



Tomago Industrial site Planning Proposal

**Proposed amendment to Port Stephens Local
Environmental Plan 2013 to facilitate changes to
State Environmental Planning Policy (Precincts -
Regional) 2021**



PORT STEPHENS
COUNCIL

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VERSION CONTROL

Version	Date	Details
1	September 2025	Draft planning proposal for review by proponent
2	October 2025	Draft planning proposal with proponents' comments
3	October 2025	Planning proposal for lodgement with Department of Planning, Infrastructure and Housing.
4	February 2026	Planning proposal updated responding to Gateway determination conditions

ATTACHMENTS

APPENDIX 1 – Strategic Bush Fire Study (Cool Burn Fire + Ecology)

APPENDIX 2 – Traffic and Transport Study (TTPP Transport Planning)

APPENDIX 3 – Biodiversity Assessment (Mc2 Consulting)

FILE NUMBERS

Council: 58-2025-3-1

Department: PP-2025-874

SUMMARY

Subject land: 18 lots (identified in table below)
Tomago Road, Tomago
Tomago Industrial site

Lot 1 DP770610	Lot 44 DP1109816
Lot 1 DP833855	Lot 45 DP1109816
Lot 2 DP833855	Lot 1001 DP1127780
Lot 13 DP236073	Lot 1 DP1155307
Lot 1 DP535631	Lot 22 DP1150980
Part of Lot 14 DP258020	Lot 212 DP1174939
Part of Lot 7001 DP92615	Lot 211 DP1174939
Lot 1 DP229927	Lot 210 DP1174939
Lot 2 DP229927	Lot 1 534526

Proponent: Northbank Enterprise Hub (NEH)

Proposed changes:	Amendment to Port Stephens Local Environmental Plan 2013 to facilitate changes to Appendix 2 of State Environmental Planning Policy (Precincts – Regional) 2021, to: update zoning from IN1 General Industrial to E4 General Industrial zone; introduce certain additional land uses; and introduce a new provision permitting specialised retail premises.
Area of land:	374.65 hectares

BACKGROUND

This planning proposal seeks amendment to the *Port Stephens Local Environmental Plan 2013* to facilitate changes to Appendix 2 of *State Environmental Planning Policy (Precincts – Regional) 2021* (Regional Precincts SEPP) to align with the NSW Government Employment zone reforms and improve the future economic viability of the land by:

- Updating zoning from the current IN1 General Industrial zone to E4 General Industrial zone at Clause 7;
- Introducing the additional land uses at Clause 8; and
- Introducing a new clause to permit specialised retail premises that support industrial activities at Tomago Industrial Site.

The land is currently zoned IN1 General Industrial under the State Environmental Planning Policy (Precincts – Regional) 2021 (Regional Precincts SEPP). The planning proposal applies to all land currently zoned IN1 under the Regional Precincts SEPP, a total area of 374.65 hectares. The intent is to update the zoning of the Tomago Industrial site to be consistent with surrounding employment lands and the NSW Government Employment zone reforms.

The planning proposal is consistent with local planning strategies including the Hunter Regional Plan 2041 (HRP) and the Port Stephens Local Strategic Planning Statement (LSPS)

The following technical studies are provided with the planning proposal:

- 1 Strategic Bush Fire Study (Cool Burn Fire + Ecology)
- 2 Traffic and Transport Study (TTPP Transport Planning)
- 3 Biodiversity Assessment (Mc2 Consulting)

SITE

The site is located in Tomago, within the Port Stephens Local Government Area (LGA). Tomago Industrial Site is located approximately 4.5 kilometres east of the Pacific Highway and 6km east of New England Highway via Tomago Road. Newcastle Airport is located approximately 12 kilometres north east of the site via Tomago and Cabbage Tree Road.

The site has a combined area of approximately 374.65 hectares with access from Tomago Road. It is currently zoned IN1 General Industrial under the *State Environmental Planning Policy (Precincts – Regional) 2021* and is comprised of existing industrial uses, undeveloped grasslands, a sparse distribution of shrubs and trees, and unsealed vehicle accessways.

There are several developed lots that accommodate existing industrial uses (Lot 1 DP229927, Lot 2 DP229927, Lot 13 DP236073, Lot 44 DP1109816, Lot 45 DP1109816 and Lot 1 DP833855). Westrac, an industrial machinery supplier, is located at the eastern end of the site fronting Tomago Road and Westrac Drive.

The site is located within the extent of the Probably Maximum Flood (PMF) Flood Event and the 1% Annual Exceedance Probability (AEP) and is identified as a 'Flood Planning Area'. The site is identified as Vegetation Category 2 and 3 bushfire prone land.

The southern site boundary is adjoined by the Hunter Wetlands National Park, which surrounds most of the site from the east, south and west. This internationally significant wetland system is listed under the Ramsar Convention on Wetlands. Most of the site is mapped as exhibiting biodiversity values. Tomago Estate has been previously environmentally assessed as part of the previous major projects for both on-site and off-site offsets.

The northern site boundary is adjoined by Tomago Road, which is classified as a State Road under the *Roads Act 1993*. A mix of established rural uses and industrial land uses are present on the northern side of Tomago Road. Rural and residential uses are generally concentrated to the north-east. Industrial uses, including Tomago Aluminium, the largest aluminium smelter in Australia, are concentrated to the north-west. To the north of the site is E4 General Industrial land use zone and a large area of SP1 Hunter Water Corporation under the *Port Stephens Local Environmental Plan 2013* (LEP).

The southern and south-eastern site boundaries interface with land in the C1 National Parks and Nature Reserves Zone under LEP. The National Parks and Nature Reserves Zone accommodates the Hunter Wetlands National Park (RAMSAR). There is now a 400m buffer to these wetlands as a result of the dedication of Lot 22, DP1150980 to the south-east of the site by NEH as a conservation area.

Industrial, institutional and recreational land uses are established along the northwestern frontage of Tomago Road. Further back from Tomago Road, the southwestern site boundary is bounded by the Hunter River.

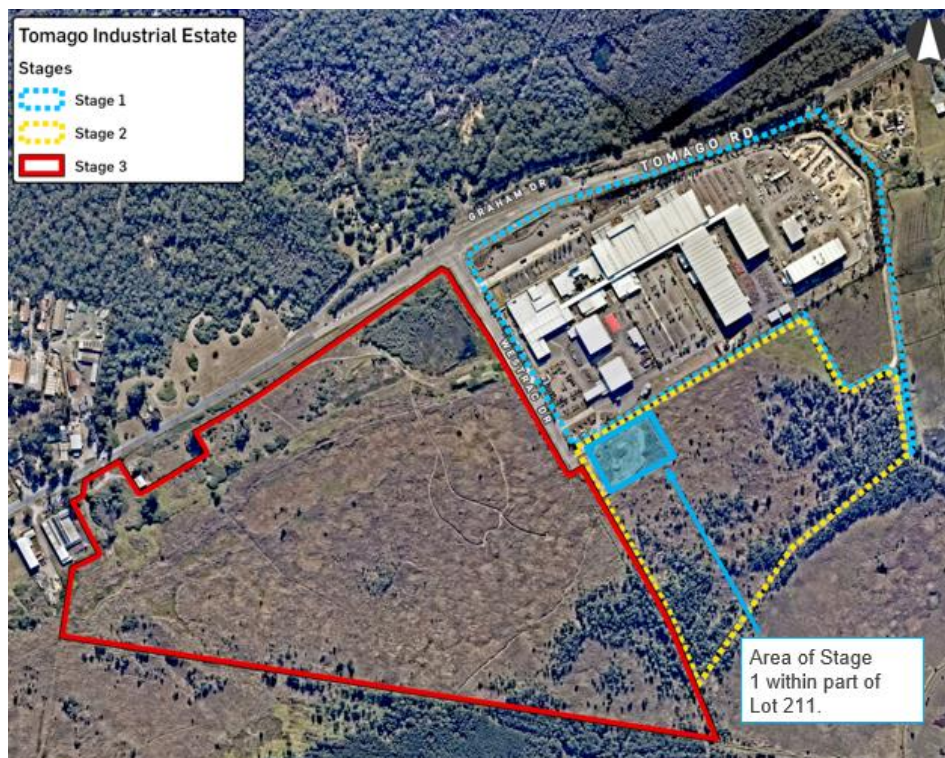
The eastern site boundaries interface with rural uses, Dunns Island, and Fullerton Cove. Approximately 11 kilometres northeast is the Newcastle Airport and the RAAF Base Williamtown. About 10 kilometres north of the site is Heatherbrae, with a large area of E3 Productivity support and E4 General Industrial land use zones.

Figure 1. Subject Site – Tomago Industrial Precinct



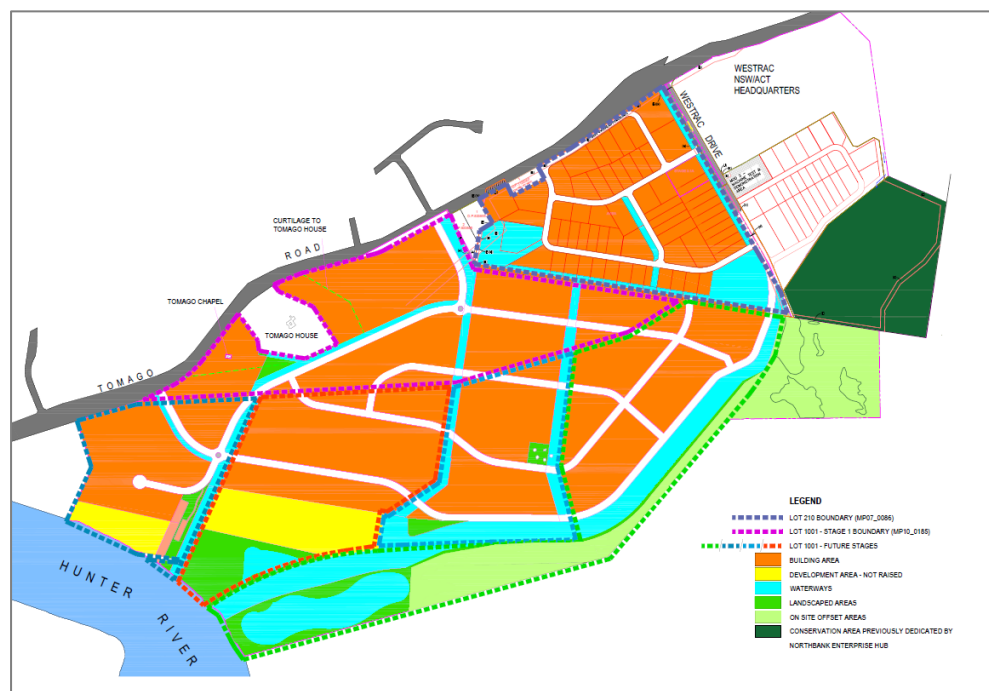
A major project approval (MP07_0086) was issued on 7 August 2009 under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). MP07_0086 established a framework for the staged development of a business and industrial estate at Tomago Road, Tomago. Lot 22 in DP 1150980 was dedicated to the NSW National Parks and Wildlife Service for conservation purposes. This allotment of land was registered on 18 October 2010.

Figure 2. MP07_0086 (and modifications)



MP10_0185 was approved on 29 June 2014. MP10_0185 established the framework for the staged development of a business and industrial estate at Lot 1001 DP 1127780 (**Figure 3**). The Project includes bulk earthworks across the site and construction of infrastructure to service the industrial park, including roads and drainage. The proposed subdivision was to be designed to integrate with the adjoining approved industrial subdivision (MP07_0086).

Figure 3. Concept Plan (source: MP10_0185)



PART 1 – Objectives or intended outcomes

The planning proposal seeks to amend the *Port Stephens Local Environmental Plan 2013* (LEP) to facilitate changes to Appendix 2 of the *State Environmental Planning Policy (Precincts – Regional) 2021* (Regional Precincts SEPP) to enable industrial development outcomes.

The objectives of the planning proposal are to:

- Rezone from IN1 General Industrial to E4 General Industrial;
- Introduce additional land uses such as industrial training facilities, take away food and drink premises, transport depots, landscaping materials supply, and construction machinery hire and sales to support industry;
- Permit specialised retail premises that support industrial activities at Tomago Industrial Site.

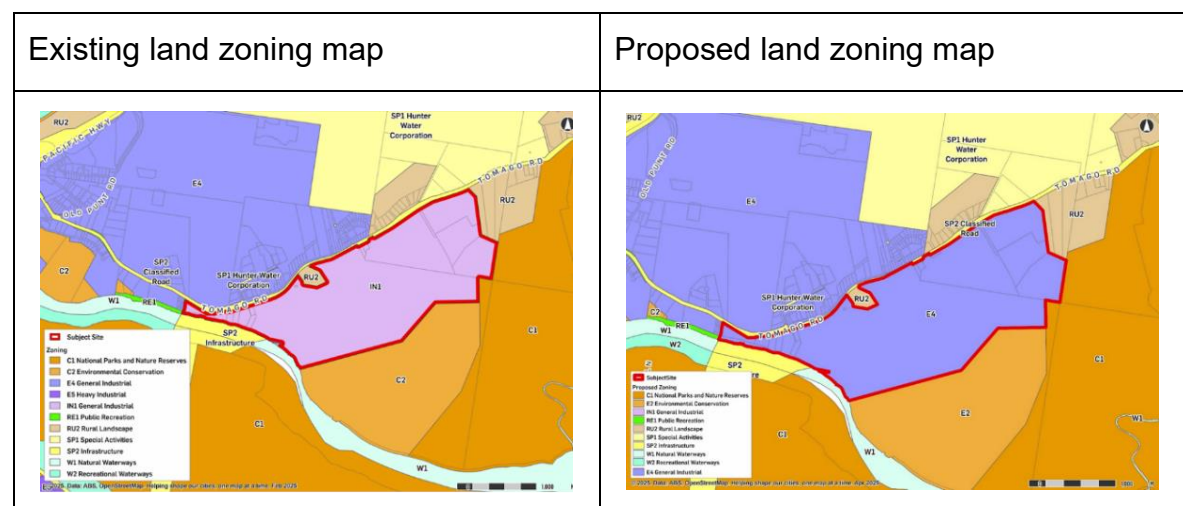
PART 2 – Explanation of provisions

The objectives and intended outcomes of the planning proposal will be achieved through an amendment to the *Port Stephens Local Environmental Plan 2013* to alter *Appendix 2 of the State Environmental Planning Policy 2021 (Regional Precincts SEPP)*.

The following amendments are proposed:

- Update Land Zoning Map Sheet LZN_001_20091211 (**Figure 4**) from IN1 General Industrial zone to E4 General Industrial zone.

Figure 4. Existing and Proposed Map Changes



- Update references to IN1 General Industrial in Appendix 2, Clause 7 Land Use Zones to E4 General Industrial
- Update Appendix 2, Clause 8 to include the zone objectives and land uses identified in **Table 1**

Table 1. Proposed E4 General Industrial zone (new uses in bold)

E4 General Industrial zone	
Objectives of Zone	The objectives of the E4 General Industrial Zone are as follows – - 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.
Permitted without consent	Development for any of the following purposes is permitted without consent within the E4 General Industrial Zone – Nil.
Permitted with consent	Development for any of the following purposes is permitted with consent within the E4 General Industrial Zone – Aquaculture; Boat building and repair facilities; Boat launching ramps; commercial port facilities; Crematoria; Depots; Drainage; Earthworks; Educational Establishments; Environmental facilities; Environmental protection works; Fill; Flood mitigation works; Freight transport facilities; General industries; Goods repair and reuse premises; hazardous industries; hazardous storage establishments; Heavy industrial storage establishments; Heavy industries; Industrial retail outlets; Industrial training facilities; Jetties; Landscaping material supplies; Light industries; Local distribution premises; Marinas; Materials recycling or recovery centres; Mortuaries; Neighbourhood shops; Offensive industries; Offensive storage establishments; Office Premises; Recreation facilities (indoor); Roads; Rural supplies; Service stations; Signage; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste management facilities; Water supply systems.
Prohibited	Any development not specified in item 2 or 3

- Permit Specialised retail premises that support industrial activities

Proposed definition

Specialised Retail Premises means a building or place the principal purpose of which is the sale, hire or display of goods that are of a size, weight or quantity that supports industrial and/or related activities, that requires –

- i. a large area for handling, display or storage, or*
- ii. direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire.*

Note—

- 1. Examples of goods that may be sold or hired at specialised retail premises include: construction and earthmoving equipment; site infrastructure and accommodation; industrial tools and machinery; storage and logistics equipment; safety, testing and monitoring equipment; structural support equipment; and the like.*

PART 3 – Justification of strategic merit and site specific merit

Strategic merit

Section A – Need for the planning proposal

Q1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The planning proposal is consistent with the Port Stephens Local Strategic Planning Statement (LSPS) and the identification of the site and Tomago in various planning strategies as an important employment area, including the Hunter Regional Plan 2041 (HRP) and the Port Stephens Centres and Employment Lands Study (CELS).

- Priority 1 ‘Support the growth of strategic centres and major employment areas’

The planning proposal will support the growth of Tomago which is identified as an important employment area.

Q2. 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 best means to update the zoning under the Precincts SEPP and is the appropriate means to achieve the intended objectives and intended outcomes.

The established zoning for the site is no longer fit for purpose due to the Employment Zone Reforms which replaced IN1 General Industrial with E4 General Industrial across the majority of NSW.

The proposed E4 zone and additional permitted uses will improve the available land use activities across site and better align the Precincts SEPP with the surrounding E4 zoned lands.

Prior to Gateway, it was considered that a new land use term “Specialised industrial retail and hire premises” could facilitate an additional permitted use within the precinct without permitting less desirable types of businesses such as homemaker centres. The Department were not supportive of this term and recommended the definition for “Specialised retail premises” outlined in the Explanation of Provisions.

Section B – Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the Hunter Regional Plan and/or Greater Newcastle Metropolitan Plan (or any exhibited draft plans that have been prepared to replace these)?

Hunter Regional Plan 2041

The HRP identifies Tomago as a significant employment land cluster and a priority location for future employment generating land uses as well as grow emerging energy industries.

The site is strategically located within an existing industrial area in close proximity to major transport corridors identified in the HRP including the M1 to Raymond Terrace project as well as the global gateways of Newcastle Airport at Williamstown and the Port of Newcastle.

The planning proposal supports the HRP priorities and objectives to support the growth in employment uses and respond to change in opportunities.

Table 2 ‘Response to Hunter Regional Plan 2041 Objectives’ demonstrates the consistency of the planning proposal with the relevant objectives and applicable strategies of the HRP.

Table 2 Response to Hunter Regional Plan 2041 Objectives

Hunter Regional Plan 2041	
PART 2 OBJECTIVES	
Objective 1 Diversify the Hunter’s mining, energy and industrial capacity.	
Strategy	Consistency
Strategy 1.4 Planning proposals for new employment lands will demonstrate they: • are located in areas which will not result in land use conflict • can be adequately serviced and any biodiversity impacts are manageable	The planning proposal will update the existing industrial zoned land and add certain additional permissible uses that are compatible with the industrial zone and consistent with the findings of the Centres and Employment Land Study (CELS).

• respond to the employment land needs identified for that local government area.	
Objective 6: Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments.	
Strategy 6.3 Planning proposals will 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.	The majority of land within the Subject Site is authorised for disturbance pursuant to existing development consents, including MP07_0086 and MP10_0185 held by NEH. The Planning Proposal does not affect the E2 (Environmental Conservation) and SP2 (Infrastructure) zoned land within the Tomago Industrial Site. The Biodiversity Assessment Report (Appendix 3) confirms that the planning proposal does not pose a higher risk of biodiversity impacts.
Objective 7 – Reach net zero and increase resilience and sustainable infrastructure	
Strategy 7.7 Local strategic planning will demonstrate alignment with the NSW Government’s natural hazard management and risk mitigation policy framework including: • 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 • any other natural hazards guidance that is released.	The site is identified as bushfire prone and flood affected. A Flood Impact and Risk Assessment and a Strategic Bushfire Study have been prepared. Both assessments confirm that the site is suitable for future industrial development provided that recommended mitigation measures are implemented to create a safe and hazard-resilient neighbourhood.

Greater Newcastle Metropolitan Plan 2036

The Greater Newcastle Metropolitan Plan 2036 (GNMP) applies to part of the Port Stephens LGA, including Tomago.

In the GNMP, Tomago is identified as a Catalyst Area, a place of metropolitan significance with a job target of 700 additional jobs by 2036.

The location of Tomago is identified in Figure 5.

Figure 5: Tomago (GNMP)



The planning proposal is consistent with the GNMP as it will support employment and contribute to meeting job targets. The consistency of the planning proposal with the relevant strategies of the GNMP is addressed in the following table.

Table 3 Response to Greater Newcastle Metropolitan Plan 2036

Greater Newcastle Metropolitan Plan 2036	
Strategies	Consistency
Strategy 7 Respond to the changing land use needs of the new economy	The subject site is located close to the strategic centre of Raymond Terrace as well as employment clusters at Williamtown and Heatherbrae. The planning proposal provides an opportunity for heavy industries to relocate away from urban areas to the industrial precinct at Tomago.
Outcome 4 Improve connections to jobs, services and recreation Catalyst area – Tomago Desired future role in Greater Newcastle: Metropolitan significant advanced manufacturing and industrial area.	The planning proposal strengthens the role of Tomago Industrial site as an employment and industrial area through an expansion of permissible uses compatible with the industrial zoning.
Strategy 14 Improve resilience to natural hazards	The site is identified as bushfire prone and partly flood affected. The accompanying Flood Impact and Risk Assessment and Strategic Bushfire Study confirm that the site is suitable for development, provided that the recommended mitigation measures are implemented.

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Port Stephens Local Strategic Planning Statement

The LSPS identifies the 20-year vision for land use in Port Stephens. It sets out social, economic and environmental planning priorities for the future and identifies when they will be delivered.

The planning proposal is consistent with the LSPS, which identifies Tomago as a major employment area.

Table 4 Port Stephens Local Strategic Planning Statement

Port Stephens Local Strategic Planning Statement	
Planning Priorities	Consistency
1. Support the growth of strategic centres and major employment areas	The planning proposal aims to deliver industrial uses within the significant employment clusters of Tomago. The Planning Proposal focuses on concentrating industrial employment opportunities in the E4 Zone, bolstering the growth of the 'Tomago Major Employment Area' (as referenced under the LSPS), which is vital for the future productivity of the LGA and the broader region.
2 Make business growth easier	The reclassification of zone to broaden the available permissible land uses on-site will have direct and positive impacts in relation to business growth in the area through increased availability and demand for businesses to be located within the Tomago Industrial Site.
7. Conserve biodiversity values and corridors	The planning proposal does not pose a higher risk of biodiversity impacts.
8. Improve resilience to hazards and climate change	The planning proposal is consistent with environmental, sustainability and risk management directions in local, regional and state planning framework. The supporting studies confirm that the site is suitable for development, provided that the recommended mitigation measures are implemented.

Port Stephens Community Strategic Plan 2022-2032

The CSP guides the planning and reporting activities of the Council to meet its Integrated Planning and Reporting framework obligations under the NSW Local Government Act.

The CSP involved extensive community consultation and focuses on 4 main themes. These themes assist Council in the development of its Delivery Program and Operational Plans. The themes, which have relevance to the planning proposal, are discussed in the table below.

Table 5 Port Stephens Community Strategic Plan 2022-2032

Port Stephens Community Strategic Plan 2022-2032	
Relevant Theme	Comment in context of proposal
Our Place	
P1 Strong economy, vibrant local businesses, active investment.	The planning proposal will add to and reinforce the diversity of businesses in the LGA and enable the owners to make the necessary investment to grow this successful and evolving business for the future.
Our Environment	
E3 Environmental resilience	The land is subject to the following risks: • Bush Fire Prone Land • Flood Prone Land. Both can be appropriately mitigated through design and management strategies in the operational phase of the development.

Port Stephens Centres and Employment Lands Strategy

The Port Stephens Centres and Employment Land Study (CELS) investigates commercial and employment land supply across the Port Stephens LGA.

Tomago is identified as a strategic industrial precinct, the highest order precinct with a strategic function in the economy of the LGA.

The study identifies current and future capacity to meet the needs of growing and predicted populations. 'Tomago' is specifically called out in the CELS with the following actions:

- Explore opportunities for industrial subdivision in Tomago to ensure land is being maximally utilised.
- Council to liaise with Department of Regional NSW to investigate particular qualitative requirements of business enquiries for Tomago to ensure future land release is able to meet expectations.
- Support the continued implementation of the NEH site.

The land subject to this proposal demonstrates wider strategic and site-specific merit in relation to the provisions sought, which will assist in realising the actions under the CELS.

This planning proposal provides the ability to deliver on the actions intended for Tomago.

Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

There are no other applicable State and regional studies or strategies that directly apply to the planning proposal.

Q6. Is the planning proposal consistent with applicable SEPPs?

An assessment of the relevant applicable State Environmental Planning Policies (SEPPs) against the planning proposal is provided in the table below.

Table 6 Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
SEPP (Transport and Infrastructure) 2021	
Chapter 2 Infrastructure This chapter aims to facilitate the effective delivery of infrastructure across the State by (amongst other things) identifying matters to be considered in the assessment of development adjacent to particular types of development. Chapter 2 includes a number of provisions in relation to development within road corridors and fronting classified roads/rail, in terms of connections and impacts.	Relevant provisions of this SEPP are addressed in the Traffic Impact Assessment (TIA) accompanying this planning proposal (Appendix 2). The traffic aspects of the proposed development are considered to be satisfactory with the planned road network upgrades. The traffic generated by the proposal for E4 zone is expected to be similar to the amount of traffic that would be anticipated if the land were to remain the existing IN1 zoning. Future development may qualify as a traffic generating development under Schedule 3 'Traffic-generating development to be referred to TfNSW' of the SEPP. Future development will likely require referral to and concurrence from Transport for NSW (TfNSW). The potential for access onto Tomago Road (a classified State road) also triggers Schedule 3 of the SEPP.
SEPP (Biodiversity and Conservation) 2021	
	A large portion of the site is mapped to exhibit biodiversity values (largely within the environmental zones). This includes the Hunter Wetlands National Park (RAMSAR) on the southern boundary. The national park encloses the majority of the site from the east, south and

	west. Tomago Estate has been environmentally assessed and approved with conditions for both on-site and off-site offsets within separate Major Projects. Notwithstanding, this Planning Proposal does not include any provisions to amend areas of environmental significant. A Biodiversity Assessment has been prepared and included at Appendix 3. The Planning Proposal is also supported by a bushfire assessment and included at Appendix 1 which assesses potential bushfire impacts as a result of the proposal.
SEPP (Resilience and Hazards) 2021	
Chapter 2 Coastal Management Promotes an integrated and co-ordinated approach to land use planning in the coastal zone consistent with the objects of the <i>Coastal Management Act 2016</i>.	The planning proposal is consistent with this SEPP. Minor areas of the southern and eastern boundaries of the site are identified as Coastal Wetlands. Future developments will be required to consider potential impacts on wetland areas should development be proposed in wetland areas. It is acknowledged that development on land mapped as 'Coastal Wetlands' would trigger Designated Development.
Chapter 4 Remediation of Land This SEPP applies to land across NSW and states that land must not be developed if it is unsuitable for a proposed use because of contamination. Section 4.6 requires in the event of a change of land use, that the planning / consent authority must consider whether the land is contaminated, and if the land can be suitably remediated for the proposed land use zones / activities.	The planning proposal is consistent with this SEPP. The land is currently zoned General Industrial, therefore studies have not been undertaken as part of this proposal to confirm suitability of the site, noting this has previously been determined when the site was rezoned for such intended purposes. Any future developments will be required to consider potential contamination impacts during the development application process.

SEPP (Sustainable Buildings) 2022	
Chapter 3 Standards for non-residential development This SEPP applies to certain non-residential development across NSW, including on land zoned E4, to encourage the design and delivery of sustainable buildings.	The planning proposal is consistent with this SEPP. Where future industrial development includes ancillary office spaces exceeding a total of 1,000 m², the relevant provisions of the Sustainable Buildings SEPP will apply.
SEPP (Exempt and Complying Development Codes) 2008	
	The planning proposal is consistent with this SEPP. Subject to compliance future development could undertake a Complying Development Certificate (CDC) to facilitate a form of development consent across the site. Particular consideration is made in relation to Part 5 and Part 5A of the Codes SEPP which may be reviewed to facilitate fast-tracked approvals in some instances.
SEPP (Industry and Employment) 2021	
Chapter 3 Advertising and Signage This SEPP aims to ensure that signage, including advertising, is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high-quality design and finish. It also seeks to regulate signage under Part 4 of the Act, provide time-limited consents for certain advertisements, regulate advertisements in transport corridors, and ensure public benefits from advertising in and adjacent to transport corridors.	Provisions under the Industry and Employment SEPP apply to all signage, that under an environmental planning instrument, can be displayed with or without development consent and is visible from any public place or public reserve. The planning proposal is consistent with this SEPP. Future advertising and signage development will be required to consider relevant provisions under Chapter 3 of the Industry and Employment SEPP.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

An assessment of relevant Ministerial Directions against the planning proposal is provided in the table below.

Table 7 Relevant Ministerial Directions

Ministerial Direction	Consistency and Implications
1. PLANNING SYSTEMS	
1.1 Implementation of Regional Plans	The Hunter Regional Plan 2041 and the Greater Newcastle Metropolitan Plan 2036 are applicable to this planning proposal. The planning proposal is consistent with both strategies as it seeks to support the growth in employment uses and respond to change in opportunities. The planning proposal strengthens the role of Tomago Industrial site as an employment and industrial area through an expansion of permissible uses compatible with the industrial zoning. The planning proposal is consistent with this direction.
3. BIODIVERSITY AND CONSERVATION	
3.1 Conservation Zones	The objectives of the E4 zone are consistent with the objectives of the IN1 zone. The proposed rezoning will result in additional allowable land uses which have the potential to cause direct and indirect ecological impacts, however, it is considered that these impacts are consistent with any impacts which are likely to arise from land uses allowable under the current zoning. No change is proposed to the area of application for the E2 Environmental Conservation Zone within the Tomago Industrial Site. The planning proposal is consistent with this direction.
3.2 Heritage Conservation	There are Aboriginal cultural heritage values associated with the local area and items of European heritage significance within the vicinity of the site. Most of the site is subject to existing Major Project approvals MP07_0086 and MP10_0185. The current

	proposal does not seek to alter the footprint of the industrial zoned land. Tomago House and the Chapel are listed as items of State and local significance. Tomago House is outside of the area subject to this planning proposal; however, provisions have been made for curtilage to this area under the approval of MP10_0185. The proposed rezoning will result in additional allowable land uses, however, it is considered that these impacts are consistent with any impacts which are likely to arise from land uses allowable under the current zoning. Any inconsistency of the planning proposal with this direction is of minor significance.
4. RESILIENCE AND HAZARDS	
4.1 Flooding	This direction applies because the site is located within the extent of the PMF Flood Event and the 1% AEP. It is also identified as a 'Flood Planning Area'. Given the administrative nature of the proposal, no technical studies have been procured in relation to flood planning. Notwithstanding, future applications would be undertaken to be built above the 1% AEP (including 500mm freeboard), as well as the inclusion of an emergency flood evacuation response plan should this be deemed necessary by the relevant consent authority. The planning proposal is consistent with this direction.
4.2 Coastal Management	The proposed rezoning will result in additional allowable land uses, however, it is considered that these impacts are consistent with any impacts on areas mapped as Coastal Wetlands which are likely to arise from land uses allowable under the current zoning. It is acknowledged that development on land mapped as 'Coastal Wetlands' would trigger Designated Development. The planning proposal is consistent with this direction.
4.3 Planning for Bushfire Protection	This direction applies because the site is mapped as bushfire prone land. The planning proposal is consistent with this direction with the RFS document Planning for Bushfire Protection. A Strategic Bush

	Fire Study has been prepared and concludes that the development can satisfy the bushfire protection measures in the PBP. The planning proposal is consistent with this direction.
4.4 Remediation of Contaminated Land	The Tomago Industrial Site has been previously zoned for employment generating land uses; however, the current proposal does not seek to alter the footprint of the existing industrial zoned land. The planning proposal is consistent with this direction.
4.5 Acid Sulfate Soils	The planning proposal does not propose an intensification of land uses on this site. The planning proposal is consistent with this direction.
5. TRANSPORT AND INFRASTRUCTURE	
5.1 Integrating Land Use and Transport	The Planning Proposal will concentrate industrial employment opportunities and supporting uses at a location that has ready access to a significant population catchment and transport gateways. The planning proposal is consistent with this Direction.
7: INDUSTRY AND EMPLOYMENT	
7.1 Business and Industrial Zones	The objectives of this Direction are to encourage employment growth in suitable locations and protect land in employment zones. Tomago is identified as a key employment precinct in the Hunter Regional Plan 2041, the Local Strategic Planning Statement. The planning proposal strengthens the role of Tomago Industrial site as an employment and industrial area through an expansion of permissible uses compatible with the industrial zoning. The planning proposal is consistent with this Direction.

Site-specific merit

Section C – Environmental, social and economic impact

Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The Planning Proposal seeks additional land uses to be permissible on the Subject Land, which is currently zoned as IN1. These land uses are generally permissible within zone E4.

The sensitive environmental context for the Tomago Industrial Site includes the Hunter Wetlands National Park (an identified RAMSAR wetland). No change is proposed to the area of application for the E2 Environmental Conservation Zone within the Tomago Industrial Site.

MC2 Environmental completed a Biodiversity Assessment of the site. This biodiversity review has determined that the additional land uses generally do not pose a higher risk of indirect biodiversity impacts than the Base Case.

Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Bushfire Risk

The site subject to this proposal is mapped as containing bushfire prone land. A Bush Fire Assessment Report (BFAR) has been prepared and is attached at Appendix 1. The BFAR includes an assessment issued under section 9.1(2) of the EP&A Act.

Bushfire prone vegetation within and surrounding the site has potential to pose bushfire risk to future development; however, can be appropriately mitigated with satisfactory design parameters as development occurs in accordance with the recommendations under the PBP.

Biodiversity

A Biodiversity Review has been prepared and is attached at Appendix 3. The review considers the implications of the proposed amendments to the Regional Precincts SEPP on biodiversity values within and immediately surrounding the Tomago Industrial Site.

The permissible land uses within zone IN1 represents the Base Case for this assessment. No reassessment of the biodiversity impacts of the Base Case was carried out as they are consistent with the existing permissible uses under the control.

The Biodiversity Assessment confirmed that there will be no further direct impacts beyond the base case as the proposal does not seek to increase the area of land that could be disturbed. The biodiversity review determined that this planning proposal does not pose a higher risk of indirect biodiversity

impacts than the Base Case and suggests environmental controls to manage the limited circumstances where greater impacts may occur.

Q10. Has the planning proposal adequately addressed any social and economic effects?

Economic Impacts

The proposal will result in positive economic impacts as listed below:

- Additional employment opportunities: additional employment opportunities will be created by the diversification of industrial land use activities able to be delivered across the site.
- Support for a growing and competitive economy: The proposal will influence an immediate economic injection in the local and regional economies throughout the development lifecycle of the site.

Social Impacts

The planning proposal assists in the creation of employment opportunities and will contribute to the growth of knowledge and professional service jobs in the Tomago region, which will service a wider population into the Newcastle, Hunter and Port Stephens catchments.

The planning proposal supports surrounding employment lands by creating additional investment opportunities through the extension of available permissible land uses, making Tomago an attractive area for employment land stock, whilst continuing to deliver upon employment objectives at all levels of government.

A range of community benefits / drivers include:

- Reduced travel distances.
- New employment opportunities.
- Jobs close to people's homes.

Section D – Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the planning proposal?

Yes. The Planning Proposal will utilise existing and future planned infrastructure connections. The existing site is well-integrated with regional and State transportation infrastructure. Tomago Road provides a direct connection to the Pacific Highway, New England Highway and Newcastle Airport (via Cabbage Tree Road).

The signalised intersection at the junction of Westrac Drive and Tomago Road has been delivered with surplus capacity to accommodate future development. The Federal and State Governments are funding a 15-kilometre M1 Pacific Motorway extension to Raymond Terrace.

The extension will boost the regional economy and improve connectivity to the Tomago Industrial Site. Therefore, the strategic location of the Tomago Industrial Site can be leveraged to deliver job creation targets for the region in an area that is well-serviced and well-located.

Section E – State and Commonwealth Interests

Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

The planning proposal and supporting studies have been prepared partly in response to the matters raised during the scoping process. Further consultation with relevant authorities will be undertaken following a Gateway determination. It is anticipated that the following agencies will be consulted with:

- NSW Rural Fire Service

PART 4 – Mapping

The proposed SEPP map layer amendments are shown in Figure 3. 'Existing and Proposed SEPP Map Amendments' of this planning proposal.

The amendments for the subject land are summarised as:

- Amend Land Zoning Map (State Environmental Planning Policy (Major Development) 2005 Tomago Industrial Land Zoning Map from IN1 General Industrial to E4 General Industrial Zone

PART 5 – Community consultation

Community consultation will be undertaken in accordance with the Gateway determination.

The planning proposal will be available on Council website and the NSW Planning Portal.

Adjoining landowners will be notified in writing.

PART 6 – Project timeline

The following timeline is intended for completing the planning proposal:

	Nov 2025	Dec 2025	Jan 2026	Feb 2026	Mar 2026	April 2026	May 2026	June 2026	July 2026	Aug 2026	Sept 2026	Oct 2026
<i>Council decision</i>												
<i>Gateway Determination</i>												
<i>Pre-exhibition</i>												
<i>Public exhibition</i>												
<i>Consideration of submissions</i>												
<i>Post-exhibition review & Council report</i>												
<i>Gazettal of LEP amendment</i>												