling housing and other similar types of development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.

### **2 Permitted without consent**

Home occupations; Recreation areas

### **3 Permitted with consent**

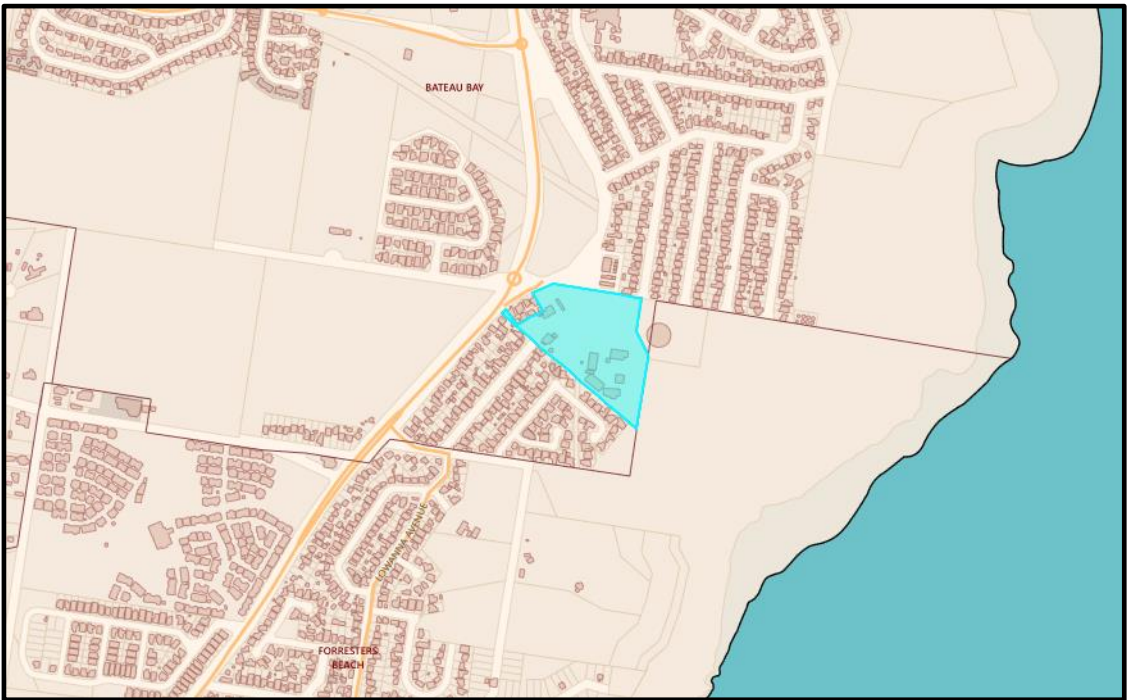
Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewage reticulation systems; Shop top housing; Signage; Tank-based aquaculture; Water recycling facilities; Water reticulation systems; Water storage facilities

### **4 Prohibited**

Any development not specified in item 2 or 3

# Appendix 2 – Mapping

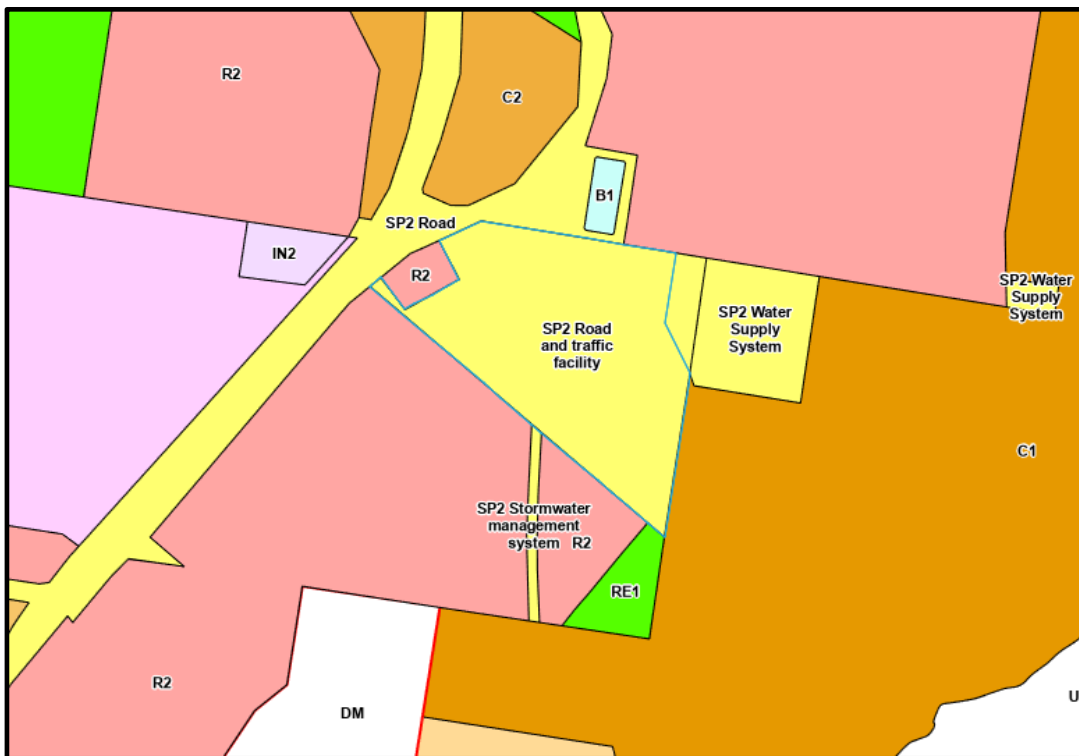
Map A – Locality Plan



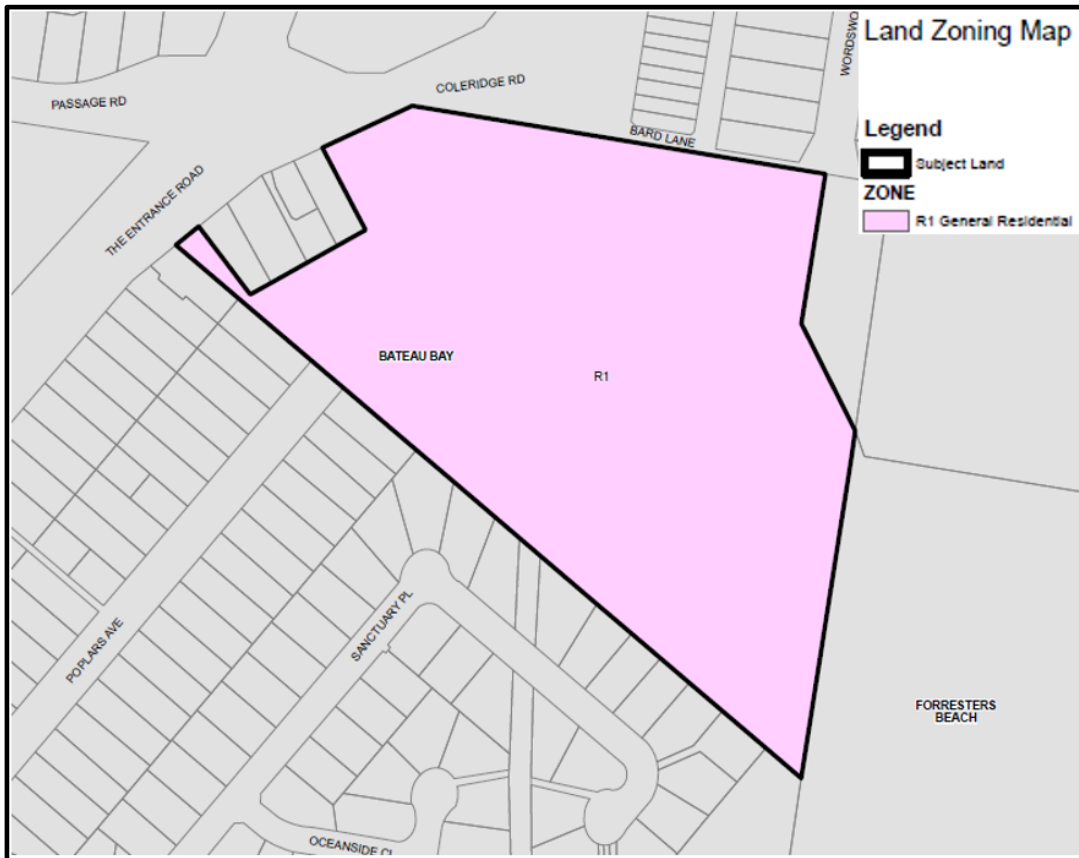
Map B – Aerial Photograph



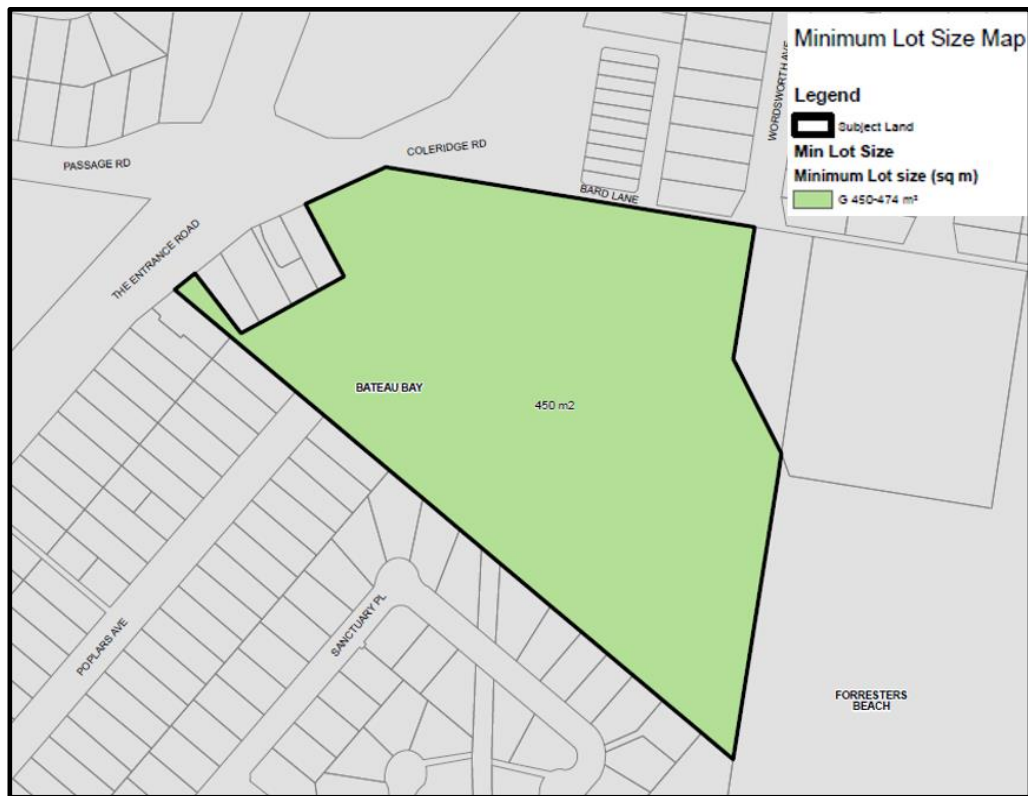
**Map C – Existing Zoning of Land under CCLEP 2022**



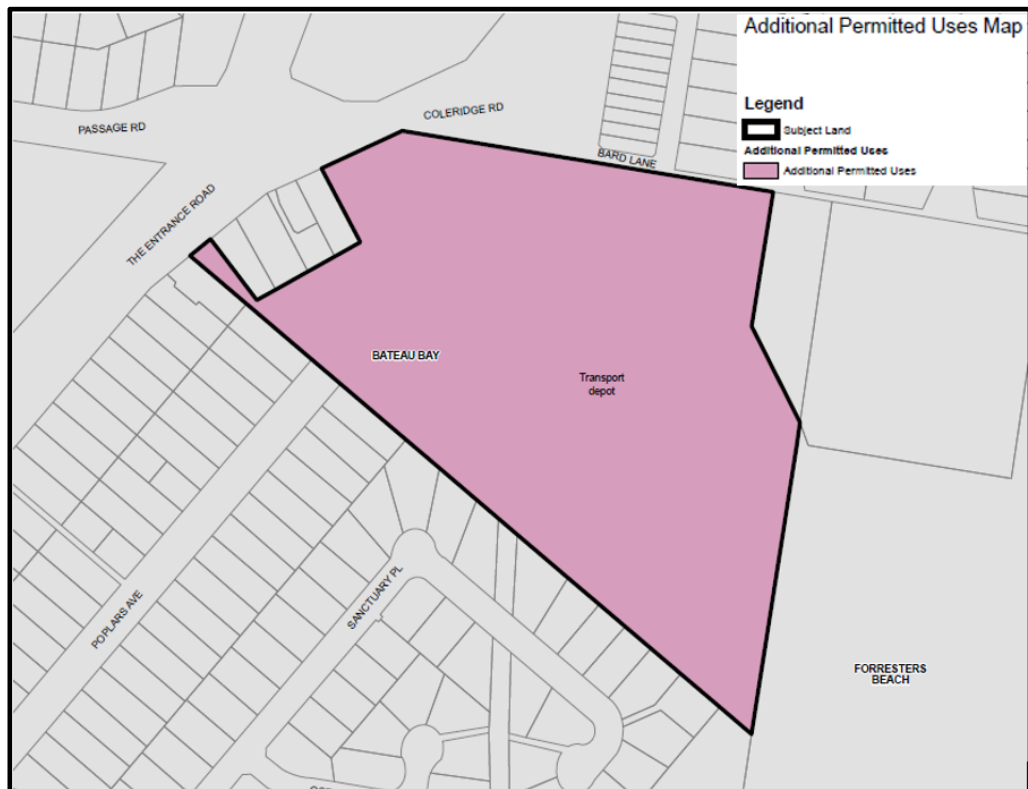
**Map D – Proposed Zoning under CCLEP 2022**



**Map E – Proposed Minimum Lot Size under CCLEP 2022**

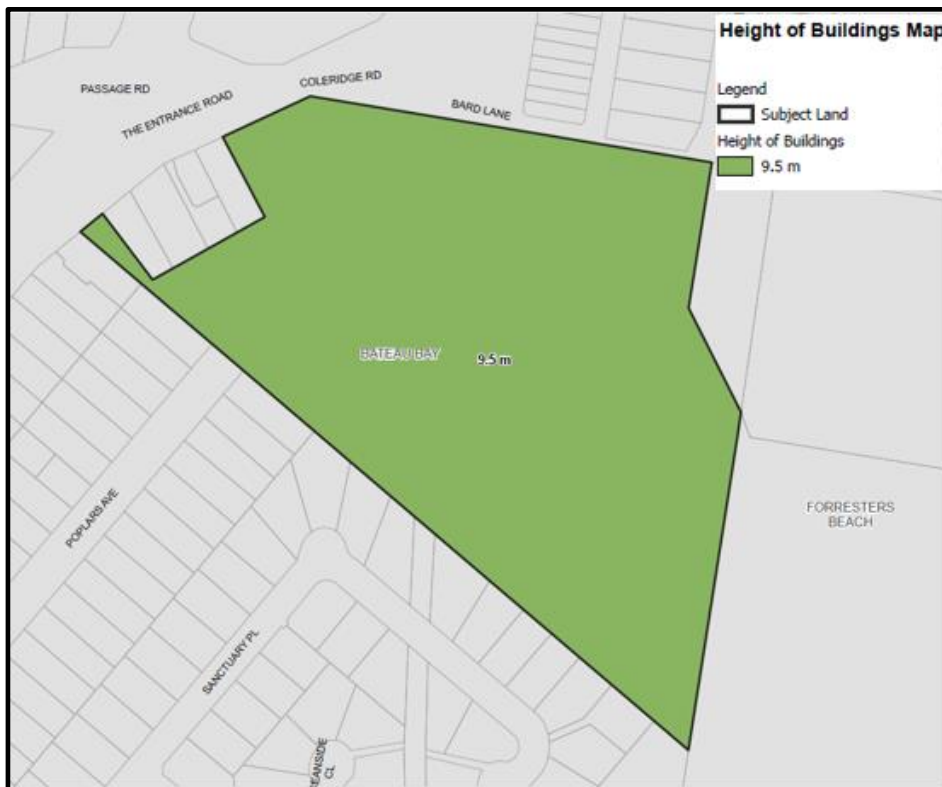


**Map F – Proposed Additional Permitted Use mapping under CCLEP 2022**





**Map G – Proposed Building Height under CCLEP 2022**



**Map H – Proposed Floor Space Ratio under CCLEP 2022**





## Appendix 3 – Council Report



**Item No:** 0.0  
**Title:** Request to prepare a planning proposal for 682a Coleridge Road Bateau Bay  
**Department:** Environment and Planning

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22 November 2022 Ordinary Council Meeting

Reference: RZ/4/2022 - D15317438  
Author: Chelle Leith, Strategic Planner  
Manager: Scott Duncan, Section Manager Local Planning and Policy  
David Milliken, Unit Manager Strategic Planning  
Executive: Alice Howe, Director Environment and Planning

### Recommendation

#### That Council:

- 1 ***Prepare a Planning Proposal in relation to Lot 3 DP 716082, 682a Coleridge Road, Bateau Bay, to amend the Central Coast Local Environmental Plan (LEP) 2022 to:***
  - (a) ***rezone the site to R1 General Residential;***
  - (b) ***Apply a minimum lot size of 450m<sup>2</sup>;***
  - (c) ***Apply a floor space ratio of 0:6:1;***
  - (d) ***Apply a building height of 9.5m; and***
  - (e) ***Enable additional permitted use of 'transport depot'.***
- 2 ***Submit the Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.***
- 3 ***Request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.***
- 4 ***Prepare a site-specific Development Control Plan to support the Planning Proposal to ensure appropriate built form guidelines are applied in the development design for the site.***
- 5 ***Authorise staff to negotiate and prepare a Planning Agreement with respect to any aspect of the proposal to support the re-development of the subject land (if required).***
- 6 ***Undertake community and public authority consultation in accordance with the Gateway Determination requirements.***

#### Report purpose

To consider a request to prepare a planning proposal to rezone Lot 3 DP716082, 682a Coleridge Rd, Bateau Bay from SP2 Infrastructure to R1 General Residential. It is also proposed to amend the Central Coast Local Environmental Plan (CCLEP) 2022 to apply a minimum lot size of 450m<sup>2</sup>, Floor Space Ratio of 0:6:1, Building Height of 9.5m (two storey) and include an additional permitted use of 'transport depot'.

The amendments provide for the continued operation of the 'Red Bus Depot' on the site, whilst also enabling the future subdivision of the site for residential development.

## **Executive Summary**

Red Bus Depot has been operating on the site since 1981. The Planning Proposal provides future residential development opportunities should the land no longer be required for a bus depot. The proposed rezoning will facilitate additional housing in a well serviced urban area in alignment with surrounding residential land uses.

The Planning Proposal is consistent with the *Central Coast Regional Plan (CCRP) 2041* providing additional housing in the regionally significant Karagi growth area, which has been identified for urban activation close to infrastructure and services. The Planning Proposal will be supported by a site-specific Development Control Plan (DCP) to ensure appropriate built form guidelines are applied in the future development design for the site.

The Planning Proposal was considered by the Local Planning Panel on 23 September 2022, where independent advice was received (Attachment 3).

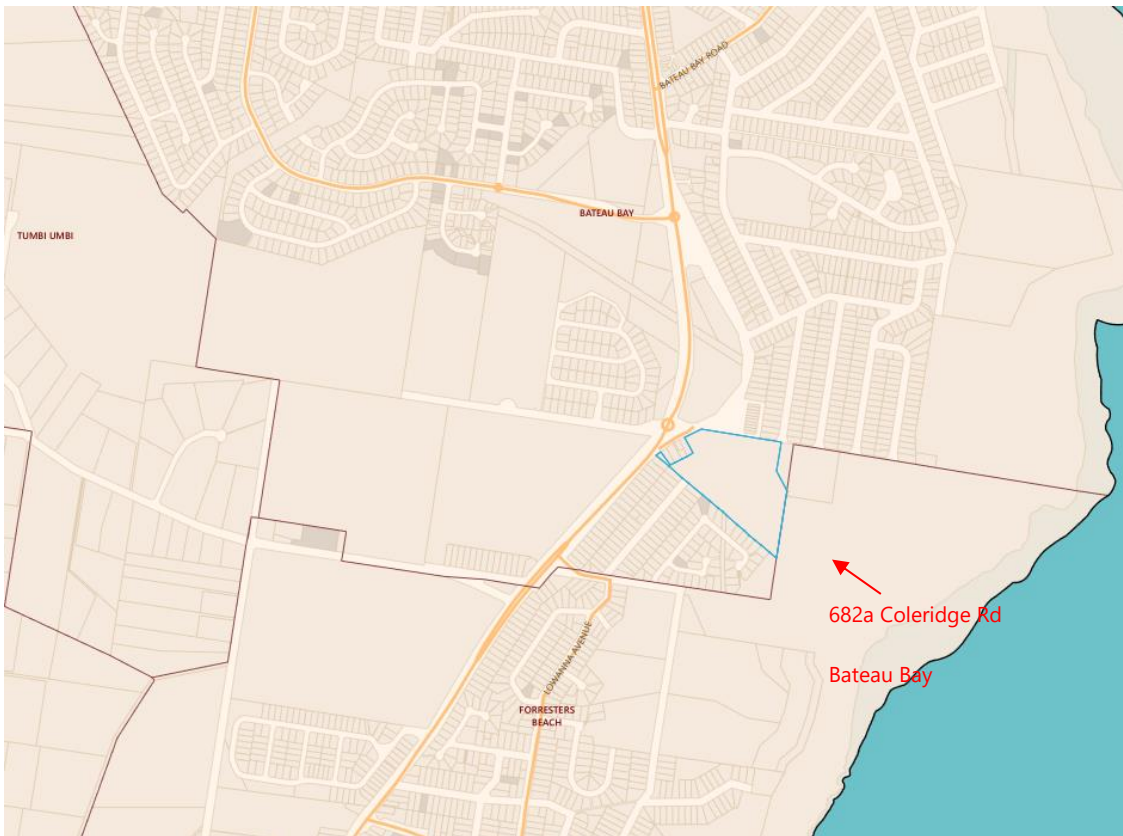
## **Background**

Lot 3 DP716082 682a Coleridge Rd, Bateau Bay has an area of 5.261 hectares, with vehicle access from Coleridge Road. The site is strategically located adjacent to Central Coast Highway (The Entrance Road), Bard Lane Neighbourhood Centre, and adjoins nearby green infrastructure within Wyrabalong National Park (refer to Figures 1 and 2).

The site operated as a Sandstone Quarry prior to its current use as the Red Bus Depot being established in 1981. The installation of a Hydrogen Refuelling Station ancillary to the bus depot was approved in March 2022.



**Figure 1: Site Map**



**Figure 2: Location plan**





western portion of the site and the remainder proposed to be medium density housing. The applicant has advised that the proposal is likely to support 40-70 dwellings, depending on how the site is ultimately developed.

The public reserve/ easement access track marked as 'A' in Figure 4 is retained to provide access to Council's water reservoir located adjacent to the site along its eastern boundary. With the retention of this easement, Council's Water and Sewer Team concur with the servicing plan and advise that an assessment of any civil works around the access track and/or retaining structure on the bank of the Council reservoir site will be required at the Development Application stage.



**Figure 4: Concept of the proposed subdivision**

The Preliminary Site Investigation by WSP (2022) confirms the site can be made suitable for residential purposes provided a Detailed Contamination Assessment is undertaken and accompanied by a Remedial Action Plan at the Development Application stage. These recommendations are supported by Council's Environment and Public Health Section.

The applicant is in the process of preparing a revised Traffic Impact Assessment, as requested by TfNSW. The study will be finalised prior to Council requesting a Gateway Determination from DPE and will be reviewed by Council's Traffic Team. Council's Traffic Team has no objection to the current Planning Proposal, subject to traffic provisions being provided in the proposed site-specific Development Control Plan (DCP) (ie comply with relevant standards such as Austroads and Australian Standards) and the review of the updated Traffic Impact Assessment.

A small part of the site is impacted by the Probable Maximum Flooding (PMF) and is located within a Flood Planning Area. Council's Floodplain Management Team reviewed the Flood Impact

Assessment prepared by Stantec (2022) and support the planning proposal provided the following measures are incorporated into the future development design:

- 1 Reduction in flood levels along Coleridge Rd and Sanctuary Place;
- 2 Ground level for all residential lots to be level with the 1% Annual Exceedance Probability (AEP) flood level; and
- 3 Floor level of all residential buildings to be level with the flood planning level.

The above requirements can be addressed in the detailed cut and fill plan to be provided at the Development Application stage.

A Flora and Fauna Assessment by Fraser Ecological (2022) concludes the proposed works are unlikely to result in a significant impact upon species and/or populations on site. Council's Environment Officer provides the following recommendations:

- The mapped Swift Parrot Area should be avoided and protected through restriction to user (under an 88b instrument). Ongoing management shall be detailed under a vegetation management plan, with the land maintained as a buffer to the National Park to the east.
- The site contains approximately 0.28 ha of native vegetation and does not trigger the 0.5ha clearing threshold into the Biodiversity Offset Scheme.
- The dam and four hollow-bearing trees shall be retained on site.

This site is included in The Entrance District Contributions Plan, as confirmed by Council's Contributions Team. Council is satisfied that additional population impacts from this Planning Proposal can be adequately managed and any impacts will be considered in the next review of the plan. The site is within an existing established residential area and isn't generating a significant increase in dwellings. Further, it is recommended that the infrastructure requirements such as footpaths and cycleway connections be addressed in the site-specific DCP, so these works are delivered as the site is redeveloped.

A site-specific DCP will be prepared to support the Planning Proposal, with development controls applied to ensure the above staff recommendations are addressed in the development design for the site. Should a Gateway Determination be received, further comments will also be sought from the Biodiversity Conservation Division (BCD) of DPE to ensure compliance with *Ministerial Directions 3.1 Conservation Zones* and *4.1 Flooding*.

The proposal is considered to have strategic planning merit for the following reasons:

- The CCRP 2041 identifies the site as part of the Karagi regionally significant growth area. The CCRP 2041 direction for the Karagi growth area is for urban activation, future rapid transport bus routes, harnessing of green infrastructure for residential use, and the expansion of housing stock alongside neighbourhood centres. The proposal aligns with this direction.
- The proposal aligns with the Central Coast Regional Plan 2041 (CCRP) by facilitating compact infill '15-minute neighbourhood' settlement patterns in an established

neighbourhood, whilst protecting the environmental and coastal values of the site and providing attractive lifestyle opportunities in the Tuggerah District (aligning with Objective 3, 4, 5, 6 and 7 of the CCRP). There is the potential for a minor impact to existing employment from removal of the bus depot on the site, however, these jobs would transfer to the new depot location and additional employment opportunities would be generated to service future residents of the site.

- It provides for diverse housing within an established centre with quality lifestyle connections between the natural and built environment. This is consistent with Council's *Local Strategic Planning Statement (LSPS) 2020*.
- Supporting studies indicate that site constraints including traffic, land contamination, flooding and vegetation can be adequately managed within the development design for the site. A site-specific DCP will be prepared to ensure that specialist staff recommendations to address these site constraints are considered and applied to any future Development Application for residential subdivision or housing.

An assessment of the proposal has been undertaken to inform this recommendation, as detailed in Attachment 1. The proposal has also been assessed having regard to relevant State Environmental Planning Policies, Ministerial Directions and relevant guidelines of the CCRP 2041 as detailed in Attachment 2.

As the proposal is considered to have strategic merit, it is recommended that a Planning Proposal be prepared and provided to the Minister for Planning requesting a Gateway Determination.

## **Consultation**

The proposal was referred to the Local Planning Panel for advice. The Panel recommended some amendments, which are provided in Attachment 3. This Report has been updated to reflect the Panel's advice.

A pre-gateway review of the proposal was undertaken by the Department of Planning & Environment (DPE) and Transport for NSW (TfNSW). The proposal has been amended to address comments provided by both state agencies.

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly.

## **Financial Considerations**

At its meeting held 19 October 2020, Council resolved the following:

- 1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

Adoption of the staff recommendation has no bottom-line budget implications for Council. The direct cost to Council is the preparation of the Planning Proposal, which will be charged as per Council's fees and charges on a cost recovery basis.

### **Link to Community Strategic Plan**

Theme 3: Green

#### **Goal F: Cherished and protected natural beauty**

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

G-F2: Promote greening and the wellbeing of communities through the protection of local bushland, urban trees, and expansion of the Coastal Open Space System (COSS).

Theme 4: Responsible

#### **Goal I: Balanced and sustainable development**

R-I1: Preserve local character and protect our heritage and rural areas including concentration of development along transport corridors and around town centres and east of the M1.

R-I2: Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport.

R-I4: Provide a range of housing options to meet the diverse and changing needs of the community and there is adequate affordable housing.

### **Risk Management**

There have been no material risks identified to the natural and built environment associated with the proposed amendment to the CCLEP 2022. A more detailed analysis will be undertaken at the Development Application stage, should the proposed amendments to CCLEP 2022 be made.

Preparation of Planning Proposals is part of the regular business of Council and does not introduce any new organisational risks.

### **Options**

- 1 Support the recommendation as the proposal to amend CCLEP 2022 has strategic merit. The basis for this recommendation is:
  - The proposal seeks to rezone the land to an appropriate zone that is consistent with regional and local planning priorities.
  - The proposal will allow for the provision of additional housing to meet the growing housing demand, in close proximity to existing infrastructure and services.



- The proposal respects the scenic values and character of the site, ensuring the environmentally sensitive areas of the site will be retained and protected.

**This is the recommended option.**

- 2 Refuse to support the request for a Planning Proposal (not recommended).  
Should the Planning Proposal not be supported, an opportunity will be missed to provide additional housing and to support growth and investment in the Karagi regionally significant growth area.

### **Critical Dates or Timeframes**

DPE is requiring shorter timeframes for Planning Proposal exhibition and finalisation, which will be outlined in the Gateway Determination.

### **Attachments**

<b>1</b>	Planning Proposal Summary - 682a Coleridge Road, Bateau Bay	Provided Under Separate Cover	D15293124
<b>2</b>	Planning Proposal Strategic Assessment - 682a Coleridge Road, Bateau Bay	Provided Under Separate Cover	D15293129

**FOR ACTION**

**Council Meeting**

**22/11/2022**

**To:** Director Environment and Planning (Howe, Alice)

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**Subject:** Request to prepare a Planning Proposal for 682a Coleridge Road Bateau Bay  
**Author:** <AUTHORNAME>  
**Target Date:** 6/12/2022

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**204/22 Resolved**

**That Council:**

- 1 Prepare a Planning Proposal in relation to Lot 3 DP 716082, 682a Coleridge Road, Bateau Bay, to amend the Central Coast Local Environmental Plan (LEP) 2022 to:**
  - (a) rezone the site to R1 General Residential;**
  - (b) Apply a minimum lot size of 450m<sup>2</sup>;**
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- 5 Authorise staff to negotiate and prepare a Planning Agreement with respect to any aspect of the proposal to support the re-development of the subject land (if required).**
- 6 Undertake community and public authority consultation in accordance with the Gateway Determination requirements.**

## Appendix 4 – Supporting Documentation

Table 11 supporting studies and investigations

Attachment	Document
A.	Aboriginal Due Diligence Report (Kleinfelder 2022)
B.	Bush Fire Strategic Study (Clarke Dowdle & Associates 2022)
C.	Development Concept Plan (Barry Hunt Associates 2022)
D.	Flood Impact Assessment (Stantec 2022)
E.	Flora and Fauna Assessment (Fraser Ecological 2022)
F.	Preliminary Site Investigation Targeted Soil and Groundwater Assessment (WSP 2022)
G.	Services Plan (Barry Hunt Associates 2021)
H.	Social Impact Assessment (Creative Planning Solutions 2022)
I.	Survey 1 (Barry Hunt Associates 2020)
J.	Survey 2 (Barry Hunt Associates 2020)
K.	Traffic Impact Assessment Report (BRS 2022)