

2.1 RZ/14/2014 - Planning Proposal for Industrial Estate at Wallarah

TRIM REFERENCE: RZ/14/2014 - D11894831
MANAGER: Tanya O'Brien, Manager
AUTHOR: Scott Duncan; Senior Strategic Planner

SUMMARY

A request has been received to prepare a planning proposal to rezone approximately 45 ha of land at Wallarah for industrial purposes. This rezoning is one site of a broader 5 site rezoning request proposed by the Darkinjung Local Aboriginal Land Council (LALC). Approximately 800 Ha of land is proposed to be set aside as ecological offsets for the multi-site rezoning proposal and zoned for environmental purposes.

This report recommends that Council endorse the planning proposal and proceed with forwarding it to DP&E seeking gateway determination.

Applicant	ADW Johnson
Owners	Darkinjung LALC - majority of area
Description of Land	Walarah Employment Land Real Description: Lots 1, 2 and 3 DP 1156997, 380 Motorway, Wallarah
Site Area:	Approximately 45ha
Current Zoning	RU6 – Transition
Proposed Zoning	IN1 - General Industrial and E2 - Environmental Conservation
Existing Use	Vacant vegetated land
Employment Generation	Rezoning will facilitate increased economic activity and potentially 900 jobs
Environmental Offsets	Approximately 800ha (proposed to offset development of numerous sites)
Estimated Value:	Future economic value of future area to be rezoned is estimated to be \$97.7M.

RECOMMENDATION

- 1 That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the subject land generally in accordance with the proposed concept plan (attachment 1).
- 2 That Council forward the planning proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a gateway determination.
- 3 That Council request the assistance of the DP&E in obtaining a whole of Government approach to resolve outstanding regional planning, mining, infrastructure and biodiversity issues within the North Wyong Shire Structure Plan (NWSSP) which impact on the Planning Proposal.

- 4 That Council require, subject to the gateway determination that the landowner enter into a Funding Agreement with Council in accordance with Council's adopted Statement of Revenue Policy to recover the costs involved in further progressing the proposal.
- 5 That Council authorise the General Manager (or delegate) to sign the Funding Agreement for the rezoning.
- 6 That Council prepare an appropriate amendment to Wyong Development Control Plan (WDCP 2013) to provide provisions for the sites to be placed on public exhibition for 28 days concurrent with the planning proposal.
- 7 That Council amend the Section 94 Contributions Plans (if required) to support the development of the land subject to this planning proposal.
- 8 That Council authorise the General Manager (or delegate) to sign any voluntary planning agreement or application for biodiversity certification to support the rezoning. This agreement shall:
 - a Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 9 That Council authorise the General Manager (or delegate) to sign any documentation associated with any future application for biodiversity certification of the lands (as this can only be made by a planning authority).
- 10 That Council undertake community and public authority consultation, in accordance with the requirements of the gateway determination.
- 11 That Council consider a further report on results of community and public authority consultation.

ORDINARY MEETING HELD ON 13 MAY 2015

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor TAYLOR:

- 437/15 That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the subject land generally in accordance with the proposed concept plan (attachment 1).
- 438/15 That Council forward the planning proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a gateway determination.

- 439/15 *That Council request the assistance of the DP&E in obtaining a whole of Government approach to resolve outstanding regional planning, mining, infrastructure and biodiversity issues within the North Wyong Shire Structure Plan (NWSSP) which impact on the Planning Proposal.*
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- 446/15 *That Council undertake community and public authority consultation, in accordance with the requirements of the gateway determination.*
- 447/15 *That Council consider a further report on results of community and public authority consultation.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, TAYLOR,
VINCENT AND WEBSTER

AGAINST: NIL

BACKGROUND

The Darkinjung LALC holds a portfolio of approximately 3,500 hectares and is the largest non-government landowner on the Central Coast. The Darkinjung LALC have undertaken a review of their lands within the NWSSP area and a number of sites have been identified which are considered to have some potential for future residential or employment uses.

Since 2010, the Darkinjung LALC has maintained ongoing dialogue with Council, DP&E and other Agencies concerning its land portfolio. This report relates to site 5 shown in Figure 1. On 10 December 2014 Council resolved to support Planning Proposals on Site 1 – Lake Munmorah and Site 3 – Doyalson and request Gateway Determinations from the Department of Planning and Environment.

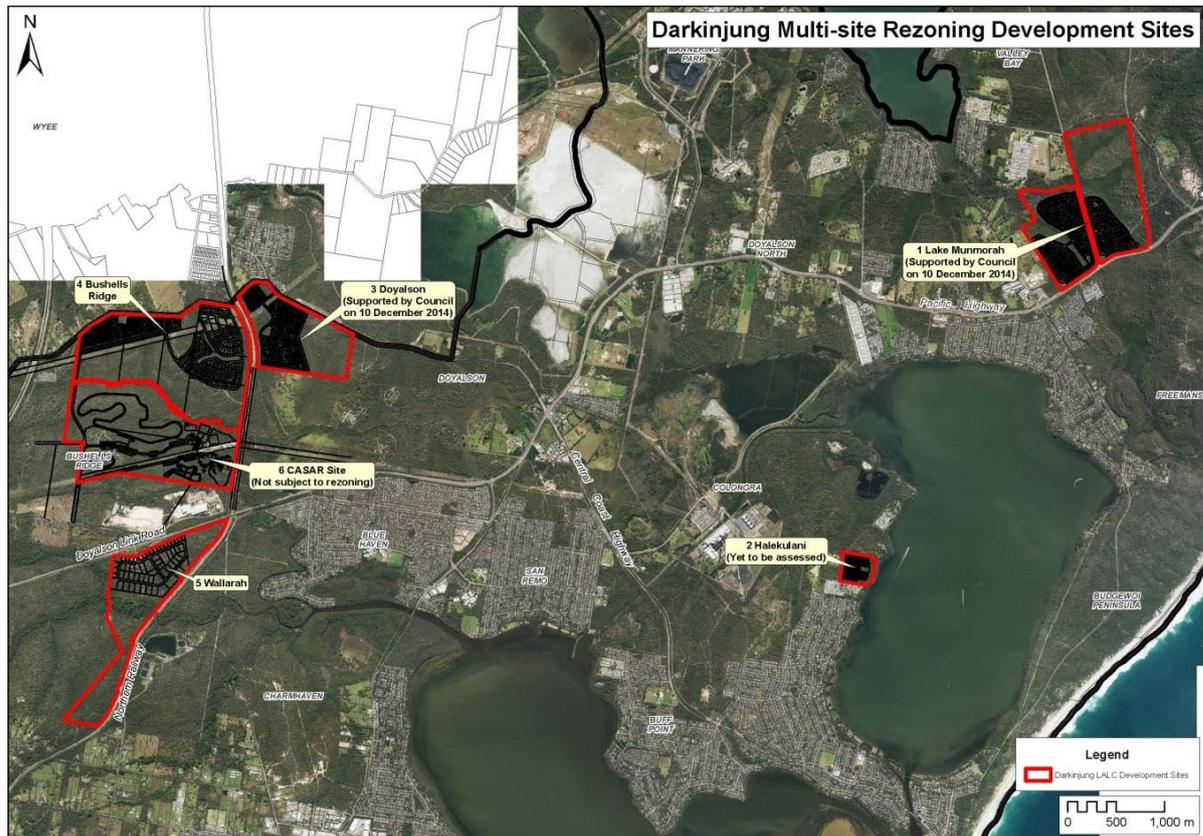


Figure 1 Darkinjung DLALC Multi-site Rezoning Proposal

PLANNING PROPOSAL

This site is known as Site 5 – Link Road –Wallarrah and forms part of a multi-site rezoning planning proposal request lodged by Darkinjung LALC in late 2015. The proposal seeks to rezone 45 hectares of land from RU6 – Transition to IN1- General Industrial.

The site is located to the south-west of the Doyalson Link Road, north-west of the Sydney-Newcastle Railway, approximately three kilometres west of Blue Haven. The site is proposed to be rezoned to IN1 General Industrial and developed for industrial/employment lands purposes.

Part of the site has also been identified by Transport for NSW as one of a number of possible suitable locations for a future train stabling yard, due to rail corridor frontage and desirable location to store/service Central Coast commuter trains.

Conservation offset land

The Darkinjung LALC are seeking to offset the impact of clearing on this and other development sites through establishment of a 800ha conservation area secured through a biodiversity certification process. The proposal establishes that the 800ha conservation lands would be owned and managed in perpetuity by Darkinjung LALC. It should be noted that these offsets are intended to serve as an offset for all 5 of the sites in the multi-site rezoning proposal (not just the one subject to this assessment).

Resolution of Aboriginal Land Claims over Crown Lands

Darkinjung LALC proposes to accept ownership of 37 unresolved Aboriginal Land Claims over Crown land within Wyong Shire. The majority of these sites will be zoned E2 Environmental Conservation and managed in perpetuity by the LALC as environmental offsets.

KEY ISSUES

A number of specialist reports have been submitted to support the request for the Planning Proposal preparation, including investigations assessing, and proposing mitigation strategies, in relation to ecology, water, sewer, traffic and transport. These reports provide a valuable baseline assessment of the issues, however further detailed investigations will be necessary to address deficiencies and further advance the proposal.

An overview of the main issues associated with the subject site is outlined below:

Mining and Resource Issues

Mineral Resource Impacts

The Planning Proposal impacts on a mineral resource deposit (see figure 2). The proposed future development site occurs on land that has been identified by the NSW Department of Trade and Investment - Resources and Energy as possibly containing State Significant clay deposits which are essential to the manufacturing of roof tiles.

Further consultation will be required as part of the rezoning process with NSW Trade and Investment and the owner of the lease to determine how the proposal will impact on resource extraction in the future. To ensure the proposal will not restrict mineral potential of the identified transition or resource areas a land use compatibility assessment must be undertaken to determine the most appropriate surface controls to apply to the proposed development.

The Darkinjung LALC has through the NSW Department of Premier and Cabinet attended a number of working group meetings prior to lodging this Planning Proposal. At these meetings development options over the Darkinjung LALC properties were discussed with various government agency representatives. Whilst clay mining and mineral lease issues were discussed and the responsible agency (DPI) was present for a number of these meetings, the matter is still not resolved. Proceeding to seek a 'gateway determination' will enable direct consultation with DPI to determine if there is development potential without compromising the clay mineral resource.

Mine Subsidence

The site is not in a Mine Subsidence District.

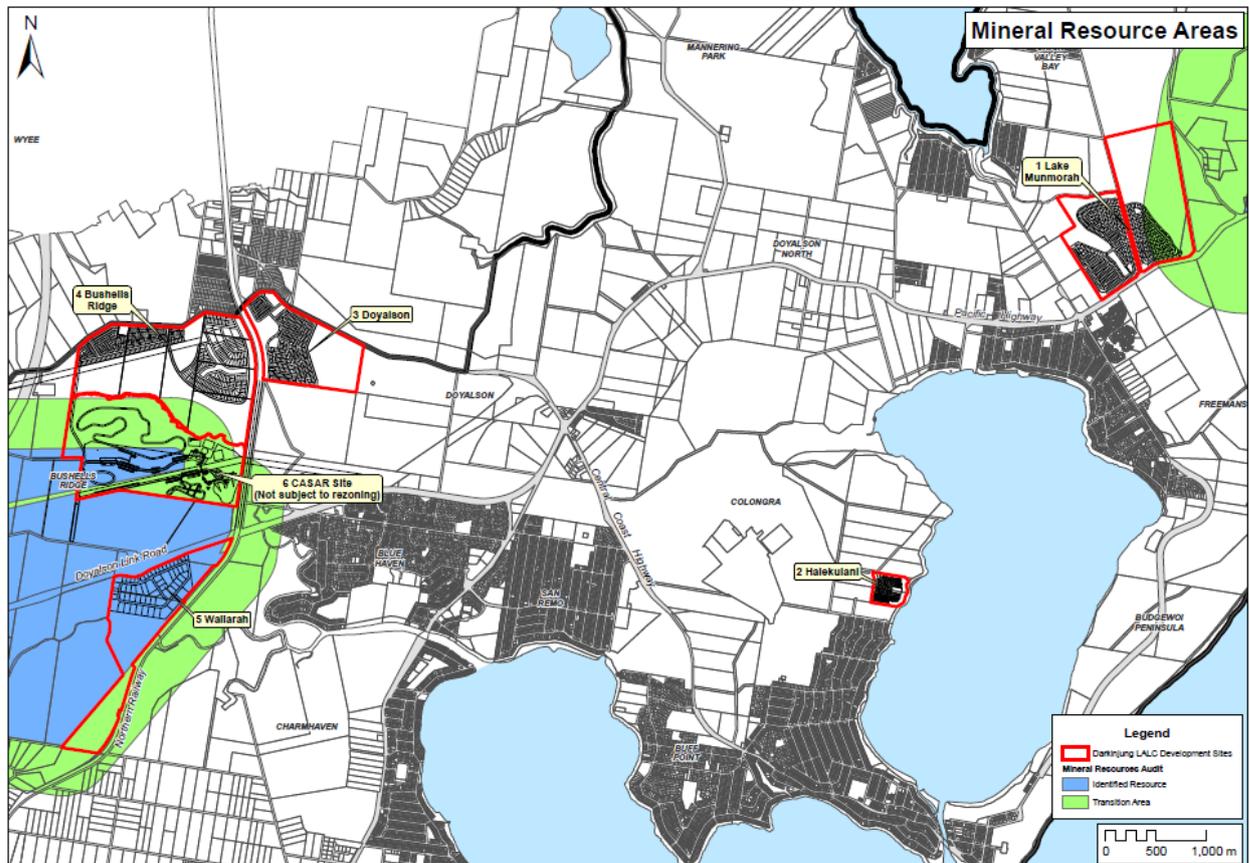


Figure 2: Mineral resource and transition areas

Bushfire

The site is classified as bushfire prone land. Future development will need to adopt appropriate Asset Protection Zones (APZ's) and incorporate these requirements into future street layouts and future building setbacks. An assessment of the proposal against Planning for Bushfire Protection 2006 and other relevant guidelines will be required. All APZ requirements will need to be incorporated into the areas proposed to be rezoned. Council will consult with the Rural Fire Service (RFS) to confirm bushfire planning requirements.

Noise and Vibration Impacts

The site adjoins a railway line and a vibration assessment will be required to confirm noise and vibration exposure (appropriate design measures will need specified). Further consultation with NSW Railcorp will be undertaken through the rezoning process to confirm requirements for siting development near railway lines and confirming railway access requirements.

Road infrastructure and traffic impacts

The proposal has direct access to the Doyalson Link Road via the existing Toohey's Road Interchange which currently services the Boral brick quarry and factory.

A preliminary traffic report has been submitted with the proposal. It has been estimated that the industrial land use will generate approximately 956 vehicle movements in the PM peak.

The Traffic Impact Assessment will need to be revised to assess traffic impacts associated with all parts of the rezoning proposal. This will also be required to determine the impact on the existing local and State road network.

Sidra modelling will be required to assess the impacts of the proposed developments at key intersections. The modelling is to include 2014 and 2024 scenarios with traffic generated by the proposals and background traffic growth at 2% PA.

Early consultation with the RMS will be required to determine access requirements and to confirm funding for a major intersection upgrade works to accommodate the extra traffic volumes triggered by the proposal.

Public transport routes will need to be investigated in order to adequately service the developable land in accordance with Transport for NSW guidelines. This will need to identify the type of public transport needed to service the development and means of encouraging public transport use. A pedestrian and cycleway plan identifying movement desire lines will also be required.

Water and Sewer

A preliminary water and wastewater study has been conducted to support the rezoning proposal.

Water Supply

This site is currently un-serviced by water supply and is not included in water supply strategies for the area. Dependant on the timing of development in the adjoining areas supply could be achieved through extension of infrastructure.

Developer Service Plan contributions would apply noting that trunk water main construction would be eligible to offset water supply contributions payable.

Sewerage Considerations

A high level sewer servicing strategy has been prepared for the lands north of the Doyalson Link Road which will not service this area. As such, the developer will need to prepare a sewer servicing strategy for the site in consultation with Council's Water and Sewer Section. Any development of the site will require the construction of a new sewerage pumping station and rising main to Charmhaven Sewage Treatment Plant (including Rail Crossing). The servicing strategy will be required to consider servicing options and compare the Net Present Costs of all options considering both capital and ongoing operational costs. Spare inlets exist at Charmhaven Sewage Treatment Plant for additional rising main connections.

Sewerage contributions would apply, noting that gravity main construction (225mm diameter and greater), rising main and sewage pumping station construction costs may be eligible to offset sewerage contributions payable.

Ecology and Environmental offsets

The site is substantially vegetated and as such, flora and fauna values are a key consideration in determining development potential. The Darkinjung LALC has undertaken some significant ecological investigations in developing their land strategy. The NWSSP identifies conservation corridors connecting areas of environmental significance. The subject land is not shown as a development precinct but is categorised as “strategically located and constrained land under the NWSSP. This category has been applied to land where development infrastructure, mining and conservation issues are yet to be resolved. These issues will be resolved through the rezoning process. The relationship of the proposed development sites to wildlife corridors in the NWSSP is shown in attachment 2. The main ecological issues with the proposal are discussed under the following sub-headings.

Wildlife Corridors

A number of wildlife corridor linkages and green corridor areas are identified in the NWSSP which affect the site (see attachment 2). The rezoning proposal is inconsistent with a number of linkages shown in the NWSSP and may create ecological impacts which reduce the viability of the planned corridors. Some changes will likely be needed to improve the proposal’s consistency with the NWSSP and to ensure that corridor linkages are delivered. The Office of Environment and Heritage (OEH) will be consulted as part of the rezoning process to discuss these issues in more detail through the rezoning process.

Environmental Offsets

The proposed development will result in the removal of a substantial area of vegetation which will need to be offset under the Threatened Species Conservation (TSC) Act. A number of offset sites have been suggested by Darkinjung LALC, however, most of the proposed offsets have not been subjected to detailed ecological surveys. The offset sites are generally considered to contain important ecological attributes.

The proposed offset sites are land identified as Green Corridors and Strategically Located/Constrained sites category within the NWSSP. The exact dimensions of these offsets may change dependant upon the results of proposed ecological assessments and whether Crown Land Claims are resolved (note some of the proposed offsets occur on lands currently owned by the Crown).

Environmental offset lands are proposed to be zoned E2- Environmental Conservation and are shown on the draft zoning map in Attachment 3 (note that the identified offset sites are intended to offset the impacts of development of all 5 sites included in the multi-site rezoning).

Proposed Biodiversity Certification

Ecological survey data has been compiled by Eco-Logical Australia who conducted an Interim Ecological Inventory Report on the Darkinjung LALC land holdings within the NWSSP in 2012. This dataset will be further built upon to support a future biodiversity certification application.

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The Biodiversity Conservation Assessment Methodology (BCAM) is a transparent methodology that is used to assess the impacts on biodiversity arising from large development projects and conservation outcomes consistent with NSW and Commonwealth offset policies, including a 'improve and maintain' outcome. BCAM also requires targeted surveys for threatened flora and fauna to be conducted as well.

Under the BCAM approach targeted surveys are not required on all species e.g. Squirrel Gliders and Masked Owls as they are assumed to be present in designated ecosystem types.

The map from the Eco-Logical Interim Ecological Inventory Report shows records and habitat for Wallum Froglet, White-throated Needletail, *Angophora inopina*, *Acacia bynoeana* and *Tetratheca juncea* within the development footprint (see figure 3). The information provided does not address whether the loss of that habitat (especially for *Angophora inopina* and Squirrel Glider) will leave the remaining populations unviable. This can be further examined through a Biocertification Assessment process across the entire development and offset lands area.

The proponent seeks to biodiversity certify the proposed development lands in order to provide certainty of development outcomes into the future. Only a 'planning authority' can make application for biodiversity certification (in this instance it is likely to be Wyong Shire Council) in accordance with the rules established under BCAM. As such it is recommended that once sufficiently assessed, Council utilise the available flora and fauna reporting to form an appropriate application.

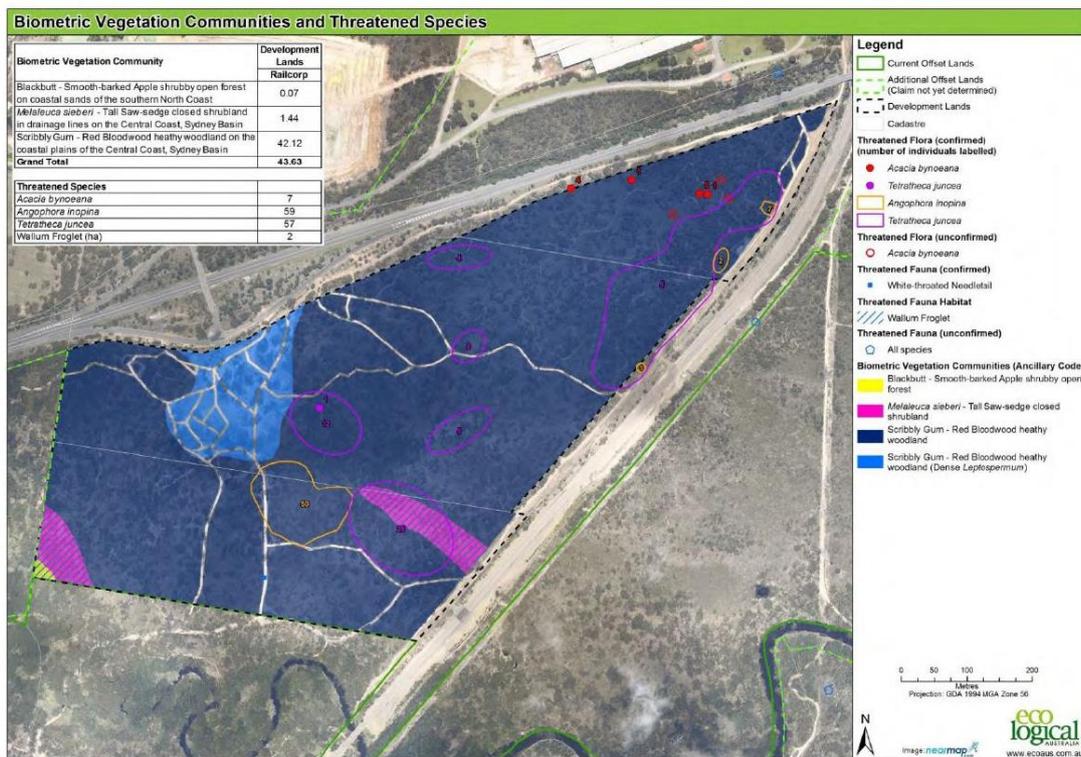


FIGURE 3: Ecological communities and threatened species

Riparian vegetation

The vegetation in the south-western portion of the proposed site is Alluvial Riparian Blackbutt Forest and most likely comprises Riverflat Eucalypt Forest EEC. There is very little of this vegetation community remaining in the Shire and therefore it is a high priority vegetation type for protection. It is recommended by Council's Senior Ecologist - Property Management proposal that these areas be protected. Minor adjustments will be required to the position of the proposed zone boundaries for this to occur and can be facilitated through the assessment of this application.

NWSSP

The land subject of this rezoning proposal is identified as strategically located and Constrained Land under the NWSSP. Land within this category requires the resolution of infrastructure, mining, wildlife corridor, development and offset strategies before land can be considered for rezoning. It is considered that these issues are likely to be resolved. The proponent will also need to demonstrate major and local conservation links identified in the NWSSP will not be impacted by the proposal and that securing environmental offsets around the perimeter will secure connectivity outcomes.

Future ownership of conservation land

The Darkinjung LALC proposes to retain the long term land ownership and management responsibilities for the approximately 800ha of proposed environmental offsets land.

Concept Development Plan

The applicant has prepared a preliminary Development Concept for the industrial subdivision (see attachment 1). It is recognised that the Concept Plan will change as it is informed by further technical studies and liaison with Council staff and agencies. The following preliminary comments are made:

Street and subdivision layout

There are a number of detailed comments provided from Council's Development Assessment - Design Engineering Unit concerning matters which will affect the street patterns and layouts of development concepts covering:

- Road safety planning
- Improvements in road layouts
- Road geometry and sight distances
- Planning of Urban Interface Areas (UIAs)
- Addressing noise and vibration impacts from railway lines.

These comments will be provided to the proponent to assist them in further refining their development concepts.

Landscape Treatment

A landscape and visual impact treatment strategy will be required for portions of the development which will be visible from the Rail Corridor and the Doyalson Link Road.

Contaminated Land Assessment

A preliminary contaminated land assessment will also be required addressing the requirements of SEPP 55 Contaminated Land.

Aboriginal Archaeology and European Cultural Heritage

No items of European heritage significance are known to exist on the site.

The rezoning will need to be supported by further Aboriginal Archaeological investigations which will involve reviewing relevant registers, undertaking community consultation and broad site assessments in accordance with OEH's Aboriginal cultural heritage consultation requirements.

Flooding

The site is flood free. Further work will be required to determine the amount of potential local overland flooding due to concentration of stormwater from proposed hardstand areas. It should also be noted that Council successfully applied for State and Federal grant funding to carry out an overland flood study within the Wallarah and Spring Creek catchment which includes a number of the sites proposed to be rezoned by the LALC. This study is expected to be completed by June 2016.

Stormwater Management

Stormwater management and drainage concept plans will be required for all future development sites. The Strategy must also include a Management Plan to address the treatment of generated run-off with a Stormwater Detention/Retention system.

The stormwater and drainage plans should also address immediate and long term maintenance responsibilities to achieve the required objectives and pollution targets. The proposed ownership of the proposed stormwater infrastructure/assets will also need to be clarified. The area of land necessary to accommodate a suitable stormwater treatment system should also be detailed in development concepts and its impacts considered.

LOCAL PLANS, POLICIES AND STRATEGIES

Wyong Local Environmental Plan 2013

The site is currently zoned RU6 - Transition and is proposed to be rezoned IN1 - General Industrial under Wyong LEP 2013. Environmental offset lands will be rezoned E2 - Environmental Conservation.

Regional Economic Development and Employment Strategy (REDES) 2010

The Regional Economic Development and Employment Strategy (REDES) was developed through a partnership between the NSW Government, Regional Development Australia Central Coast (RDACC), Gosford City Council and Wyong Shire Council.

It is estimated that up to 900 jobs will be created by the Wallarah Industrial Estate. Short term employment opportunities would be created through associated planning and construction work. Additional employment will be generated with the maintenance of biodiversity offsets.

Settlement Strategy

The proposal is generally consistent with the considerations of the Settlement Strategy. However, corridor, mining, infrastructure and offsetting issues will need to be resolved as required by the NWSSP.

Central Coast Regional Strategy and North Wyong Shire Structure Plan

The development proposal is generally consistent with the Central Coast Regional Strategy (CCRS). An assessment has been undertaken of sustainability criteria for new land releases as per the CCRS (See attachment 5).

The NWSSP categorises the land as “strategically located and constrained land located in relation to existing and proposed infrastructure (e.g. major roads, water and sewer) and also identifies areas which contribute to the formation of the green corridor. The relationship of each of the proposed Darkinjung LALC rezoning sites to the NWSSP is shown in attachment 2.

The NWSSP states that the staging of development of any future urban land within the ‘strategically located’ sites layer is expected to be generally consistent with the staging identified for the adjoining land. Most of the development precincts are identified for release in the long term and early release of these areas as proposed through this application is inconsistent with timeframes mentioned in the NWSSP. The early release needs to be considered to ensure that adequate infrastructure and servicing is available.

Impacts on green corridors and linkages in the NWSSP will also need further justification from the applicant including examination of the cumulative impacts of other proposals e.g. Wallarah 2 Coal Mine, Clay mining and the CASAR project.

The NWSSP provides a framework and context for identifying and assessing future development opportunities in these areas, and for planning proposals to be prepared and progressed. The NWSSP identifies the following issues to be addressed:

- More detailed understanding of the environmental features of the land and opportunities to contribute to the proposed corridor and habitat networks;
- Resource extraction potential related to proposed coal mining and clay extraction (where these localised impacts occur);
- Determination of offsets for vegetation losses within future development areas;
- How the proposed development will relate to the green corridor; and
- The need for additional residential or employment uses to meet future community demand.

The planning proposal will create a relatively small industrial precinct which utilises the existing Tooheys Road interchange (this taking advantage of under utilised infrastructure). The demand for industrial land in Wyong Shire is estimated to be 7.7 ha per annum, thus the proposal will only have a small impact on the industrial land market representing less than 6 years supply.

Section 117 Directions

The proposal has been assessed on a preliminary basis against relevant Section 117 Ministerial Directions. The full assessment is contained within Attachment 4 of this report. It is apparent from undertaking this review that there are a number of inconsistencies with Section 117 Directions and regional strategy documents which may require the approval of The Secretary.

The following table identifies the applicability and consistency of the proposed rezoning with the current Section 117 Directions:

Number	Direction	Applicable	Consistent
Employment and Resources			
1.1	Business and Industrial Zones	Yes	Yes
1.2	Rural Zones	Yes	No
1.3	Mining, Petroleum Production and Extractive Industries	Yes	No
1.4	Oyster Aquaculture	No	-
1.5	Rural Lands	No	-
Environment and Heritage			
2.1	Environmental Protection Zones	Yes	Yes
2.2	Coastal Protection	No	-
2.3	Heritage Conservation	Yes	Yes
2.4	Recreation Vehicle Areas	Yes	Yes
Housing, Infrastructure and Urban Development			
3.1	Residential Zones	No	-
3.2	Caravan Parks and Manufactured Home Estates	No	-
3.3	Home Occupations	No	-
3.4	Integrating Land Use and Transport	Yes	Yes
3.5	Development Near Licensed Aerodromes	No	-
3.6	Shooting Ranges	No	-
Hazard and Risk			
4.1	Acid Sulphate Soils	No	-
4.2	Mine Subsidence and Unstable Land	No	-
4.3	Flood Prone Land	No	-
4.4	Planning for Bushfire Protection	Yes	Yes

Regional Planning			
5.1	Implementation of Regional Strategies	Yes	No
5.2	Sydney Drinking Water Catchments	No	-
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	-
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	-
5.8	Second Sydney Airport: Badgerys Creek	No	-
Local Plan Making			
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	Yes
6.3	Site Specific Provisions	Yes	Yes
Metropolitan Planning			
7.1	Implementation of the Metropolitan Strategy	No	-

State Environmental Planning Policies

The proposal has been assessed and is generally consistent with relevant State Environmental Planning Policies (SEPPs).

SEPP 44 – Koala Habitat

Subject to the findings of further investigative fauna studies, consideration of the proposal against SEPP 44 – Koala Habitat will be required.

SEPP 55 – Contaminated Land

To address SEPP 55 Contaminated Land, a Phase 1 Contaminated Lands Assessment will be undertaken by a suitably qualified geotechnical engineer who will review site(s) history and undertake necessary fieldwork to establish the potential risk of site contamination resulting from past activities.

SEPP 71 – Coastal Protection Zone

The subject site is located within the “coastal zone” (i.e. one kilometre from the coast or a coastal estuary as indicated on the adopted maps) and is therefore subject to the provisions of SEPP 71- Coastal Protection. Council is required to have regard to the matters for consideration identified under Clause 8 when preparing a Draft Local Environmental Plan.

SEPP State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007

As per the Mineral Resource Audit of Wyong Shire by NSW Trade & Investment (Resources & Energy) (TIRE), this site is within an Identified Resource Area, therefore, a land use compatibility assessment will be required to be undertaken along with consultation with NSW TIRE.

OPTIONS

Option 1 – Proceed with the Proposal (Recommended)

This report recommends additional investigative studies be undertaken to support the Planning Proposal.

Obtaining Council and Gateway approval to progress the Planning Proposal will provide the proponent with increased certainty before outlaying further funds on studies.

The proposal will also create local employment opportunities and will provide biodiversity offsets which if effectively located can achieve local conservation outcomes. Discontinuing the process will prevent these outcomes from being achieved.

Option 2 – Defer the Proposal until Regional Growth and Infrastructure Plan is completed (Not Recommended)

There are a number of biodiversity, wildlife corridor, coal mining, clay extraction, development and infrastructure servicing issues which require resolution where land is proposed to be rezoned within the 'Strategically located/Constrained Sites' layer of the NWSSP'. The DP&E has commenced a review, and it is anticipated that it will provide more definition around some of these competing land uses within this part of Wyong Shire through this process.

Consultation with government agencies (post Gateway Determination) will be a trigger to resolve some of these issues. Delaying the assessment of the Planning Proposal until these issues are resolved is not recommended.

FURTHER REQUIREMENTS AND STUDY PROCESS

The proponent has undertaken some preliminary studies to support the initial lodgement of a Planning Proposal. The preliminary rezoning concept is likely to be impacted by the outcomes of additional studies and input from government agencies. Further revisions to the concept/zoning plan will be required to be prepared once these studies have been completed.

The following technical studies will need to be conducted to provide the required level of documentation to support the proposed rezoning of land:

- 1 Detailed water and sewer servicing plan (which will include details on who will design and build infrastructure. Details will also be required on the timing of the provision of funds to provide these services),
- 2 Services Review and infrastructure plan (gas, telecommunications, electricity provision etc.),
- 3 Complete ecological investigations (seasonal flora and fauna surveys/vegetation mapping/conservation offset strategy to be undertaken in accordance with approved OEH offset methodologies),
- 4 Drainage and stormwater management studies,
- 5 Open space and recreation analysis,
- 6 Land use compatibility assessment to examine clay mining resource issues,
- 7 Visual impact and landscape analysis,
- 8 Preliminary Contamination Study,

- 9 Noise Vibration assessment for land adjacent the railway line and Doyalson Link Road,
- 10 Aboriginal archaeological assessment prepared in accordance with the consultation guidelines,
- 11 Revised Traffic Report,
- 12 Draft Development Control Plan,
- 13 Draft VPA and possible revision to Section 94 Contribution Plan (dependent on infrastructure and servicing issues),
- 14 Updated Planning Proposal/Planning Controls (rezoning).

A detailed scope of works will be prepared by the applicant upon receipt of a Gateway Determination with input from Council staff and relevant Government agencies. Council staff will provide a review role on all technical studies to ensure that all relevant issues and community concerns are addressed.

Council will require the applicant to enter into a Funding Agreement to ensure that Council staff costs are recovered as per Council's Planning Proposal Policy Procedure and adopted Statement of Revenue.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

The proposal is consistent with Wyong Shire Council's Strategy Annual Plan.

Link to Community Strategic Plan (2030)

Out of the eight priority objectives of the Community Strategic Plan, 3 are relevant:

- There will be ease of travel;
- Communities will have a range of facilities and services; and
- Areas of natural value will be enhanced and maintained.

The Planning Proposal will need to take into account the above objectives.

Governance and Policy Implications

Refer to discussion relating to Local Plans, Policies and Strategies

Budget Impact

There are no immediate budget impacts as the assessment of the Planning Proposal is being funded by payment of a Phase 1 Rezoning Fee. Further assessment work conducted by Council staff and all of the required supporting technical studies will be funded by the proponent under the terms of the funding agreement.

All infrastructure and services required to support the development will be required to be developer funded.

The proposal will require a significant amount of land to be set aside as environmental offsets, this land will continue to be owned and managed by the Darkinjung LALC and will make an important contribution to local and regional biodiversity outcomes identified in the NWSSP.

CONSULTATION

The proposal was referred to the following internal Council units for comment:

- Community and Cultural Development – Social Planning
- Development Assessment - Design Engineering
- Development Assessment – Development Applications
- Floodplain and Stormwater Management - Hydrology
- Land Management – Ecology
- Land Management - Bushfire
- Strategic Planning – Transport and Airport Planning
- Strategic Planning – Planning
- Strategic Planning – Section 94
- Water and Sewer Planning

Comments received were utilised to assess the proposal and determine the need for additional investigative studies.

Future community and government agency consultation requirements will be outlined by the Gateway Determination.

CONCLUSION

This report seeks Council's endorsement to commence the rezoning of Site 5 – Wallarah for a 45ha industrial precinct. The proposal will also include a large number of sites to provide environmental offsets for this development and other sites which form part of the multi-site rezoning proposal.

An assessment of the Planning Proposal has been undertaken which identifies that the Planning Proposal has merit 'in principle' and that Council should initiate the rezoning process by referring it to the DP&E for a gateway determination. The gateway determination will provide Council with referral requirements and outline any additional information which will be required prior to public exhibition. Further supporting studies will be needed to support the rezoning as outlined in this report and the gateway determination.

There are a number of biodiversity, wildlife corridor, clay extraction, development and infrastructure servicing issues which require resolution within the NWSSP. The DP&E will be requested to assist Council in order to assist with the resolution of these issues, as it will be important to obtain a "whole of government" position on these matters in the NWSSP rather than "issue specific" agency responses.

ATTACHMENTS

1	Darkinjung Planning Proposal Site Plan	D11895495
2	Darkinjung Planning Proposal NWSSP	D11911481
3	Proposed Zone Map	D11897509
4	Section 117 Ministerial Direction Assessment	D11897525
5	Central Coast Sustainability Assessment	D11897527