



Central Coast Council

Planning Proposal

Lot 1 DP 385242, Lots 1, 2 & 3 DP 1101086, Lot 1 DP 1018444 and
Lots 73, 74, 75 & 76 DP 7091 (15-35 Warnervale Road & Part of 95-
105 & 107-171 Virginia Road)

Warnervale

File No: RZ/6/2016; PP_2017_CCOAS_010_00

May 2020



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Version 2 - Exhibition

Central Coast Council

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Background & Locality Context

This Planning Proposal applies to Lot 1 DP 385242, Lots 1, 2 and 3 DP 1101086 and Lots 73, 74, 75 and 76 DP 7091, No. 15-35 Warnervale Road and Part 95-105 and 107-171 Virginia Road, Warnervale.

The site is zoned RE1 Public Recreation, R2 Low Density Residential, RU6 Transition and E3 Environmental Management. The total area is approximately 210 hectares (ha) which includes approximately 150 ha of floodplain. The land is predominately clear and used for grazing livestock.

The site is located south of Warnervale Road and west of Virginia Road and is referred to as the southern portion of Precinct 7A, now identified as Precinct 7 in the *North Wyong Shire Structure Plan (NWSSP)*. The main Northern Railway line adjoins the site to the west and North Wyong Industrial area is located to the south.

The Planning Proposal covers a small part of a prior rezoning known as 'Precinct 7A' that rezoned 540 ha of land from 10(a) Investigation zone to R1 General Residential zone, R2 Low Density Residential zone, B2 Neighbourhood centre, B7 Business Park zone, E2 Environmental Conservation zone, E3 Environmental Protection zone, RE1 Public Recreation and RE2 Private Recreation in 2013 under *Wyong Local Environmental Plan 2013 (WLEP 2013)*.



Figure 1 Contextual Locality Plan

Following assessment and consideration of the Request to Amend the *Wyong Local Environmental Plan 2013*; Council resolved on 26 July 2017 to prepare the planning proposal for the land to be rezoned.

Part 1 Objectives or Intended Outcomes

The objective of this proposal is to amend the Wyong Local Environmental Plan 2013 or the Central Coast Local Environmental Plan (whichever is in effect) by rezoning the land from E3 Environmental Management to R1 General Residential and R2 Low Density Residential, RE1 Public Recreation to R1 General Residential, R2 Low Density Residential to R1 General Residential and from RU6 Transition to R2 Low Density Residential and E3 Environmental Management.

The intended outcome of the proposal is to enable the subdivision and development of the land to accommodate a variety of housing types from single dwellings to medium density housing. The inclusion of the R1 General Residential zone will allow a mixture of housing types, providing greater housing diversity in the Warnervale area.

Part 2 Explanation of Provisions

The subject site is currently zoned E3 Environmental Management, RU6 Transition, R2 Low Density Residential and RE1 Public Recreation as shown in Figure 2 below:

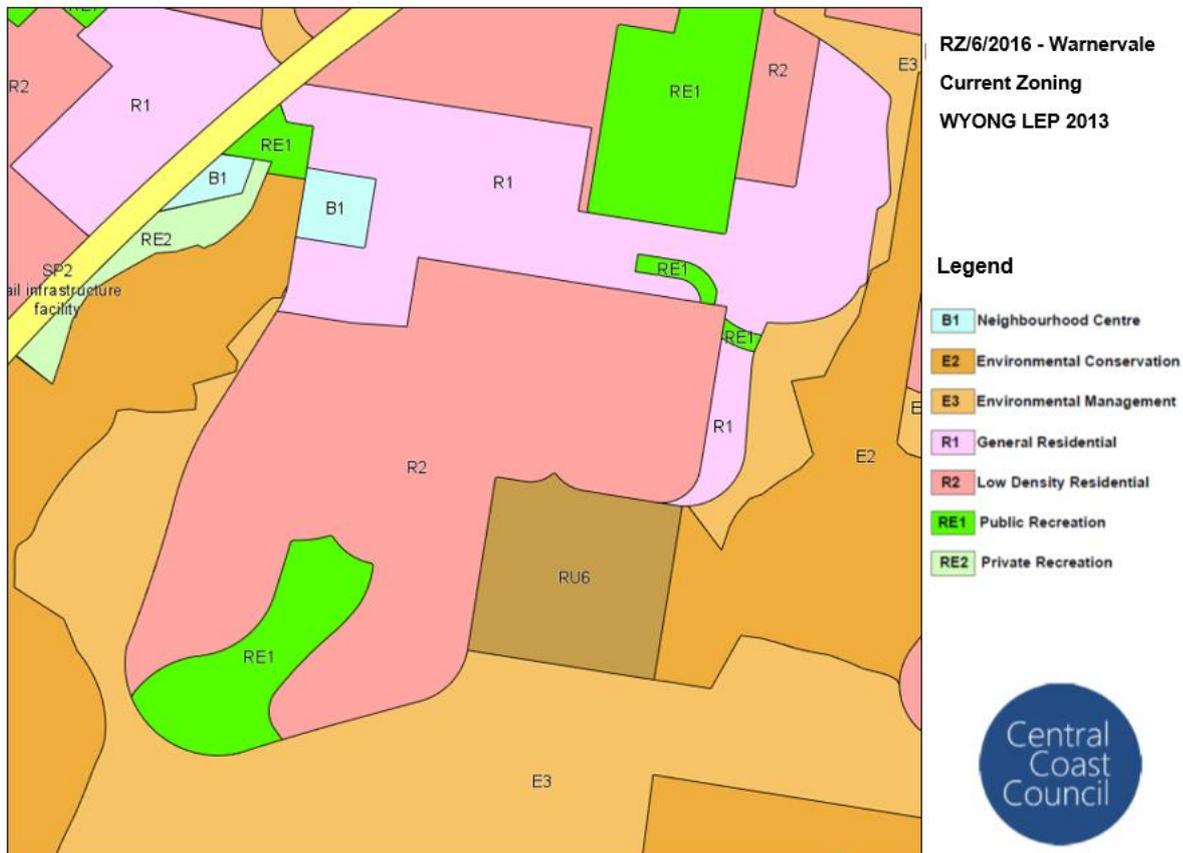


Figure 2 – Current Zone

The amendment proposes the following changes to the *Wyong Local Environmental Plan 2013* or the *Central Coast Local Environmental Plan*:

- Increase the amount of residential zoned land as indicated in Figure 1 “Land to be Rezoned”
- Rezone part of the R2 Low Density Residential land to R1 General Residential to accommodate additional medium density housing.
- Rezone land zoned RU6 Transition to R2 Low Density Residential and E3 Environmental Management;
- Rezone land zoned RE1 Public Recreation to R1 General Residential to accommodate additional medium density housing.
- Amend the Minimum Lot Size Map to remove the minimum lot size requirements for land proposed to be zoned R1 General Residential and amend the minimum lot size on land to be rezoned from RU6 Transition to R2 Low Density Residential to 450m².

- Amend the Land Reservation Acquisition Map to reflect the new zone boundaries of the E3 Environmental Management zone.

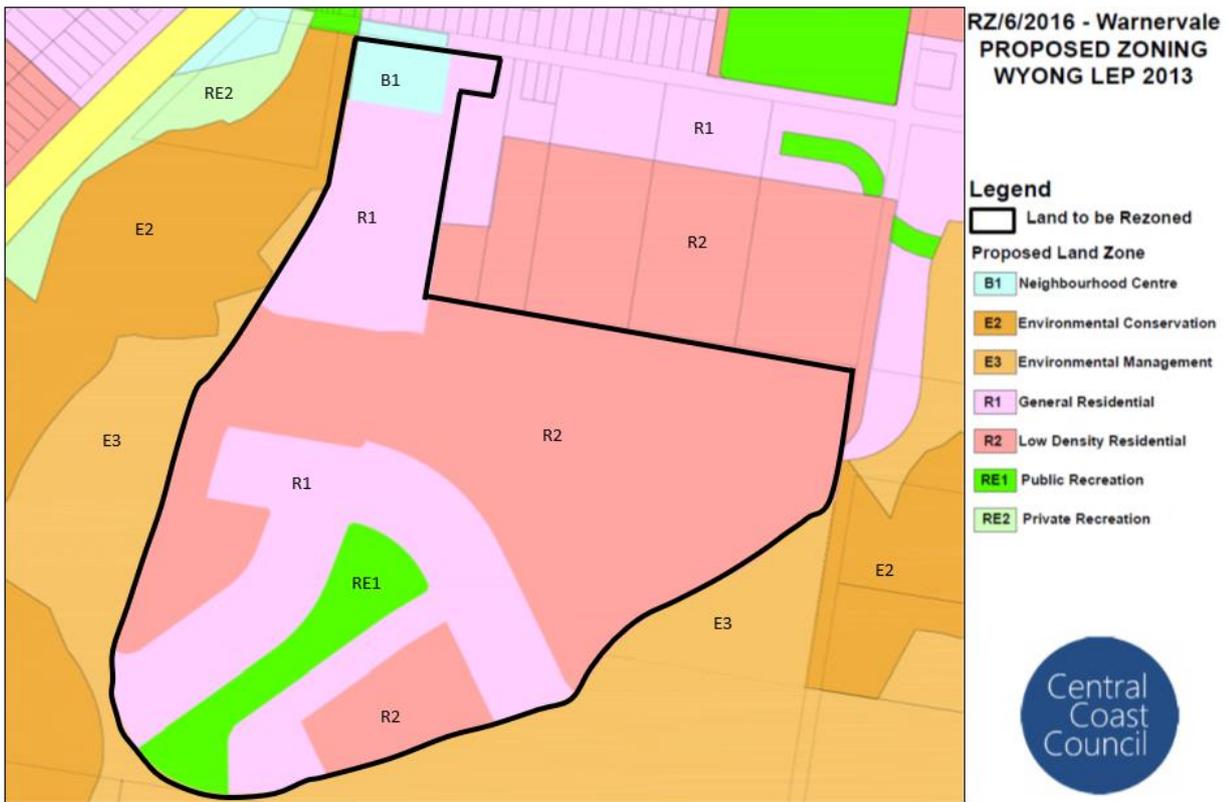


Figure 3 – Proposed Zoning

Council is preparing the Central Coast Local Environmental Plan (CCLEP) to consolidate the former Gosford and Wyong planning instruments. If the CCLEP is in force prior to this request to amend the LEP being made, an amendment will be made to the Central Coast LEP, rather than the *Wyong Local Environmental Plan 2013*.

Part 3 Justification

Section A – Need for the Planning Proposal

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

Yes, the site is identified as part of Precinct 7 within the North Wyong Shire Structure Plan (NWSSP) and nominated for residential development. The NWSSP estimates 1470 dwellings will be accommodated in Precinct 7.

The Planning Proposal is a refinement of an earlier rezoning known as Precinct 7A (Precincts 4, 5 and 7 in the NWSSP). The Precinct 7A study area was defined within the former Wyong Shire Council's *Residential Development Strategy* as a priority area for urban development. The Planning Proposal for Precinct 7A rezoned land at Hamlyn Terrace and Warnervale for residential, environmental, recreation and employment purposes.

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 of achieving the objectives and intended outcomes. The Planning Proposal process allows Council and the community to be directly involved in the decision-making process for 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)?

Yes – see below

North Wyong Shire Structure Plan

The site is identified as part of Precinct 7 within the North Wyong Shire Structure Plan (NWSSP) and designated for residential development. The NWSSP estimates 1470 dwellings will be accommodated within Precinct 7.

The planning proposal is likely to result in an additional 180 residential dwellings, above what was estimated in the NWSSP.

The site also forms part of the NWSSP 'Green Corridor and Habitat Network'. The exact location of the green corridor and its linkages are currently not specified in any level of detail. However, for this site, the mapped extent of the corridor is commensurate with the existing E2 Environmental Conservation zone and the proposed variation to the E3 Environmental Management zone on the subject site.

The site is identified as an Urban Release Area (URA) therefore must satisfy any infrastructure requirements of the state government prior to consent being granted for any future development. A Special Infrastructure Contribution rate has been set by the NSW Department of Planning for the residential component of Precinct 7A at a rate of \$70,945.00 per net developable hectare.

Central Coast Regional Plan (2036)

The *Central Coast Regional Plan 2036* (CCRP) identifies the site as Urban land. The proposal is consistent with the CCRP, in particular, the directions relating to the provision of housing supply.

Central Coast Regional Plan Direction Assessment

Direction	Applicable	Consistent	Comment
<i>Grow Gosford City Centre as the region's capital</i>	No	N/A	N/A
<i>Focus economic development in the Southern and Northern Growth Corridors</i>	No	N/A	N/A
<i>Support priority economic sectors</i>	No	N/A	N/A
<i>Strengthen inter-regional and intra-regional connections for business</i>	No	N/A	N/A
<i>Support new and expanded industrial</i>	No	N/A	N/A

Direction	Applicable	Consistent	Comment
<i>activity</i>			
<i>Strengthen the economic self-determination of Aboriginal communities</i>	No	N/A	N/A
<i>Increase job containment in the region</i>	No	N/A	Whilst the proposal will not directly supply long term employment opportunities, local economic benefits could be realised by in-direct secondary expenditure
<i>Recognise the cultural landscape of the Central Coast</i>	No	N/A	
<i>Protect and enhance productive agricultural land</i>	Yes	Yes	The subject site has been historically utilised for agricultural activities (grazing and rose farm). Whilst the current zoning enables some agricultural land uses (e.g. extensive agriculture, horticulture etc.), the site is not recognised as Biophysical Strategic Agricultural Land (BSAL). The precinct is identified in the North Wyong Shire Structure Plan (NWSSP) for future development. Further comment regarding the agricultural potential of the site may be provided through the agency consultation process should the proposal proceed.
<i>Secure the productivity and capacity of resource lands</i>	Yes	Yes	The mining SEPP permits underground mining, with consent. In this context the proposal is considered consistent with this direction.
<i>Sustain and balance productive landscapes west of the M1</i>	No	N/A	N/A
<i>Protect and manage environmental values</i>	Yes	Yes	The proposal is likely to be able to suitably manage and protect environmental values. This will be able to be confirmed by appropriate technical information required post Gateway determination. The ecological assessment prepared to

Direction	Applicable	Consistent	Comment
			support the proposal recommends additional actions to enhance the draft Conservation Management Plan for the floodplain which will provide additional enhancement to the environmental lands remaining.
<i>Sustain water quality and security</i>	Yes	TBC	Proper storm water management during construction and upon completion will be required to ensure stormwater quality and quantity does not adversely impact the flood plain and downstream wetlands such as Porters Creek.
<i>Protect the coast and manage natural hazards and climate change</i>	No	N/A	The area of the site nominated for rezoning is not identified as being located within a flood hazard area however filling of the floodplain is proposed in this location. Downstream and upstream impacts and implications need to be quantified to determine the form under which this proposal should proceed.
<i>Create a well-planned, compact settlement pattern</i>	Yes	Yes	The proposal provides for logical infill development, has ability to connect to existing water and sewer infrastructure in addition to having accessibility to public transport.
<i>Grow investment opportunities in the region's centres</i>	No	N/A	N/A
<i>Align land use and infrastructure planning</i>	Yes	Yes	The proposal provides for logical greenfield development, as nominated by the North Wyong Shire Structure Plan.
<i>Create places that are inclusive, well-designed and offer attractive lifestyles</i>	No	N/A	N/A
<i>Accelerate housing supply and improve housing choice</i>	Yes	Yes	The request is considered consistent with Action 19.3. The proposed zone change to increase the area of residential zoned land will assist in accelerating the delivery of new

Direction	Applicable	Consistent	Comment
			dwellings in order to support the projected housing demand.
<i>Grow housing choice in and around local centres</i>	Yes	Yes	In terms of Action 20.1, the proposal will satisfy the direction to improve housing choice by supporting housing delivery in and near the growth corridors and local centres. In this regard. The land release from the proposal will support housing delivery in the NWSSP area.

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

Wyong Shire Settlement Strategy

The site is identified as part of Precinct 7 within the North Wyong Shire Structure Plan (NWSSP) and designated for residential development. The NWSSP estimates 1470 dwellings will be accommodated within Precinct 7.

The planning proposal is likely to result in an additional 180 residential dwellings, above what was estimated in the NWSSP.

The site also forms part of the NWSSP 'Green Corridor and Habitat Network'. The exact location of the green corridor and its linkages are currently not specified in any level of detail. However, for this site, the mapped extent of the corridor is commensurate with the existing E2 Environmental Conservation zone and the proposed variation to the E3 Environmental Management zone on the subject site.

The site is identified as an Urban Release Area (URA) therefore must satisfy any infrastructure requirements of the state government prior to consent being granted for any future development. A Special Infrastructure Contribution rate has been set by the NSW Department of Planning for the residential component of Precinct 7A at a rate of \$70,945.00 per net developable hectare.

Community Strategic Plan

The Community Strategic Plan (CSP) 'One Central Coast' adopted in 2018 applies to the subject land and the proposed rezoning.

Central Coast Community Strategic Plan 2018-2028 Assessment

Objective/Requirement	Comment
<p>Belonging Focus Areas: Our community spirit is our strength Creativity, connection and local identity</p>	<p>The proposal will provide a variety of housing types to suit a diverse population and with the proposed new large park will provide opportunities for the new residents to gather and strengthen community assets</p>

Objective/Requirement	Comment
<p>Smart</p> <p>Focus Areas</p> <p>A growing and competitive region A place of opportunity for people</p>	<p>The B1 Neighbourhood Centre will provide the opportunity for employment in the locality, strengthening opportunities for employment.</p>
<p>Green</p> <p>Focus Areas</p> <p>Environmental resources for the future Cherished and protected natural beauty.</p>	<p>A large portion of the site will be reserved for environmental purposes and much of the existing floodplain will be revegetated and enhanced as a result of this development.</p>
<p>Responsible</p> <p>Focus Areas</p> <p>Good governance and great partnerships Delivering essential infrastructure Balanced and sustainable development</p>	<p>The proposal considers all aspects of sustainability, liveability and safety for the new residents by providing safe roads and play areas, an environmental asset with the ongoing management of the floodplain.</p>
<p>Livable</p> <p>Focus Areas</p> <p>Reliable public transport and connections Out and about in the fresh air Healthy lifestyles for a growing community</p>	<p>The large park is intended to be the meeting place and to ensure the promotion of a healthy lifestyle for the new residents, it will provide for all age groups and abilities. The bus network will be extended to include the new roads within the estate to ensure the local residents can continue to enjoy other interests.</p>

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposal has been considered against the relevant State Environmental Planning Policies (SEPP) as detailed below.

State Environmental Planning Policy	Comment
SEPP (Coastal Management) 2018	
<p>Aims:</p> <p>The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with objects of the <i>Coastal Management Act 2016</i>, including the management objectives for each coastal management area, by:</p> <ul style="list-style-type: none"> a) managing development in the coastal zone and protecting the environmental assets of the coast, and b) establishing a framework for land use planning to guide and decision-making in the coastal zone, and c) mapping the 4 coastal management areas 	<p>A small portion of the site is within the proximity area for Coastal Wetlands and therefore the provisions of SEPP (Coastal Management) 2018 are applicable. The portion of the site within the proximity area will be used for a road and will not have dwellings constructed on it.</p> <p>Areas adjoining the coastal wetland are zoned for conservation purposes and further protected by the implementation of stormwater management facilities to minimise stormwater and urban runoff into sensitive receiving environments.</p> <p>It is considered that the proposal is able to satisfy the requirements of SEPP (Coastal Management)</p>

State Environmental Planning Policy	Comment
that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.	2018.
SEPP (Koala Habitat Protection) 2019	
The Policy 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.	<p>The subject site is greater than one (1) hectare in area and is identified on the Koala Development Application Map; therefore, the provisions of the SEPP are applicable.</p> <p>Ecological investigations were undertaken at the time of the Precinct 7A rezoning which revealed that no koala or koala scats were present. The site is generally cleared with scattered vegetation and it is unlikely that any of the areas to be rezoned will be suitable for koala habitat.</p> <p>More site specific investigations will occur at the DA stage to ensure compliance with the requirements of the SEPP and guideline.</p>
SEPP 55 – Remediation of Land	
<p>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</p> <p>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(b) 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</p> <p>(c) by requiring that a remediation work meet certain standards and notification requirements.</p>	Detailed contamination investigations were undertaken by Douglas Partners as part of the Precinct 7A rezoning, where it was established that the subject site contained no “areas of concern”. It is unlikely that contamination has occurred since that time other than by possible illegal dumping. A letter received from the current owners has confirmed that no other contamination has occurred since the Douglas Partners Study was undertaken in 2009.
SEPP (Vegetation in Non-Rural Areas) 2017	
<p>Aims:</p> <p>(a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</p> <p>(b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation</p>	Any clearing of vegetated areas will require to be managed in accordance with this SEPP. It is considered the proposal is consistent with requirements of this SEPP

Table 2: SEPP Assessment

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

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

No.	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	N	N/A
1.2	Rural Zones	Y	Y
1.3	Mining, Petroleum Production and Extractive Industries	Y	Y
1.4	Oyster Aquaculture	N	N/A
1.5	Rural Lands	N	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	Y	Y
2.2	Coastal Management	N	N/A
2.3	Heritage Conservation	Y	Y
2.4	Recreation Vehicle Areas	Y	Y
2.5	Application of E2 & E3 Zones and Environmental Overlays in the Far North Coast LEPS	N	N/A
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	Y	Y
3.2	Caravan Parks and Manufactured Home Estates	Y	Y
3.3	Home Occupations	Y	Y
3.4	Integrating Land Use & Transport	Y	Y
3.5	Development Near Regulated Airports and Defence Airfields	Y	Y
3.6	Shooting Ranges	N	N/A
3.7	Reduction in non-hosted short-term rental accommodation period	N	N/A
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	Y

No.	Direction	Applicable	Consistent
4.2	Mine Subsidence and Unstable Land	N	N/A
4.3	Flood Prone Land	Y	Y
4.4	Planning for Bushfire Protection	Y	Y
Regional Planning			
5.1	Implementation of Regional Strategies	N/A	N/A
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.5	Development in the vicinity of Ellalong, Paxton, Millfield (Cessnock LGA) (Revoked 18 June 2010)	NA	N/A
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008)	N/A	N/A
5.7	Central Coast (Revoked 10 July 2008)	N/A	N/A
5.8	Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	N/A	N/A
5.9	North West Rail Link Corridor Strategy	N	N/A
5.10	Implementation of Regional Plans	Y	Y
5.11	Implementation of Aboriginal Land Council Land	Y	Y
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	N	Y
6.3	Site Specific Provisions	Y	Y
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	N	N/A

No.	Direction	Applicable	Consistent
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	N	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	N	N/A

Table 3: S9.1 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 majority of the areas which are proposed to be rezoned are cleared or have scattered/modified native vegetation, with low ecological value and poor connectivity. Ecological investigations have been undertaken for the site for the previous Precinct 7A rezoning and again in 2018. A Conservation Management Plan (Umwelt 2014) was prepared for the Precinct 7A Ecological Assessment, completed in 2013. The CMP provides management commitments (to be completed by AV Jennings) required for development within Precinct 7A, AV Jennings have also committed to a number of other management actions (Squirrel Glider Poles and revegetation works), to address residual impacts from the development of the study area.

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

Bushfire

The land proposed to be rezoned comprises Category 1 bushfire prone vegetation and bushfire buffer areas. Preliminary bushfire information submitted with the planning proposal made key recommendations in relation to Asset Protection Zones and road design. The assessment concluded that if the recommendations in the Bushfire Threat Assessment are duly considered and incorporated into the future design the bushfire hazard present should be reduced to a level considered necessary to provide an adequate level of protection to life and property on the site.

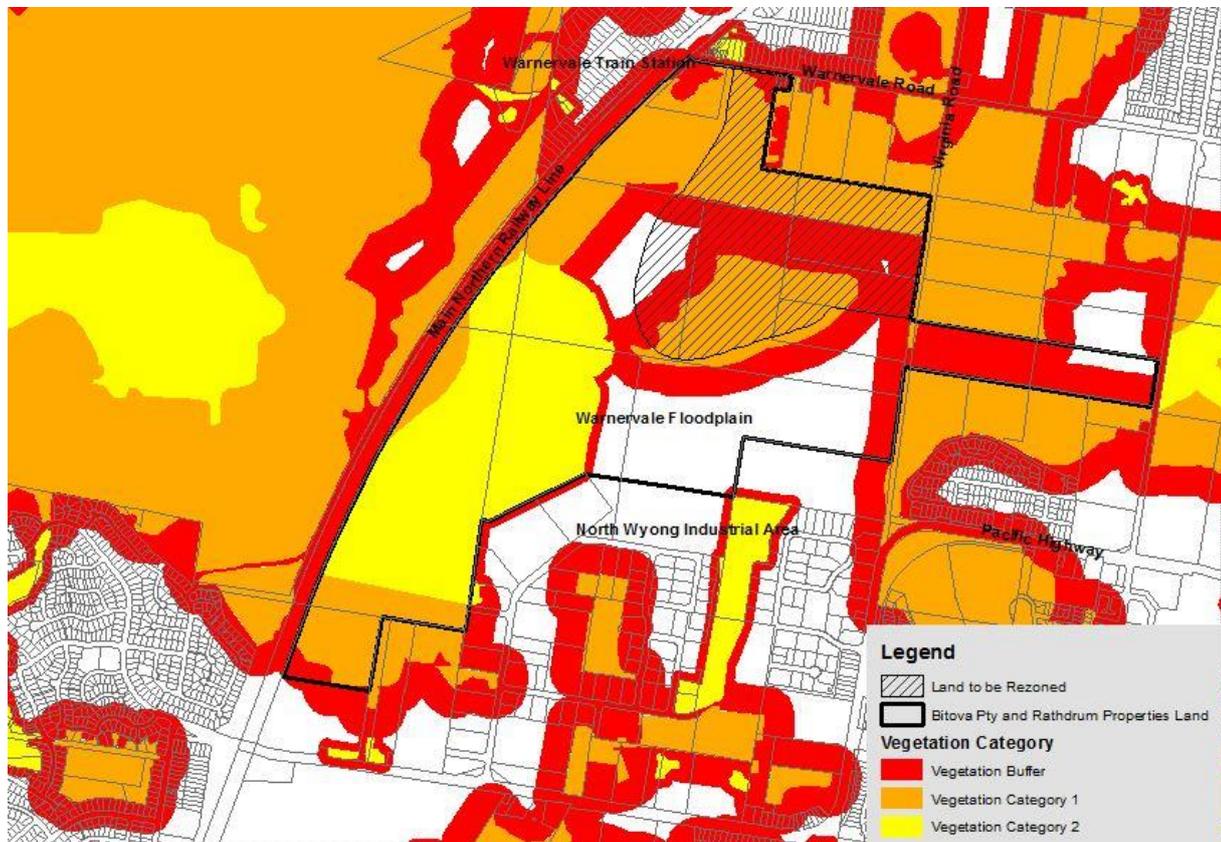


Figure 4 Bushfire Prone Land

Aboriginal and European Cultural Heritage Items

In 2008 Archaeological Surveys and Reports Pty Ltd (ACR) were appointed to prepare an Aboriginal and European Archaeological Study as part of the Precinct 7A rezoning. No items of European Cultural Heritage on the site have been identified on the portion of the site which is proposed to be rezoned. It should be noted that Warnies Railway Café and General Store located at No. 1 Warnervale Road is listed as a Heritage Item in Schedule 5 of WLEP 2013 and is located to the west of the site.

The area which is currently zoned RE1 Public Recreation contains 11 Aboriginal heritage artefacts. The applicant engaged Extent Heritage Advisors who submitted a letter of advice. This advice included information confirming initial discussions involving the proponent the Darkinjung Local Aboriginal Land Council (DLALC) and Guringai Tribal Link Aboriginal Land Council (GTLALC). It has been indicated that an appropriate solution can be developed to manage any impacts at the Development Application stage.

However, it is noted that the Precinct 7A Aboriginal Archaeological Assessment was undertaken in 2008 and now no longer satisfies current Aboriginal heritage guidelines or requirements, which were updated by the NSW Office of Environment and Heritage in 2010.

An Aboriginal Cultural Heritage Assessment Report was prepared by Extent Heritage in March 2018 in consultation with the relevant stakeholders. The assessment has been undertaken in accordance with the NSW Office of Environment and Heritage investigation, assessment and reporting guidelines, inclusive of relevant consultation with indigenous groups. The recommendations have concluded that an Aboriginal Heritage Impact Permit would be required during the Development Application stage. Development of the site has commenced in the northern parts of the site.

Contaminated Land and Acid Sulfate Soils

Detailed land contamination investigations were undertaken by Douglas Partners as part of the recent Precinct 7A rezoning process, where it was established that the subject site contained no "areas of concern". A letter received from the current owners has confirmed that no illegal dumping or other contamination has occurred since the Douglas Partners Study was undertaken in 2009.

Flooding and Drainage

A Flood Study and modelling to support the Precinct 7A rezoning was conducted by Cardno in 2013. The study concluded that downstream impacts could be minimised by raising the existing levee along the rear property boundaries located in Wyong Industrial area to 6.5m AHD. Initial flood modelling was undertaken by Cardno in 2016 and 2017 that concluded that the proposed rezoning will have no additional increase in downstream impacts.

The initial concept proposed filling of the flood plain, following consultation with the Office of Environment and Heritage the development footprint has been reduced to minimise the impact on the flood plain and surrounding environmentally zone land.

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

Social Issues

The proposal to increase residential densities is considered beneficial to satisfying the needs of people at different life stages. Smaller lot sizes and medium density dwellings are proposed near the neighbourhood centre precinct and surrounding the central park.

The proposed rezoning is in close proximity to the neighbourhood centre which will provide local shopping and amenity to the future residents. An analysis on the impacts of the additional population on the B1 Neighbourhood Centre zoned land was undertaken by MacroPlan Dimasi, in 2017.

The analysis concluded the existing B1 Neighbourhood centre would be sufficiently sized to serve the future population in the Warnervale area. The additional 186 dwellings will only generate a small amount of additional neighbourhood centre demand (approximately 180m²), representing approximately 1-2 specialty tenants/businesses, which could easily be accommodated into the existing zoned land in a physical sense, as it is just 1.5% of the 1.15 hectares of the AV Jennings B1 Neighbourhood Centre site and 1% of all neighbourhood centre zoned land in Warnervale (MacroPlan Dimasi, 2017).

The proposal also includes reducing the size of the land zoned RE1 Public Recreation from 5.72 hectares to 3.17 hectares. Although the size of the park land will be reduced it will still be embellished to a standard suitable to accommodate the residents of the additional 128 dwellings proposed under this rezoning. The additional funds received through Councils s7.11 Contribution Plan will be used to acquire and embellish additional open space land in the Warnervale area to offset the shortfall in open space from this development.

Economic Impacts

The proposal will provide employment opportunities during the construction phase of the development. The proposed Neighbourhood Centre located at the north-west corner of the site will provide additional retail jobs once constructed.

Section D – State and Commonwealth Interests

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

Traffic

Access to the site is obtained from Warnervale and Virginia Roads with two additional south access roads proposed from Warnervale Road east and west of the existing B1 Neighbourhood Centre Zone.

A Traffic Impact Assessment and a road safety audit has been carried out on the masterplan layout to make revisions to revise road layouts and identify any major road safety issues. The traffic assessment considered the higher residential densities proposed under the revised masterplan and identified any required traffic and transport upgrades required as a result. The study concluded that due to the small increase in the number of vehicles, the existing road network has sufficient spare capacity without adversely impacting of the current levels of service currently experienced by motorists utilising the roads. The study further concluded that the proposal can be supported from a traffic perspective as it will not adversely impact on the local and state road network and complies with all relevant Central Coast Council, Australian Standard and RMS requirements.

Water, Sewer and other Services

Adequate capacity exists for the servicing of the site with water and sewer, subject to connection at the cost of the developer of the site. Electricity, gas and the National Broadband Network is also available.

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

Consultation with the following agencies has been carried out, based on the conditions of the Gateway Determination:

Agency	Comment	Council Response
Department of Primary Industries - Agriculture	Coordinated Branch Response: <ul style="list-style-type: none"> - No objection to proposal - Suggest Virginia Road (Crown Road) transferred to Council 	The sections that will provide access can be transferred into Council's care and control at the Subdivision Construction Certificate stage of the development.
Department of Primary Industries - Office of Water		
NSW Rural Fire Service	No objection to the Planning Proposal. At future subdivision stage compliance with the provisions of Planning for Bushfire Protection 2006, in particular Table A2.4 (Asset Protection Zones), Section 4.1.3 in regard to access and service provision.	Noted
Planning & Environment – Resources and Geoscience	No issues with the proposal considered consistent with S.9.1 Direction 1.3 – Mining, Petroleum Production and Extractive Industries	Noted

Agency	Comment	Council Response
Office of Environment and Heritage	<p>Biodiversity</p> <ul style="list-style-type: none"> • OEH recommends that Council addresses the inconsistency with Direction 2.1 of Section 9.1. • OEH recommends that the planning proposal avoids impacts to the North Wyong Shire Structure Plan Green Corridor. • OEH recommends that the potential impacts of the water quality basins on the vegetation between the basins and the residential zones is assessed and considered as part of the planning proposal. • Assessment using the Biodiversity Offset Scheme of the <i>Biodiversity Conservation Act 2016</i> will be required at the development application stage. <p>Aboriginal Cultural Heritage</p> <ul style="list-style-type: none"> • OEH is satisfied with the Aboriginal cultural heritage assessment provided and no further assessment is required for the planning proposal. <p>Flooding and Flood Risk</p> <ul style="list-style-type: none"> • OEH recommends that mapping be provided which shows the extent of encroachment of the planning proposal into the flood planning area and the land affected by the NSW Coastal Management SEPP. The mapping should clearly indicate the additional area that forms part of this proposal when compared to the currently approved area. • OEH recommends that mapping be revised to clearly indicate the extent of the flood planning area and rezoning should be restricted to the area outside of the flood planning area in accordance with the Section 9.1 Directions. 	<p>Following review of comments received from OEH, additional information was provided to OEH to address concerns with the proposal.</p> <p>OEH issued a second letter to Council (dated 2 October 2018) advising that:</p> <ul style="list-style-type: none"> • OEH Is satisfied that the rezoning will not impact on the biodiversity of the site, as the proponent has stated that there are no environmental values on the land. • OEH Is satisfied that the increase in residential development in the rezoning proposal will not reduce the connectivity values of the North Wyong Shire Structure Plan green corridors. • OEH Is satisfied That any water quality basins will be placed to avoid impacts on vegetation. • OEH recommends that any rezoning be restricted to the area outside of the flood planning area in accordance with Section 9.1 Directions.

Agency	Comment	Council Response
Office of Environment and Heritage	<ul style="list-style-type: none"> • OEH recommends that mapping be provided which shows the areas of the floodplain that have been determined to be flood storage and floodway. This mapping will allow OEH to assess whether the works in the floodplain, including filling, are in accordance with the controls listed in the DCP and the NSW Floodplain Development Manual. • OEH recommends that the flood impact assessment be updated to accurately reflect the currently approved rezoning and existing levee infrastructure compared to the proposed rezoning. • OEH recommends that details regarding the watercycle management of each stage of the proposed development be provided. This should include details regarding the function, sizing and location of proposed infrastructure together with impacts associated with the construction of the required infrastructure. • OEH recommends that details regarding the changes to the hydrological regime, and infrastructure required to manage these impacts, as a result of this planning proposal be submitted. These are to consider frequent flood events and natural wetting and drying cycles. • OEH recommends that details of the size and position of the water quality basins be provided for assessment. • OEH recommends that, in accordance with Coastal Management SEPP 2018, the planning proposal includes an assessment of whether or not the proposed development of areas mapped as "<i>proximity area for coastal wetlands</i>" will have a significant impact on: <ul style="list-style-type: none"> i. the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, and ii. the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest. 	<ul style="list-style-type: none"> • OEH Recommends that works within the floodplain are consistent with the NSW Floodplain Development Manual and Council's DCP requirements. Compensatory flood storage as a means of offsetting earthworks in the floodplain is not supported. • OEH recommends that any impacts associated with the construction of the required infrastructure be assessed and included in this planning proposal • Council needs to clarify what strategies are in place to manage Porter Creek Wetlands. <p>Following consideration of the above comments, the Planning Proposal has been amended to reduce the footprint of the development to limit the impact on the floodplain.</p>

Agency	Comment	Council Response
Transport for NSW / Roads and Maritime Services	<p>Roads and Maritime consider that there will be an impact on the state network from this and other proposals within the area, which form a larger catchment affecting the Pacific Highway and Sparkes Road.</p> <p>Roads and Maritime recommend Council to undertake an update of the S7.11 plans informed by a Traffic Impact Assessment in consultation with Roads and Maritime, to determine appropriate upgrades to the state road network and funding mechanisms.</p> <p>The Traffic Impact Assessment is to consider the cumulative impacts of the Urban Release Area's (URA) on the state road network, and include the following lands defined within the WLEP 2013 (URA) maps:</p> <ul style="list-style-type: none"> • Warnervale South A, • Warnervale South B, • Warnervale Town Centre, • Wyong, • Hamlyn Terrace, • Louisiana Road Hamlyn Terrace East, • Louisiana Road Hamlyn Terrace West, • 137 Johns Road Wadalba, • Johns Road Wadalba, and • Louisiana Road Wadalba. 	Noted
Planning & Environment	<ul style="list-style-type: none"> • Address Minor Inconsistency with Section 9.1 Direction, 2.1 Environment Protection Zones. There will be a small increases in the residential zone, thus reducing the amount of land zoned for environmental protection. 	<ul style="list-style-type: none"> - The ecological assessment prepared to support the proposal recommends additional actions to enhance the draft Conservation Management Plan for the floodplain. These actions will be implemented by AV Jennings. The proposal also proposed to rezone land from RU6 to E3 Environmental Management.
Darkinjung Local Aboriginal Land Council (DLALC)	<ul style="list-style-type: none"> - Recommend archaeological salvage excavation prior to soil excavation, surface collection of artefacts, monitoring earth movement, reburial and assemblage of aboriginal objects and interpretation of Aboriginal Cultural Heritage within the public spaces 	<ul style="list-style-type: none"> - This can be achieved through an Aboriginal Cultural Heritage Impact Assessment which is currently being prepared in consultation with all interested parties and will be assessed once the DA is approved by OEH with the issue of an AHIP

Agency	Comment	Council Response
Guringai Tribal Link Aboriginal Corporation (GTLAC)	- A comprehensive Aboriginal Cultural Heritage Impact Assessment be conducted	- This can be achieved through an Aboriginal Cultural Heritage Impact Assessment which is currently being prepared in consultation with all interested parties and will be assessed once the DA is approved by OEH with the issue of an AHIP

Table 4: Agency Consultation

* NOTE: Section 3.25A of the EP&A Act requires the RPA to consult with the Director-General (Secretary) of the Department of Environment, Climate Change and Water (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.

Part 4 Mapping

Map	Map Title
A.	Locality Plan
Existing Provisions	
B.	Land Reservation Acquisition Map 8550_COM_LRA_007A_020_20151116
C.	Land Zoning Map 8550_COM_LZN_007A_020_20160117
D.	Lot Size Map 8550_COM_LSZ_007A_020_20140512
Proposed Provisions	
E.	Land Reservation Acquisition Map 8550_COM_LRA_007A_020_2018xxxx
F.	Land Zoning Map 8550_COM_LZN_007A_020_2018xxxx
G.	Lot Size Map 8550_COM_LSZ_007A_020_2018xxxx

Table 5: Existing and Proposed Provisions

Part 5 Community Consultation

In accordance with the Gateway Determination, the Planning Proposal and supporting documentation will be made available for a minimum of 28 days for community consultation.

The Planning Proposal, draft Development Control Plan and supporting documentation will be able to viewed on Council's website <http://www.yourvoiceourcoast.com>.

Additionally, notification of the exhibition will be provided to adjoining landholders and other landowners considered to be potentially affected by the proposal.

Part 6 Project Timeline

Table 6: Key Project Timeframes

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	4 weeks	17/8/17	14/9/17
Anticipated timeframe for the completion of required technical information	8 months	14/9/17	14/5/17
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	21 days	9/7/18	30/7/18
Commencement and completion dates for public exhibition	28 Days	20/5/2020	17/6/2020
Timeframe for consideration of a proposal post exhibition (including reporting to Council)	10 Weeks	18/6/2020	30/08/20
Anticipated date RPA will make the plan (if delegated)	7 Day	18/09/20	25/09/20
Anticipated date RPA will forward to the Department for notification	1 Day	14/10/20	14/10/20

Supporting Documentation

No.	Document
01 Assessment and Endorsement	
A.	Council Report and Minutes – 26 July 2017
B.	Section 9.1 Ministerial Direction Assessment
C.	Gateway Determination 17 October 2017
D.	Confirmation of SIC for Precinct 7A 30 March 2015
02 Land Use Provisions	
A.	Land Use Tables
03 Mapping	
A.	Locality Plan
Existing Provisions	
B.	Land Reservation Acquisition Map 8550_COM_LRA_007A_020_20151116
C.	Land Zoning Map 8550_COM_LZN_007A_020_20160117
D.	Lot Size Map 8550_COM_LSZ_007A_020_20140512
Proposed Provisions	
E.	Land Reservation Acquisition Map 8550_COM_LRA_007A_020_2018xxxx
F.	Land Zoning Map 8550_COM_LZN_007A_020_2018xxxx
G.	Lot Size Map 8550_COM_LSZ_007A_020_2018xxxx
03 Agency Comments	
A.	Department of Primary Industries - Agriculture
B.	NSW Rural Fire Service
C.	Department of Planning and Environment - Resources and Geoscience
D.	Office of Environment & Heritage (Planning)*
E.	Department of Education and Communities
F.	Transport for NSW / Roads and Maritime Services
G.	Darkinjung Local Aboriginal Land Council (DLALC)

No.	Document
H. c	Guringai Tribal Link Aboriginal Corporation (GTLAC)
04 Supporting Studies	
A.	Warnervale Masterplan Report – 2017 (OCULUS)
B.	Flood Impact Assessment – 2017 (Cardno)
C.	Aboriginal Heritage – 2018 (Extent)
D.	Ecological Assessment 2017 (Umwelt)
E.	Bushfire Threat Assessment 2017 (Bushfire Planning Australia)
F.	Landowner Letter – No Illegal Dumping (2017)
G.	Open Space and Recreation Analysis (2018) ADW Johnson
H.	Traffic Impact Assessment (2018) Intersect Traffic
I.	Warnervale Neighbourhood Centre Demand (2017) MacroPlanDimasi

Table 7: Supporting Documentation to the Planning Proposal

