



Central Coast Council

Planning Proposal

Lot 1 DP 712505

126 Somersby Falls Road

Somersby

File No: RZ/1/2024; PP-2024-555

January 25



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Public Consultation

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Background & Locality Context

The subject site, Lot 1 DP 712505, 126 Somersby Falls Road, Somersby, is located within the Somersby Business Park precinct, although it is not zoned for industrial uses.

The site is triangular in shape with an area of 1.064 Ha and a slope of 7%. It accommodates a dwelling-house and various other buildings. It adjoins land zoned for industrial uses which have been, or are being, developed for such uses (Figure 1).



Figure 1 Contextual Locality Plan

The site is zoned RU1 Primary Production under the Central Coast Local Environmental Plan 2022. As is evident in Figure 2, the site is surrounded by land zoned E4 General Industrial.



Figure 2: Existing Zoning

In 1981 the land to the north and east of the site was zoned to 4(a1) General Industrial under Gosford LEP No 22 which was assigned the equivalent zone of IN1 General Industrial under Gosford LEP 2014.

In 2014 the land on the opposite side of Somersby Falls Road was zoned IN1 General Industrial under Gosford LEP 2014 (Amendment No 2).

In 2016 the former Gosford City Council initiated a Planning Proposal to zone the subject lot and other miscellaneous land on the periphery of Somersby Business Park to General Industrial. In 2018 the Central Coast Council discontinued this Planning Proposal, in part, because not all the landowners wanted to fund the additional studies required. The justification for zoning the subject lot has only intensified since the time the 2016 Planning Proposal was initiated as industrial development has been, and is being, undertaken on adjoining land.

In 2022 the Gosford LEP 2014 and Wyong LEP 2013 were incorporated into the Central Coast LEP 2022.

In April 2023 new Employment zones came into effect and, in this case, the IN1 General Industrial zone was renamed E4 General Industrial.

Should the land be zoned E4 General Industrial under the CCLEP, the only other applicable mapping layer, minimum lot size, would also require amendment. The existing minimum lot size is 20 Ha (Figure 3) and it is proposed to be changed to 4,000m² as per the adjoining Industrial land.

Under Gosford LEP 22 subdivision of industrial land fronting Wisemans Ferry Road was required to have a minimum lot size of 2 Ha and all other industrial land in the Somersby Business Park, a minimum lot size of 4,000m².

In 2014 the land on the western side of Somersby Falls Road was zoned IN1 General Industrial under Gosford LEP 2014 (Amendment No 2) with a minimum lot size of 4,000m². The minimum lot sizes for Somersby Business Park have been brought over into the CCLEP 2022.



Figure 3: Existing Lot Size

Part 1 Objectives or Intended Outcomes

The subject land, Lot 1 DP 712505, 126 Somersby Falls Road, Somersby, is zoned RU1 Primary Production with a minimum lot size of 20 Ha under the Central Coast Local Environmental Plan 2022 (CCLEP).

The objective of the Planning Proposal is to rezone the lot to E4 General Industrial with a minimum lot size of 4,000m² under the CCLEP.

The existing RU1 Primary Production zone is now incompatible with the surrounding E4 General Industrial zone and resultant industrial activities. The intended outcome of the proposal is to rezone the site to E4 General Industrial to be consistent with the adjoining land and thus permit similar industrial development.

With the land proposed to be zoned E4 General Industrial under the CCLEP, the only other applicable mapping layer, minimum lot size, would also require amendment. The existing minimum lot size is 20 Ha and it is proposed to be changed to 4,000m² as per the adjoining Industrial land within the Somersby Business Park.

In addition to the subject lot, are adjoining and nearby roads which are zoned RU1 Primary Production (Figure 4) but are abutted on both sides by E4 General Industrial land and used to service the industries in the locality. This anomaly is proposed to be addressed in this Planning Proposal by also including these roads in the E4 General Industrial zone (Figure 5). Likewise, the minimum lot size of 20 Ha (Figure 6) is to be changed to a minimum lot size of 4,000m² (Figure 5) to be consistent with that of adjoining industrial zoned land.

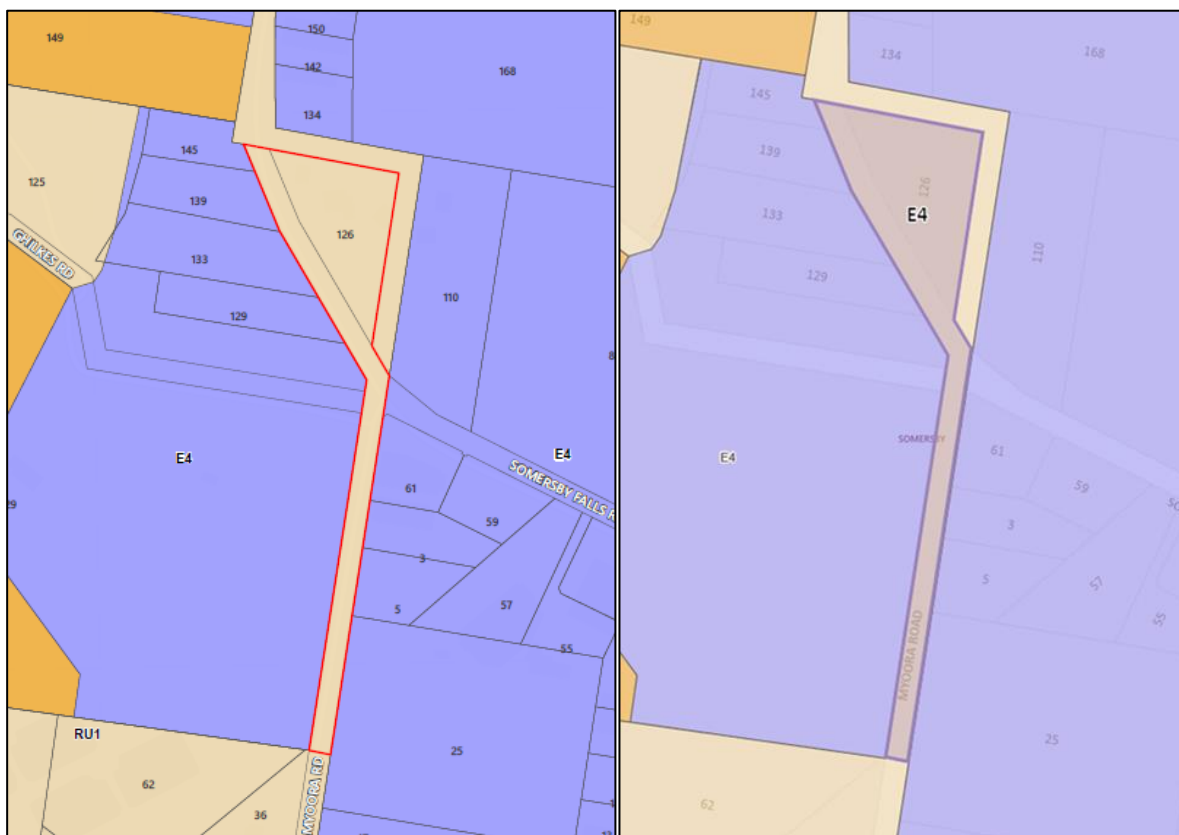


Figure 4: Existing Zoning

Figure 5: Proposed Zoning

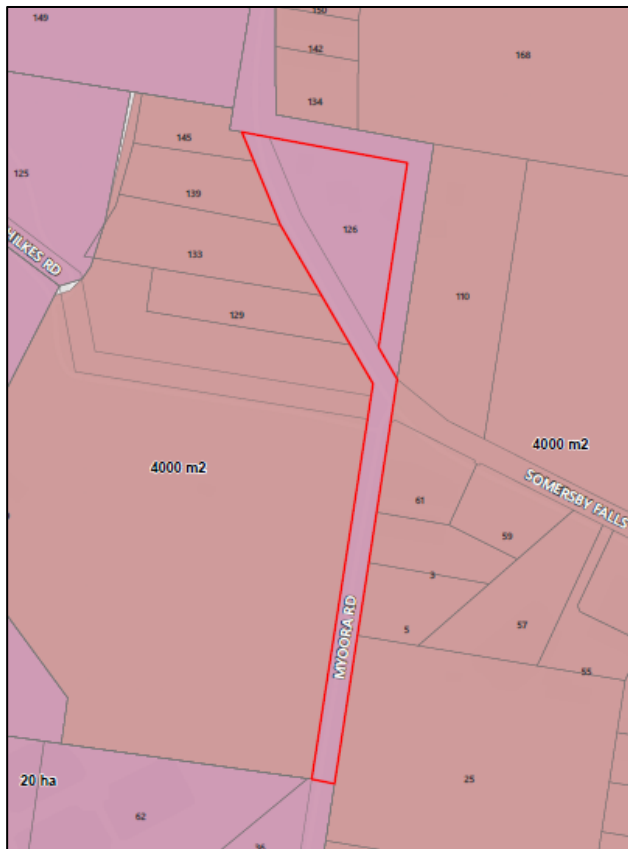


Figure 6: Existing Minimum Lot Size

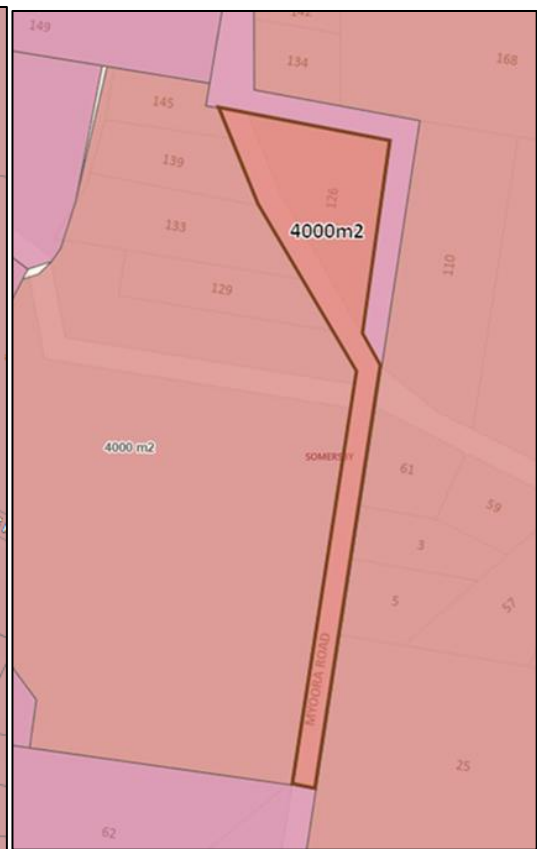


Figure 7: Proposed Minimum Lot Size

Part 2 Explanation of Provisions

The outcome will be facilitated by an amendment to the CCLEP which involves the mapping changes set out in Table 1 below.

Relevant Mapping is contained in Figures 8 to 12 of Supporting Documentation.

Mapping Layer	Existing Provision	Proposed Amendment
Land Zoning Map	RU1 Primary Production	E4 General Industrial
Minimum Lot Size Map	20 Hectares	4,000m ²

Table 1: Explanation of Map Amendments

Part 3 Justification

Section A – Need for the Planning Proposal

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

A previous Planning Proposal was initiated by the former Gosford Council in 2016 to zone the subject lot and other miscellaneous lots on the periphery of Somersby Business Park to General Industrial. However, in 2018 the Central Coast Council discontinued this Planning Proposal, in part, because not all the landowners wanted to fund their share of the additional studies required.

This situation has left it up to the individual landowners to pursue a rezoning should they wish to. In this case the owner of 126 Somersby Falls Road has decided to pursue a Planning Proposal for the land.

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

The Planning Proposal is the only means by which the land use zone can be changed to permit future industrial development on the site.

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

The Central Coast Regional Plan 2041 (CCRP) applies to the Central Coast local government area. The CCRP provides the basis of planning by the local government and sets out a number of strategies and priorities. Tables 12 and 13 in Supporting Documentation demonstrates that the Planning Proposal is generally consistent with the relevant strategies and priorities identified in the CCRP.

Interim 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.

One of the four Urban Management Strategies applicable to this proposal is:

- 3 *Define the Urban Edge – will define where urban development should stop, and environmental protection starts.*

All land surrounding this site (immediately to the north, east and south-west) is currently developed or being developed for industrial uses, leaving the generally cleared subject site as an isolated pocket of RU1 Primary Production zoned land. The zoning of this rural remnant to E4 General Industrial represents an infill site and a rationalisation of the Industrial zone and will not alter the established urban edge.

The following priorities outlined in the LSPS are applicable to this Planning Proposal.

Interim Local Strategic Planning Statement	
Planning Priority & Action	Assessment/Comment
3 - Grow the Regional Economic Corridors to support a strong local economy <i>Actions</i> <ul style="list-style-type: none">- Adopt the Somersby to Erina Growth Corridor Strategy and the Tuggerah to Wyong Growth Corridor Strategy as key locations for economic growth, investment and sustainable transport- Develop a Precinct Plan for Somersby Business Park and surrounds to create a Regional employment gateway with access to the Sydney and Hunter regions	The Somersby to Erina Growth Corridor Strategy has been adopted. The rezoning of this isolated remnant of RU1 zoned land to E4 is consistent with this Planning Priority to support economic growth.
11 - Facilitate Emerging Logistics, Warehousing, Manufacturing and Innovative and Green Economy Enterprises <i>Actions</i>	The Planning Proposal to rezone the subject site to E4 will enable uses consistent with the zone to operate from the site. Such uses may entail small-scale warehousing, logistics and manufacturing.

Interim Local Strategic Planning Statement	
<ul style="list-style-type: none"> - <i>Develop the Central Coast's Somersby to Erina Corridor Strategy, to provide an important connection from the regional gateway of Somersby to Gosford City Centre and beyond.</i> - <i>Investigate and support potential growth in warehousing and logistics on existing and planned industrially zoned land within the Regional Gateways of Somersby and Warnervale.</i> 	
<p>14 - Facilitate economic development to increase local employment opportunities for the community</p> <p><i>Actions</i></p> <ul style="list-style-type: none"> - <i>Prepare an Employment Lands Study and Strategy for the Central Coast to ensure appropriately zoned and serviced land is available to support future projected demand.</i> 	<p>An Employment Lands Study and Strategy is currently being prepared. The rezoning of this site to E4 is appropriate as it is surrounded by other E4 zoned land and is serviced. When rezoned the site will be available to support future demand for industrial activities.</p>

Table 2: LSPS Assessment

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

Community Strategic Plan

The Central Coast Community Strategic Plan (CSP) outlines a set of guiding principles, aspirations and values for the community. These reflect on social, economic, environmental and governance aspects for now and the future. The proposal is consistent with the relevant themes of the Community Strategic Plan. An assessment of the proposal against the Community Strategic Plan is located in the Table below.

Theme - Smart		
Focus Area – A Growing and Competitive Region		
Strategies		Assessment
C1	Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast	The site is located in the Somersby Business Park which forms part of the Somersby to Erina Growth Corridor.
C3	Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents	The proposed zoning of the site to E4 General Industrial will lead to an increase in employment opportunities.
Theme - Green		
Focus Area – Cherished and Protected Natural Beauty		
Strategies		Assessment
F1	Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	The site is generally cleared so does not represent a site of environmental significance.
Theme - Responsible		
Focus Area – Good Governance and Great Partnerships		
Strategies		Assessment
G3	Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions	The Planning Proposal will be placed on public exhibition, with community comments invited, which will inform Council's final decision.
Focus Area – 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 preservation of the local character of the area will be preserved as the subject site, even though zoned Rural, is surrounded by land currently zoned E4 General Industrial. The site is located with good access to the M1 being the major transport corridor.
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	The site is generally cleared so future development is environmentally sound, especially as the site is already within an Industrial precinct.

Table 3: Community Strategic Plan Assessment

Somersby to Erina Corridor Strategy

The Somersby to Erina Corridor Strategy (SECS) has been prepared to guide the growth and investment in the six centres of Somersby, Kariong/Mt Penang, West Gosford, Gosford City Centre, East Gosford and Erina which benefits the whole region.

An assessment of the proposal against the strategy and relevant directions and actions for the Somersby locality is set out below.

Somersby to Erina Corridor Strategy	
Somersby Strategy	
Directions & Action	Assessment/Comment
6 – Ensure the long-term success of Somersby Employment Area <i>Actions</i> 6.1 Employment Lands Strategy (LGA wide)	Council is currently preparing the Central Coast Employment Lands Strategy. The rezoning of the subject lot will not impact the overall strategic planning outcomes for employment lands as it is only 1 Ha in area. It is, however, an infill site so the proposed E4 zoning will rationalise the industrial urban edge in the locality
7 – Protect Somersby Employment Area's history and landscape <i>Actions</i> 7.1 Support the continued implementation of the Somersby Plan of Management. 7.2 Somersby Public Domain Strategy	The Somersby Plan of Management identifies areas with ecological significance and having aboriginal cultural heritage. The subject land does not contain any significant vegetation or aboriginal heritage items. The development of the site will not affect future works within the public domain.

Table 4: Somersby to Erina Corridor Strategy Assessment

Biodiversity Strategy

The Biodiversity Strategy provides a framework and guide for the management of biodiversity on the Central Coast that is consistent with regional, state and national strategies, plans and policies. The following Theme in the Biodiversity Strategy is applicable to the Planning Proposal:

Biodiversity Strategy	
Theme 4 Protecting biodiversity through land use planning and information management	
Goals and Actions	Assessment
Goal 4.1 High biodiversity value areas are appropriately identified, protected and restored as part of future land use planning investigation	Council has adequate resources to review ecology consent for all developments and planning proposals. The site is generally cleared and does not have high biodiversity value. The Strategic Environmental Planner has raised no objection

Action 4.1.6 Ensure developer compliance with Council's Flora and Fauna Survey Guidelines, vegetation management plans and conditions.	to this Planning Proposal. Council's Flora and Fauna Survey Guidelines will need to be addressed at the DA stage.
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Table 5 – Biodiversity Strategy Assessment

Somersby Industrial Park (SIP) Service Contribution Agreement

Most of the existing land zoned General Industrial in the Somersby Business Park (previously the Somersby Industrial Park) is subject to a Service Contribution Agreement between the State Government, Council and the landowners. The Agreement came into effect when the industrial area was zoned under Gosford LEP No 22 and outlines responsibilities of each party regarding the provision of the following infrastructure:

- water supply,
- sewerage service,
- drainage, and
- roads.

There is no provision in the Agreement that prevents the making of a subsequent LEP to zone other land for industrial purposes. Water and sewer charges can be levied and paid under the *Water Management Act* and matters directly relevant to future development such as roads and drainage can be addressed at the Development Application stage. This is the same process that occurred with the development resulting from the 2014 General Industrial rezoning of land on the western side of Somersby Falls Road.

Somersby Industrial Park Plan of Management

In 2005 Somersby Plan of Management (PoM) was adopted after lengthy environmental investigations and liaison between landowners and various government agencies. The PoM identified areas within the Somersby Business Park that contained archaeological sites and ecologically endangered communities (per *Threatened Species Conservation Act*) that should be preserved.

The LEP was amended to reflect these constraints and affected lands were designated and mapped as 'ecologically significant and Aboriginal heritage lands', however they remain zoned for industrial purposes. This designation affords protection to these sensitive lands and development is unlikely to occur in these areas in the future.

The PoM does not apply to all industrially zoned land in Somersby Business Park, e.g. the industrial zoned land in Kangoo Road and the western side of Somersby Falls Road. Any industrial zoned land resulting from this planning proposal would not be subject to the PoM.

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). The full assessment is contained within Table 14 of Supporting Documentation of this proposal.

SEPP	Applicable	Consistent
State Environmental Planning Policy (Biodiversity and Conservation) 2021.		
Chapter 2 – Vegetation in Non-Rural Areas	Y	Consistent with the provisions of the Chapter
Chapter 3 – Koala habitat protection 2020	N	Not applicable to the Central Coast
Chapter 4 – Koala Habitat Protection 2021	Y	Consistent with the provisions of the Chapter
Chapter 5 – River Murray lands	N	Not applicable to the Central Coast
Chapter 6 – Water Catchment	Y	Consistent with the provisions of the Chapter
Chapter 7 – 12 (Repealed)		
Chapter 13 – Strategic Conservation Planning	N	Not applicable to the Central Coast
SEPP (Design and Place) 2021 (Not Active)		
State Environmental Planning Policy (Housing) 2021		
Chapter 2 – Affordable Housing	N	Not applicable to the planning proposal
Chapter 3 – Diverse Housing	N	Not applicable to the planning proposal
Part 1: Secondary Dwellings	N	Not applicable to the planning proposal
Part 2: Group Homes	N	Not applicable to the planning proposal
Part 3: Co-living Housing	N	Not applicable to the planning proposal
Part 4: Built-to-rent Housing	N	Not applicable to the planning proposal
Part 5: Seniors Housing	N	Not applicable to the planning proposal
Part 6: Short-term Rental Accommodation	N	Not applicable to the planning proposal
Part 7: Conversion of Certain Serviced Apartments	N	Not applicable to the planning proposal
Part 8: Manufactured Home Estates	N	Not applicable to the planning proposal
Part 9: Caravan Parks	N	Not applicable to the planning proposal
Chapter 4 – Design of Residential Apartment Development	N	Not applicable to the planning proposal
Chapter 5 – Transport Orientated Development	N	Not applicable to the planning proposal
State Environmental Planning Policy (Industry and Employment) 2021.		
Chapter 2 – Western Sydney Employment Area	N	Not applicable to the Central Coast
Chapter 3 – Advertising and Signage	Y	Consistent with the provisions of the Chapter
State Environmental Planning Policy (Planning Systems) 2021		
Chapter 2 – State and Regional Development	N	Not applicable to this planning proposal
Chapter 3 – Aboriginal Land	N	Not applicable to the subject site

SEPP	Applicable	Consistent
Chapter 4 – Concurrences and Consents	N	Not applicable to this Planning Proposals
State Environmental Planning Policy (Precincts—Regional) 2021		
Chapter 2 -State Significant Precincts	N	Not applicable to the Central Coast
Chapter 3 – Activation Precincts	N	Not applicable to the Central Coast
Chapter 4 - Kosciuszko Alpine Region	N	Not Applicable to the Central Coast
Chapter 5 – Gosford City Centre	N	Not applicable to the subject site
State Environmental Planning Policy (Primary Production) 2021.		
Chapter 2 - Primary Production and Rural Development	Y	Consistent with the provisions of the Chapter
Chapter 3 - Central Coast Plateau Areas	Y	Consistent with the provisions of the Chapter
State Environmental Planning Policy (Resilience and Hazards) 2021.		
Chapter 2 - Coastal Management	N	Not applicable to the subject site
Chapter 3 – Hazardous and Offensive Development	N	Not applicable to the planning proposal
Chapter 4 - Remediation of Land	Y	Consistent with the provisions of the Chapter
State Environmental Planning Policy (Resources and Energy) 2021.		
Chapter 2 – Mining, Petroleum Production and Extractive Industries	Y	Consistent with the provisions of the Chapter
Chapter 3 – Extractive Industries in Sydney Area	N	Not applicable to the subject site
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2 – Infrastructure	Y	Consistent with the provisions of the Chapter
Chapter 3 – Educational Establishments and Childcare Facilities	N	Not applicable to the planning proposal
Chapter 4 – Major Infrastructure Corridors	N	Not applicable to the Central Coast
Chapter 5 – Three Ports – Port Botany, Port Kembla and Port of Newcastle	N	Not applicable to the Central Coast
Chapter 6 – Moorebank Intermodal Precinct	N	Not applicable to the Central Coast
State Environmental Planning Policy (Sustainable Buildings) 2022		
Chapter 2 – Standards for residential development - BASIX	N	Not applicable to the planning proposal
Chapter 3 – Standards for non-residential development	N	Not applicable to the planning proposal
Chapter 4 - Miscellaneous	N	Not applicable to the planning proposal

Table 6: SEPP Compliance

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 the applicable Directions is contained within Table 15 of Supporting Documentation of this proposal.

No.	Direction	Applicable	Consistent
Planning Systems			
1.1	Implementation of Regional Plans	Y	Y
1.2	Development of Aboriginal Land Council Land	N	N/A to the subject site
1.3	Approval and Referral Requirements	Y	Y
1.4	Site Specific Provisions	Y	Y
1.4A	Exclusion of Development Standards from Variation	N	N/A to the planning proposal
1.5	Parramatta Road Corridor Urban Transformation Strategy	N	N/A to the Central Coast
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	N/A to the Central Coast
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A to the Central Coast
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A to the Central Coast
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	N/A to the Central Coast
1.10	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	N/A to the Central Coast
1.11	Implementation of Bayside West Precincts 2036 Plan	N	N/A to the Central Coast
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	N	N/A to the Central Coast
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	N	N/A to the Central Coast
1.14	Implementation of Greater Macarthur 2040	N	N/A to the Central Coast
1.15	Implementation of the Pyrmont Peninsula Place Strategy	N	N/A to the Central Coast

No.	Direction	Applicable	Consistent
1.16	North West Rail Link Corridor Strategy	N	N/A to the Central Coast
1.17	Implementation of Bayside West Place Strategy	N	N/A to the Central Coast
1.18	Implementation of the Macquarie Park Innovation Precinct	N	N/A to the Central Coast
1.19	Implementation of Westmead Place Strategy	N	N/A to the Central Coast
1.20	Implementation of the Camellia-Rosehill Place Strategy	N	N/A to the Central Coast
1.21	Implementation of the South West Growth Area Structure Plan	N	N/A to the Central Coast
1.22	Implementation of the Cherrybrook Station Place Strategy	N	N/A to the Central Coast
Design & Place (Not Active)			
Biodiversity & Conservation			
3.1	Conservation Zones	N	N/A to the subject site
3.2	Heritage Conservation	Y	Y
3.3	Sydney Drinking Water Catchments	N	N/A to the Central Coast
3.4	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N	N/A to the Central Coast
3.5	Recreational Vehicle Areas	N	N/A to the planning proposal
3.6	Strategic Conservation Planning	N	N/A to the Central Coast
3.7	Public Bushland	N	N/A to the planning proposal
3.8	Willandra Lakes Region	N	N/A to the Central Coast
3.9	Sydney Harbour Foreshores and Waterways Area	N	N/A to the Central Coast
3.10	Water Catchment Protection	Y	Y
Resilience & Hazards			
4.1	Flooding	N	N/A to the subject site
4.2	Coastal Management	N	N/A to the subject site
4.3	Planning for Bushfire Protection	Y	Y
4.4	Remediation of Contaminated Lands	Y	Y

No.	Direction	Applicable	Consistent
4.5	Acid Sulfate Soils	N	N/A to the subject site
4.6	Mine Subsidence & Unstable Land	N	N/A to the subject site
Transport & Infrastructure			
5.1	Integrating Land Use & Transport	Y	Y
5.2	Reserving Land for Public Purposes	N	N/A to the planning proposal
5.3	Development Near Regulated Airports and Defence Airfields	N	N/A to the subject site
5.4	Shooting Ranges	N	N/A to the subject site
5.5	High Pressure Dangerous Goods Pipeline	N	N/A to the subject site.
Housing			
6.1	Residential Zones	N	N/A to the planning proposal
6.2	Caravan Parks and Manufactured Home Estates	N	N/A to the planning proposal
Industry & Employment			
7.1	Employment Zones	Y	Y
7.2	Reduction in non-hosted short-term rental accommodation period	N	N/A to the planning proposal
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A to the Central Coast
Resources & Energy			
8.1	Mining, Petroleum Production and Extractive Industries	N	N/A to the subject site
Primary Production			
9.1	Rural Zones	Y	Y
9.2	Rural Lands	Y	Y
9.3	Oyster Aquaculture	N	N/A to the subject site
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A to the Central Coast

Table 7: S.9.1 Ministerial Direction Compliance

Section C – Environmental, Social and Economic Impact

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

The land adjoining the subject lot to the north and east comprises a vegetated road reserve. Hollow bearing trees on the northern boundary overhang the subject property and may provide nesting opportunities for fauna. These native trees do not form part of this Planning Proposal and are to be retained.

It is likely that amphibians and microbats use the dam on the southern part of the property and surrounding land for habitat and foraging. It is recommended that the dam and surrounding habitat be surveyed at the DA stage.

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

Ecology

The property has minimal constraints due to historic clearing and ongoing maintenance of exotic lawns and garden beds.

The dam and surrounding land may provide habitat for threatened amphibians and foraging for bats. It would need to be surveyed according to appropriate Central Coast Flora and Fauna Guidelines at the DA stage.

The land surrounding the subject lot contains a vegetated road reserve along the northern and eastern boundaries. This native vegetation provides connectivity and a habitat corridor. Hollow-bearing trees in the northern road reserve overhang the property. They may provide nesting opportunities for fauna. These native trees that overhang the northern boundary of the property need to be retained.

Indigenous and Non-Indigenous Cultural Heritage Items

The site does not accommodate any Heritage Items listed in CCLEP 2022.

The Due Diligence Assessment report found that no Aboriginal objects or places were identified on the site. All on-site personnel are to be made aware of their obligations under the National Parks and Wildlife Act 1974 and the processes to be followed should any archaeological material be uncovered during construction.

Contaminated Land and Acid Sulfate Soils

The Preliminary Site Investigation ('PSI') has been reviewed and it has been generally prepared in accordance with the NSW EPAs Guidelines. The PSI concludes that the site is suitable for residential land use therefore it is considered suitable for industrial land use. Recommendations include the preparation of an Unexpected Finds Protocol, Hazardous Buildings Materials Survey, Asbestos Clearance Certificate and Waste Classification which can all be addressed at the DA stage.

Flooding and Drainage

No flooding and drainage issues relating to the site.

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

Social Issues

The proposal will provide additional employment opportunities in a locality with good access to major transport routes.

Economic Impacts

The zoning of the site to E4 General Industrial and future development of the site will add to the area of land available for employment generating activities within the existing extent of the Somersby Business Park.

Section D – State and Commonwealth Interests

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

Traffic

Somersby Fall Road has been recently upgraded to a full width sealed road with kerb and gutter for the full frontage of the property.

Water and Sewer

Water and sewer are available to the land. Future development will be required to lodge a S305 application under *Water Management Act* and obtain a S307 Compliance Certificate prior to issue of Occupation/Subdivision Certificate.

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, site constraints and Gateway conditions:

Agency	Trigger/Constraint
Department of Climate Change, Energy, the Environment and Water (Biodiversity Conservation and Science)	- Vegetation and biodiversity matters
NSW Rural Fire Service	- Bushfire matters
Ausgrid	- Electricity matters

Table 8 – Public Agencies to be Consulted

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

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

Ausgrid

No Ausgrid assets impacted.

Ensure appropriate construction techniques undertaken when working in vicinity of overhead electricity conductors.

Apply for electrical service connection at appropriate time.

Rural Fire Service

There is no objection to the proposal subject to future applications being supported by a bushfire hazard assessment demonstrating compliance with *Planning for Bush Fire Protection 2019*, and, in particular, Section 8.3.

Biodiversity Conservation and Science

Ministerial Direction 1.2 issued under Section 9.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) requires planning proposals to be consistent with Regional Plans. Objective 6 of the Central Coast Regional Plan 2041 (Regional Plan) requires areas of High Environmental Value (HEV) to be:

- identified, mapped and avoided, where possible, within urban growth 'investigation' areas
- considered for offsetting opportunities.

Areas of HEV may exist on the site and these should be identified and avoided as outlined in the Regional Plan.

Recommended action:

- Assessment in accordance with Stage 1 of the Biodiversity Assessment Method (BAM) is recommended for areas of potential high environmental value likely to be impacted. A Stage 1 BAM assessment will ensure that areas of High Environmental Value are adequately identified earlier in the planning process so that measures to avoid and minimise can be applied.
- A C2 Environmental Conservation Zone is recommended for areas of High Environmental Value.

Comment

Council's Strategic Environmental Planner considers that the site is not an area of High Environmental Value and that any environmental issues can be adequately addressed at the Development Application stage.

Local Planning Panel

The Central Coast Local Planning Panel considered the Planning Proposal on 20 June 2024 and provided the following advice:

1. The Panel considers the planning proposal to have strategic and site-specific merit.
2. The site is located within an existing employment lands precinct and the Panel supports the contextual relationship of the proposal.
3. The Panel notes the planning proposal is supported by an initial bushfire risk assessment given the land is mapped as bushfire prone, and that the site immediately adjoins vegetated land to its north and east which the proposal identifies has some ecological and scenic quality value, including some vegetation that overhangs the boundary with the subject site. The Panel

recommends that further clarity and certainty in regard to the relationship between any future APZs and the protection of ecology as outlined in the planning proposal be considered as part of the gateway determination to determine whether site specific DCP provisions are required.

Accordingly, the Panel supports the staff recommendation and considers the Planning Proposal to have merit.

Comment

The Asset Protection Zones (APZs) are to be wholly located within the subject site so will not affect vegetation on adjoining land. Bushfire controls are addressed at the DA stage by the RFS, therefore, a site specific DCP relating to this single allotment is not required to address the bushfire issue. Council considers that Central Coast DCP 2022, Chapter 2.9 Industrial Development, is sufficient to assess any future industrial development on the lot.

Part 4 Mapping

Relevant Mapping is contained in Figures 8 to 12 of Supporting Documentation.

Map	Map Title
A.	Locality Plan
Existing Provisions	
B.	Land Zoning Map
C.	Minimum Lot Size Map
Proposed Provisions	
D.	Land Zoning Map
E.	Minimum Lot Size Map

Table 9: Existing and Proposed Provisions

Part 5 Community Consultation

The proposal will be made available for **28** days (i.e. 20 working days) for community consultation and undertaken in accordance with any determinations made by the Gateway.

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

- Council Administration Building - 2 Hely Street, Wyong;
- Council's website - www.yourvoiceourcoast.com

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

Part 6 Project Timeline

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	9 months	24 October 2024	11 July 2025
Anticipated timeframe for the completion of required technical information	completed		
Timeframe for government agency consultation (as required by Gateway determination)	21 days	November 2024	December 2024
Commencement and completion dates for public exhibition	28 days	February 2025	March 2025
Timeframe for consideration of submissions	2 months	March 2025	April 2025
Timeframe for consideration of a proposal post exhibition	1 day	April 2025	April 2025
Date of submission to the Department to finalise LEP	2 weeks	May 2025	May 2025
Anticipated date RPA will make the plan (if delegated)	2 weeks	June 2025	June 2025
Anticipated date RPA will forward to the Department for notification	3 weeks	June 2025	July 2025

Table 10: Key Project Timeframes

Supporting Documentation

No.	Document
01 Strategic Assessment	
A.	Central Coast Regional Plan 2041 Assessment
B.	State Environmental Planning Policy Assessment
C.	Section 9.1 Ministerial Direction Assessment
02 Land Use Provisions	
A.	Land Use Table for Existing RU1 Zone
B.	Land Use Table for Proposed E4 Zone
03 Mapping	
A.	Locality Plan
Existing Provisions	
B.	Land Zoning Map
C.	Minimum Lot Size Map
Proposed Provisions	
D.	Land Zoning Map
E.	Minimum Lot Size Map

Table 11: Supporting Documentation to the Planning Proposal

01

Strategic Assessment

A Central Coast Regional Plan 2041 Assessment

Direction	Applicable	Assessment/Comment
Objective 1: A prosperous Central Coast with more jobs close to home	Yes	The proposal will result in additional land zoned for employment purposes in an established Industrial area.
Strategy 1.1 Following completion of the Hunter-Central Coast REZ, local strategic planning should consider: <ul style="list-style-type: none"> opportunities to leverage new employment in energy intensive industries that benefit from proximity to the energy infrastructure within the renewable energy zone the proximity of sensitive land uses and ensure they do not encroach upon these areas. 	No	The site is not located in the indicative geographical area of the Hunter-Central Coast renewable energy zone. The site is also not in close proximity to existing electricity stations.
Strategy 1.2 Planning proposals for new employment lands will demonstrate they: <ul style="list-style-type: none"> are located in areas which will not result in land use conflict can be adequately serviced and any biodiversity impacts are manageable respond to the employment land needs identified for that local government area. 	Yes	The proposal is for new employment land which is an infill site, being surrounded by existing General Industrial zoned land. Without the rezoning the residents will experience increasing land use conflict with the surrounding industrial uses and resultant noise and traffic. The site is serviced and as it is generally cleared there are no biodiversity issues.
Strategy 1.3 Local strategic planning should consider: <ul style="list-style-type: none"> how existing employment land areas, including those that provide urban services, will be retained unless opportunities for urban renewal arise through the relocation of industry if there is sufficient supply of vacant, serviced employment land providing capacity for a range of different sized employment enterprises the employment land needs for the local government area and identify flexible planning and development control frameworks to support their growth opportunities to facilitate growth in logistics, circular economy, new 	Yes	The proposal is for new employment land which is an infill site, being surrounded by existing General Industrial zoned land. The site is serviced by road, water and sewer.

Direction	Applicable	Assessment/Comment
<p>economic enterprises and industries and their supply chains</p> <ul style="list-style-type: none"> the suitability of transport interchanges and bypasses for employment lands in consultation with Transport for NSW lands around the interchanges of the M1 Pacific Motorway should be used for employment activities that benefit from easy access to key markets such as manufacturing, logistics and warehousing lands around the interchanges of the M1 Pacific Motorway should be used for employment activities that benefit from easy access to key markets such as manufacturing, logistics and warehousing the proximity of sensitive land uses and ensure they do not encroach upon these interchanges. 		
<p>Strategy 1.4</p> <p>Local strategic planning should consider:</p> <ul style="list-style-type: none"> alignment with the NSW Waste and Sustainable Materials Strategy 2041 and the seven circular economy principles identified in this plan opportunities to support the circular flow of materials by enabling new remanufacturing, resource recovery, re-use and recycling facilities and the expansion of existing circular economy facilities the location of circular economy facilities and existing waste management centres, and ensure sensitive land uses do not encroach on these areas or limit their future expansion opportunities to promote circular economy outcomes through local policy guidance and development controls relating to building design, materials, construction, and waste management. 	Yes	The proposal is for zoning a 1.064 Ha site to E4 General Industrial. The zone permits recycling facilities and the like but due to its size is unlikely to be used for a circular economy development.
<p>Strategy 1.5</p> <p>Planning proposals for power station sites identified as regionally significant growth areas will be supported by a place</p>	No	The proposal does not relate to a power station site.

Direction	Applicable	Assessment/Comment
<p>strategy which demonstrates how land use outcomes:</p> <ul style="list-style-type: none"> • maximise employment generation or will attract visitors to the region • make use of voids and/ or site infrastructure such as rail loops, hard stand areas, power, water and road access • supports the growth of adjoining industrial areas or settlement areas • enhance corridors within the landscape such as biodiversity corridors or disused infrastructure corridors • complement areas with special amenity value such as critical industry clusters, open space, villages and residential areas • have considered the existing and likely future uses of adjoining land and will avoid land use conflict • align with any specific guidance in the district planning priorities section of this plan. 		
<p>Objective 2: Support the right of Aboriginal residents to economic self-determination</p>	No	The proposal is not on land owned by the Darkinjung Local Aboriginal Land Council.
<p>Strategy 2.1 Local strategic planning will align with the Aboriginal land planning outcomes identified in any development delivery plan within the LGA to:</p> <ul style="list-style-type: none"> • account for local Aboriginal community interests and aspirations in strategic planning decision-making • further partnerships with the Aboriginal community and build the delivery capacity of Darkinjung LALC • maximise the flow of economic, social and cultural benefits generated by land ownership to Aboriginal residents • streamline assessment processes for Darkinjung LALC. 	No	The proposal is not on land owned by the Darkinjung Local Aboriginal Land Council.
<p>Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities</p>	No	The proposal is located in an industrial zoned area. The 15-minute neighbourhood policy is not applicable to the Industrial zoned localities.

Direction	Applicable	Assessment/Comment
Strategy 3.1 Local strategic planning will identify the location of urban core, general urban, inner suburban and general suburban contexts that apply to the LGA and consider strategies to achieve 15-minute neighbourhoods in the various urban and suburban areas.	No	The site is located in an industrial area.
Strategy 3.2 Planning proposals that propose a residential, local centre or commercial centre zone will not prohibit the following land uses within urban core, general urban, inner suburban and general suburban contexts: <ul style="list-style-type: none"> • business premises • restaurants or cafes • take-away food and drink premises • neighbourhood shops and supermarkets • educational establishments • early education and care facilities • health services facilities • markets • community facilities • recreation areas. 	No	The proposal does not include residential, local centre or commercial centre zone.
Strategy 3.3 Planning proposals will incorporate: <ul style="list-style-type: none"> • a small neighbourhood centre if the proposed residential yield exceeds 1,500 dwellings or • a large neighbourhood centre if the proposed residential yield exceeds 4,000 dwellings. The neighbourhood centre will: <ul style="list-style-type: none"> • support a floor area informed by a local retail demand analysis • have enough developable area to accommodate the uses over one level with at grade parking to reduce costs • be located to maximise its convenience for the vast majority of residents of which it serves • be located in a high profile location (i.e. main arterial road or precinct with strong pedestrian traffic) 	No	The proposal does not relate to a residential zone.

Direction	Applicable	Assessment/Comment
<ul style="list-style-type: none"> be supported by a walkable catchment and pedestrian friendly environment. 		
Strategy 3.4 Local strategic planning should consider developing local infrastructure and street design guidelines and controls to achieve safe, accessible and attractive streets for all modes of transportation, as well as trails, parks and public spaces that will encourage active living, community interaction and opportunities to integrate nature in neighbourhoods.	No	The proposal will result in an infill site being zoned General Industrial where local infrastructure is already in existence.
Strategy 3.5 Local strategic planning will propose goals and strategies to make a cooler region by greening urban areas, buildings, transport corridors and open spaces to enhance the urban forest.	No	The proposal will result in an infill site being zoned General Industrial and would not contribute to the urban heat island effect.
Strategy 3.6 Local strategic planning should consider strategies to ensure 90% of houses are within a 10-minute walk of open space, recreation areas or waterways.	No	The proposal does not relate to servicing residents with open space and recreation areas.
Objective 4: An interconnected Central Coast without car-dependent communities	Yes	The Somersby Business Park is located 2km from the nearest residential suburb of Kariong so the SBP is car-dependent. The SBP is adjacent to the M1 which provides excellent vehicular access for employees and to required services and markets.
Strategy 4.1 Local strategic planning will consider aligning active transport strategies (within and across LGA boundaries) with future growth areas and local infrastructure contribution plans to ensure development supports movement through walking and cycling. Councils may consider minimum bicycle parking standards to reflect the aspirations of 15-minute neighbourhoods in the urban core, general urban, inner suburban and general suburban contexts.	Yes	The proposal is an infill development so will not result in the physical expansion of the SBP and associated infrastructure. Active transport and associated infrastructure are not a viable option in this location.
Strategy 4.2 Local strategic planning will consider transport initiatives to complement increased diversity of land uses and housing typologies in neighbourhoods by:	Yes	The proposal is located within an existing industrial area with Somersby Falls Road providing access to the property having been recently upgraded to service nearby industrial development.

Direction	Applicable	Assessment/Comment
<ul style="list-style-type: none"> • rolling out low-speed zones supported by physical changes to the road environment • upgrading existing paths and streets, with more crossing opportunities, and better landscaping, shading and lighting • planting trees along streets and paths • re-allocating vehicle lanes to other public space within and around key destinations • prioritising pedestrian movements in and around key destinations, including at traffic signals • using low-cost and/or temporary infrastructure to trial or test local initiatives • streamlining processes for community or council led local walking, cycling and place making initiatives • using technology to improve places and movements. 		
<p>Strategy 4.3 Local strategic planning will consider opportunities to:</p> <ul style="list-style-type: none"> • connect existing coastal walkways and cycleways to enhance the user experience and link coastal towns and villages • integrate walking and cycling networks into the design of new communities • prioritise walking and cycling in areas around schools, health services, aged care facilities, sporting, cultural and recreational facilities • explore ideas from the Streets as Shared Spaces program 	No	The site is located in an Industrial area and does not relate to the development of a new community.
<p>Strategy 4.4 Local strategic planning should consider maximum parking limits in neighbourhoods and centres well served by walking, cycling and public transport and consider opportunities for park and ride, carpooling, car sharing and other initiatives that can help to reduce car dependency.</p>	Yes	The site is located in an existing industrial area and not within a local residential neighbourhood or centre. Where possible future employees would have the opportunity for car-pooling.

Direction	Applicable	Assessment/Comment
Strategy 4.5 Local strategic planning will spatially identify key activity destinations and key transit corridors and consider strategies to integrate land use and transport planning in collaboration with Transport for NSW.	Yes	The site is located in an established Industrial area adjacent to key transit corridors such as the M1 and Central Coast Highway.
Strategy 4.6 Local strategic planning should be integrated with transport planning to ensure: <ul style="list-style-type: none"> places maximise sustainable transport opportunities, including active and public transport that supports the creation of a compact urban area ease of use and connection across the network, including mobility, accessibility, parking and how people get to and from transport inclusive and accessible systems for people of all ages and abilities. 	Yes	The planning proposal for the zoning of an infill site to General Industrial which will result is a more compact Industrial area. The SBP is serviced by a bus route from Gosford Railway Station via West Gosford Industrial Area on weekdays. Given that the SBP is remote from the other urban areas of the Central Coast it is likely that most future employees on the subject site will use private vehicles to travel to and from work
Strategy 4.7 Local strategic planning will ensure land enables the long-term fast rail vision by preventing incompatible development occurring near alignments once corridors are identified.	No	The proposal is located in an existing Industrial area so would not be impacted by a proposed fast rail corridor alignment.
Strategy 4.8 Local strategic planning will consider opportunities to: <ul style="list-style-type: none"> protect, maintain and improve the existing and approved freight transport networks balance the need to minimise negative impacts of freight movements on urban amenity with the need to support efficient freight movements and deliveries limit incompatible uses in areas expected to have intense freight activity limit incompatible freight uses in and near residential areas. 	Yes	The proposal is located in close proximity to the Central Coast Highway and M1 interchange. The proposed General Industrial zone is compatible with the existing freight transport links.
Objective 5: Plan for 'nimble neighbourhoods', diverse housing and sequenced development	No	The proposal does not involve development for housing.
Strategy 5.1 Local strategic planning should consider the following benchmarks as a guiding principle:	No	The site is located in the Narara District but does not propose any residential development.

Direction	Applicable	Assessment/Comment												
<table> <tr> <th>District</th><th>Infill</th><th>Greenfield</th></tr> <tr> <td>Central Lakes</td><td>60%</td><td>40%</td></tr> <tr> <td>Narara district</td><td>80%</td><td>20%</td></tr> <tr> <td>Tuggerah district</td><td>80%</td><td>20%</td></tr> </table>	District	Infill	Greenfield	Central Lakes	60%	40%	Narara district	80%	20%	Tuggerah district	80%	20%		
District	Infill	Greenfield												
Central Lakes	60%	40%												
Narara district	80%	20%												
Tuggerah district	80%	20%												
Strategy 5.2 Local strategic planning will consider amendments to planning and development controls that reflect the desired density targets for the urban core, general urban, inner suburban and general suburban contexts.	No	There are no dwellings proposed as part of this Planning Proposal.												
Strategy 5.3 Planning proposals will not prohibit the following housing typologies within residential zones that apply to urban core, general urban, inner suburban and general suburban contexts: <ul style="list-style-type: none"> • attached dwellings • boarding houses • dual occupancies • group homes • multi dwelling housing • secondary dwellings • semi-detached dwellings 	No	The Planning Proposal is not located within, or does not propose, a residential zone.												
Strategy 5.4 Local strategic planning will consider opportunities to support community driven innovative housing solutions, such as prefabricated and manufactured housing, 3-D printed housing, and tiny houses, where they are well designed and appropriately located.	No	The Planning Proposal will not result in any housing outcomes.												
Strategy 5.5 Local strategic planning will consider: <ul style="list-style-type: none"> • the proportion and availability of housing for Aboriginal people and whether this is increasing, stable or decreasing relative to need • co-led planning and development initiatives with Darkinjung LALC that leverage its social housing program. 	No	The proposal is not on land owned by the Darkinjung Local Aboriginal Land Council nor is it for housing.												
Strategy 5.6 Local strategic planning should consider preparing an affordable housing	No	The proposal does not include an affordable housing scheme.												

Direction	Applicable	Assessment/Comment
contributions scheme with the support of the department.		
Strategy 5.7 Local strategic planning should consider opportunities to work with affordable housing providers and identify sites that may be suitable for supported and specialist accommodation taking account of: <ul style="list-style-type: none"> • local housing needs • sites with access to relevant facilities, social infrastructure and health care, and public transport • the increasing need for accommodation suitable for people with health conditions. 	No	The proposal is located in an industrial area and does not entail development of affordable housing.
Strategy 5.8 Local strategic planning should consider planning for appropriate locations for lifestyle villages, such as locations within 800m of local and strategic centres or key transit corridors. Where lifestyle villages are proposed outside these locations, the village or community should be on unconstrained sites and have: <ul style="list-style-type: none"> • reticulated water and sewer • indoor and outdoor recreation facilities adequate for the number of proposed residents such as bowling greens, tennis courts, golf course, swimming pool, or off leash dog park • community facilities that promote gathering and social connections such as a restaurant, community hall, or community garden • access to bus services providing frequent trips to local centres and shops 	No	The proposal is located in an industrial area and does not entail development for lifestyle villages.
Strategy 5.9 Local strategic planning should consider the demand for hotels, motels and short-term rental accommodation.	No	Hotel, motel and short-term rental accommodation would be incompatible with the existing Industrial character of the locality.
Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments	Yes	The site does not contain heritage items, environmentally sensitive landscapes, waterways nor is it within a drinking water catchment.

Direction	Applicable	Assessment/Comment
<p>Strategy 6.1 Local strategic planning will protect important environmental assets by:</p> <ul style="list-style-type: none"> • seeking advice from local Aboriginal knowledge holders to find common approaches that will support the health and wellbeing of Country • maintaining and enhancing areas of high environmental value • recognising areas of high environmental value in local environmental plans • considering opportunities for biodiversity offsetting in areas of high environmental value • minimising potential development impacts on areas of high environmental value and biodiversity corridors by implementing the 'avoid, minimise and offset' hierarchy • improving the quality of, and access to, information relating to areas of high environmental value • implementing appropriate measures to conserve areas of high environmental value • identify, map and avoid, where possible, areas of high environmental value that occur within urban growth 'investigation' areas of this regional plan and local strategic plans 	Yes	The site is generally cleared and is surrounded by Industrial zoned land which is in the process of being developed. The site has not been identified as having environmental significance nor contain aboriginal heritage items.
<p>Strategy 6.2 Local strategic planning will:</p> <ul style="list-style-type: none"> • identify regionally and locally significant biodiversity corridors and a framework for where conservation priorities and opportunities can be secured. The level of protection afforded to biodiversity corridors should be commensurate with the contribution they make to the wider ecological network • consider the location and function of biodiversity corridors when determining future urban growth areas. 	Yes	The road reserve on the northern boundary of the site is identified as a wildlife corridor and adjoining land to the north-east is identified as core habitat. The Planning Proposal does not propose to rezone this road reserve.

Direction	Applicable	Assessment/Comment
Strategy 6.3 Local strategic planning should consider opportunities to strengthen the Coastal Open Space System by expanding its links and extending new corridors to balance growth in the north of the region and protect the network of natural areas across the region.	No	The zoning of the site to E4 does not present an opportunity to strengthen the COSS.
Strategy 6.4 Planning proposals must ensure the biodiversity network is protected within an appropriate conservation zone unless an alternate zone is justified following application of the avoid, minimise, offset hierarchy.	No	The site is generally cleared and does not contain land of significant biodiversity attributes which would require a conservation zone.
Strategy 6.5 Planning proposals should promote enterprises, housing and other uses that complement the biodiversity, scenic and water quality outcomes of biodiversity corridors. Particularly, where they can help safeguard and care for natural areas on privately owned land.	No	The site is generally cleared and does not contain land of significant biodiversity attributes which would require a conservation zone.
Strategy 6.6 Local strategic planning will ensure all known places, precincts, landscapes and buildings of historic, scientific, cultural, social, archaeological, architectural and aesthetic significance to the region are identified and protected in planning instruments.	No	The proposal is not located on or near a heritage listed item.
Strategy 6.7 Local strategic planning will consider Aboriginal cultural and community values in future planning and management decisions.	Yes	An aboriginal due diligence assessment has been undertaken for the subject land which found no aboriginal sites.
Strategy 6.8 Local strategic planning will identify and protect drinking water catchments and storages ensuring that incompatible land uses will not compromise future water security.	No	The site is not within a drinking water catchment.
Strategy 6.9 Local strategic planning should identify opportunities to rehabilitate critical waterways in partnership with Local Land Services.	No	There is no waterway located on the site.
Strategy 6.10 Local strategic planning will ensure identification of future urban growth areas	No	The site is not within a drinking water catchment.

Direction	Applicable	Assessment/Comment
has considered water infrastructure needs within drinking water catchments.		
Strategy 6.11 Local strategic planning will support the sustainable growth of recreation and tourist facilities in inland and coastal lakes and encourage non-polluting passive enjoyment where possible whilst maintaining a natural shoreline.	No	The proposal does not relate to recreation and tourist facilities.
Strategy 6.12 Planning proposals will demonstrate that development within a drinking water catchment or sensitive receiving water catchment will achieve a neutral or beneficial effect on water quality.	No	The site is not within a drinking water catchment.
Objective 7: Reach net zero and increase resilience and sustainable infrastructure	No	Opportunities to increase resilience and sustainable infrastructure could be explored at the DA stage.
Strategy 7.1 Local strategic planning will: <ul style="list-style-type: none"> identify opportunities to increase active transport choices establish minimum electric vehicle parking requirements in new development consider opportunities to deliver micro-mobility transport infrastructure in areas of the region where topography, distance or climate makes walking and cycling challenging. 	No	The proposal seeks to facilitate industrial development within an existing Industrial estate. Due to the site's distance from residential areas active transport options and micro-mobility transport and associated infrastructure is not a viable option in this location.
Strategy 7.2 Local strategic planning should support the rollout of electric vehicle charging infrastructure by identifying potential sites for charging stations, including council-owned land, and how these locations can be activated as places.	No	The Planning Proposal relates to zoning of land to permit industrial development. Electric vehicle charging stations does not form part of this proposal.
Strategy 7.3 Local strategic planning must protect and enhance the region's carbon sinks.	No	The Planning Proposal relates to generally cleared land which is not considered to be a carbon sink.
Strategy 7.4 Local strategic planning should ensure that air quality considerations are integrated into decision making at the earliest stage of planning processes.	No	The site is only 1.064 Ha in area so a large industry will be unable to be located on it. Future uses are likely to be small-scale industrial units which are unlikely to impact air quality.
Strategy 7.5 Planning proposals must protect sensitive land uses from sources of air pollution, such as major roads, railway lines and	No	The site is located within an industrial area so any future uses would be compatible with the surrounding existing uses. Such

Direction	Applicable	Assessment/Comment
designated freight routes, using appropriate planning and development controls and design solutions to prevent and mitigate exposure and detrimental impacts on human health and wellbeing.		industrial uses are not considered to be sensitive in nature.
Strategy 7.6 Local strategic planning will consider pathways to build resilience, reduce vulnerabilities, and support initiatives that can transform the region.	Yes	The Planning Proposal reduces vulnerabilities by rezoning a site used for rural residential activities but becoming increasingly impacted by the surrounding industrial uses.
Strategy 7.7 Local strategic planning will demonstrate alignment with the NSW Government's natural hazard management and risk mitigation policy framework including: <ul style="list-style-type: none"> • Planning for Bushfire Protection 2019 • NSW Coastal Management Framework • Floodplain Development Manual and the Flood Prone Land Policy • Planning for a more resilient NSW: A strategic guide to planning for natural hazards and • any other natural hazards guidance that is released. 	Yes	The site is not affected by flooding nor coastal processes. It is however subject to bushfire hazard. The Planning Proposal will be referred to the RFS for comment should a Gateway Determination be issued.
Strategy 7.8 Local strategic planning will ensure future residential areas are not planned in areas where: <ul style="list-style-type: none"> • residents are exposed to a high risk from bush fire, flood and/or coastal hazards, considerate of how these may be impacted by climate change • evacuation is likely to be difficult during a bush fire or flood due to its siting in the landscape, access limitations, hazard event history and/or size and scale • any existing residential areas may be placed at increased risk and • increased development may cause evacuation issues for both existing or new occupants. 	No	The planning proposal does not propose to create a residential area.
Strategy 7.9 Local strategic planning will: <ul style="list-style-type: none"> • map areas that are projected to be affected by sea level rise and other coastal hazards to limit the potential 	No	The site is not located in a coastal area.

Direction	Applicable	Assessment/Comment
<p>exposure of new development to these hazards</p> <ul style="list-style-type: none"> • be consistent with any relevant coastal management program adopted and certified for that area • consider opportunities to adapt existing settlements at risk of exposure to sea level rise and coastal hazards in accordance with the NSW Coastal Management Framework, such as: <ul style="list-style-type: none"> - raising houses and roads - relocating or adapting infrastructure to manage coastal hazard risks, such as ingress of tidal water into stormwater systems and/or - undertaking beach nourishment • consider opportunities to maintain natural coastal defences against sea level rise, such as: <ul style="list-style-type: none"> - maintaining or expanding coastal and riparian buffer zones - replanting and protecting coastal dune systems - fencing creeks and rivers to keep livestock out, limit erosion and protect water quality - controlling invasive species and/or - protecting and restoring mangroves and salt marsh areas to limit flooding, inundation and erosion. 		
<p>Objective 8: Plan for businesses and services at the heart of healthy, prosperous and innovative communities</p>	Yes	Employment generating businesses are the proposed outcome of this Planning Proposal.
<p>Strategy 8.1 Local strategic planning should consider:</p> <ul style="list-style-type: none"> • encouraging resilient, accessible and inclusive hubs with a range of uses including town centre uses, night-time activities and civic, community, social and residential uses • focussing commercial and retail activity in existing commercial centres • identifying locations for mixed use and/or housing-led intensification in 	No	The Planning Proposal is not within a town centre, nor does it propose any commercial or retail uses.

Direction	Applicable	Assessment/Comment
<p>and around centres and main streets to strengthen and support existing uses while enhancing local character and heritage assets</p> <ul style="list-style-type: none"> • accessibility and attractive active and public transport access from adjoining neighbourhoods both within and to centres and main streets • activating centres and main streets through active street frontages, restaurant/café seating, digital connectivity, outdoor entertainment, community gardens, place-making initiatives and events • ensuring centres and main streets are the primary locations for commercial activity and contributors to the local as well as district-wide economy and that new areas complement the function of existing centres and main streets • managing parking to encourage active streets and public spaces and reinforce compact centres • providing well-designed built and natural shade for comfort and protection against overexposure to UV radiation • enabling a diverse range of tourism accommodation and attractions in centres and particularly main streets. 		
<p>Strategy 8.2 Planning proposals will accommodate new commercial activity in existing centres and main streets unless it forms part of a proposed new community or is an activity that supports a 15-minute neighbourhood.</p>	No	The site is not located in a centre and does not propose new commercial activity.
<p>Strategy 8.3 Local strategic planning should consider:</p> <ul style="list-style-type: none"> • opportunities to promote the night-time economy in suitable centres and main streets, particularly where night-time public transport options are available • how to improve access, inclusion and safety, and make public areas welcoming for consumers and workers 	No	The Planning Proposal is for an E4 zone to allow industrial development and does not promote a night-time economy.

Direction	Applicable	Assessment/Comment
<ul style="list-style-type: none"> diversifying the range of night-time activities including extending opening hours for shops, cafes, libraries, galleries and museums addressing the cumulative impact of high concentrations of licensed premises and other noise generating activities to manage land use conflict in these areas fostering the relationships between the creative industries, live performance and the night-time economy. 		
Strategy 8.4 Local strategic planning should consider: <ul style="list-style-type: none"> identifying knowledge and innovation clusters and specialist industries in the local government area opportunities to consolidate their growth and allow them to intensify and specialise over time supporting the co-location of mutually supportive and value-adding activities that do not compromise the primary function of the cluster emerging industries and technologies and opportunities to support their growth. 	Yes	The site is not located within an identified 'knowledge cluster.' However such uses may be able to be located in the E4 General Industrial zone if the use is permitted.
Strategy 8.5 Local strategic planning should consider: <ul style="list-style-type: none"> identifying towns and villages which have a strong tourism presence and/or serve as gateways to visitor experiences in surrounding areas supporting a diverse range of tourism development in these areas, including events and place-making initiatives which celebrate the local community, heritage and Country implementing planning and development controls which support nature-based and agri-based tourism while maintaining scenic views and amenity, environmental or cultural values, or primary production activities of that locality identifying opportunities to leverage digital technology and infrastructure 	No	The proposed E4 zone does not permit the use of tourist and visitor accommodation.

Direction	Applicable	Assessment/Comment
<p>to enhance the visitor experience; and</p> <ul style="list-style-type: none"> identifying strategies to grow active transport connections both within tourism gateways and their surrounding landscape. serviced apartments should be promoted in town centres and regionally significant growth areas where they are well-connected by public transport. 		
<p>Strategy 8.6 Planning proposals to facilitate tourism activities will:</p> <ul style="list-style-type: none"> demonstrate that the scale and type of tourism land use proposed can be supported by the transport network and complements the landscape setting be compatible with the characteristics of the site and existing and likely future land uses in the vicinity of the site demonstrate that the tourism land use would support the function of nearby tourism gateways or nodes be supported by an assessment prepared in accordance with the Department of Primary Industries' Land Use Conflict Risk Assessment Guide if the use is proposed on or in the vicinity of rural zoned lands. 	No	As noted above, the proposal is not for tourism development.
<p>Objective 9: Sustain and balance productive rural landscapes</p>	Yes	The land, although zoned RU1, is 1 Ha in area and not used for primary production uses. As the site is surrounded by the E4 zone and industrial uses the character of the area no longer represents a Rural landscape.
<p>Strategy 9.1 Planning proposals will consider the location of mineral and energy resources, mines and quarries and ensure sensitive land uses would not encroach on those operations. A noise study may be required to demonstrate impacts on the operations can be avoided or mitigated.</p>	No	The site is not located within a mine subsidence area nor within a transition area of an existing extractive industry.
<p>Strategy 9.2 Local strategic planning should consider:</p> <ul style="list-style-type: none"> protecting important agricultural lands, rural industries, processing 	No	The site does not border any commercial agricultural operations thus will not lead to any increased land use conflicts.

Direction	Applicable	Assessment/Comment
<p>facilities and supply chains from land uses which may result in land use conflict or fragmentation</p> <ul style="list-style-type: none"> opportunities to promote the diversification and innovation of agricultural activities and ways to facilitate the upscaling of productivity without acquiring more land supporting activities to value-add and provide additional income streams for farmers ensuring the impacts of development on aquatic habitats in aquacultural estuaries are minimised to support aquaculture. 		
<p>Strategy 9.3 When identifying expansion opportunities for rural towns and villages (including rural-residential), local strategic planning should consider the location of primary production and conservation lands and determine appropriate rural town and village growth boundaries to limit the encroachment of development into areas that have important agricultural, ecological, scenic or heritage value.</p>	No	The planning proposal does not relate to the expansion of a rural village.
<p>Strategy 9.4 Planning proposals to expand rural town and village growth boundaries will be supported by an assessment prepared in accordance with the Department of Primary Industries' Land Use Conflict Risk Assessment Guide to limit or avoid conflicts between residential uses and agricultural activities.</p>	No	The planning proposal does not relate to the expansion of a rural village.

Table 12: Central Coast Regional Plan 2041 Assessment – Strategies

Central Coast Regional Plan 2041 Assessment – Planning Priorities

The site is located in the 'Narara District' and therefore the following planning priorities are of relevance to the proposal.

Planning Priorities – Narara District	Applicable	Assessment/Comment
1. Focus economic development in the Somersby to Erina Growth Corridor	Yes	The land subject to the Planning Proposal is located in the Somersby Business Park which forms part of the Somersby to Erina Growth Corridor. It is consistent with this Priority.
2. Build resilience on the Woy Woy Peninsula by limiting development in hazard areas and revitalising centres through public domain improvements	N/A	The land subject to the Planning Proposal is not located on the Woy Woy Peninsula. .
3. Invest in green and active transport connections to reduce car dependency	N/A	The Planning Proposal is not related to the investment in active and green transport.
4. Protect vegetated ridgelines and enhance the enjoyment of conservation areas for passive recreation activities compatible with the natural environment	N/A	The land the subject of the Planning Proposal is not located on a vegetated ridgeline.
5. Identify appropriate urban expansion opportunities to ensure a sufficient supply of safe, diverse and affordable housing	N/A	The Planning Proposal does not relate to the supply of housing.

Table 13: Central Coast Regional Plan 2041 Assessment – Planning Priorities

B State Environmental Planning Policy Assessment

State Environmental Planning Policy (Biodiversity and Conservation) 2021.	Assessment/Comment
Chapter 2 – Vegetation in Non-Rural Areas	
<p><i>The aims of this Chapter are—</i></p> <p>(a) <i>to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</i></p> <p>(b) <i>to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i></p> <p><i>This Chapter applies to the following areas of the State (the non-rural areas of the State)—</i></p> <p>(b) <i>land within the following zones under an environmental planning instrument—</i></p> <p><i>RU5 Village,</i></p> <p><i>R1 General Residential,</i></p> <p><i>R2 Low Density Residential,</i></p> <p><i>R3 Medium Density Residential,</i></p> <p><i>R4 High Density Residential,</i></p> <p><i>R5 Large Lot Residential,</i></p> <p><i>B1 Neighbourhood Centre,</i></p> <p><i>B2 Local Centre,</i></p> <p><i>B3 Commercial Core,</i></p> <p><i>B4 Mixed Use,</i></p> <p><i>B5 Business Development,</i></p> <p><i>B6 Enterprise Corridor,</i></p> <p><i>B7 Business Park,</i></p> <p><i>B8 Metropolitan Centre,</i></p> <p><i>IN1 General Industrial,</i></p> <p><i>IN2 Light Industrial,</i></p> <p><i>IN3 Heavy Industrial,</i></p> <p><i>IN4 Working Waterfront,</i></p> <p><i>SP1 Special Activities,</i></p> <p><i>SP2 Infrastructure,</i></p> <p><i>SP3 Tourist,</i></p> <p><i>RE1 Public Recreation,</i></p> <p><i>RE2 Private Recreation,</i></p> <p><i>C2 Environmental Conservation,</i></p> <p><i>C3 Environmental Management,</i></p> <p><i>C4 Environmental Living or</i></p> <p><i>W3 Working Waterways.</i></p>	<p>Applicable and Consistent</p> <p>Even though the subject site is currently zoned RU1 Primary Production, meaning this Chapter does not apply, the proposed zone is E4 General Industrial which is applicable.</p> <p>The subject site is generally cleared and is surrounded by land already zoned E4 General Industrial. The site does not exhibit biodiversity values warranting the preservation of the scattered trees on-site.</p>

State Environmental Planning Policy (Biodiversity and Conservation) 2021.	Assessment/Comment
Chapter 4 – Koala Habitat Protection 2021	
<p><i>This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.</i></p> <p><i>This Chapter does not apply to—</i></p> <ul style="list-style-type: none"> <i>(a) land dedicated or reserved under the National Parks and Wildlife Act 1974, or acquired under Part 11 of that Act, or</i> <i>(b) land dedicated under the Forestry Act 2012 as a State forest or a flora reserve, or</i> <i>(c) land on which biodiversity certification has been conferred, and is in force, under Part 8 of the Biodiversity Conservation Act 2016, or</i> 	<p>Applicable and Consistent</p> <p>The site does not contain congruous coverage of native vegetation that would provide habitat for a permanent free-living koala population.</p>
Chapter 6 – Water Catchments	
<p><i>This Chapter applies to land in the following catchments—</i></p> <ul style="list-style-type: none"> <i>(a) the Sydney Drinking Water Catchment,</i> <i>(b) the Sydney Harbour Catchment,</i> <i>(c) the Georges River Catchment,</i> <i>(d) the Hawkesbury-Nepean Catchment.</i> 	<p>Applicable and Consistent</p> <p>The site is within upper reaches of the Hawkesbury-Nepean River Catchment.</p> <p>This Chapter seeks to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. Most controls on development apply to the Riverine Scenic Areas along the River. As the subject land is in the upper reaches of the River catchment area and not along the riverfront, most of the development controls are not applicable.</p> <p>Given that this is an infill site within an established Industrial area there is strategic planning merit to the proposal. Issues such as management of runoff is a matter to be addressed at the Development Application stage.</p>

State Environmental Planning Policy (Housing) 2021	Assessment/Comment
Chapter 3 – Diverse Housing	
<p>Part 8: Manufactured Home Estates</p> <p><i>The aims of this Part are—</i></p> <ul style="list-style-type: none"> <i>(a) to facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and</i> <i>(b) to provide immediate development opportunities for manufactured home estates on the commencement of this Part, and</i> <i>(c) to encourage the provision of affordable housing in well-designed estates, and</i> <i>(d) to ensure that manufactured home estates are situated only in suitable locations and not on land having important resources or having landscape, scenic or ecological qualities that should be preserved, and</i> <i>(e) to ensure that manufactured home estates are adequately serviced and have access to essential community facilities and services, and</i> <i>(f) to protect the environment surrounding manufactured home estates, and</i> <i>(g) to provide measures which will facilitate security of tenure for residents of manufactured home estates.</i> 	<p>Not Applicable</p> <p>The defined use of Caravan Park, which includes manufactured home estates, is not permitted in the current RU1 zone and is not a permitted use in the proposed E4 zone.</p>
<p>Part 9: Caravan Parks</p> <p><i>The aim of this Part is to encourage—</i></p> <ul style="list-style-type: none"> <i>(a) the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and</i> <i>(b) the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and</i> <i>(c) the provision of community facilities for land so used, and</i> <i>(d) the protection of the environment of, and in the vicinity of, land so used.</i> 	<p>Not Applicable</p> <p>The defined use of Caravan Park is not permitted in the current RU1 zone and is not a permitted use in the proposed E4 zone.</p>

State Environmental Planning Policy (Industry and Employment) 2021.	Assessment/Comment
Chapter 3 – Advertising and Signage	
<p>1. This Chapter aims—</p> <ul style="list-style-type: none"> (a) to ensure that signage (including advertising)— <ul style="list-style-type: none"> i is compatible with the desired amenity and visual character of an area, and ii provides effective communication in suitable locations, and iii is of high-quality design and finish, and (b) to regulate signage (but not content) under Part 4 of the Act, and (c) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors. <p>This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.</p>	<p>Applicable and Consistent</p> <p>The Planning Proposal does relate to land uses that would require advertising signage. However if a future DA is submitted for a use requiring signage an assessment would be undertaken regarding any effect on amenity and character of the locality.</p>

State Environmental Planning Policy (Planning Systems) 2021	Assessment/Comment
Chapter 2 – State and Regional Development	
<p>The aims of this Chapter are as follows—</p> <ul style="list-style-type: none"> (a) to identify development that is State significant development, (b) to identify development that is State significant infrastructure and critical State significant infrastructure, (c) to identify development that is regionally significant development. <p>This chapter applies to Warnervale Town Centre as well as general categories of state significant development.</p>	<p>Not Applicable</p> <p>The Planning Proposal does not relate to State or Regional Significant Development.</p>
Chapter 3 – Aboriginal Land	
<p>The aims of this Chapter are—</p> <ul style="list-style-type: none"> (a) to provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered when development applications are considered, and 	<p>Not Applicable</p> <p>There are four sites within the Central Coast LGA which are subject to the SEPP. The</p>

State Environmental Planning Policy (Planning Systems) 2021	Assessment/Comment
<p><i>(b) to declare specified development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.</i></p> <p><i>This Chapter applies to the land specified on the Land Application Map.</i></p>	<p>Planning Proposal does not apply to any of these sites.</p>

State Environmental Planning Policy (Precincts—Regional) 2021	Assessment/Comment
Chapter 5 – Gosford City Centre	
<p><i>The aims of this Chapter are as follows—</i></p> <p><i>(a) to promote the economic and social revitalisation of Gosford City Centre,</i></p> <p><i>(b) to strengthen the regional position of Gosford City Centre as a multi-functional and innovative centre for commerce, education, health care, culture and the arts, while creating a highly liveable urban space with design excellence in all elements of its built and natural environments,</i></p> <p><i>(c) to protect and enhance the vitality, identity and diversity of Gosford City Centre,</i></p> <p><i>(d) to promote employment, residential, recreational and tourism opportunities in Gosford City Centre,</i></p> <p><i>(e) to encourage responsible management, development and conservation of natural and man-made resources and to ensure that Gosford City Centre achieves sustainable social, economic and environmental outcomes,</i></p> <p><i>(f) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of Gosford City Centre for the benefit of present and future generations,</i></p> <p><i>(g) to help create a mixed use place, with activity during the day and throughout the evening, so that Gosford City Centre is safe, attractive and efficient for, and inclusive of, its local population and visitors alike,</i></p> <p><i>(h) to preserve and enhance solar access to key public open spaces,</i></p> <p><i>(i) to provide direct, convenient and safe pedestrian links between Gosford City Centre and the Gosford waterfront,</i></p> <p><i>(j) to ensure that development exhibits design excellence to deliver the highest standard of architectural and urban</i></p>	<p>Not Applicable</p> <p>The land subject to the Planning Proposal is not within the area comprising the Gosford City Centre, as defined by this Chapter.</p>

State Environmental Planning Policy (Precincts— Regional) 2021	Assessment/Comment
<i>design in Gosford City Centre.</i>	

State Environmental Planning Policy (Primary Production) 2021.	Assessment/Comment
Chapter 2 - Primary Production and Rural Development	
<p><i>The aims of this Chapter are as follows—</i></p> <ul style="list-style-type: none"> <i>(a) to facilitate the orderly economic use and development of lands for primary production,</i> <i>(b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,</i> <i>(c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,</i> <i>(d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,</i> <i>(e) to encourage sustainable agriculture, including sustainable aquaculture,</i> <i>(f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,</i> <i>(g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.</i> 	<p>Applicable and Consistent</p> <p>The site, although zoned RU1, is 1 Ha in area and not used for primary production uses. The rural residential scale and nature of the existing development on the site is inconsistent with adjacent industrial development which surrounds the site.</p> <p>The proposed rezoning of the site to E4 will reduce any land use conflict that will increasingly occur in future if the Planning Proposal does not proceed.</p>
Chapter 3 - Central Coast Plateau Areas	
<p><i>The general aims of this Chapter are—</i></p> <ul style="list-style-type: none"> <i>(a) to provide for the environmental protection of the Central Coast plateau areas and to provide a basis for evaluating competing land uses,</i> <i>(b) to encourage the use of land having a high agricultural capability for that purpose and, as much as possible, to direct development for non-agricultural purposes to land of lesser agricultural capability,</i> 	<p>Applicable and Consistent</p> <p>The subject land is located within the area covered by this Chapter. Land to the west of the site was zoned General Industrial approximately 10 years ago and is still identified as being affected by this SEPP Chapter.</p> <p>The site is not being used for agricultural uses, is not identified as “prime agricultural land” and</p>

State Environmental Planning Policy (Primary Production) 2021.	Assessment/Comment
<p>(c) to protect regionally significant mining resources and extractive materials from sterilization,</p> <p>(d) to enable development for the purposes of extractive industries in specified locations,</p> <p>(e) to protect the natural ecosystems of the region, and</p> <p>(f) to maintain opportunities for wildlife movement across the region, and</p> <p>(g) to discourage the preparation of draft local environmental plans designed to permit rural residential development, and</p> <p>(h) to encourage the preparation of draft local environmental plans based on merits.</p>	is of an area (1 Ha) on which agricultural uses would be unviable. Furthermore, the site is cut off from other RU1 Primary Production zoned land and instead is surrounded by E4 General Industrial land.

State Environmental Planning Policy (Resilience and Hazards) 2021.	Assessment/Comment
Chapter 2 - Coastal Management	
<p>The aim of this Chapter is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by—</p> <p>(a) managing development in the coastal zone and protecting the environmental assets of the coast, and</p> <p>(b) establishing a framework for land use planning to guide decision-making in the coastal zone, and</p> <p>(c) mapping the 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.</p>	<p>Not Applicable</p> <p>The subject site is not within the Coastal Zone</p>
Chapter 3 – Hazardous and Offensive Development	
<p>This Chapter aims—</p> <p>(a) to amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and</p> <p>(b) to render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Chapter, and</p> <p>(c) to require development consent for hazardous or</p>	<p>Not Applicable</p> <p>The Planning Proposal proposes to zone the land to E4 General Industrial which does not permit heavy industry (which includes hazardous industry and offensive industry).</p>

State Environmental Planning Policy (Resilience and Hazards) 2021.	Assessment/Comment
<p><i>offensive development proposed to be carried out in the Western Division, and</i></p> <p>(d) <i>to ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and</i></p> <p>(e) <i>to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact, and</i></p> <p>(f) <i>to require the advertising of applications to carry out any such development.</i></p>	
Chapter 4 - Remediation of Land	
<p>1. <i>The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</i></p> <p>2. <i>In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</i></p> <p>(a) <i>by specifying when consent is required, and when it is not required, for a remediation work, and</i></p> <p>(b) <i>by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</i></p> <p>(c) <i>by requiring that a remediation work meet certain standards and notification requirements.</i></p>	<p>Applicable and Consistent</p> <p>The Preliminary Site Investigation Report concludes that the site is suitable for residential land use therefore it is considered suitable for industrial land use.</p>

State Environmental Planning Policy (Resources and Energy) 2021.	Assessment/Comment
Chapter 2 – Mining, Petroleum Production and Extractive Industries	
<p><i>The aims of this Chapter are, in recognition of the importance to New South Wales of mining, petroleum production and extractive industries—</i></p> <p>(a) <i>to provide for the proper management and development of mineral, petroleum and extractive material resources</i></p>	<p>Applicable and Consistent</p> <p>This Chapter permits mining and extractive industries with consent wherever an LEP permits agriculture or industry. The current RU1 Primary Production zone permits</p>

State Environmental Planning Policy (Resources and Energy) 2021.	Assessment/Comment
<p><i>for the purpose of promoting the social and economic welfare of the State, and</i></p> <p><i>(b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and</i></p> <p><i>(c) to promote the development of significant mineral resources, and</i></p> <p><i>(d) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and</i></p> <p><i>(e) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development—</i></p> <p><i>i to recognise the importance of agricultural resources, and</i></p> <p><i>ii to ensure protection of strategic agricultural land and water resources, and</i></p> <p><i>iii to ensure a balanced use of land by potentially competing industries, and</i></p> <p><i>iv to provide for the sustainable growth of mining, petroleum and agricultural industries.</i></p>	<p>extensive agriculture without consent and other rural uses with consent.</p> <p>The proposed E4 zone will also permit extractive industries so the rezoning will not alter the applicability of this Chapter. However, the site is surrounded by land already developed for General Industrial uses so any development of this small 1 Ha site for an extractive industry would be improbable.</p>
Chapter 3 – Extractive Industries in Sydney Area	
<p><i>This Chapter aims—</i></p> <p><i>(a) to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance, and</i></p> <p><i>(b) to permit, with the consent of the council, development for the purpose of extractive industries on land described in Schedule 3 or 4, and</i></p> <p><i>(c) to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential, and</i></p> <p><i>(d) to promote the carrying out of development for the purpose of extractive industries in an environmentally acceptable manner, and</i></p> <p><i>(e) to prohibit development for the purpose of extractive industry on the land described in Schedule 5 in the Macdonald, Colo, Hawkesbury and Nepean Rivers, being land which is environmentally sensitive.</i></p> <p><i>This chapter applies to land in former Gosford and former Wyong LGAs.</i></p>	<p>Not Applicable</p> <p>The subject site is not identified as an existing or future resource nor is the site located within proximity of an identified extractive material resource.</p>

State Environmental Planning Policy (Transport and Infrastructure) 2021	Assessment/Comment
Chapter 2 – Infrastructure	
<p><i>The aim of this Chapter is to facilitate the effective delivery of infrastructure across the State by—</i></p> <ul style="list-style-type: none"> <i>(a) improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and</i> <i>(b) providing greater flexibility in the location of infrastructure and service facilities, and</i> <i>(c) allowing for the efficient development, redevelopment or disposal of surplus government owned land, and</i> <i>(d) identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and</i> <i>(e) identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and</i> <i>(f) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</i> <i>(g) providing opportunities for infrastructure to demonstrate good design outcomes.</i> 	<p>Applicable and Consistent</p> <p>There is nothing in the Planning Proposal that will impede the effective delivery of infrastructure in the locality.</p>
Chapter 3 – Educational Establishments and Childcare Facilities	
<p><i>The aim of this Chapter is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—</i></p> <ul style="list-style-type: none"> <i>(a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and</i> <i>(b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and</i> <i>(c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to</i> 	<p>Not Applicable</p> <p>The Planning Proposal does not relate to the provision of educational establishments, nor does the proposed E4 zone permit educational establishments.</p>

State Environmental Planning Policy (Transport and Infrastructure) 2021	Assessment/Comment
<p><i>minimise impacts on surrounding areas, and</i></p> <p><i>(d) allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and</i></p> <p><i>(e) providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and</i></p> <p><i>(f) aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and</i></p> <p><i>(g) ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and</i></p> <p><i>(h) encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.</i></p>	

Table 14: SEPP Assessment

C Section 9.1 Ministerial Directions

Planning Systems	Comments
1.1 Implementation of Regional Plans	
1. <i>Planning proposals must be consistent with a Regional Plan released by the Minister for Planning and Public Spaces.</i>	<p>Applicable and Consistent</p> <p>The Planning Proposal is consistent with this Direction. A full assessment against the strategies in the Central Coast Regional Plan 2041 is set out at the beginning of O1 Strategic Assessment.</p>
1.2 Development of Aboriginal Land Council Land	
<p>1. <i>When preparing a planning proposal to which this direction applies, the planning proposal authority must take into account:</i></p> <p>(a) <i>any applicable development delivery plan made under the chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021; or</i></p> <p>(b) <i>if no applicable development delivery plan has been published, the interim development delivery plan published on the Department's website on the making of this direction.</i></p>	<p>Not Applicable</p> <p>The Planning Proposal does not apply to land to which this Direction applies.</p>
1.3 Approval and Referral Requirements	
<p>1. <i>A planning proposal to which this direction applies must:</i></p> <p>(a) <i>minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</i></p> <p>(b) <i>not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</i></p> <p style="margin-left: 20px;"><i>i. the appropriate Minister or public authority, and</i></p> <p style="margin-left: 20px;"><i>ii. the Planning Secretary (or an officer of the Department nominated by the Secretary), prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act, and</i></p> <p>(c) <i>not identify development as designated development unless the relevant planning authority:</i></p> <p style="margin-left: 20px;"><i>i. can satisfy the Planning Secretary (or an officer of the Department nominated by the Secretary) that the class of development is likely to have a significant impact on the environment, and</i></p>	<p>Applicable and Consistent</p> <p>The Planning Proposal does not include provisions that require concurrence, consultation or referral of development applications to public authorities or a Minister.</p>

Planning Systems	Comments
<p>ii. <i>has obtained the approval of the Planning Secretary (or an officer of the Department nominated by the Secretary) prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</i></p>	
1.4 Site Specific Provisions	
<p>1. <i>A planning proposal that will amend another environmental planning instrument in order to allow particular development to be carried out must either:</i></p> <p>(a) <i>allow that land use to be carried out in the zone the land is situated on, or</i></p> <p>(b) <i>rezone the site to an existing zone already in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</i></p> <p>(c) <i>allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</i></p> <p>2. <i>A planning proposal must not contain or refer to drawings that show details of the proposed development.</i></p>	<p>Applicable and Consistent</p> <p>The Planning Proposal proposes to rezone the site to zones that are already in the CCLEP 2022. No new development standards are proposed.</p>

Biodiversity & Conservation	Comments
3.1 Conservation Zones	
<p>1. <i>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i></p> <p>2. <i>A planning proposal that applies to land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP must not reduce the conservation standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with Direction 9.3 (2) of "Rural Lands".</i></p>	<p>Not Applicable</p> <p>The Planning Proposal does not relate to a Conservation zone. The site is not an environmentally sensitive area.</p>
3.2 Heritage Conservation	
<p>1. <i>A planning proposal must contain provisions that facilitate the conservation of:</i></p> <p>(a) <i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage</i></p>	<p>Applicable and Consistent</p> <p>The site does not accommodate any Heritage Items listed in CCLEP 2022.</p>

Biodiversity & Conservation	Comments
<p><i>significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i></p> <p>(b) <i>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i></p> <p>(c) <i>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i></p>	<p>The Due Diligence Assessment report found that no Aboriginal objects or places were identified on the site. All on-site personnel are to be made aware of their obligations under the National Parks and Wildlife Act 1974 and the processes to be followed should any archaeological material be uncovered during construction.</p>
3.5 Recreational Vehicle Areas	
<p>1. <i>A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the Recreation Vehicles Act 1983):</i></p> <p>(a) <i>where the land is within a conservation zone,</i></p> <p>(b) <i>where the land comprises a beach or a dune adjacent to or adjoining a beach,</i></p> <p>(c) <i>where the land is not within an area or zone referred to in paragraphs (a) or (b) unless the relevant planning authority has taken into consideration:</i></p> <p>i. <i>the provisions of the guidelines entitled Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas, Soil Conservation Service of New South Wales, September, 1985, and</i></p> <p>ii. <i>the provisions of the guidelines entitled Recreation Vehicles Act 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985.</i></p>	<p>Not Applicable</p> <p>The Planning Proposal does not seek to enable the subject site to be developed for the purpose of a recreation vehicle area.</p>
3.7 Public Bushland	
<p><i>The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland, by:</i></p> <p>(a) <i>preserving:</i></p> <p>i <i>biodiversity and habitat corridors,</i></p> <p>ii <i>links between public bushland and other nearby bushland,</i></p> <p>iii <i>bushland as a natural stabiliser of the soil surface,</i></p>	<p>Not Applicable</p> <p>The subject site is not public land.</p>

Biodiversity & Conservation	Comments
<p><i>iv existing hydrological landforms, processes and functions, including natural drainage lines, watercourses, wetlands and foreshores,</i></p> <p><i>v the recreational, educational, scientific, aesthetic, environmental, ecological and cultural values and potential of the land, and</i></p> <p><i>(b) mitigating disturbance caused by development,</i></p> <p><i>(c) giving priority to retaining public bushland.</i></p>	
3.10 Water Catchment Protection	
<p><i>The objectives of this direction are to:</i></p> <p><i>(a) maintain and improve the water quality (including ground water) and flows of natural waterbodies, and reduce urban run-off and stormwater pollution</i></p> <p><i>(b) protect and improve the hydrological, ecological and geomorphological processes of natural waterbodies and their connectivity</i></p> <p><i>(c) protect and enhance the environmental quality of water catchments by managing them in an ecologically sustainable manner, for the benefit of all users</i></p> <p><i>(d) protect, maintain and rehabilitate watercourses, wetlands, riparian lands and their vegetation and ecological connectivity.</i></p>	<p>Applicable and Consistent</p> <p>The site is serviced with water and sewer. Future development will have to comply with the DCP Chapter on Water Cycle Management which requires no increase in runoff from pre-development flows.</p> <p>The water catchment does not flow into another LGA.</p>

Resilience & Hazards	Comments
4.1 Flooding	
<p>1. <i>A planning proposal must include provisions that give effect to and are consistent with:</i></p> <p><i>(a) the NSW Flood Prone Land Policy,</i></p> <p><i>(b) the principles of the Floodplain Development Manual 2005,</i></p> <p><i>(c) the Considering flooding in land use planning guideline 2021, and</i></p> <p><i>(d) any adopted flood study and/or floodplain risk management plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.</i></p> <p>2. <i>A planning proposal must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones.</i></p> <p>3. <i>A planning proposal must not contain provisions that apply to the flood planning area which:</i></p> <p><i>(a) permit development in floodway areas,</i></p>	<p>Not Applicable</p> <p>The site is not affected by flooding.</p>

Resilience & Hazards	Comments
<p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit development for the purposes of residential accommodation in high hazard areas,</p> <p>(d) permit a significant increase in the development and/or dwelling density of that land,</p> <p>(e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,</p> <p>(g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or</p> <p>(h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.</p> <p>4. A planning proposal must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:</p> <p>(a) permit development in floodway areas,</p> <p>(b) permit development that will result in significant flood impacts to other properties,</p> <p>(c) permit a significant increase in the dwelling density of that land,</p> <p>(d) permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,</p> <p>(e) are likely to affect the safe occupation of and efficient evacuation of the lot, or</p> <p>(f) are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</p>	

Resilience & Hazards	Comments
<p>5. <i>For the purposes of preparing a planning proposal, the flood planning area must be consistent with the principles of the Floodplain Development Manual 2005 or as otherwise determined by a Floodplain Risk Management Study or Plan adopted by the relevant council.</i></p>	
4.2 Coastal Management	
<p>1. <i>A planning proposal must include provisions that give effect to and are consistent with:</i></p> <ul style="list-style-type: none"> <i>(a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas;</i> <i>(b) the NSW Coastal Management Manual and associated Toolkit;</i> <i>(c) NSW Coastal Design Guidelines 2003; and</i> <i>(d) any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land.</i> <p>2. <i>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land:</i></p> <ul style="list-style-type: none"> <i>(a) within a coastal vulnerability area identified by the State Environmental Planning Policy (Coastal Management) 2018; or</i> <i>(b) that has been identified as land affected by a current or future coastal hazard in a local environmental plan or development control plan, or a study or assessment undertaken:</i> <ul style="list-style-type: none"> <i>i. by or on behalf of the relevant planning authority and the planning proposal authority, or</i> <i>ii. by or on behalf of a public authority and provided to the relevant planning authority and the planning proposal authority.</i> <p>3. <i>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 3 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.</i></p> <p>4. <i>A planning proposal for a local environmental plan may propose to amend the following maps, including increasing or decreasing the land within these maps, under the State Environmental Planning Policy (Coastal Management) 2018:</i></p> <ul style="list-style-type: none"> <i>(a) Coastal wetlands and littoral rainforests area map;</i> 	<p>Not Applicable</p> <p>The subject site is not within the Coastal Zone.</p>

Resilience & Hazards	Comments
<p>(b) Coastal vulnerability area map; (c) Coastal environment area map; and (d) Coastal use area map.</p> <p>Such a planning proposal must be supported by evidence in a relevant Coastal Management Program that has been certified by the Minister, or by a Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016.</p>	
4.3 Planning for Bushfire Protection	
<ol style="list-style-type: none"> 1. In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of clause 4, Schedule 1 to the EP&A Act, and take into account any comments so made. 2. A planning proposal must: <ol style="list-style-type: none"> (a) have regard to Planning for Bushfire Protection 2019, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ). 3. A planning proposal must, where development is proposed, comply with the following provisions, as appropriate: <ol style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ol style="list-style-type: none"> i. an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and ii. an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with, (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, 	<p>Applicable</p> <p>The subject site is identified as accommodating Vegetation Categories 1 and 3.</p> <p>The Planning Proposal was referred to NSW RFS for comment and no objection was raised subject to any future applications being supported by a bushfire hazard assessment demonstrating compliance with Planning for Bush Fire Protection 2019.</p>

Resilience & Hazards	Comments
<p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p>	
4.4 Remediation of Contaminated Lands	
<p>1. A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land to which this direction applies if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <p>(a) the planning proposal authority has considered whether the land is contaminated, and</p> <p>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph 1(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>2. Before including any land to which this direction applies in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>	<p>Applicable and Consistent</p> <p>The Preliminary Site Investigation Report concludes that the site is suitable for residential land use therefore it is considered suitable for industrial land use.</p>
4.5 Acid Sulfate Soils	
<p>1. The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>2. When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p>	<p>Not Applicable</p> <p>The land is mapped as Acid Sulfate Soils Class 5. There is no known occurrence of acid sulfate soils, therefore no further consideration is required.</p>

Resilience & Hazards	Comments
<p>(a) <i>the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Planning Secretary, or</i></p> <p>(b) <i>other such provisions provided by the Planning Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.</i></p> <p>3. <i>A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Planning Secretary prior to undertaking community consultation in satisfaction of clause 4 of Schedule 1 to the Act.</i></p> <p>4. <i>Where provisions referred to under 2(a) and 2(b) above of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with 2(a) and 2(b).</i></p>	
4.6 Mine Subsidence & Unstable Land	
<p>1. <i>When preparing a planning proposal that would permit development on land that is within a declared mine subsidence district, a relevant planning authority must:</i></p> <p>(a) <i>consult Subsidence Advisory NSW to ascertain:</i></p> <p>i. <i>if Subsidence Advisory NSW has any objection to the draft local environmental plan, and the reason for such an objection, and</i></p> <p>ii. <i>the scale, density and type of development that is appropriate for the potential level of subsidence, and</i></p> <p>(b) <i>Incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under 1(a)(ii), and</i></p> <p>(c) <i>include a copy of any information received from Subsidence Advisory NSW with the statement to the Planning Secretary (or an officer of the Department nominated by the Secretary prior to undertaking community consultation in satisfaction of Schedule 1 to the Act.</i></p>	<p>Not Applicable</p> <p>The subject land is not located within a mine subsidence area.</p>

Resilience & Hazards	Comments
2. <i>A planning proposal must not permit development on land.</i>	

Transport & Infrastructure	Comments
5.1 Integrating Land Use & Transport	
1. <i>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</i> <i>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</i> <i>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</i>	<p>Applicable and Consistent</p> <p>The Planning Proposal is proposing to zone the site to an urban zone.</p> <p>The site is an infill site so the proposed E4 zone will be the same as that of adjoining land which is already serviced by an established and upgraded road network.</p> <p>The Somersby Business Park is serviced by a bus service that that runs to and from Gosford.</p>
5.2 Reserving Land for Public Purposes	
1. <i>A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Planning Secretary (or an officer of the Department nominated by the Secretary).</i> 2. <i>When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:</i> <i>(a) reserve the land in accordance with the request, and</i> <i>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Planning Secretary (or an officer of the Department nominated by the Secretary), and</i> <i>(c) identify the relevant acquiring authority for the land.</i> 3. <i>When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</i> <i>(a) include the requested provisions, or</i> <i>(b) take such other action as advised by the Planning Secretary (or an officer of the Department nominated by the Secretary) with respect to the use of the land before it is acquired.</i> 4. <i>When a Minister or public authority requests a relevant planning authority to include provisions in a planning</i>	<p>Not Applicable</p> <p>The subject site does not currently accommodate zonings for public purposes and the Planning Proposal does not propose to create new zonings for public purposes.</p>

Transport & Infrastructure	Comments
<p><i>proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</i></p>	
5.3 Development Near Regulated Airports and Defence Airfields	
<ol style="list-style-type: none"> 1. <i>In the preparation of a planning proposal that sets controls for development of land near a regulated airport, the relevant planning authority must:</i> <ol style="list-style-type: none"> (a) <i>consult with the lessee/operator of that airport;</i> (b) <i>take into consideration the operational airspace and any advice from the lessee/operator of that airport;</i> (c) <i>for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</i> (d) <i>not allow development types that are incompatible with the current and future operation of that airport.</i> 2. <i>In the preparation of a planning proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</i> <ol style="list-style-type: none"> (a) <i>consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</i> (b) <i>for land affected by the prescribed airspace (as defined in clause 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls.</i> (c) <i>not allow development types that are incompatible with the current and future operation of that airport.</i> (d) <i>obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</i> 3. <i>In the preparation of a planning proposal that sets controls for the development of land near a defence airfield, the relevant planning authority must:</i> <ol style="list-style-type: none"> (a) <i>consult with the Department of Defence if:</i> <ol style="list-style-type: none"> i. <i>the planning proposal seeks to exceed the height provisions contained in the Defence Regulations 2016 – Defence Aviation Areas for that airfield; or</i> ii. <i>no height provisions exist in the Defence Regulations 2016 – Defence Aviation Areas for</i> 	<p>Not Applicable</p> <p>The site is not near a regulated airport or a defence airfield.</p>

Transport & Infrastructure	Comments
<p><i>the airfield and the proposal is within 15km of the airfield.</i></p> <p><i>(b) for land affected by the operational airspace, prepare appropriate development standards, such as height controls.</i></p> <p><i>(c) not allow development types that are incompatible with the current and future operation of that airfield.</i></p> <p>4. <i>A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic-Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land:</i></p> <p><i>(a) for residential purposes or to increase residential densities in areas where the Australian Noise Exposure Forecast (ANEF) is between 20 and 25; or</i></p> <p><i>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or</i></p> <p><i>(c) for commercial or industrial purposes where the ANEF is above 30.</i></p> <p>5. <i>A planning proposal must not contain provisions for residential development or to increase residential densities within the 20 Australian Noise Exposure Concept (ANEC)/ANEF contour for Western Sydney Airport.</i></p>	
5.4 Shooting Ranges	
<p>1. <i>A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</i></p> <p><i>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</i></p> <p><i>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.</i></p>	<p>Not Applicable</p> <p>The subject site is not adjacent to an existing shooting range.</p>

Housing	Comments
6.1 Residential Zones	
<p>1. <i>A planning proposal must include provisions that encourage the provision of housing that will:</i></p> <p><i>(a) broaden the choice of building types and locations available in the housing market, and</i></p> <p><i>(b) make more efficient use of existing infrastructure and services, and</i></p> <p><i>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p>	<p>Not Applicable</p> <p>The Planning Proposal does not propose to zone the land to a residential zone.</p>

Housing	Comments
<p>(d) be of good design.</p> <p>2. A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	
6.2 Caravan Parks and Manufactured Home Estates	
<p>1. In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>2. In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 6 of State Environmental Planning Policy (Housing) as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 9 Schedule 5 of State Environmental Planning Policy (Housing)(which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the Community Land Development Act 1989 be permissible with consent..</p>	<p>Not Applicable</p> <p>The current RU1 zone does not permit caravan parks and the proposed E4 zone does not permit caravan parks so there are no provisions regarding this use to be retained.</p>

Industry & Employment	Comments
7.1 Employment Zones	
<p>1. A planning proposal must:</p> <p>(a) give effect to the objectives of this direction,</p>	<p>Applicable and Consistent</p> <p>The proposed E4 zone is an Employment zone.</p>

Industry & Employment	Comments
<ul style="list-style-type: none"> (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Planning Secretary. 	<p>The planning proposal to expand the E4 zone via an infill rezoning will give effect to an objective of the Direction which is to encourage employment growth in suitable locations. The Somersby Business Park is an established employment precinct so this zoning will, to a small degree, increase the industrial floor space within the SBP.</p>

Resources & Energy	Comments
8.1 Mining, Petroleum Production and Extractive Industries	
<ol style="list-style-type: none"> 1. In the preparation of a planning proposal affected by this direction, the relevant planning authority must: <ul style="list-style-type: none"> (a) consult the Secretary of the Department of Primary Industries (DPI) to identify any: <ul style="list-style-type: none"> i. resources of coal, other minerals, petroleum or extractive material that are of either State or regional significance, and ii. existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and (b) seek advice from the Secretary of DPI on the development potential of resources identified under (1)(a)(i), and (c) identify and take into consideration issues likely to lead to land use conflict between other land uses and: <ul style="list-style-type: none"> i. development of resources identified under (1)(a)(i), or ii. existing development identified under (1)(a)(ii). 2. Where a planning proposal prohibits or restricts development of resources identified under (1)(a)(i), or proposes land uses that may create land use conflicts identified under (1)(c), the relevant planning authority must: <ul style="list-style-type: none"> (a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions, (b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and (c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary (or an 	<p>Not Applicable</p> <p>The subject site is not identified as being underlain with coal seams nor is it identified as an existing or future extractive material resource nor is it located within proximity of an identified extractive material resource.</p> <p>Also the site is surrounded by land already developed for General Industrial uses so any development of this small 1 Ha site for an extractive industry would be improbable.</p>

Resources & Energy	Comments
<i>officer of the Department nominated by the Secretary before undertaking community consultation in satisfaction of Schedule 1 to the Act.</i>	

Primary Production	Comments
9.1 Rural Zones	
<p>1. A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p>	<p>Applicable and Consistent</p> <p>The Planning Proposal proposes to rezone 1 Ha of RU1 Primary Production to E4 General Industrial.</p> <p>The site, however, is not used for primary production uses and is isolated from other RU1 zoned land. The rural residential scale and nature of the existing development on the site is inconsistent with adjacent industrial development which surrounds the site.</p> <p>The proposed rezoning of the site to E4 will reduce any land use conflict that will increasingly occur in future if the Planning Proposal does not proceed.</p>
9.2 Rural Lands	
<p>1. A planning proposal must:</p> <p>(a) be consistent with any applicable strategic plan, including regional and district plans endorsed by the Planning Secretary, and any applicable local strategic planning statement</p> <p>(b) consider the significance of agriculture and primary production to the State and rural communities</p> <p>(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and the importance of water resources</p> <p>(d) consider the natural and physical constraints of the land, including but not limited to, topography, size, location, water availability and ground and soil conditions</p> <p>(e) promote opportunities for investment in productive, diversified, innovative and sustainable rural economic activities</p> <p>(f) support farmers in exercising their right to farm</p> <p>(g) prioritise efforts and consider measures to minimise the fragmentation of rural land and reduce the risk of land use conflict, particularly between residential land uses and other rural land use</p> <p>(h) consider State significant agricultural land identified in chapter 2 of the State Environmental Planning</p>	<p>Applicable and Consistent</p> <p>The land, although zoned RU1, is not used for primary production uses. It is isolated from other RU1 zoned land and is currently used for rural-residential purposes.</p> <p>The site is surrounded by land zoned E4 and being developed for industrial uses which is increasingly leading to land use conflict. The zoning of the site to E4 will remove any land use conflict issue and rationalise the E4 zone in the locality.</p> <p>The scale and nature of any future development on the site would be consistent with adjacent industrial development.</p>

Primary Production	Comments
<p><i>Policy (Primary Production) 2021 for the purpose of ensuring the ongoing viability of this land</i></p> <p><i>(i) consider the social, economic and environmental interests of the community.</i></p> <p><i>2. A planning proposal that changes the existing minimum lot size on land within a rural or conservation zone must demonstrate that it:</i></p> <p><i>(a) is consistent with the priority of minimising rural land fragmentation and land use conflict, particularly between residential and other rural land uses</i></p> <p><i>(b) will not adversely affect the operation and viability of existing and future rural land uses and related enterprises, including supporting infrastructure and facilities that are essential to rural industries or supply chains</i></p> <p><i>(c) where it is for rural residential purposes:</i></p> <p><i>i. is appropriately located taking account of the availability of human services, utility infrastructure, transport and proximity to existing centres</i></p> <p><i>ii. is necessary taking account of existing and future demand and supply of rural residential land.</i></p>	
9.3 Oyster Aquaculture	
<p><i>1. In the preparation of a planning proposal the relevant planning authority must:</i></p> <p><i>(a) identify any 'Priority Oyster Aquaculture Areas' and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply,</i></p> <p><i>(b) identify any proposed land uses which could result in any adverse impact on a 'Priority Oyster Aquaculture Area' or oyster aquaculture leases outside such an area,</i></p> <p><i>(c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use in compatibility,</i></p> <p><i>(d) consult with the Secretary of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and</i></p> <p><i>(e) ensure the planning proposal is consistent with the Strategy.</i></p> <p><i>2. Where a planning proposal proposes land uses that may result in adverse impacts identified under (1)(b) and (1)(c), relevant planning authority must:</i></p>	<p>Not Applicable</p> <p>There are no Priority Oyster Aquaculture Areas near the site.</p>

Primary Production	Comments
<p><i>(a) provide the Secretary of DPI with a copy of the planning proposal and notification of the relevant provisions,</i></p> <p><i>(b) allow the Secretary of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</i></p> <p><i>(c) include a copy of any objection and supporting information received from the Secretary of DPI with the statement to the Planning Secretary before undertaking community consultation in satisfaction of Schedule 1 to the EP&A Act.</i></p>	

Table 15: S9.1 Assessment

02

Land Use Provisions

A Land Use Table for Existing RU1 Primary Production Zone under CCLEP 2022

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To protect high quality and productive agricultural land, water catchment areas and land comprising high ecological or biodiversity value from inappropriate development and land management practices.
- To provide for non-agricultural land uses that support the primary production purposes of the zone.

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Agriculture; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Building identification signs; Business identification signs; Cellar door premises; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Landscaping material supplies; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Sewage reticulation systems; Veterinary hospitals; Water recreation structures; Water recycling facilities; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

B Land Use Table for Proposed E4 General Industrial Zone under CCLEP 2022

Zone E4 General Industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To ensure that retail, commercial or service land uses in industrial areas are of an ancillary nature.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Recreation areas

3 Permitted with consent

Depots; Food and drink premises; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Heavy industries; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Hospitals; Information and education facilities; Marinas; Mooring pens; Moorings; Open cut mining; Public administration buildings; Residential accommodation; Tourist and visitor accommodation; Water recreation structures

03

Mapping

A Locality Plan

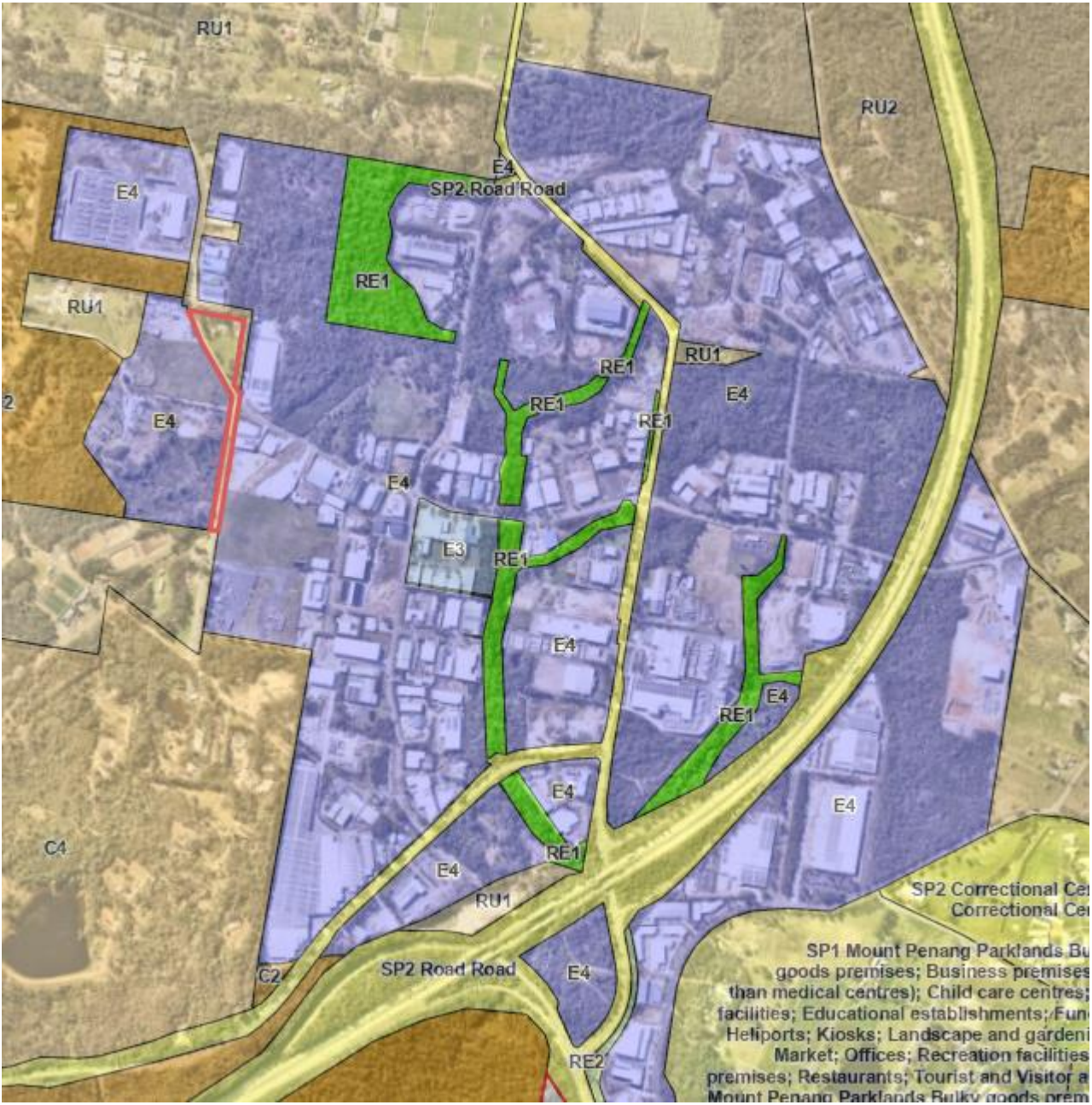


Figure 8: The site in relation to Somersby Business Park

B Existing Land Use Zoning under CCLEP 2022



Figure 9: Existing Land Use Zone

C Existing Minimum Lot Size Map under CCLEP 2022



Figure 10: Existing Minimum Lot Size

D Proposed Land Use Zoning Map under CCLEP 2022



Figure 11: Proposed Land Use Zone

E Proposed Minimum Lot Size Map under CCLEP 2022

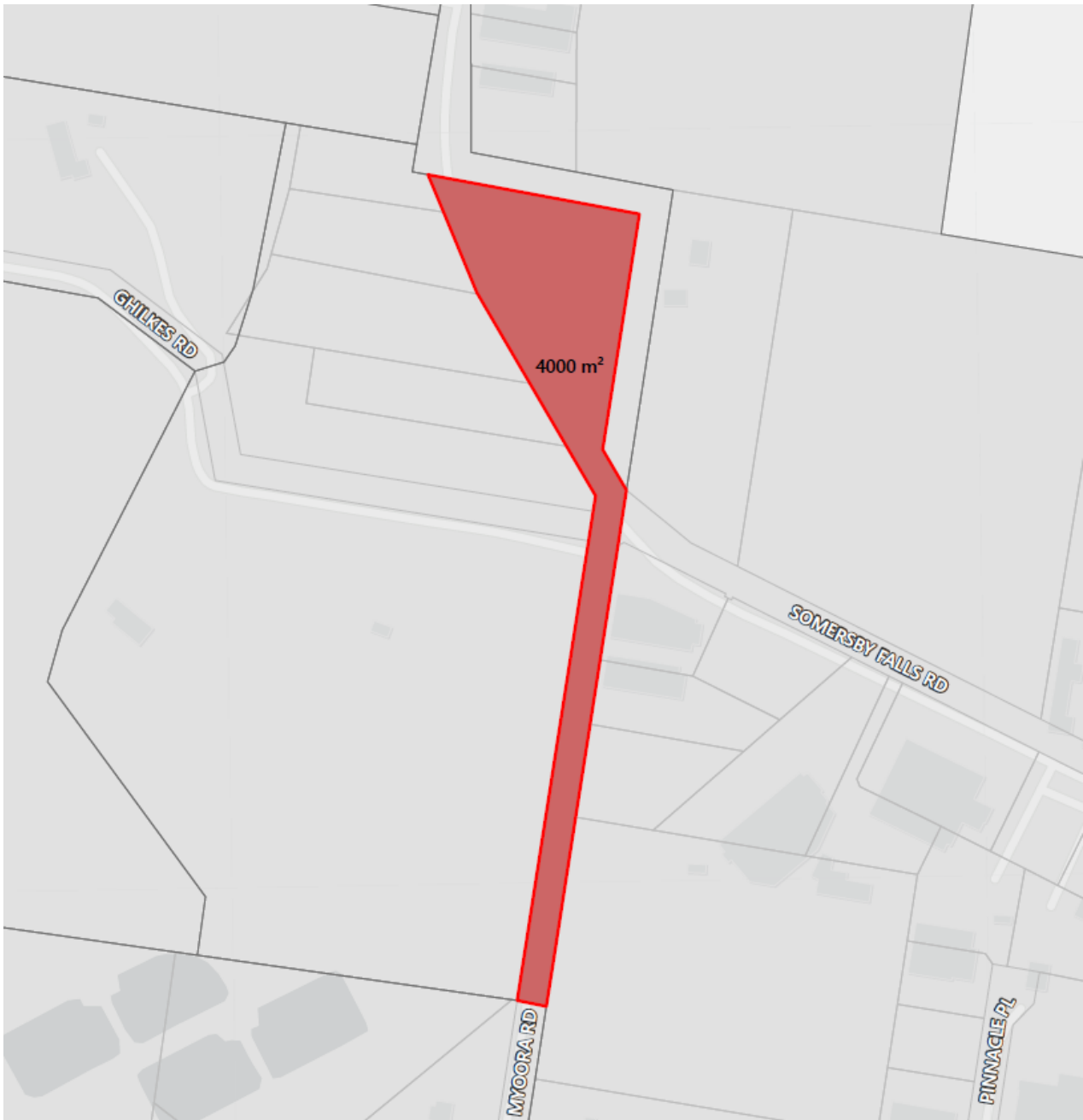


Figure 12: Proposed Minimum Lot Size