

PLANNING PROPOSAL TO AMEND CENTRAL COAST COUNCIL LOCAL ENVIRONMENT PLAN 2022

IN RESPECT OF

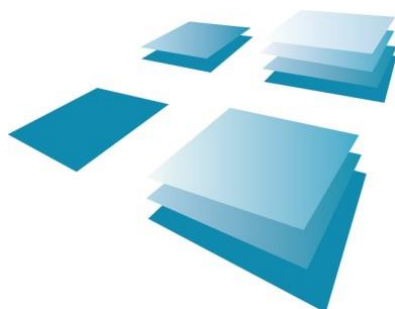
**Lot 1 DP 712505
126 SOMERSBY FALLS ROAD
SOMERSBY NSW**

Project : **21 - 035**

Date : **20th December 2023**

Edition : **iii**

PREPARED BY



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Multi-Discipline Design + Project Management

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02 EDITIONS + REVISIONS

1 TABLE OF EDITIONS + REVISIONS

1.1 GENERAL

This section lists the various editions in which this document has been issued and provides a schedule of the changes to the relevant clauses.

1.2 EDITION / REVISION

i	2023-12-20	First Edition - Draft Issue for comment and approval purposes only. Not for submission.
ii	2024-02-20	Second Edition - Final Draft Issue for peer review purposes only. Not for submission.
iii	2024-03-14	Third Edition - Issued for Submission.

03 INTRODUCTION

1 PLANNING PROPOSAL ---

1.1 AMENDMENT TO CENTRAL COAST LOCAL ENVIRONMENT PLAN 2022 Re-Zoning of land

The purpose of this application is to have the subject land currently zoned as RU1 - Primary Production re-zoned to E4 - General Industrial.

2 REFERENCE DOCUMENTS ---

2.1 PRE-LODGEEMENT MEETING

Planning Proposal Meeting

A Planning Proposal Pre-Lodgement Meeting was undertaken with Central Coast Council's senior planning staff prior the preparation of this report.

The Record of Advice provided by Council advised a number of mandatory and recommended issues that needed to be addressed.

All issues nominated within the Record of Advice have been addressed.

Refer to Attachment No. 02.

2.2 PLANNING PROPOSAL PREPARATION

Local Environmental Plan Making Guideline

This report has been prepared in accordance with NSW Department of Planning and Environment's document Local Environmental Plan Making Guideline - August 2023, and includes various secondary reports required by the Guideline.

The format of this report reflects the Planning Proposal Preparation outlined in the Guideline.

2.3 BENCHMARK TIMEFRAMES

Proposal Assessment Timeline

The Pre-Lodgement Record of Advice notes Council considers the proposal to be Standard under the Planning Proposal Categories.

The Applicant acknowledges the Maximum Benchmark Timeframes for a Standard Application as noted in Table 2 of the Local Environmental Plan Making Guideline.

04 EXECUTIVE SUMMARY

1 PLANNING PROPOSAL

1.1 AMENDMENT TO CENTRAL COAST LOCAL ENVIRONMENT PLAN 2022

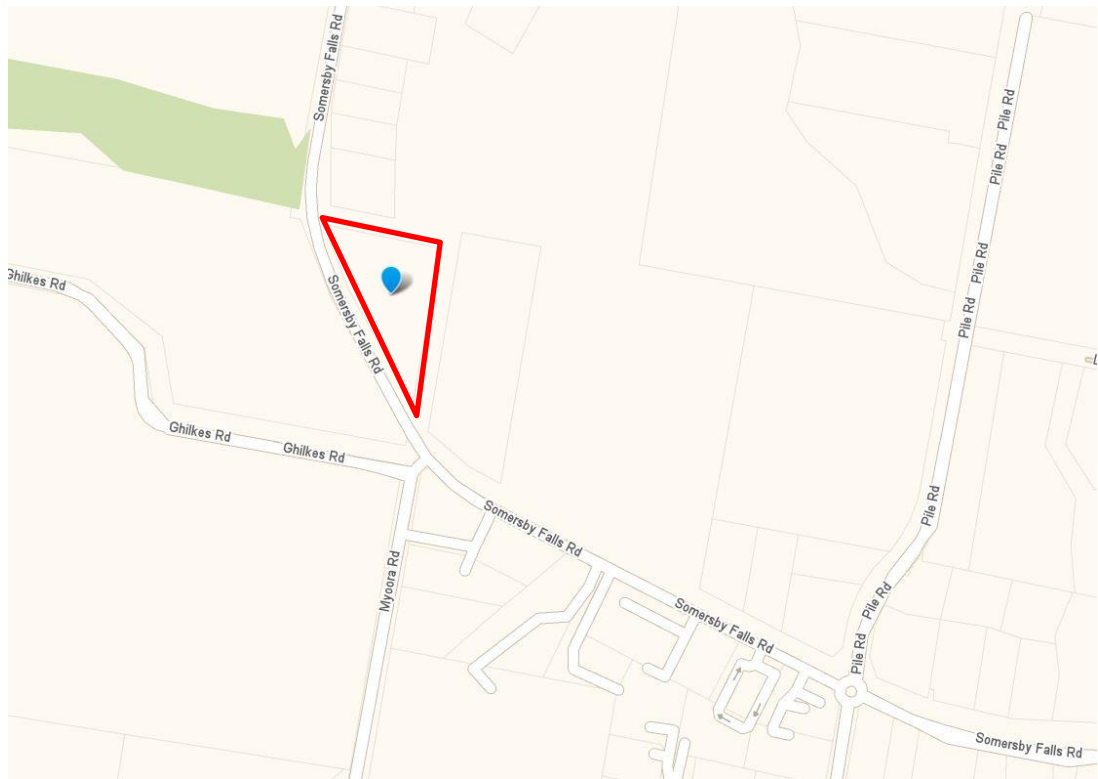
This Planning Proposal has been prepared by R.J. Sinclair Pty Ltd on behalf of Mike Fitzpatrick (the Applicant) in support of an amendment to the Central Coast Local Environment Plan 2022 (CCLEP) to change the zoning of a parcel of land within the Council area as described below.

This Planning Proposal has been prepared in accordance with NSW Department of Planning and Environment's Local Environmental Plan Making Guideline August 2023.

This report will show that the proposed rezoning meets the strategic intent of :

- The Central Coast Council Local Environment Plan 2022.
- The Central Coast Revised Community Strategic Plan 2018-2028.
- Central Coast Council Local Strategic Planning Statement 2020.

Proponent	Mike Fitzpatrick
Property address	126 Somersby Falls Road SOMERSBY NSW 2250
Real land description	Lot 1 DP 712505 Refer to Section 8 - Map No. 01 - Deposited Plan
Owner/s	M.J. Fitzpatrick C.R. Fitzpatrick
Land area	1.064 ha Refer to Attachment No. 01 – Deposited Plan
Existing land zone	RU1 - Primary Production
Proposed change to Central Coast Local Environment Plan 2022	Change the existing land zoning to Zone E4 - General Industrial
Other proposed changes to Central Coast Local Environment Plan 2022	Nil



SITE LOCALITY PLAN - 126 SOMERSBY FALLS ROAD, SOMERSBY

© Wherels

05 PART 1 – OBJECTIVES + INTENDED OUTCOMES

Objective :	To amend the Central Coast Council LEP 2022, by re-zoning the subject site, to maximise the opportunity for small to medium industrial development in the Somersby Business Park, providing employment opportunities in the Central Coast.
Intended outcomes :	<p>To change the subject site zoning to E4 - General Industrial to reflect the dominant E4 zone within the local area.</p> <p>To allow any future development of the subject land to be sympathetic with the surrounding land zoning.</p> <p>To maximise the opportunity for industrial development in the Somersby Business Park creating employment opportunities.</p>

06 PART 2 – EXPLANATION OF INTENDED PROVISIONS

Intended Provisions :	Amend the Central Coast Council LEP 2022 Zone Map to identify the site as Zone E4 - General Industrial.
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Existing Central Coast Council LEP 2022 Land Zone Map

Refer to Section 9 - Map No. 02 for large scale map.



Proposed modification to Central Coast Council LEP 2022 Land Zone Map

Refer to Section 10 - Map No. 03 for large scale map.

Intended Provisions (cont'd) :	<p>The intent of the change to the land zoning is to ensure future development of the site is consistent with the industrial uses of land surrounding the site and ensure any future development on the land is consistent with the aims for development in the Somersby Business Park.</p> <p>All other planning controls applying to the site will remain unchanged.</p>
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07 PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

Section A - Need for the planning proposal

1	Is the planning proposal a result of an endorsed LSPS, strategic study or report ?	<p>The Interim Central Coast Local Strategic Planning Statement (CCLSPS) was endorsed by Council in 2020.</p> <p>The CCLSPS responds to the goals and directions of the NSW state government's Central Coast Regional Plan 2041, and works alongside the Community Strategic Plan to deliver Council's priorities for the region.</p> <p>The CCLSPS documents identify population and labour force changes as drivers of change in the area, and the provision of additional industrial land will assist in meeting these priorities.</p>
2	Is the planning proposal the best way to means of achieving the objectives or intended outcomes, or is there a better way ?	<p>This planning proposal is the most appropriate way to achieve the objectives of the CCLSPS as the subject site is located within the Somersby Business Park precinct.</p> <p>Changing the zoning will ensure any future development will be industrial based activities, assisting to generate additional jobs in the local area.</p>

Section B - Relationships to the strategic planning framework

3	Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies) ?	<p>The Central Coast Regional Plan 2041 identifies the central coast as a <i>thriving employment hub</i>.</p> <p>Additionally, it says <i>Given the relatively small supply of unconstrained, developable land remaining, new opportunities will need to capitalise on the need for local jobs ...</i></p> <p>The proposed new zoning of E4 - General Industrial will meet the objectives of the Plan.</p>
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4	Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan ?	<p>The planning proposal is located within the Southern Growth Corridor which has been identified by Council as a key growth area for employment.</p> <p>The proposal to change the zoning to industrial use is therefore consistent with the CCLSPS.</p>
5	Is the planning proposal consistent with any other applicable state and regional studies or strategies ?	A search of NSW Department of Planning and Environment web site at the date of preparation of this report does not identify and other state or regional studies or strategies that are specific to Central Coast Council area.
6	Is the planning proposal consistent with applicable SEPPs ?	The planning proposal is for rezoning of the land and until such time as work or activity is contemplated, the new zoning is not affected by any SEPP.
7	Is the planning proposal consistent with applicable Ministerial Directions (Section 9.1 Directions) or key government priority ?	A search of NSW Department of Planning and Environment web site at the date of preparation of this report does not identify any applicable Directions that may have effect on this planning proposal.

Section C - Environmental, social and economic impact

8	Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected because of the proposal ?	<p>The land is currently 100% cleared, mainly grassed and contains a residence and rural shedding.</p> <p>Section 11 - Map No. 04 is an excerpt from the CCLEP which identifies Habitat Corridors.</p> <p>Section 12 - Map No. 05 is an excerpt from the CCLEP which identifies Areas of Biodiversity Significance.</p> <p>The CCLEP mapping does not identify habitat corridors or areas of biodiversity significance and therefore there are no adverse impacts on habitat or biodiversity.</p>
9	Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed ?	<p><u>Contamination :</u></p> <p>A Preliminary Site Investigation has been carried out in accordance with Central Coast Council's standard requirements for Planning Proposals.</p>

	<p>The purpose of the investigation and report is to provide a preliminary assessment of current and / or historical potentially contaminating activities that may have impacted the soils and determine if the site is suitable for the proposed use.</p> <p>The report concludes that the site is suitable for residential land use.</p> <p>Given that the contamination threshold for use as residential land is higher than that for industrial uses (the assumed future use) there is no impediment to the proposed re-zoning.</p> <p>Refer to Annexure 03 - Preliminary Site Investigation Report.</p>
	<p><u>Bushfire :</u></p> <p>Section 13 - Map No. 06 is an excerpt from the CCLEP which identifies Bushfire Prone Land.</p> <p>The mapping identifies the site as bushfire prone land.</p> <p>In accordance with advice received following completion of the Planning Proposal Pre-Lodgement Meeting a Bushfire Strategic Study has been prepared.</p> <p>The report concludes :</p> <p>... we are satisfied that the proposed zoning, in combination with the bushfire protection measures discussed herein will not result in areas that are difficult to evacuate, create control difficulties during a bushfire or adversely affect other bush fire protection strategies or place existing development at increased risk.</p> <p>The study therefore supports the application to rezone the land.</p> <p>The Bush Fire Strategic Study is attached at Annexure No. 05.</p>
	<p><u>Miscellaneous :</u></p> <p>There are no other likely environmental effects of the planning proposal as the planning proposal is for the change of zone only and any effect of future development would be addressed at DA stage of that development.</p>

10 Has the planning proposal adequately addressed any social or economic effects?

Employment :

Rezoning of the land generates the potential for additional employment opportunities if the site is redeveloped with industrial units, and meets the objectives of the E4 zoning.

For example, if a medium size business was to develop the land with a manufacturing facility occupying 75% of the site, that would result in approx. 7,000m² of floor area which might employ 100 people.

Alternatively, if 10 small industrial units were developed, up to 50 people might be employed.

Such a development would benefit families within the whole central coast area as local employment is a great advantage over travelling long distances to Sydney or Newcastle for work opportunities.

The establishment of the Somersby Business Park has created an area on the western side of the Pacific Highway within the greater Gosford area which attracts local and large-scale manufacturers enhancing the employment opportunities for all.

Rezoning of the land is the most appropriate way to increase small and medium sized industrial development, local employment and builds upon the advantages of the Somersby Business Park.

Aboriginal cultural heritage :

An Extensive Search of the AHIMS web site shows nil aboriginal artefacts within 50m of the site.

Notwithstanding the results of this search, in accordance with advice received following completion of the Planning Proposal Pre-Lodgement Meeting, a detailed Aboriginal Heritage Due Diligence Assessment and Report has been prepared.

The report has been prepared by Heritage Now Pty Ltd in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (DECCW 2010b).

The report was based on historical records of aboriginal activity, on-site visual investigation of the existing landscape, etc.

The site was inspected/surveyed by Heritage Now staff and a representative of the Darkinjung Local Aboriginal Land Council.

The inspection/survey did not identify any evidence of rock engravings.

The report does not require any further investigations or research be carried out, however, the report provides three recommendations for awareness, identification and notification should any engravings or artefacts be found during any works on the site.

The Aboriginal Heritage Due Diligence Assessment Report is attached at Annexure No. 04.

Local public and retail facilities :

There are no local hospitals, public or private schools, retail centres, or the like within the Somersby Business Park area and therefore there are no negative impacts upon such facilities.

Social impacts :

There are no negative social impacts generated by the proposed rezoning.

A most important positive social benefit of the rezoning is the potential for local construction jobs should the site be redeveloped in the future.

Following the (future) development of the land a major benefit would be the initial and ongoing employment of local people in a precinct close to the major central coast city of Gosford.

Section D - Infrastructure (Local, State and Commonwealth)

11 Is there adequate public infrastructure for the planning proposal ?

The application is for land re-zoning only, and does not include application for any other development.

	<p>The site is located within a developed industrial precinct with existing electrical power, water supply, sewer drainage and stormwater drainage servicing the area.</p> <p>Further consideration is necessary, and is attached in Annexure 02.</p>
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Section E - State and Commonwealth Interests

12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination ?	<p>This application is for a simple re-zoning of an existing allotment to reflect the zoning of surrounding properties.</p> <p>The Pre-Lodgement Advice determined this application is a Standard application and did not raise any issues relating to other agencies that have not already been addressed.</p> <p>Therefore, the views of federal or other government agencies have not been sought.</p>
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08 PLAN No. 01 - DEPOSITED PLAN - Lot 1 DP 712505

PLAN FORM 2

Signatures and seal only:

For use by the owner

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09 PLAN NO. 02 -- CCLEP LAND ZONE MAP -- CURRENT



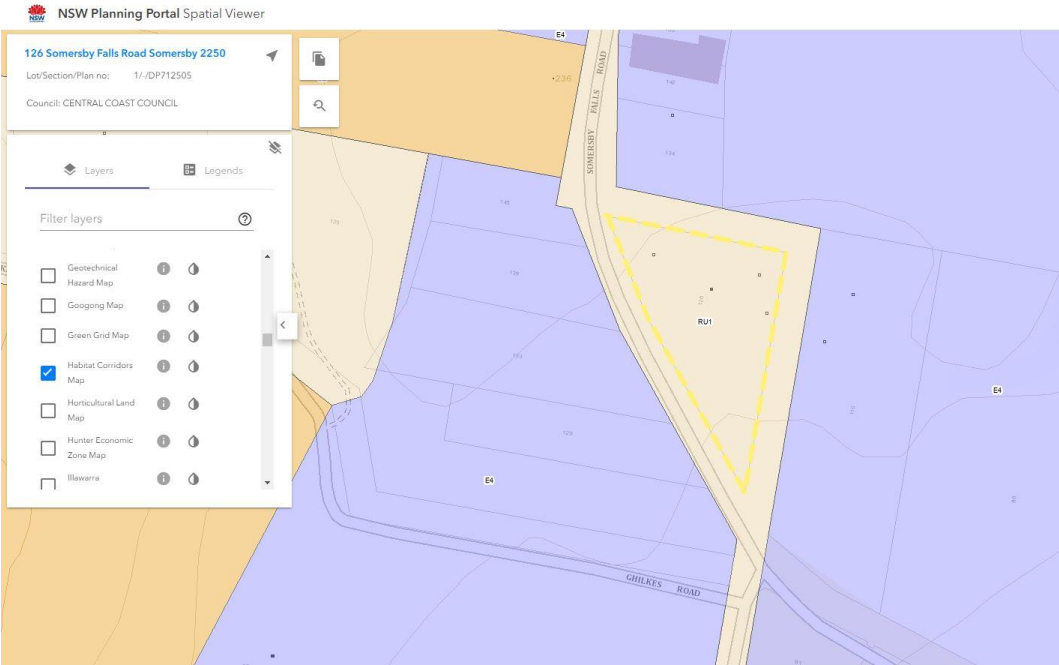
Excerpt from Existing Central Coast Council LEP 2022 Land Zone Map

10 PLAN NO. 03 -- CCLEP LAND ZONE MAP -- PROPOSED



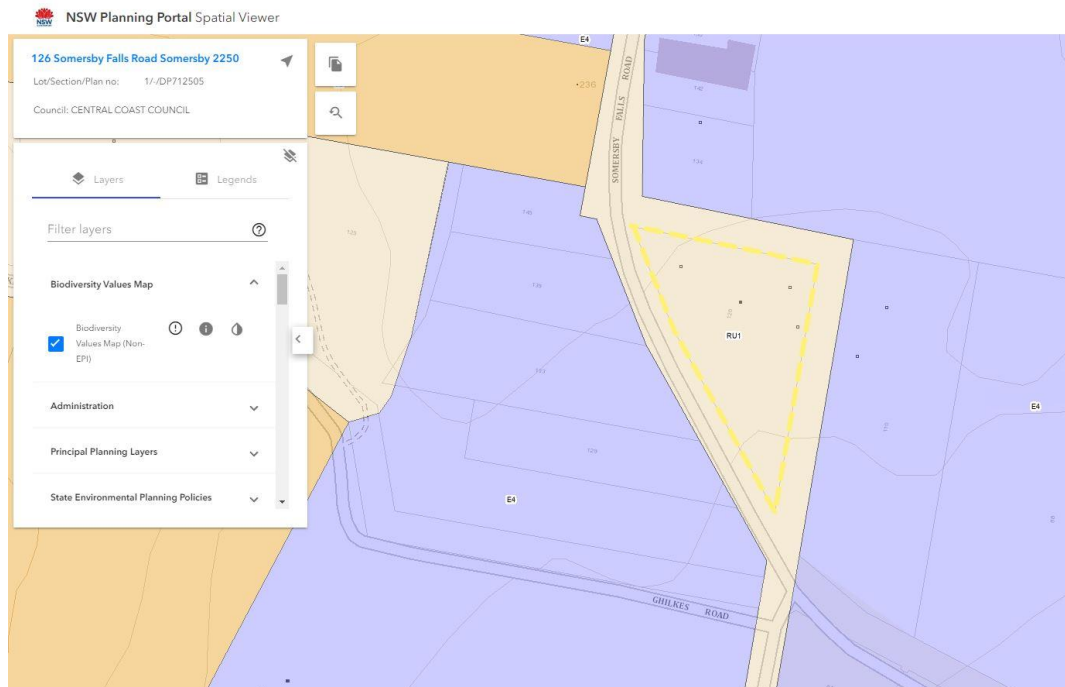
Excerpt from Proposed Central Coast Council LEP 2022 Land Zone Map

11 PLAN No. 04 -- CCLEP HABITAT CORRIDORS MAPPING



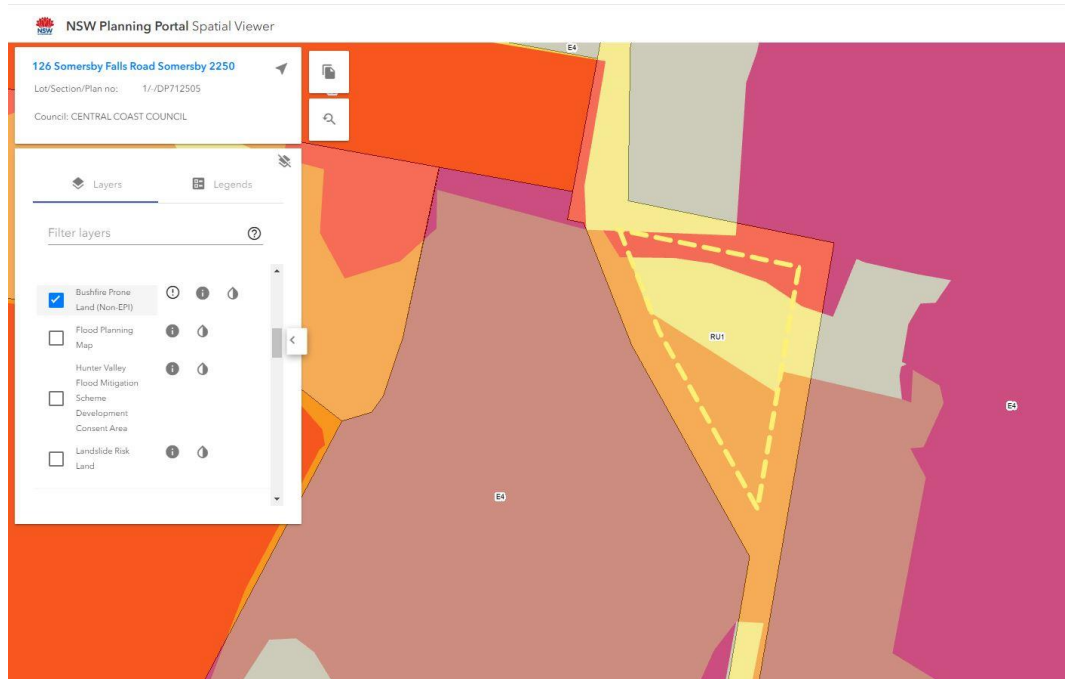
Excerpt from CENTRAL COAST LEP - HABITAT CORRIDORS MAPPING

12 PLAN No. 05 -- CCLEP BIODIVERSITY MAPPING



Excerpt from CENTRAL COAST LEP - BIODIVERSITY MAPPING

13 PLAN No. 06 -- CCLEP BUSHFIRE PRONE LAND MAPPING



Excerpt from CENTRAL COAST LEP - BUSHFIRE PRONE LAND MAPPING

14 ANNEXURE 01 -- PLANNING PROPOSAL PRE-LODGE^{MENT} MEETING RECORD OF ADVICE

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