



Central Coast Council

Planning Proposal

Lot 3 DP 716082

682a Coleridge Road

Bateau Bay

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

October 23



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Version 2

Central Coast Council

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Background & Locality Context

The subject site is located at Lot 3 DP 716082, 682a Coleridge Road, Bateau Bay. Figure 1 below shows the locality.



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 along the western boundary, residential and neighbourhood development (Bard Lane) along the northern boundary, and a National Park and water supply reservoir along the eastern boundary.

Located 2.4km north of the site is Bateau Bay Shopping Centre, and approximately 1km south of the site 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

The site has an area of 5.261 hectares with vehicle access from Coleridge Road and an additional informal access 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 Wyrabalong National Park (refer to Figures 2 and 3).

The site operated as a Sandstone Quarry prior to its current use as the Red Bus Company Depot being established in 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 Bushfire Prone Land and containing Biodiversity Values and Important Swift Parrot Habitat Areas. The site is also affected by both the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events.

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

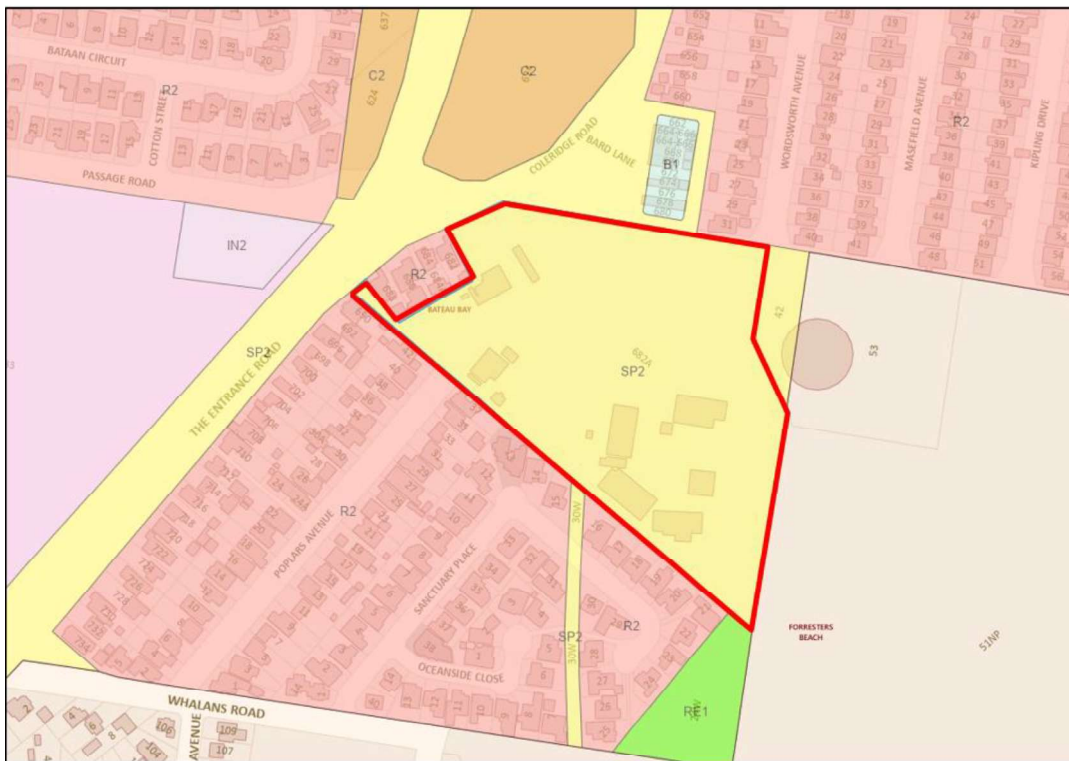


Figure 2 - Existing Zoning under Central Coast Local Environmental Plan (CCLEP) (2022)



Figure 3 - Aerial photograph of existing site

Part 1 Objectives or Intended Outcomes

The objective of this proposal is to amend the Central Coast Local Environmental Plan (CCLEP) 2022 to:

- a) Rezone the majority of the site from SP2 Infrastructure to R1 General Residential
- b) Rezone a small portion of the site from SP2 Infrastructure to C3 Environmental Management
- c) Apply a minimum lot size of 450m² to the R1 General Residential land
- d) Apply a minimum lot size of 20Ha to the C3 Environmental Management land
- e) Apply a Building Height of 9.5m to the R1 General Residential land
- f) Apply a Floor Space Ratio of 0.6:1 to the R1 General Residential land
- g) Allow additional permitted use of 'Transport Depot' to the R1 General Residential land

The intended outcomes of the proposal are:

- to rezone the site to appropriately reflect the land's location within the Karagi regionally significant growth area as identified in the Central Coast Regional Plan (CCRP) 2041;
- to apply an environmental zone to enable the protection and long-term management of the Important Swift Parrot Habitat Areas;
- to incorporate an appropriate minimum lot size, building height and FSR to guide the future residential development of the site; and
- to introduce an additional permitted use to enable the bus depot to continue to operate until the site is redeveloped for residential purposes.

Part 2 Explanation of Provisions

The outcome will be facilitated by the following amendments to the CCLEP 2022.

Instrument amendment

Development for the purpose of a *transport depot* is not permitted under the CCLEP 2022 within the R1 General Residential zone. As such, it is proposed to amend Schedule 1 Additional Permitted Uses (APU) of CCLEP 2022 to include transport depot as a permitted use for the site.

Transport depot is defined as:

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 is required to reflect the following intent:

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 where residential land use is not established on site.
- (3) Notwithstanding Clause (2) above, should development consent be granted for a residential development or subdivision on Lot 3 DP 716082, and physical works commenced, the transport depot must cease operation and shall become a prohibited use on the site.

Mapping amendment

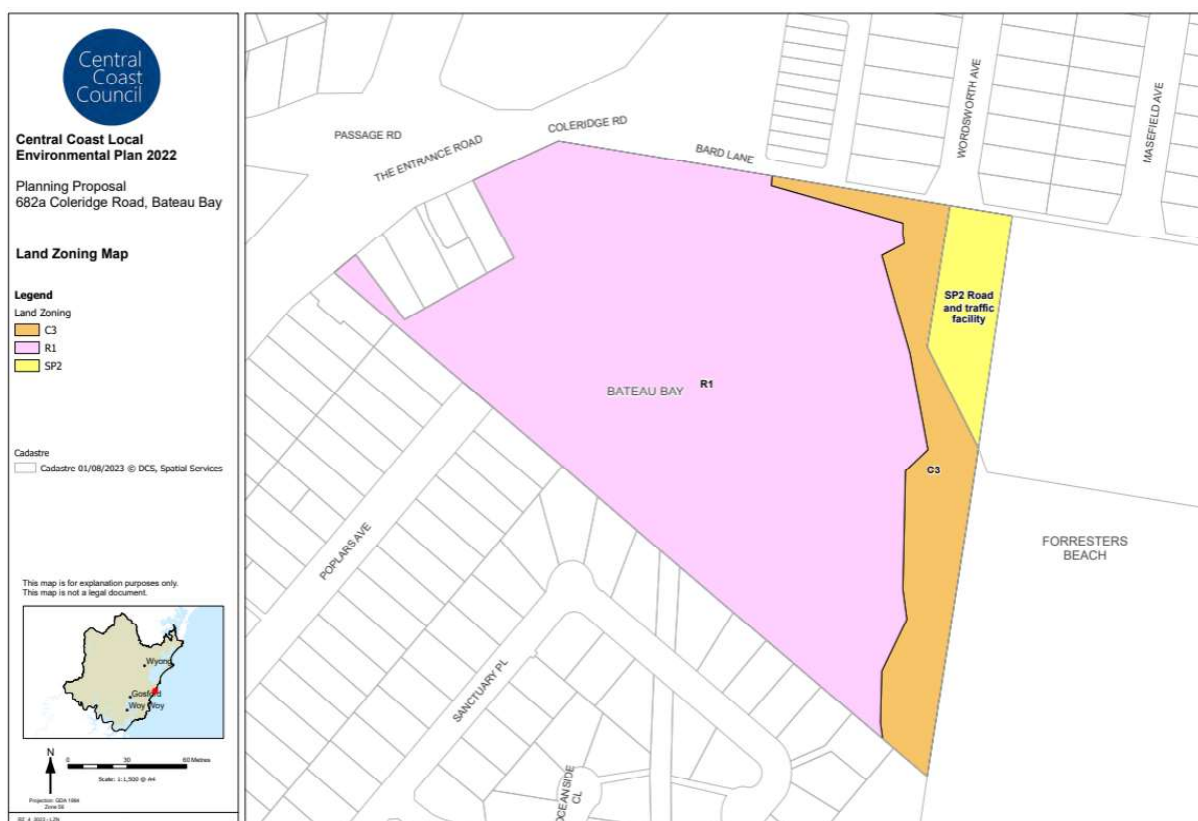
The following amendments are proposed to the CCLEP map layers for land zoning, lot size, building height, floor space ratio and additional permitted uses (APU).

Table 1: Explanation of Map Layer Amendments

Map Layer	Existing Provision	Proposed Amendment
Land Zoning	SP2 Infrastructure	R1 General Residential C3 Environmental Management
Lot Size	Nil	R1 - 450m ² C3 - 20Ha
Building Height	Nil	R1 - 9.5m
Floor Space Ratio	Nil	R1 - 0:6:1
Additional Permitted Use (APU)	Nil	Include 'transport depot' as a permitted use

Land Zoning

Rezone the site from SP2 Infrastructure to R1 General Residential and C3 Environmental Management.



Lot Size

Apply a minimum lot size of 450m² to R1 General Residential land, and 20Ha to C3 Environmental Management land.



Figure 5 - Proposed minimum lot size under CCLEP

Additional Permitted Use

Include an APU of 'Transport Depot' for the site.



Figure 6 - Proposed APU under CCLEP

Building Height

Apply a building height of 9.5m to R1 General Residential land.



Figure 7 - Proposed Building Height under CCLEP

Floor Space Ratio

Apply a Floor Space Ratio of 0.6:1 to R1 General Residential land.



Figure 8 - 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 Central Coast Regional Plan (CCRP) 2041 identifies the site as part of the Karagi regionally significant growth area. The CCRP 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 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*.
- The introduction of the C3 Environmental Management zone will protect parts of the site with biodiversity value. This land is not able to be developed and requires careful on-going management compatible with its ecological values. The C3 zoning provides certainty for on-going management of the land and is supported by the Flora & Fauna Report included in Appendix 4.
- Supporting studies indicate that site constraints including traffic, land contamination, and flooding 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 intended outcome to redevelop the site for residential purposes.

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 Plan (2041)

Table 2 - CCRP 2041 Assessment – Objectives

Direction	Applicable	Assessment/Comment
Objective 1: 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 will be required to service future residents when the site is redeveloped for residential purposes.
Objective 2: Support the right of Aboriginal residents to economic self-determination	N/A	The Planning Proposal does not relate to Aboriginal Land.
Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities	Yes	The site is located within an urban area with access to nearby infrastructure and services. It promotes healthy lifestyles through access to adjoining green infrastructure (National Park) and through connections to surrounding residential areas.
Objective 4: An interconnected Central Coast without car-dependent communities	Yes	The site is located within the Karagi regionally significant growth area. 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.
Objective 5: 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 proposal aids in the generation of infill residential housing opportunities.
Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments	Yes	The site is mapped as Swift Parrot habitat along the north-eastern and eastern boundary. The C3 zone provides a robust mechanism for the protection and conservation of the environmental values and enables transition to the National Park to the east. The 4 hollow-bearing trees and dam will be retained on site.
Objective 7: Reach net zero and increase resilience and sustainable infrastructure	Yes	The proposal will provide resilient and sustainable infrastructure in the development design.
Objective 8: 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 with access to public and active transport routes.
Objective 9: Sustain and balance productive rural landscapes	No	The site is not located within a rural area.

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 continues the employment land use in the short term. Additional employment opportunities will be required to service future residents when the site is redeveloped 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. The proposed C3 zone will allow for a softer transition from the site to these spaces.
4. Maximise connectivity between key activity destinations	Yes	The proposal for infill housing creates opportunities in close proximity to Bateau Bay Town Centre, taking advantage of the area's access to open space and bicycle networks.
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
BELONGING		
OUR COMMUNITY SPIRIT IS OUR STRENGTH		
A1	Work within our communities to connect people, build capacity and create local solutions and initiatives	The proposal will improve connection through the community through the provision of diverse 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	
CREATIVITY, CONNECTION AND LOCAL IDENTITY		
B1	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	B2 Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year	
B3	B3 Foster creative and performing arts through theatres, galleries and creative spaces, by integrating art and performance into public life	
B4	B4 Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors	
SMART		
A GROWING AND COMPETITIVE REGION		
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 retain employment use 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	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	
A PLACE OF OPPORTUNITY FOR PEOPLE		
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	

Objective/Requirement		Comment
GREEN		
ENVIRONMENTAL RESOURCES FOR THE FUTURE		
E1	Educate the community on the value and importance of natural areas and biodiversity and encourage community involvement in caring for our natural environment	The C3 zone recognises the Swift Parrot habitat and provides for the on-going protection and management of biodiversity values. A site specific Development Control Plan (DCP) will be prepared 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	
CHERISHED AND PROTECTED NATURAL BEAUTY		
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	
F4	Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions	
RESPONSIBLE		
GOOD GOVERNANCE AND GREAT PARTNERSHIPS		
G1	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 DPE and Transport for NSW. Further consultation will occur with the community and interested stakeholders should the proposal progress to public exhibition.
G2	G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect	
G3	G3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions	
G4	G4 Serve the community by providing great customer experience, value for money and quality services	
DELIVERING ESSENTIAL INFRASTRUCTURE		
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	

Objective/Requirement		Comment
H3	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	H4 Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water	
BALANCED AND SUSTAINABLE DEVELOPMENT		
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	
LIVABLE		
RELIABLE PUBLIC TRANSPORT AND CONNECTIONS		
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	
OUT AND ABOUT IN THE FRESH AIR		
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	

HEALTHY LIFESTYLES FOR A GROWING COMMUNITY		
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 at Wyrrabalong National Park and other parks and sporting fields within walking distance of the site. This will promote walkability within the site and local area and encourage social interaction.
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	

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.

Table 5 - Local Strategic Planning assessment

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
Centres and Corridors		
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. (CCRP Direction 4, 17)	The proposed development aligns with this priority with existing infrastructure to be extended to the site to cater for the proposal.
Housing		
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. (CCRP Direction 2, 15, 18)	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. (CCRP Direction 15, 17, 19, 20, 21, 22)	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. The R1 zone enables a range of housing typologies providing choice reflective of changing demographics
Environment		
22 Create Sustainable and Resilient communities	Review planning controls to require high standards of design and construction, including energy and water efficiency, livability 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. (CCRP Direction 12)	The mapped Biodiversity Values and Swift Parrot Habitat Mapping are to be protected and avoided through the introduction of the C3 zoned lands.

Biodiversity Strategy

Table 7 - Biodiversity Strategy assessment

Goals/Actions	Assessment/Comment
<p>Goal 4.1 - High biodiversity value areas are appropriately identified, protected and restored as part of future land use planning investigations</p> <p>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)</p>	<p>The proposal facilitates the protection and retention of environmentally sensitive areas.</p> <p>The Flora and Fauna Assessment (FFA) concludes the proposal is unlikely to significantly impact any species or populations on the site. The C3 Environmental Management zone has been introduced to protect areas mapped as Sensitive Biodiversity Land Values (SBV) and Important Areas for Swift Parrot (IASP) BV. In addition, the site specific DCP will require the preparation of a VMP for these lands.</p>

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 consistent with all applicable SEPPs.

Table 8 - SEPP Assessment

SEPP	Applicable	Consistent
State Environmental Planning Policy (Biodiversity and Conservation) 2021.		
Chapter 2 – Vegetation in Non-Rural Areas	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. This vegetation is to be zoned E3 Environmental Management to ensure its retention and management.</p>
Chapter 3 – Koala habitat protection 2020	N	
Chapter 4 – Koala Habitat Protection 2021	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The Flora and Fauna Assessment Report states: <i>"The subject property does not form part of an approved Koala plan of management... 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>

SEPP	Applicable	Consistent
Chapter 5 – River Murray lands	N	
Chapter 6 – Bushland in Urban Areas	N	
Chapter 7 – Canal Estate Development	N	
Chapter 8 – Sydney drinking water catchment	N	
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.
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.		

SEPP	Applicable	Consistent
Chapter 2 - Primary Production and Rural Development	N	
Chapter 3 - Central Coast Plateau Areas	N	
State Environmental Planning Policy (Resilience and Hazards) 2021.		
Chapter 2 - Coastal Management	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. It is envisaged that any future development would not cause adverse impacts associated with coastal processes, as no works are proposed within this area.</p>
Chapter 3 – Hazardous and Offensive Development	N	
Chapter 4 - Remediation of Land	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The Preliminary Site Investigation by WSP (2022) concludes 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.</p> <p>A Site-Specific Development Control Plan (DCP) will include appropriate development requirements to ensure staff recommendations relating to contaminated land management are addressed in the development design for the site.</p>
State Environmental Planning Policy (Resources and Energy) 2021.		
Chapter 2 – Mining, Petroleum Production and Extractive Industries	N	
Chapter 3 – Extractive Industries in Sydney Area	N	
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2 – Infrastructure	N	
Chapter 3 – Educational Establishments and Childcare Facilities	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
Planning Systems			
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.
1.11	Implementation of Bayside West Precincts 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.

No.	Direction	Applicable	Consistent
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.
Design & Place			
2.1	Not active	N	N/A
Biodiversity & Conservation			
3.1	Conservation Zones	Y	<p>Consistent – The C3 Environmental Management zone has been introduced to facilitate the retention and conservation of environmentally sensitive areas.</p> <p>A Flora and Fauna Assessment (FFA) by Fraser Ecological (2022) concludes the proposed works can be designed to avoid significant impact upon species or populations on site.. A VMP is proposed as part of the DCP requirements to ensure ecologically valuable areas are protected and maintained.</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 critical to the life cycle of local populations of these species are not present on the site.</p>
3.2	Heritage Conservation	Y	<p>Consistent - The AHIMS database has identified no Aboriginal sites recorded near the subject site. The proposal was supported by an Aboriginal Due Diligence Report</p>

No.	Direction	Applicable	Consistent
			(Kleinfelder 2021) that concluded no site-specific recommendations are advised.
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.
Resilience & Hazards			
4.1	Flooding	Y	<p>Inconsistent – It is proposed to rezone land affected by both the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events.</p> <p>A Flood Impact Assessment by Stantec (2022) concludes the proposal generally complies with Council's DCP flooding requirements. This assessment considers the implications of future excavation works and includes a Shelter-in-place emergency response plan.</p> <p>Therefore the proposal satisfies Clause (c) of Direction 4.1 in the consideration of consistency.</p>
4.2	Coastal Management	Y	<p>Consistent - A small section in the south-eastern corner of the site is located within the Coastal Use Area. 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>Consistent - A Strategic Bushfire Study has been prepared by Clarke Dowdle & Associates (2022). The Study concludes that the rezoning is not incompatible with the surrounding environment and bushfire risk. Since the completion of the bushfire assessment, the proposal includes a proportion of C3</p>

No.	Direction	Applicable	Consistent
			Environmental Management land which will prevent any works being undertaken in this area for bushfire mitigation measures. This will be clearly articulated in the DCP. 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> .
4.4	Remediation of Contaminated Lands	Y	<p>Consistent - A Preliminary Site Investigation (PSI) has been prepared by WSP (2022) in support of this proposal.</p> <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.</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).
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	Consistent - 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.

No.	Direction	Applicable	Consistent
Housing			
6.1	Residential Zones	Y	Consistent - The proposal enables a range of housing development options in an existing urban area in close proximity to infrastructure and services.
6.2	Caravan Parks and Manufactured Home Estates	N	The proposal does not propose or impact any caravan parks.
Industry & Employment			
7.1	Business & Industrial Zones	Y	Consistent - 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.
Resources & Energy			
8.1	Mining, Petroleum Production and Extractive Industries	Y	The Proposal is consistent with this direction.
Primary Production			
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 area mapped with Biodiversity values and Swift Parrot habitat along the north-eastern and eastern boundary. The planning proposal includes the introduction of the C3 Environmental Management zone to provide a more robust mechanism for on-going management and protection of this land. Council's Environmental Strategies Section has recommended measures to limit any impact to this vegetation, including 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) was undertaken with comments dated 7 February 2023 outlined below:

The accompanying bush fire strategic study demonstrates that the Planning Proposal meets the aims and objectives of Planning for Bush Fire Protection 2019 and is capable of achieving the required APZs and other bush fire mitigation measures without imposing additional measures on adjoining land. The NSW RFS concurs with the recommendations of the strategic study.

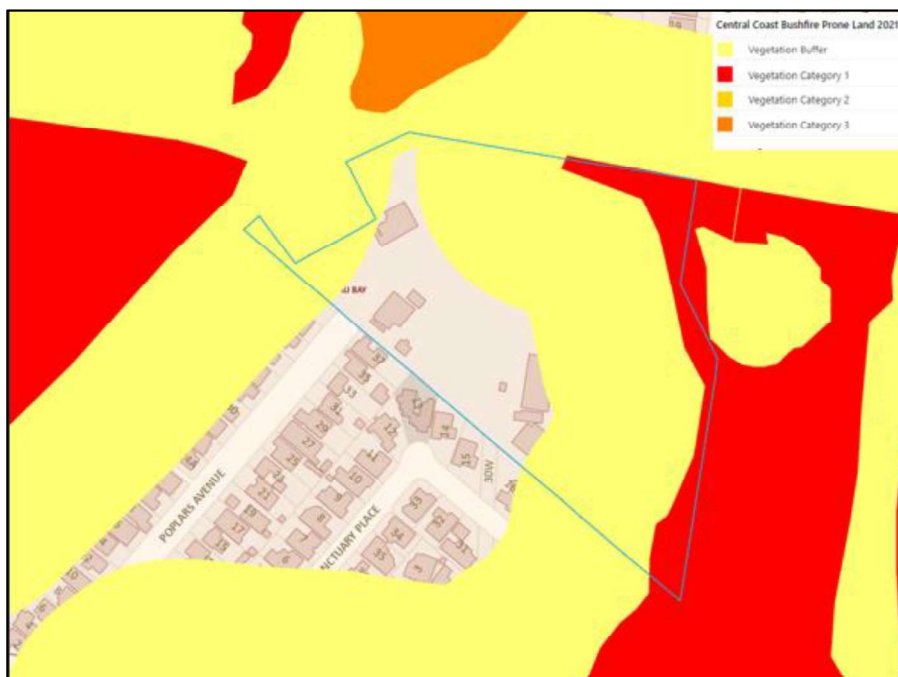


Figure 9 - Central Coast Bushfire Prone land mapping 2021

Indigenous and Non-Indigenous Cultural Heritage Items

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

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 proposal will need to address the requirements of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

The Preliminary Site Investigation by WSP (2022) concludes 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). 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 do not prevent the 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 included within a site specific DCP Chapter identify the matters to be examined at the DA stage.

The site is not mapped as containing Acid Sulfate Soils.

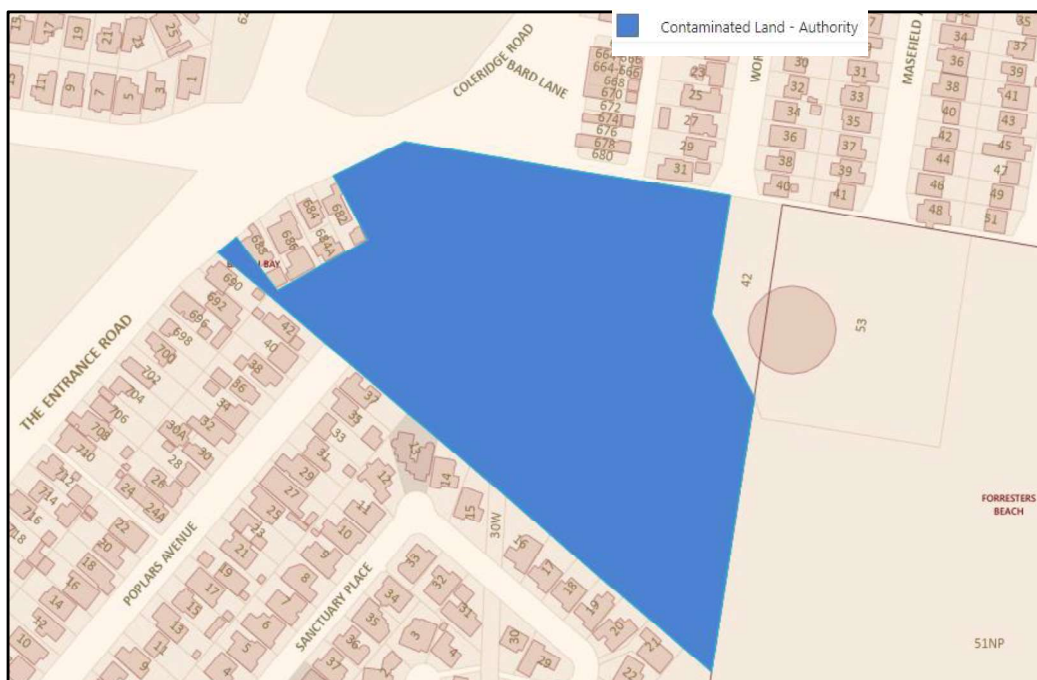


Figure 10 - Contaminated Land - Authority mapping

Flooding and Drainage

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

A Flood Impact Assessment has been prepared by Stantec (2023) which concludes the proposed generally complies with Council's Flooding DCP requirements. The Flood Assessment will be refined once the cut and fill plan is developed (during the detailed design phase). Preliminary comments are provided within the report that indicate that any impacts can be managed on site.

A Stormwater Management Plan will 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 a diversity of housing options on the Central Coast. The proposal facilitates 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 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.

Table 10 - Social Impact Assessment (CPS 2022) 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 are considered in the Traffic Impact Assessment with requirements for the retention of biophysical features and/or continuing desirable features. The site specific DCP requires that opportunities for cycling and walking infrastructure are addressed in the redevelopment of the site (e.g. shared pathway requirements).
Loss of bus depot – employment impacts and loss of services, but minor improvements in noise, pollution, and visual impact	When the site is redeveloped for residential purposes additional employment opportunities will be generated to service the new residential population.
Loss of bus services	If Red Bus lose the contract, it will be awarded to another transport bus provider to fill the service provision.
Housing supply and potential affordable housing	Nil required. Proposed increased housing supply and potential for affordable housing.

Matters such as crime prevention through environmental design will 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. The assessment concludes the site is suitable for the proposed rezoning/development having regard to traffic impacts, 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) submitted with this planning proposal, provided an access track is 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

Electricity and gas are currently provided to the site.

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 11 - Agency Consultation

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

Agency responses received during Pre Gateway consultation are attached in Appendix 4 – Supporting Documentation. A summary of the comments is outlined below: -

NSW Rural Fire Service

The accompanying bush fire strategic study demonstrates that the proposal meets the aims and objectives of *Planning for Bush Fire Protection 2019*. The development is capable of achieving the required APZs and other bush fire mitigation measures without imposing additional measures on adjoining land. The NSW RFS concurs with the recommendations of the strategic study.

Department of Planning & Environment (DPE)

Council consulted with DPE on 20 July 2022. DPE acknowledge that the proposal can demonstrate strategic merit given its alignment with a range of strategic plans, in particular the *Central Coast Regional Plan (CCRP) 2041*.

It was initially proposed to rezone the site to R2 Low Density Residential consistent with the surrounding R2 land to the north and south of the site. However, pre-gateway comments from the DPE recommended a higher density residential zone to give effect to the *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 DPE's recommendations.

Biodiversity Conservation Division (BCD) of DPE

Flooding

The Flood Impact Assessment has been updated as requested by BCD. The assessment now includes a review of the potential impact of increases to rainfall intensity due to climate change for time horizons applicable for the subdivision and associated dwellings. It also clarifies that the refuelling station will be removed as part of the redevelopment of the land where residential land uses are established on site.

Ecological

The Proponent has prepared an amended Flora & Fauna Report in response to comments from BCD, though it is noted that the current proposal does not trigger the Biodiversity Offset Scheme and therefore is not required to follow the BAM.

No clearing of vegetation is to be permitted along the north-eastern and eastern boundary of the site and this area is to be protected through the introduction of the C3 Environmental Management zone. The APZ is to be amended at DA Stage to remove any clearing works proposed in this location. Vegetation will be further protected via a Vegetation Management Plan to be prepared at DA stage in accordance with the requirements of the site specific DCP. In addition, the DCP requires all Asset Protection Zones to be located outside the area subject to the VMP (i.e. native vegetation along the north-east and eastern boundary of the site)

Council's Ecologist identifies that any future subdivision application will be assessed against the Biodiversity Conservation Act, SEPP (Biodiversity & Conservation) and DCP provisions.

Transport for NSW (TfNSW)

A stage 1 Planning Proposal review was received from TfNSW on 27 July 2022. The TIA accompanying this planning proposal has been updated per the recommendations of TfNSW. The following is noted for clarification:

- The existing bus depot could continue to operate under existing use rights. 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. *The proposed residential subdivision will generate approximately 60 trips in the AM peak and 64 in the PM.*
- 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 upgrade works to the Pacific Highway will not require any mitigation as the proposed residential use generates less trips than the existing bus depot.
- This right turn movement can be accommodated at the proposed traffic signals at the intersection of Central Coast Highway and Collieridge Road/Passage Road. It is anticipated that this would be the case if right turns were permitted onto the highway at Whalans Road.
- Council supports connection to Poplars Avenue as it will provide an improved distribution of traffic onto the network.
- The proposal does not include direct access to the Central Coast Highway.

Heritage NSW

Heritage NSW have reviewed the planning proposal and requested that an Aboriginal cultural heritage assessment and consultation with the Aboriginal community occur.

Given the circumstances of the site, being largely a cleared parcel of land, large portions of the land have been disturbed throughout the historical land uses. The site, being a former quarry, is unlikely to retain significant archaeological finds. The Due Diligence Report submitted, including AHIMS searches, has not identified any items within the vicinity of the site.

Notwithstanding this, chance find protocols will be employed as a condition of any future development consent conditions. As such it is considered that the Aboriginal assessment for this proposal is in accordance with the local planning Direction 3.2.

Local Planning Panel

The Local Planning Panel (LPP) considered the matter on 11 October 2022. The following advice was provided by the LPP:

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 LPP advice. In relation to Council's funding mechanism the following is noted:

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 number 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 12 - Existing and Proposed Provisions

Map	Map Title
Existing Provisions/ Mapping	
A.	Contextual Locality Plan
B.	Existing Zoning under CCLEP
C.	Aerial Photograph
Proposed Provisions	
D.	Proposed R1 / C3 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.

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 13 - Key Project Timeframes

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	1 month	January 2022	November 2023
Timeframe for government agency consultation (undertaken pre gateway)	2 months	January 2023	January 2023
Commencement and completion dates for public exhibition	28 days	November 2023	December 2023
Timeframe for consideration of submissions	1 month	January 2024	February 2024
Timeframe for consideration of a proposal post exhibition	1 month	February 2024	March 2024
Date of submission to the Department to finalise LEP	1 month	March 2024	April 2024
Anticipated date RPA will make the plan (if delegated)	14 days	April 2024	April 2024
Anticipated date RPA will forward to the Department for notification	7 Days	April 2024	April 2024

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

Zone C3 Environmental Management

1 Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To provide a buffer to land of high ecological value or land that has environmental constraints or hazards.

2 Permitted without consent

Home occupations

3 Permitted with consent

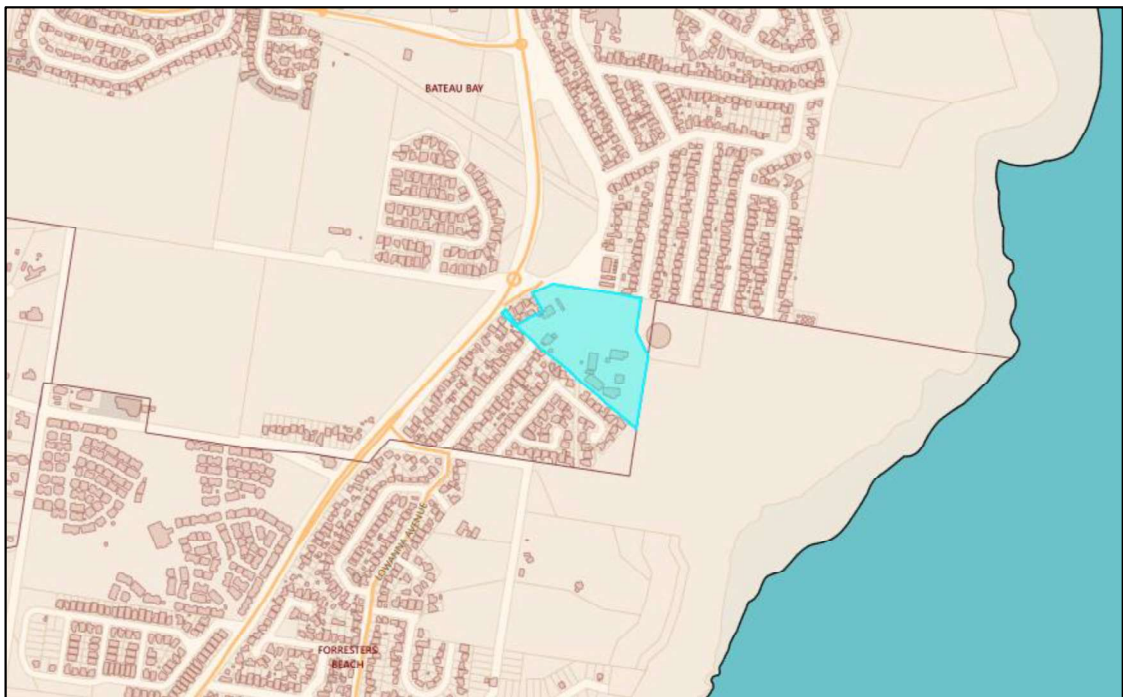
Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies; Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Flood mitigation works; Home-based child care; Home businesses; Home industries; Horticulture; Information and education facilities; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Research stations; Roads; Roadside stalls; Secondary dwellings; Sewage reticulation systems; Sewage treatment plants; Tank-based aquaculture; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Appendix 2 – Mapping

Map A – Locality Plan



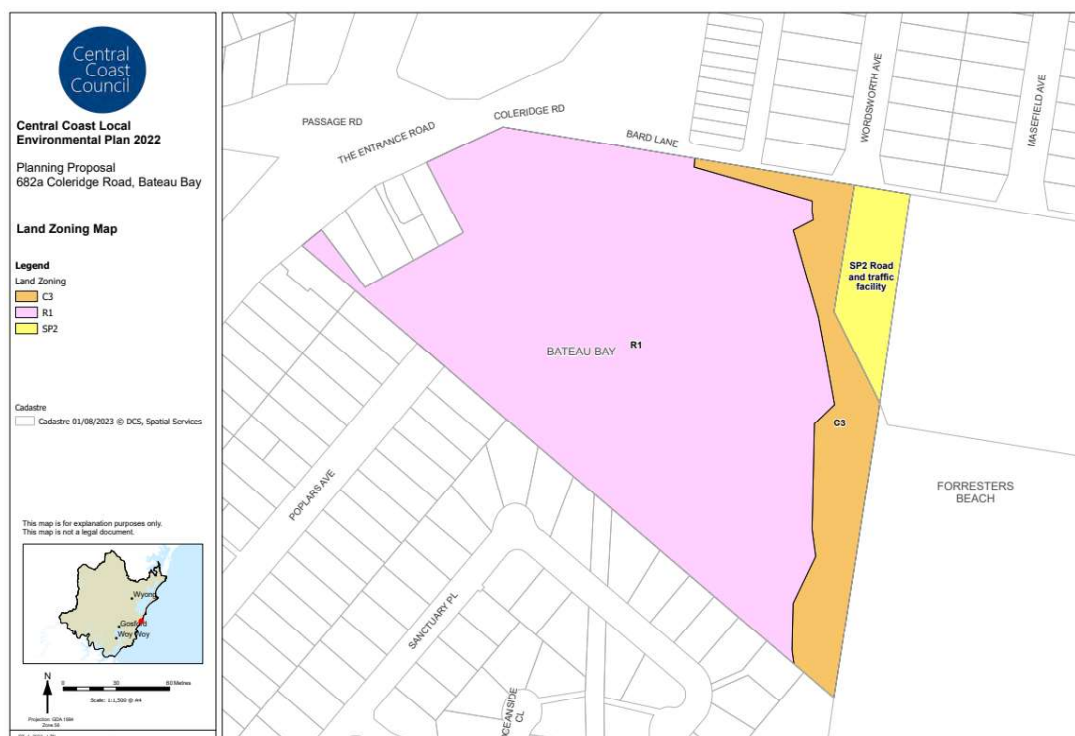
Map B – Aerial Photograph



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

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 450m²;**
 - (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 450m², 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

Current Status

The proposal is currently at an early stage in the Local Environmental Plan amendment process (Figure 3).

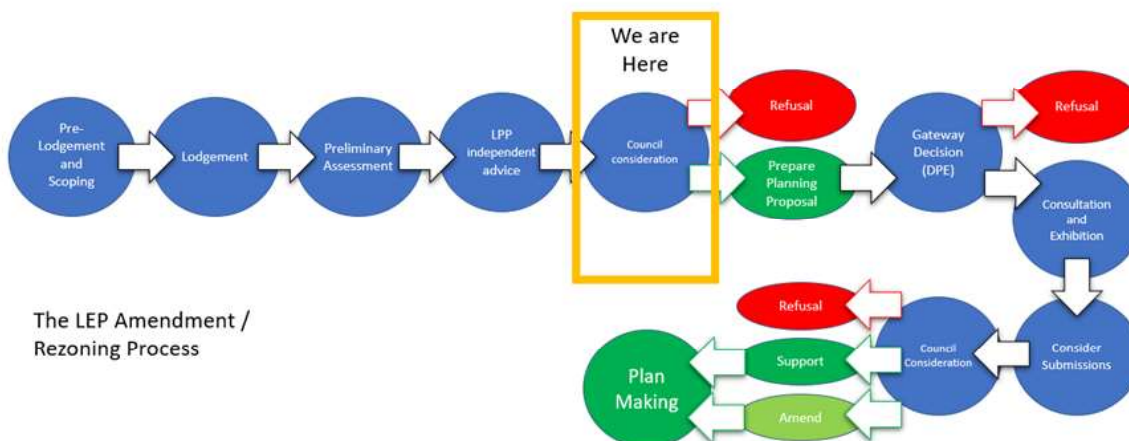


Figure 3: Local Environmental Plan Amendment Process

Proposal

The Planning Proposal will seek to amend the CCLEP 2022 as follows:

- 1 Rezone the site from SP2 Infrastructure to R1 General Residential;
- 2 Apply a Minimum Lot Size of 450m² to the entirety of the site;
- 3 Apply a Floor Space Ratio of 0.6:1 to the entirety of the site;
- 4 Apply a Building Height of 9.5m to the entirety of the site; and
- 5 Allow the Additional Permitted Use of 'transport depot'.

The Red Bus Company will continue to provide bus services to the local area; however, should their contract with Transport for NSW (TfNSW) not be renewed, the Planning Proposal will enable alternative development options for the site. Inclusion of an additional permitted use for 'transport depot' provides for the continued use of the site as a bus depot.

The proposal development 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 existing R2 land to the north and south of the site. However, pre-gateway comments received from the Department of Planning and Environment (DPE) recommended a higher density residential zone to give effect to 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 Wyrrabalong National Park).

A concept plan for the proposal includes an indicative layout of residential housing across the site (Figure 4). With low density residential housing proposed to be concentrated to the south and 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

- | | | | |
|---|--|-------------------------------|-----------|
| 1 | Planning Proposal Summary - 682a Coleridge Road, Bateau Bay | Provided Under Separate Cover | D15293124 |
| 2 | 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)

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

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 450m²;**
 - (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.**

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)