



Central Coast Council

Planning Proposal

Lot 2 DP 1056960 & Lot 3 DP 1084221

68 Tonkiss Street & 60 Wyong Road

Tuggerah

Tuggerah Gateway Site

File No: RZ/2/2021; PP-2021-5416

April 24



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Version 4 – Public exhibition

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Background & Locality Context

Locality Context

The subject site (Figure 1) is located on the corner of Wyong Road and Tonkiss Street, Tuggerah and is known as the Tuggerah Gateway site. The site is approximately 42 hectares and is adjacent to the existing Westfield Regional Shopping centre and the M1 Pacific Motorway. The site was previously used as an abattoir and is comprised mostly of grass cover with minor areas of remanent trees scattered around the perimeter and within the site. The site is currently used for grazing.



Figure 1 Aerial photograph (Urbis GIS)

The site slopes from south to north with natural steep slopes situated primarily within the south-eastern portion of the site which is currently zoned C2 Environmental Conservation zone. The remainder of the site is zoned RU6 Transition zone with a small portion of MU1 Mixed Use land in the north-eastern corner of the site (Figure 2).

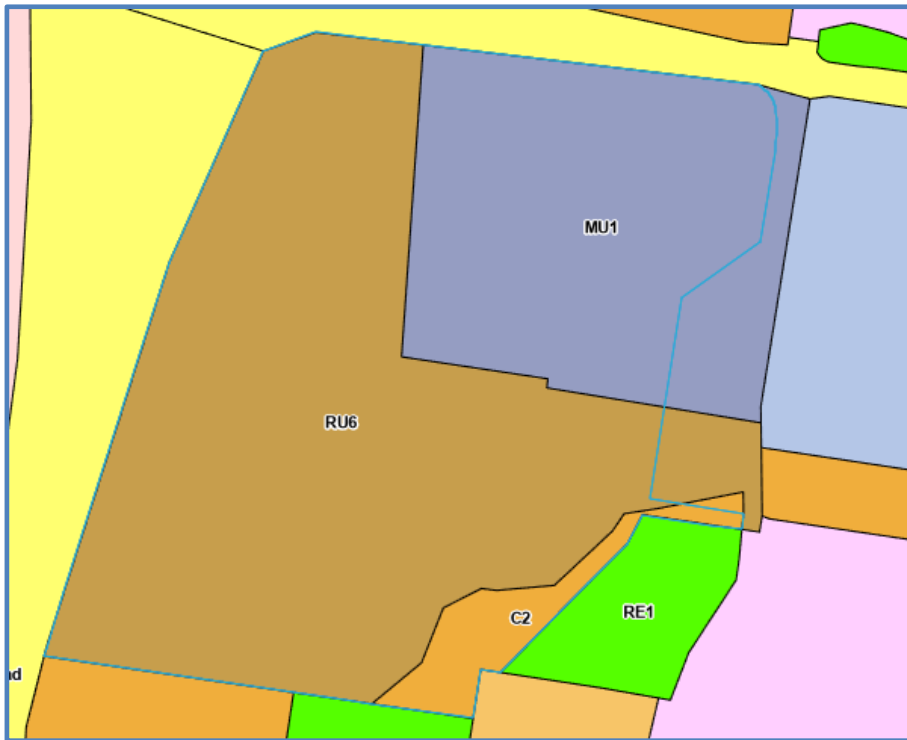


Figure 2 Existing zoning under Central Coast LEP 2022

Background

The site forms part of the Tuggerah Town Centre and has been identified as a strategic gateway and development opportunity site in numerous strategic planning documents including the Central Coast Regional Plan 2041 by the Department of Planning, Housing & Infrastructure (DPHI) and Council's Wyong Tuggerah Planning Strategy (2007) and Tuggerah to Wyong Economic Corridor Strategy (2020).

In April 2008 a proposed concept plan for the site was submitted to the Department of Planning (now Department of Planning, Housing & Infrastructure DPHI) for consideration as a Major Project under the former provisions of Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act). The concept plan was subsequently revised to include all Scentre Group landholdings, including the adjoining Westfield Tuggerah and triangle site to the east, with Director General requirements outlining that any proposal for the site was to be consistent with the Tuggerah State Significant Site (SSS) study. A draft structure plan for the Tuggerah SSS was released in 2013 identifying the site as having potential for residential and bulky goods development. However, the SSS was not gazetted and did not proceed.

The site and adjoining Westfield Regional Shopping Centre were deferred from inclusion in the Wyong Local Environmental Plan (WLEP, 2013) due to a number of matters requiring resolution. The WLEP 2013 was amended on 18 November 2015 zoning the site a combination of RU6 Transition, B4 Mixed Use and C2 Environmental Conservation.

A development application DA/1179/2014 was approved on 19 November 2015 for large format retail to be constructed over 2 stages on the B4 zoned land. Stage 1 included a Masters Homemaker Centre of approximately 14,000sq.m. and Stage 2 for complimentary retail/bulky goods development of approximately 9,000sq.m. A Planning Agreement (PA) was executed on 26 October 2015 between Scentre Group and the Minister for Planning which triggers road upgrades and signalisation of the Tonkiss St and Wyong Rd intersection when any building works of 14,000sq.m. or greater is constructed on the B4 land. These requirement under the State PA will be delivered as part of the planning proposal and subsequent development applications.

Part 1 Objectives or Intended Outcomes

The proposal seeks to rezone Lot 2 DP1056960, 68 Tonkiss St, Tuggerah and Lot 3 DP1084221, 60 Wyong Road, Tuggerah under the Central Coast Local Environmental Plan 2022 (CCLEP, 2022) to:

1. Rezone the majority of the RU6 Transition portion of the site to R1 General Residential.
2. Retain the existing MU1 Mixed Use portion of the site.
3. Retain the existing C2 Environmental Conservation land with a slight expansion to the zone boundary in the southeast portion of the site. Rezone a small portion of the RU6 Transition land to C2 Environmental Conservation to include the Rocky Outcrop in the northwest corner of the site and the land along the northern property boundary with Wyong Rd.

Part 2 Explanation of Provisions

The outcome will be facilitated by the following mapping amendments to the CCLEP 2022.

Table 1 – Mapping Layer Amendments

Map Layer	Existing Provision	Proposed Amendment
Floor Space Ratio Map	N/A	1.5:1 and 2.2:1 across the MU1 portion of the site 0.75:1 for the R1 portion of the site
Height of Building Map	N/A	Ranging from 16m to 42m across the MU1 portion of the site
Land Zoning Map	RU6 Transition MU1 Mixed Use C2 Environmental Conservation	R1 General Residential MU1 Mixed Use C2 Environmental Conservation
Lot Size Map	RU6 - 40ha C2 - 40ha	C2 – 40ha
Urban Release Area Map	N/A	New map to identify MU1 and R1 portion of the site as an Urban Release Area (URA)

Existing and proposed CCLEP maps are attached to the Planning Proposal.

1. Zoning

- Rezone the majority of RU6 Transition land to R1 General Residential.
- Retain the MU1 Mixed Use land.
- Retain and expand the C2 Environmental Conservation land to the southwest corner of the site, the Rocky Outcrop in the northwest corner of the site, and the land adjoining Wyong Rd.

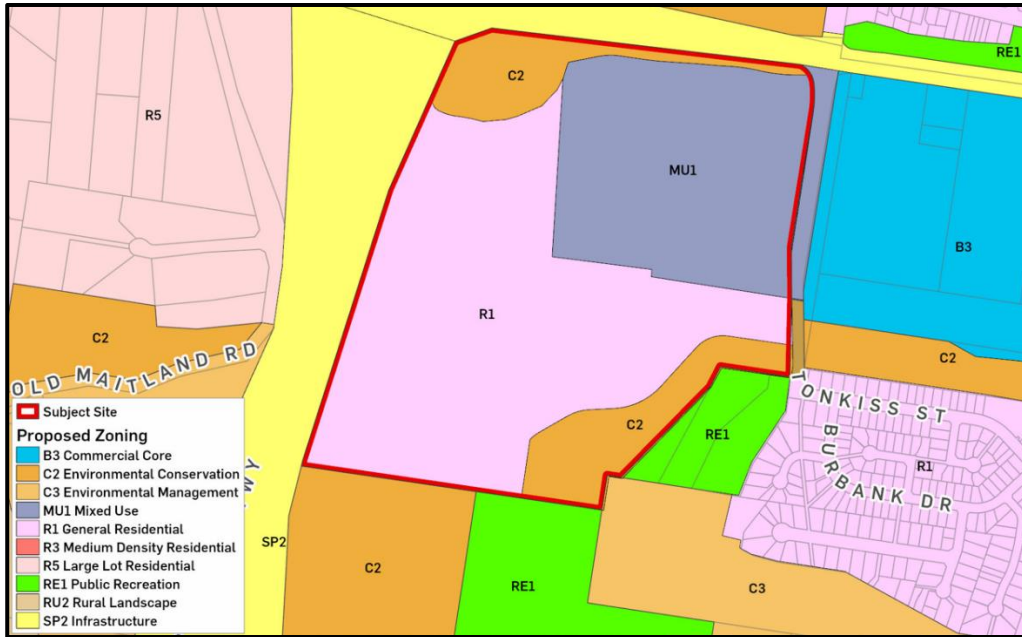


Figure 3 Proposed zone under CCLEP

2. Lot Size

- Remove the 40-hectare minimum lot size that applies to the RU6 land.
- Apply the 40-hectare minimum lot size over the C2 land in the southwest corner of the site, the rocky outcrop in the northwest corner of the site, and the land along the property boundary adjoining Wyong Rd.

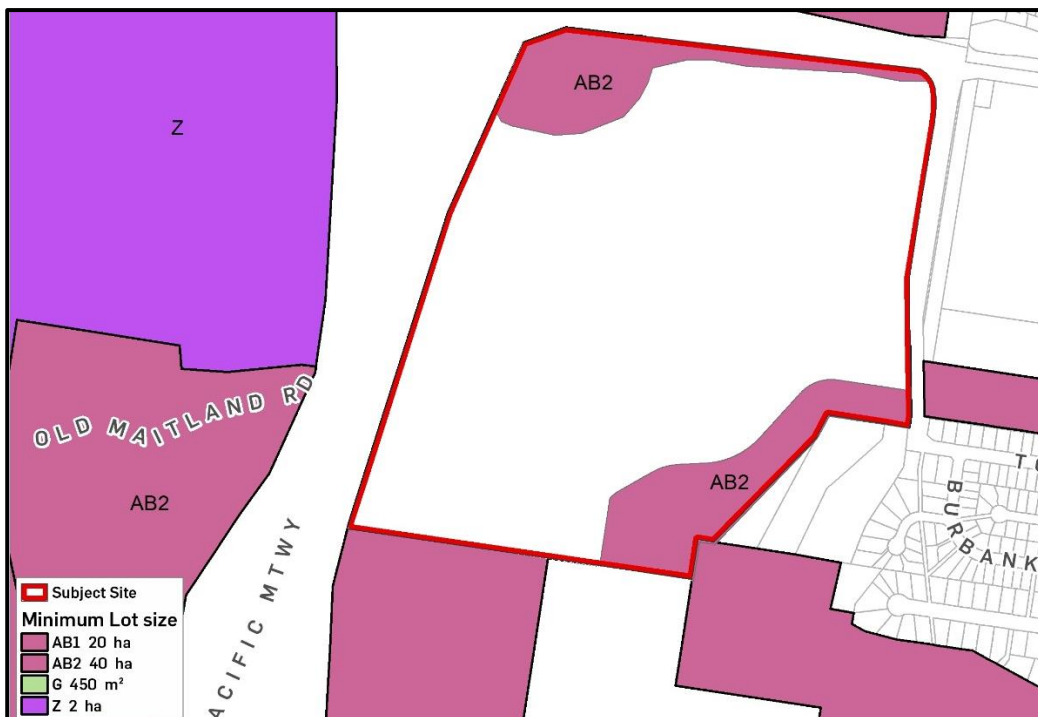


Figure 4 Proposed MLS under CCLEP

3. Height of Buildings (HOB)

- Apply maximum height limits to the MU1 land ranging from 16m to 42m (note: no maximum height limit currently applies to the site).

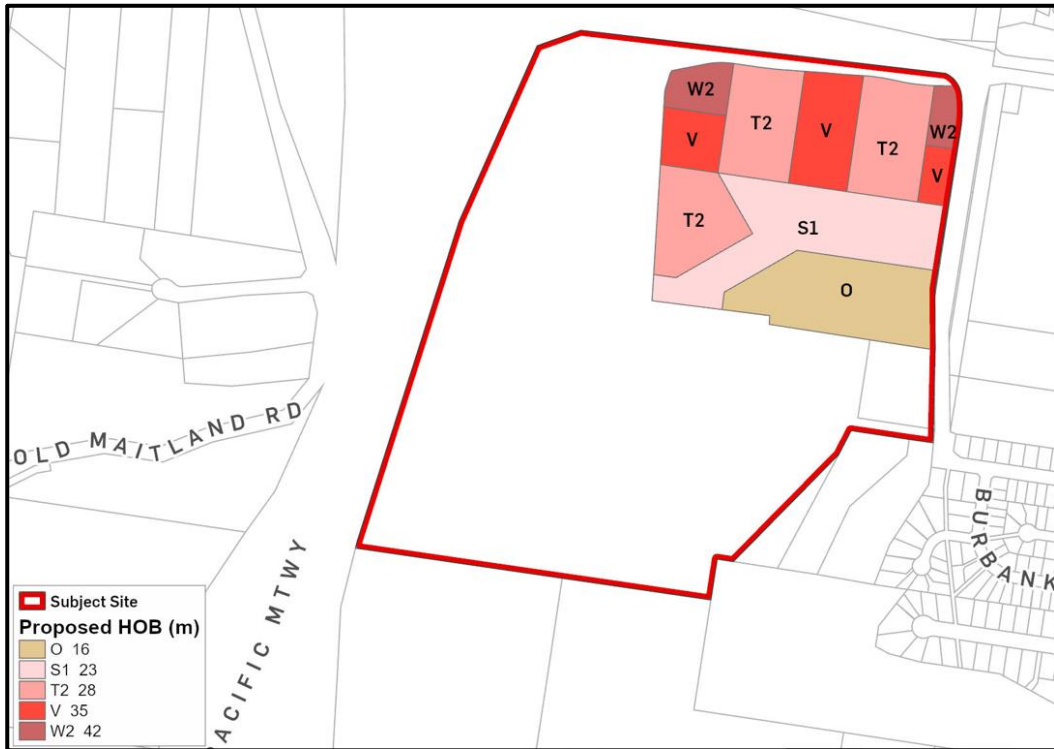


Figure 5 Proposed HOB under CCLEP

4. Floor Space Ratio (FSR)

- Apply maximum floor space (FSR) ratio limits to the R1 land of 0.75:1 and the MU1 land of 1.5:1 and 2.2:1 (note: no maximum FSR limit currently applies to the site).

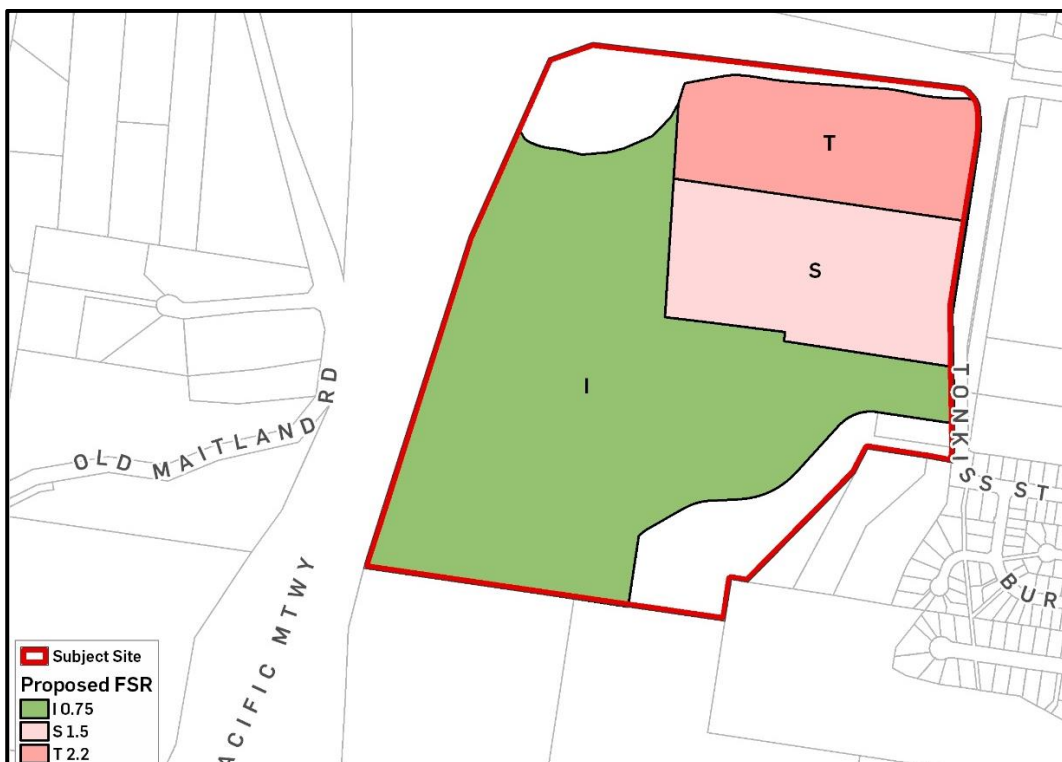


Figure 6 Proposed FSR under CCLEP

Part 3 Justification

Section A – Need for the Planning Proposal

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

Council's Tuggerah to Wyong Economic Corridor Strategy (November 2020) promotes sustainable renewal in Tuggerah Town Centre and identified the opportunity for development of the site for a range of residential and employment generating land uses.

The Planning Proposal has strategic merit for the following reasons:

- The proposed rezoning to R1 General Residential is consistent with surrounding residential development and will provide additional housing in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Town Centre.
- The retention of the MU1 land allows for a mixture of higher density employment generating land uses along Wyong Road. This will provide ongoing job opportunities with the potential for a range of land uses including retail, office, short stay accommodation, childcare, education, recreation, health and community facilities.
- The retention and expansion of the C2 Environmental Conservation land will facilitate the protection, conservation, and enhancement of environmentally sensitive areas with ongoing management of the land to be funded by the proponent.
- The proposed maximum height and floor space (FSR) limits for the MU1 land are consistent with surrounding development including the Woodberry Park residential development opposite the site (maximum height of 37.5m) and the Wyong Town Centre (range of FSR limits from 1.1:1 to 3.0:1).
- A site-specific Development Control Plan (DCP) has been prepared to support the proposal to ensure appropriate built form guidelines are applied in the development design for the site. The proposal incorporates a number of parks and accessible open space areas that enable active and passive recreation opportunities and will provide a high-quality amenity for the future residential population.
- A voluntary planning agreement (VPA) has been prepared to support the planning proposal to provide monetary contributions and works in kind to support the development. The draft VPA includes the following contributions:
 - \$1 million for delivery of a District Level Park;
 - \$1 million for delivery of a new youth centre; and
 - A range of new pedestrian and vehicular connections including a shared pedestrian path from the site to the existing overhead pedestrian bridge on Wyong Road.

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

A Planning Proposal process is the only means of achieving the intended outcome of rezoning the land under the CCLEP 2022.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

Central Coast Regional Plan (2041)

The Planning Proposal is generally consistent with the objectives of the Central Coast Regional Plan (2041) as outlined in the table below. The site is located within the Tuggerah District regionally significant growth area and the proposal will achieve the vision for this area to become a mixed use walkable centre with a range of housing, business, retail, education, health, open space, recreational and community services to support the adjacent Westfield Regional Shopping Centre and Tuggerah Town Centre. The proposal will improve the alignment between housing and employment, increasing the integration of the existing retail uses with a variety of new home typologies (including medium and high density housing) to meet the housing demand.

Table 2 – Central Coast Regional Plan 2041 Assessment

Objective	Applicable	Assessment/Comment
1. A prosperous Central Coast with more jobs close to home	Yes	The proposal does not propose new employment land; however it retains the MU1 Mixed Use land to facilitate a range of diverse employment opportunities to service the new residential community. Development of the site for a variety of housing typologies will assist to bring increased viability and vitality to the Tuggerah Town Centre.
2. Support the rights of Aboriginal residents to economic self determination	No	The Planning Proposal does not relate to Aboriginal land.
3. Create 15 minute walkable neighbourhoods to support mixed, multi modal, inclusive and vibrant communities	Yes	The proposal retains the MU1 land which permits a variety of land uses including retail, office, short stay accommodation, education, health, recreation and community facilities. In addition, a number of these uses are currently established or permitted within the adjacent Westfields Shopping Centre. With the site containing natural steep slopes to the south, the most suitable location for the proposed neighbourhood services and facilities is on the existing MU1 land, providing activation to Wyong Road and Tonkiss Street, and addressing the site's strategic location as a Gateway to the northern Central Coast.
4. An interconnected Central Coast without car dependent communities	Yes	The proposal includes a range of new pathways within the site and well as external to the site to connect to the adjacent Shopping Centre and the Tuggerah train station. In addition, the Shopping Centre has a bus interchange with services that connect with the train station and the wider region.

Objective	Applicable	Assessment/Comment
		<p>The Draft VPA prepared to support the proposal includes a new shared pathway connecting the site to the overhead pedestrian bridge on Wyong Road. This will improve the walkability of the site to surrounding public transport with the overhead pedestrian bridge connecting along the Anzac Road pathway to Tuggerah Train Station.</p>
<p>5. Plan for 'nimble neighbourhoods', diverse housing and sequenced development</p>	<p>Yes</p>	<p>The proposal includes a range of diverse housing options including detached dwellings, medium density townhouses/terraces, apartments, and seniors living. Increased height and density are proposed on the MU1 land to take advantage of the 'Gateway' location of the site, adjacent to Westfields Shopping Centre and within 1.6kms of the train station.</p>
<p>6. Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments</p>	<p>Yes</p>	<p>The proposal expands the existing C2 Environmental Conservation land and retains the existing riparian corridor. The site contains a range of open space and water bodies including the conservation land, rocky outcrop and Mardi Creek. The proposal embraces the biodiversity values of the site by incorporating housing within the existing landscaping of the site and integrating natural and riparian features into the development design.</p>
<p>7. Reach net zero and increase resilience and sustainable infrastructure</p>	<p>Yes</p>	<p>A site specific DCP has been prepared to support the planning proposal to ensure the future design of the development and the residential buildings respond to site constraints including flooding, bushfire and noise.</p> <p>An acoustic assessment and air quality assessment have been prepared to support the proposal. A buffer is proposed for housing adjacent to the M1 Motorway and Wyong Road (based on the acoustic assessment) with additional attenuation measures required. The predictive modelling suggests that the proposed residential locations can be made suitable with specific construction material for dwellings.</p>
<p>8. Plan for businesses and services at the heart of healthy, prosperous and innovative communities</p>	<p>Yes</p>	<p>The proposal provides for a new R1 General Residential zone in close proximity to the adjacent Westfield Regional Shopping Centre. The proposal also retains the MU1 portion of the site which will provide for a range of business, retail, accommodation, health, and education facilities.</p> <p>The R1 residential land will incorporate a range of locally accessible open space facilities including over 2.7 hectares of useable open space including a District level park and biodiversity corridors.</p>
<p>9. Sustain and balance productive rural landscapes</p>	<p>No</p>	<p>The subject land is not located within a rural area.</p>

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

Central Coast Community Strategic Plan – One Central Coast

The Central Coast Community Strategic Plan (CSP) outlines a set of guiding principles, aspirations and values for the community. These reflect on social, economic, environmental and governance aspects for now and into the future. The following strategies outlined in the CSP are applicable to this Planning Proposal.

Table 3 – Central Coast Community Strategic Plan Assessment

Objective/Requirement		Comment
BELONGING		
OUR COMMUNITY SPIRIT IS OUR STRENGTH		
A1	Work within our communities to connect people, build capacity and create local solutions and initiatives	The proposal creates opportunities for more recreational and community activities through the provision of a mixed use development that incorporates a range of land uses (including residential, recreational, commercial, community, tourism, etc) that are co-located and integrated for people of all ages.
A2	Celebrate and continue to create opportunities for inclusion where all people feel welcome and participate in community life	
A3	Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people	
A4	Enhance community safety within neighbourhoods, public spaces and places	
CREATIVITY, CONNECTION AND LOCAL IDENTITY		
B1	Support reconciliation through the celebration of Aboriginal and Torres Strait Islander cultures	The proposal will bring increased vitality and viability to the Tuggerah Town Centre. The proposal incorporates a District Level Park with proposed outdoor BBQ facilities, water features and celebration of Aboriginal Culture. The proposed development aligns with surrounding land uses and strengthens the existing Tuggerah Town Centre, contributing to its desired future character as a sustainable and vibrant centre.
B2	Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year	
B3	Foster creative and performing arts through theatres, galleries and creative spaces, by integrating art and performance into public life	
B4	Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors	
SMART		
A GROWING AND COMPETITIVE REGION		
C1	Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast	The retention of the MU1 mixed use land will provide for a range of employment generating land uses to be developed on the site taking advantage of its strategic location adjoining the M1 Motorway.
C2	Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for businesses, local residents, visitors and tourists	
C3	Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents	The proposal incorporates a range of accessible open space areas that provide

Objective/Requirement		Comment
	C4 Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly	active and passive recreation and tourism opportunities.
A PLACE OF OPPORTUNITY FOR PEOPLE		
	D1 Foster innovation and partnerships to develop local entrepreneurs and support start-ups	The retention of the MU1 mixed use land will facilitate a range of employment generating land uses that have the ability to support further service based businesses. The letter of offer that supports the proposal provides for the delivery of a youth centre valued at \$1 million either within the gateway site development or as part of the existing Westfield Tuggerah adjacent to the site.
	D2 Support local business growth by providing incentives, streamlining processes and encouraging social enterprises	
	D3 Invest in broadening local education and learning pathways linking industry with Universities, TAFE and other training providers	
	D4 Support businesses and local leaders to mentor young people in skills development through traineeships, apprenticeships and volunteering	
GREEN		
ENVIRONMENTAL RESOURCES FOR THE FUTURE		
	E1 Educate the community on the value and importance of natural areas and biodiversity and encourage community involvement in caring for our natural environment	A site-specific Development Control Plan (DCP) has been prepared to support the planning proposal to ensure the residential buildings provide comfort and protection from weather extremes. The built form guidelines within the DCP specify requirements for WSUD, energy efficiency and waste management.
	E2 Improve water quality for beaches, lakes and waterways including minimising pollutants and preventing litter entering our waterways	
	E3 Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours	
	E4 Incorporate renewable energy and energy efficiency in future design and planning and ensure responsible use of water and other resources	
CHERISHED AND PROTECTED NATURAL BEAUTY		
	F1 Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	The proposal embraces the biodiversity value of the site by incorporating existing landscaping and riparian features into the development design. New landscaping is proposed to create a green backdrop to the new residential landscape. The proposal incorporates a 4-hectare conservation zone to protect the existing high value environmental area with ongoing management to be undertaken by the proponent. The proposal also incorporates over 2.7 hectares of useable open space.
	F2 Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)	
	F3 Improve enforcement for all types of environmental non-compliance including littering and illegal dumping and encourage excellence in industry practices to protect and enhance environmental health	
	F4 Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions	
RESPONSIBLE		

Objective/Requirement		Comment
GOOD GOVERNANCE AND GREAT PARTNERSHIPS		
	G1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice	<p>Significant stakeholder engagement has occurred to inform the Planning Proposal including consultation with a range of agencies including:</p> <ul style="list-style-type: none"> • Department of Planning, Housing & Infrastructure – Biodiversity Conservation Division (BCD) • Department of Education • Transport for NSW • NSW Rural Fire Service (RFS) • Ausgrid • Environment Protection Agency • Darkinjung Local Aboriginal Land Council (DLALC). <p>Further consultation will occur with the community and interested stakeholders during the public exhibition of the PP.</p>
	G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect	
	G3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions	
	G4 Serve the community by providing great customer experience, value for money and quality services	
DELIVERING ESSENTIAL INFRASTRUCTURE		
	H1 Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region	<p>The proposal provides a range of new and upgraded shared pedestrian path and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.</p>
	H2 Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities	
	H3 Create parking options and solutions that address the needs of residents, visitors and businesses whilst keeping in mind near future technologies including fully autonomous vehicles	<p>The development will provide extensions and capacity upgrades to existing water and sewer services to cater for the proposal.</p>
	H4 Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water	
BALANCED AND SUSTAINABLE DEVELOPMENT		
	I1 Preserve local character and protect our drinking water catchments, heritage and rural areas by concentrating development along transport corridors and town centres east of the M1	<p>The proposal will increase residential density in close proximity to the existing services and infrastructure of the Tuggerah Town Centre including Westfield Tuggerah and the Tuggerah train station.</p> <p>The proposal will meet the changing demand for housing with a range of different housing types including detached housing lots, medium and high density housing and seniors living.</p>
	I2 Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport	
	I3 Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management	
	I4 Provide a range of housing options to meet the diverse and changing needs of the community including adequate affordable housing	
LIVABLE		

Objective/Requirement		Comment
RELIABLE PUBLIC TRANSPORT AND CONNECTIONS		
J1 Create adequate, reliable and accessible train services and facilities to accommodate current and future passengers	<p>The proposal provides for a new shared pathway connection from the site along Wyong Road to Tuggerah train station and bus interchange.</p> <p>The site is adjacent to the M1 and Pacific Highway transport corridors and adjacent to Westfield Tuggerah which has existing bus services that connect the shopping centre with the train station and the wider region.</p>	
J2 Address commuter parking, drop-off zones, access and movement around transport hubs to support and increase use of public transport		
J3 Improve bus and ferry frequency and ensure networks link with train services to minimise journey times		
J4 Design long-term, innovative and sustainable transport management options for population growth and expansion		
OUT AND ABOUT IN THE FRESH AIR		
K1 Create a regional network of interconnected shared pathways and cycle ways to maximise access to key destinations and facilities	<p>The proposal provides pedestrian pathways and cycleways throughout the site to maximise access, inclusion and mobility.</p> <p>The proposal incorporates over 2.7 hectares of locally accessible open space facilities.</p>	
K2 Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members		
K3 Provide signage, public facilities, amenities and playgrounds to encourage usage and enjoyment of public areas		
K4 Repair and maintain wharves, jetties, boat ramps and ocean baths to increase ease of access to and enjoyment of natural waterways and foreshores		
HEALTHY LIFESTYLES FOR A GROWING COMMUNITY		
L1 Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated	<p>The proposal promotes healthy living through the provision of new and improved recreation facilities and open space areas that are well designed and co-located to suit community needs and promote walkability within the site and encourage social interaction.</p>	
L2 Invest in health care solutions including infrastructure, services and preventative programs to keep people well for longer		
L3 Cultivate a love of learning and knowledge by providing facilities to support lifelong learning opportunities		
L4 Provide equitable, affordable, flexible and co-located community facilities based on community needs		

Local Strategic Planning Statement

The interim Central Coast Local Strategic Planning Statement (LSPS) sets a clear vision for the future and a proactive framework for delivering a growing and sustainable region with a strong network of Centres and thriving and connected communities. The LSPS is Council's guide to how the Central Coast will respond to future population growth challenges in a manner that considers our existing residents.

The Planning Proposal is consistent with the following strategies and priorities outlined in the LSPS.

Table 4 – Central Coast Local Strategic Planning Statement (LSPS) Assessment

Strategies		Assessment/Comment
1 Revitalise our centres	The subject site directly adjoins Westfield Tuggerah. The proposal will provide a range of housing options in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Centre. It will also retain the existing MU1 Mixed Use zone on the site which will provide for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.	
2 Renew urban form	The proposal will meet the changing demand for housing with a range of different housing types including detached housing lots, medium and high density housing and seniors living. The housing will be supported by a range of recreational and open space facilities and supporting vehicular and pedestrian connections.	
3 Define the urban edge	The subject site forms the western edge of the Tuggerah Town Centre. The proposal will locate infill residential development in an urban area with existing services and infrastructure. The vegetated portion to the southeast of the site will be retained as conservation land.	
4 Create a sustainable region	The proposal will provide a range of housing options to support increased activation and growth of the Tuggerah Town Centre. The proposed development aligns with surrounding land uses and strengthens the existing Tuggerah Town Centre, contributing to its desired future character as a sustainable and vibrant centre. The development of the site will attract investment in the area to stimulate the economy whilst preserving the bushland setting of the site.	
Planning Priority	Actions	Assessment/Comment
Centres and Corridors		
1 Align development to our infrastructure capacity	Develop a Central Coast Regional Infrastructure Plan that considers our infrastructure capacity, appropriate trigger points for infrastructure provision and prioritises opportunities for integrated infrastructure delivery across the Central Coast.	The proposed development aligns with this priority with existing infrastructure to be extended to the site to cater for the proposal. The proposal will provide infrastructure upgrades to Wyong Rd and Tonkiss St intersection, along with stormwater and WSUD improvements to ensure no additional downstream impacts. The proposal also includes the provision of a range of new community facilities.
4 Renew our Centres as places for people	Review development capacities (planning controls) for identified Strategic and Town Centres to determine opportunities for growth.	The proposal will increase residential density in close proximity to the existing services and infrastructure of the Tuggerah Town Centre including Westfield Tuggerah and the Tuggerah train station. The proposal will assist Tuggerah to evolve as an integrated centre with residential uses located close to existing services, jobs and active transport options.

Housing		
7 Provide well designed housing with high standards of sustainability features.	Develop Centre Structure and Precinct Plans, together with a comprehensive review of planning controls to ensure that housing density and built form is planned and designed to maximise amenity.	A site specific DCP has been prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The retention of the MU1 land will enable a mixed use function on the site with high density housing located above ground floor commercial uses.
8 Provide for the housing needs of our growing region	Implement relevant actions from the draft Affordable and Alternative Housing Strategy to provide for the diverse housing needs of our community.	The planning proposal provides for a range of housing typologies providing choice reflective of changing demographics. Housing demographics demonstrate increased demand for higher density housing and the proposal provides for a yield of up to 2112 dwellings including a range of high and medium density housing. The proposal will enable increased opportunities for well-located affordable and lower cost housing in close proximity to Westfield Tuggerah.
Economics		
11 Facilitate Emerging Logistics, Warehousing, Manufacturing and Innovative and Green Economy Enterprises	Develop the Tuggerah to Wyong Corridor Strategy to promote economic growth, jobs and development and leverage the improved connectivity from the proposed Link Road & Pacific Highway upgrade.	The retention of the MU1 land will provide for a range of employment generating land uses to be developed on the site taking advantage of its strategic location adjoining the M1 Motorway.
12 Build the Knowledge Economy and support Health and Wellness Industries	Develop Activity Hubs as the heart of key Centres, providing core elements such as a transport interchange, education facilities, business centres, Wifi connectivity, smart hubs, fresh food markets, health and medical services, library and childcare options, creating dynamic urban environments that encourage the exchange of ideas, opportunities for creativity and an appealing lifestyle.	The retention of the MU1 land will continue to create opportunities for businesses that can expand and complement the existing services within the Town Centre including Westfield Tuggerah, Tuggerah Super Centre and Tuggerah Business park.
13 Grow Regionally Competitive Tourism Destinations across the entire Central Coast	Development of local Centres, by enhancing cultural identity along with local accommodation options and a strong public transport system. Work in partnership with the Tourism Industry and State	The proposal provides for a number of parks and passive open space to provide a high quality amenity for the future residential population. The retention of the MU1 land can provide opportunity for a range of employment and residential accommodation include short stay and hotel options.

	Government to develop visitor facilities and attractions, including new tourist destinations, hotels and accommodation opportunities.	
Open Space		
15 Plan for a hierarchy of recreational open space based on current and future needs	Increase the provision of quality and sustainable recreation opportunities through provision of multiuse facilities to support the growing population in the NWSSP urban release precincts.	Environmental conservation lands will be enhanced and the development will provide a new District Level Park.
16 Distinguish our recreational open space assets from our natural assets	Develop a Green Infrastructure Audit and Strategy that reviews our green infrastructure assets and provides guidelines around the provision of council owned recreational open space and natural areas.	The proposal allows for dual use of open space and incorporates semi-natural spaces to ensure the community has access to quality urban areas. This is achieved through several public open spaces areas throughout the site bringing the natural environment into the community.
17 Support neighbourhood "pocket parks" accessible to local communities and within walking distance to larger recreational multi-use open space destinations	Incorporate active living principles in planning strategies and structure plans to ensure open space networks are provided and designed to promote active transport.	The proposal incorporates a range of accessible open space areas that provide active and passive recreation opportunities. The site is close to larger recreational multi-use open space destinations including the Central Coast Regional Sporting and Recreation Complex which is located 1.5kms from the site.
Heritage		
20 Recognise and protect the natural, built and cultural heritage of the Central Coast	Undertake a review of existing and potential heritage items and make recommendations on protecting items of heritage significance from the impacts of development through the Local Environmental Plan. (CCRP Direction 8)	Preliminary consultation on the proposal has occurred with Darkinjung Local Aboriginal land Council (DLALC). Two aboriginal objects are registered within 1km of the site – a quarry and an artefact scatter. Further investigative studies will be required at DA stage in accordance with the OEH <i>Guidelines for Aboriginal Heritage Investigations for Proponents</i> (2010).
Environment		
22 Create Sustainable and Resilient communities	Review planning controls to require high standards of design and construction, including energy and water efficiency, liveability measures, waste minimization and emissions reduction	A site specific Development Control Plan (DCP) has been prepared to support the planning proposal to ensure the residential buildings are designed to provide comfort and protection from weather extremes. These built form guidelines will also specify requirements for WSUD, energy efficiency and waste management.

Water and Sewer		
33 Deliver Essential Infrastructure	Continue to deliver infrastructure projects through Councils Operational Plans, Delivery Plans and Capital Works projects. which support the needs of the community and encourages consideration of environmental, social and economic outcomes in infrastructure decision making.	The site will be designed with stormwater detention basins and associated treatment facilities to be incorporated within a WSUD corridor to manage flows prior to discharge from the site. Existing water and sewer infrastructure will be extended to the site to accommodate the proposed development.
35 Integrate land use and infrastructure	Review Servicing and Infrastructure Capacity to identify potential infrastructure gaps within the planned growth areas of the Central Coast and ensure that we have the required infrastructure to meet current and future demand.	To support the planning proposal a letter of offer and a draft VPA have been prepared which outline a range of public domain benefits to support the additional residential population. The VPA includes contributions for: - <ul style="list-style-type: none"> • A District Level Park • A new Youth Centre • new pedestrian and vehicular connections including a shared pathway from the site to the overhead pedestrian bridge on Wyong Road. This will facilitate improved walkability from the site to the Tuggerah Train Station.

Central Coast Affordable and Alternative Housing Strategy

The Central Coast Affordable and Alternative Housing Strategy (AAHS, 2020) seeks to provide effective policy solutions to address the growing need for affordable and alternative housing within the Central Coast LGA. It aims to build a vision for a ‘fair and inclusive region, where everyone has access to affordable and sustainable housing’.

The AAHS identifies a need for diversity of housing options on the Central Coast. The planning proposal provides opportunity for a range of housing typologies to enable choice reflective of changing demographics. Housing demographics demonstrate increased demand for medium and high density housing and an indicative structure plan prepared to support the proposal provides for a yield of up to 2112 dwellings (including provision of approximately 661 high density and 959 medium density dwellings).

The proposal will enable increased opportunities for well-located affordable and lower cost housing that will satisfy some of the low-income housing needs of the community. The housing is in close proximity to Westfield Tuggerah which provides a range of retail, dining, entertainment and health services, and a bus service that connects Westfield Tuggerah with the train station and wider region.

Biodiversity Strategy

The Biodiversity Strategy (2020) provides a framework and guide for the management of biodiversity on the Central Coast that is consistent with regional, state and national strategies, plans and policies. The proposal facilitates the protection and conservation of environmentally sensitive areas within the site. A Biodiversity Certification Assessment Report (BCAR) has been prepared to support the proposal. The BCAR identifies a number of ecosystem and species credits to be secured and retired to offset the impacts of the proposal.

The letter of offer submitted with the proposal proposes the retention of 4.0 hectares of conservation land with ongoing management to be undertaken by the proponent.

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. The proposal is considered to be consistent with all applicable SEPPs.

Table 5 – SEPP Assessment

SEPP	Applicable	Consistent
State Environmental Planning Policy (Biodiversity and Conservation) 2021.		
Chapter 2 – Vegetation in Non-Rural Areas	Y	Consistent with the provisions of this SEPP. A BCAR has been prepared in accordance with the BAM to support bio certification of the subject land. Land zoned C2 Environmental Conservation exists in the south east of the site and is proposed to be slightly expanded. The proposal also proposes to retain a rocky outcrop and native vegetation in the north west of the site, and a small area of remnant native vegetation in the east.
Chapter 3 – Koala Habitat Protection 2020	N	
Chapter 4 – Koala Habitat Protection 2021	Y	Consistent with the provisions of this SEPP. Field survey and habitat monitoring did not record the presence of any koalas on the site. It has been sufficiently demonstrated that the proposal will have little to no direct impact on koalas or koala habitats, as such a Tier 2 assessment process is not required.
Chapter 5 – River Murray lands	N	
Chapter 6 – Bushland in Urban Areas	Y	Consistent with the provisions of this SEPP. A BCAR has been prepared in accordance with the BAM to support bio certification of the site. Land zoned C2 Environmental Conservation in the south east of the site is proposed to be slightly expanded. The proposal also proposes to retain a rocky outcrop and native vegetation in the north west of the site, and a small area of remnant native vegetation in the east.

SEPP	Applicable	Consistent
Chapter 7 – Canal Estate Development	N	
Chapter 8 – Sydney drinking water catchment	N	
Chapter 9 – Hawkesbury – Nepean River	N	
Chapter 10 – Sydney Harbour Catchment	N	
Chapter 11 – Georges Rivers Catchment	N	
Chapter 12 – Willandra Lakes Region World Heritage Property	N	
SEPP (Design and Place) 2021 (DRAFT)		
Not active yet	N	
State Environmental Planning Policy (Housing) 2021		
Chapter 2 – Affordable Housing	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The proposal will provide the opportunity for a range of housing options in close proximity to existing infrastructure and services. Proposed housing typologies include detached dwellings, medium density townhouses/terraces, apartments and seniors living.</p>
Chapter 3 – Diverse Housing <i>Part 1: Secondary Dwellings</i> <i>Part 2: Group Homes</i> <i>Part 3: Co-living Housing</i> <i>Part 4: Built-to-rent Housing</i> <i>Part 5: Seniors Housing</i> <i>Part 6: Short-term Rental Accommodation</i> <i>Part 7: Conversion of Certain Serviced Apartments</i> <i>Part 8: Manufactured Home Estates</i> <i>Part 9: Caravan Parks</i>	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The proposal will provide opportunity for a range of diverse housing options. Housing demographics demonstrate increased demand for medium and high-density housing and the proposal provides for a yield of up to 2112 dwellings.</p> <p>The proposal will enable increased opportunities for well-located affordable and lower cost housing in close proximity to Westfield Tuggerah.</p> <p>The proposal does not propose or impact any manufactured home estates or caravan parks.</p>
State Environmental Planning Policy (Industry and Employment) 2021.		
Chapter 3 – Advertising and Signage	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021		
Chapter 2 – State and Regional Development	Y	<p>Consistent with the provisions of this SEPP.</p> <p>The proposal seeks to amend Part 6 of the LEP to include the site as an Urban Release Area (URA). This will ensure that development consent is not issued unless satisfactory arrangements are proposed for the provision of state infrastructure.</p>

SEPP	Applicable	Consistent
		A Planning Agreement is in place between the landowner and the Minister for Planning which triggers road upgrades and signalisation of the Tonkiss St and Wyong Rd intersection. The requirements under this Planning Agreement will be delivered as part of subsequent development application/s.
Chapter 3 – Aboriginal Land	Y	Consistent with the provisions of this SEPP. There are four sites within the Central Coast LGA which are subject to the SEPP. The Planning Proposal does not apply to any of these sites.
State Environmental Planning Policy (Precincts—Regional) 2021		
Chapter 5 – Gosford City Centre	N	The land comprising Gosford City Centre as defined by the SEPP (Precincts—Regional) 2021 is not subject to the draft Planning Proposal.
State Environmental Planning Policy (Primary Production) 2021.		
Chapter 2 - Primary Production and Rural Development	Y	Consistent with the provisions of this SEPP.
Chapter 3 - Central Coast Plateau Areas	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021.		
Chapter 2 - Coastal Management	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Hazardous and Offensive Development	Y	Consistent with the provisions of this SEPP.
Chapter 4 - Remediation of Land	Y	Consistent with the provisions of this SEPP. The land was utilised as an abattoir since the early 1900s. A Preliminary Site Investigation for Contamination has found that there is a low potential for significant or widespread contamination of the site. Localised potential contamination sources were identified from fill material, previous demolition works and from the previous abattoir. Based on this assessment, it is determined the site is generally considered compatible with the proposed residential land use. A Stage 2 Contamination Assessment will be required in the detailed Development Application stage.
State Environmental Planning Policy (Resources and Energy) 2021.		
Chapter 2 – Mining, Petroleum Production and Extractive Industries	Y	Consistent with the provisions of this SEPP.

SEPP	Applicable	Consistent
Chapter 3 – Extractive Industries in Sydney Area	Y	Consistent with the provisions of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2 – Infrastructure	Y	Consistent with the provisions of this SEPP.
Chapter 3 – Educational Establishments and Childcare Facilities	Y	Consistent with the provisions of this SEPP.

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 proposal is consistent with all relevant Ministerial Section 9.1 Directions.

Table 6 – Section 9.1 Ministerial Direction Compliance

No.	Direction	Applicable	Consistent
Planning Systems			
1.1	Implementation of Regional Plans	Y	Consistent - Consistency with the CCRP 2041 is outlined at the beginning of this document.
1.2	Development of Aboriginal Land Council Land	N	The subject land is not shown on the Land Application Map of <i>State Environmental Planning Policy (Aboriginal Land) 2019</i> .
1.3	Approval and Referral Requirements	Y	Consistent - The proposal does not seek to include additional approval or referral requirements.
1.4	Site Specific Provisions	Y	Consistent - The proposal does not seek to apply specific site-specific provisions through the LEP. Additional site-specific development control plan provisions have been prepared.
1.5	Parramatta Road Corridor Urban Transformation Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.

No.	Direction	Applicable	Consistent
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	This Direction does not apply to the Central Coast Local Government Area.
1.10	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.11	Implementation of Bayside West Precincts 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	N	This Direction does not apply to the Central Coast Local Government Area.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	N	This Direction does not apply to the Central Coast Local Government Area.
1.14	Implementation of Greater Macarthur 2040	N	This Direction does not apply to the Central Coast Local Government Area.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.16	North West Rail Link Corridor Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
1.17	Implementation of Bayside West Place Strategy	N	This Direction does not apply to the Central Coast Local Government Area.
Design & Place			
2.1	Not active yet	N	N/A
Biodiversity & Conservation			
3.1	Conservation Zones	Y	<p>Consistent - The proposal facilitates the protection and conservation of environmentally sensitive areas. A Biodiversity Certification Assessment Report (BCAR) has been prepared to support the proposal and identifies several ecosystem and species credits to be secured and retired to offset the impacts of the proposal.</p> <p>It is proposed to retain 4.0 hectares of conservation land with ongoing management to be undertaken by the proponent in consultation with Darkinjung Local Aboriginal Land Council (DLALC).</p>
3.2	Heritage Conservation	Y	<p>Consistent - The site does not comprise heritage items and is not located in close proximity to other heritage items and is not within an environmental heritage zone.</p>

No.	Direction	Applicable	Consistent
			The AHIMS database identified no Aboriginal sites recorded on the subject land, however 2 Aboriginal objects are registered within 1km of the subject area. Further consultation with Darkinjung Local Aboriginal Land Council (DLALC) and the Aboriginal community will occur at the detailed Development Application stage.
3.3	Sydney Drinking Water Catchments	N	This Direction does not apply to the Central Coast Local Government Area.
3.4	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N	This Direction does not apply to the Central Coast Local Government Area.
3.5	Recreational Vehicle Areas	N	The proposal does not seek land to be developed for the purpose of a recreation vehicle area.
Resilience & Hazards			
4.1	Flooding	Y	<p>Inconsistent - The site is located within the lower part of the Mardi Creek catchment.</p> <p>A Flood Assessment Report has been prepared by Stantec (February 2024). The Flood Impact Assessment shows minor impact in the 1% AEP Flood which is not predicted to have any impact on neighbouring properties. This impact can be considered negligible.</p> <p>There are minor increases in flood levels during the PMF, but it is accepted that these impacts do not increase the flood hazard in those areas and will not impede the efficiency in evacuating the affected areas or nearby residents. The flood behaviour, hazard level and timing of the flood remain unaltered. Evacuation conditions remain unchanged with flood free egress available during the PMF event.</p> <p>As such, any inconsistency with this direction is considered of minor significance.</p>
4.2	Coastal Management	Y	The subject site is not located on land within a coastal environment area.
4.3	Planning for Bushfire Protection	Y	Consistent - A Bushfire Study (Ecological, 2023) has been submitted to support the proposal. The study shows that compliance with the provisions of <i>Planning for Bushfire Protection (PBP) 2019</i> can be achieved.

No.	Direction	Applicable	Consistent
			Agency comments received from the NSW Rural Fire Service (RFS) raise no objection to the proposal provided the future subdivision/development of the land complies with <i>Planning for Bushfire Protection</i> (PBP) 2019.
4.4	Remediation of Contaminated Lands	Y	<p>Consistent – The site was known to have been utilised as an abattoir since the early 1900s. A Preliminary Site Investigation for Contamination prepared by Douglas Partners (2021) has found that there is a low potential for significant or widespread contamination of the site. Localised potential contamination sources were identified from fill material, previous demolition works and from the previous abattoir.</p> <p>Based on this assessment, it is determined the site is generally considered compatible with the proposed residential land use. A Stage 2 Contamination Assessment will be required at the Development Application stage.</p>
4.5	Acid Sulfate Soils	Y	<p>Consistent - The lower northern area of the site is mapped as Class 4 acid sulfate soils. This indicates there is a low probability of acid sulfate soils at depths 2m below the natural ground surface. The remainder of the site is mapped as Class 5 acid sulfate soils. This indicates no known occurrence of acid sulfate soils in this area of the site; however, the site is located within 500m of a Class 1, 2, 3 or 4 acid sulfate soil.</p> <p>Previous investigations undertaken for the site by Douglas Partners have indicated that both acid sulfate soils and acidic soils have been found on the site, however the land is generally considered compatible with the proposed residential use.</p> <p>Further detailed investigations will be required at the Development Application stage.</p>
4.6	Mine Subsidence & Unstable Land	N	The subject land is not within a mine subsidence district.
Transport & Infrastructure			
5.1	Integrating Land Use & Transport	Y	<p>Consistent - The proposal provides a range of residential and associated land uses in close proximity to existing infrastructure and services (e.g. Westfield Tuggerah, Tuggerah train station and bus interchange).</p>

No.	Direction	Applicable	Consistent
5.2	Reserving Land for Public Purposes	Y	Consistent - The subject site is not identified for acquisition for public purposes.
5.3	Development Near Regulated Airports and Defence Airfields	N	The subject land is not located near a regulated airport or a defence airfield.
5.4	Shooting Ranges	N	The subject land is not in the vicinity of a shooting range.
Housing			
6.1	Residential Zones	Y	Consistent - The proposal will provide opportunity for a range of low, medium and high density housing options. The adjoining Westfield Tuggerah provides existing infrastructure and services, whilst upgraded pedestrian and cycle paths are proposed to connect the site to Tuggerah train station.
6.2	Caravan Parks and Manufactured Home Estates	Y	Consistent – the proposal does not propose or impact any caravan parks.
Industry & Employment			
7.1	Business & Industrial Zones	Y	Consistent - The existing MU1 Mixed Use zone is to be retained on the site and will provide for employment generating land uses.
7.2	Reduction in non-hosted short-term rental accommodation period	N	This Direction does not apply to the Central Coast Local Government Area.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	N	This Direction does not apply to the Central Coast Local Government Area.
Resources & Energy			
8.1	Mining, Petroleum Production and Extractive Industries	Y	Consistent – The proposal does not involve an extractive industry or prohibit or restrict development of resources.
Primary Production			
9.1	Rural Zones	Y	Consistent - The proposal seeks to rezone land zoned RU6 Transition which has been identified for future development potential.
9.2	Rural Lands	Y	Consistent - The site is not currently used for significant agricultural or primary production purposes. The proposed rezoning will not cause fragmentation of existing rural lands.

No.	Direction	Applicable	Consistent
9.3	Oyster Aquaculture	N	The proposal does not affect land within a Priority Oyster Aquaculture Area.
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	N	This Direction does not apply to the Central Coast Local Government Area.

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?*

Land zoned C2 Environmental Conservation exists in the south east of the site and is proposed to be slightly expanded. The proposal also proposes to retain a rocky outcrop and native vegetation in the north west of the site, and a small area of remnant native vegetation in the east. The proposal also seeks to improve and restore Mardi Creek which runs west to east along the northern boundary of the site.

A Biodiversity Certification Assessment Report (BCAR) has been prepared to support the proposal. The BCAR identifies the following credits to be secured and retired to offset the impacts of the proposal:

- 10 ecosystem credits to offset impacts to PCT 684 - Blackbutt - Narrow-leaved White Mahogany shrubby tall open forest of coastal ranges, northern Sydney Basin Bioregion
- 2 ecosystem credits to offset impacts to PCT 1105 - River Oak open forest of major streams, Sydney Basin Bioregion and South East Corner Bioregion
- 3 ecosystem credits to offset impacts to PCT 1718 - Swamp Mahogany - Flax-leaved Paperbark swamp forest on coastal lowlands of the Central Coast
- 3 species credits for impacts to Biconvex Paperbark (*Melaleuca biconvexa*)
- 17 species credits for impacts to Southern Myotis (*Myotis Macropus*)

Council's Strategic Environmental Planner has outlined that some minor revisions may be required to the proposal to avoid impacts to the *Melaleuca biconvexa* on the northern boundary of the site. The area of identified *Melaleuca biconvexa* (approximately 0.14 hectares) is currently zoned MU1 Mixed Use with previous Development Application (DA) and Planning Agreement (PA) approval to locate the proposed left in left out vehicular access to Wyong Road in this locality.

Following consultation with the Biodiversity Conservation Division (BCD), the Planning Proposal has been updated to rezone this land adjoining the northern property boundary to E2 Environmental Conservation. Further consultation will be undertaken with BCD as part of the certification of the BCAR to determine if any further measures are necessary to avoid impacts to the *Melaleuca biconvexa* (should a future development application (DA) wish to retain the left in left out access to Wyong Road).

The letter of offer submitted with the proposal proposes the retention of 4.0 hectares of conservation land with ongoing management to be undertaken by the proponent in consultation with Darkinjung Local Aboriginal Land Council (DLALC).

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

Bushfire

A Bushfire Study (Ecological, 2023) has been submitted to support the proposal. The study shows that compliance with the provisions of *Planning for Bushfire Protection (PBP) 2019* can be achieved. Pre Gateway consultation with NSW Rural Fire Service (RFS) has raised no objection to the proposal.

Indigenous and Non-Indigenous Cultural Heritage Items

The site does not comprise heritage items and is not located in close proximity to other heritage items and is not within an environmental heritage zone.

The AHIMS database identified no Aboriginal sites recorded on the subject land, however 2 Aboriginal objects are registered within 1km of the subject area. Further consultation with DLALC and the Aboriginal community will occur at the detailed Development Application stage.

Contaminated Land and Acid Sulfate Soils

The land was utilised as an abattoir since the early 1900s. A Preliminary Site Investigation for Contamination prepared by Douglas Partners (2021) found that there is a low potential for significant or widespread contamination of the site. Localised potential contamination sources were identified from fill material; previous demolition works and from the previous abattoir.

Previous investigations undertaken for the site by Douglas Partners have indicated that both acid sulfate soils and acidic soils have been found on the site, however the land is generally considered compatible with the proposed residential use.

Council's Environmental Health Officer has concluded that the findings are not significant enough in nature to prevent the rezoning proposal from proceeding. Further detailed assessment must be completed at DA stage to ensure the land is made suitable for its proposed use.

Flooding and Drainage

A Flood Assessment Report has been prepared to support the proposal. Following concerns raised in correspondence received from the Biodiversity and Conservation Division (BCD) in June 2023, more detailed modelling was undertaken and subsequently the Flood Assessment Report and the Stormwater Report were both updated. The Flood Impact Assessment shows insignificant impact in the 1% AEP Flood event which is considered to have negligible impact on neighbouring properties.

The rise in Probable Maximum Flood (PMF) levels will not impede the efficiency in evacuating the affected areas or nearby residents and the flood behaviour, hazard level and timing of the flood remain unaltered. Minor impacts during the PMF event are not considered to increase the flood hazard to surrounding areas and evacuation conditions remain unchanged with flood free egress available from the site during a PMF event.

As such, any inconsistency with Planning Direction 4.1 Flooding is considered of minor significance.

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

Social Issues

Council's Affordable and Alternate Housing Strategy (AAHS) identifies a need for diversity of housing options on the Central Coast. The planning proposal provides opportunity for a range of housing typologies to enable choice reflective of changing demographics. Housing demographics demonstrate increased demand for medium and high density housing and the proposal provides for a yield of up to 2112 dwellings. The indicative concept plan also provides for seniors housing with approximately 261 independent living units.

The proposal will enable increased opportunities for well-located affordable and lower cost housing that will satisfy some of the low-income housing needs of the community. The proposed housing is in close proximity to Westfield Tuggerah which provides a range of retail, dining, entertainment, and health services, and a bus service that connects Westfield Tuggerah with the train station and the wider region.

In discussions with Council's Community and Culture team it was highlighted that this proposal could fill current gaps that exist in the community, in particular for the aged and the youth. Council's Youth Strategy identified a need to develop more dedicated spaces for young people. A Letter of Offer has been submitted by the proponent outlining a range of monetary contributions and works in kind to support the proposal. Included in draft Voluntary Planning Agreement (VPA) prepared to support the proposal is delivery of a ground floor youth centre valued at \$1 million either as part of future development of the Gateway site or within the adjoining Westfield Tuggerah.

The indicative structure plan for the development of the site proposes over 2.7ha of useable open space areas including a central green park, hillside park, and rocky outcrop. The structure plan also provides an additional 10.3ha of other open space including a linear park, conservation land, natural low land corridor and riparian corridor.

Economic Impacts

A Market Demand and Economic Benefit Assessment (Urbis, 2023) has been prepared to support the proposal. The assessment concludes that the subject site is well located for residential development with strong transport connectivity and proximity to existing retail, medical, entertainment, recreational and community facilities. The proposed development provides opportunity to address the market demand for medium and high density dwellings, and seniors housing.

The subject site is located adjacent to Westfield Tuggerah and retention of the MU1 Mixed use zone will provide for the local convenience needs of residents whilst ensuring Westfield Tuggerah continues its role in providing higher order retail. The additional residential housing will bring increased vitality and viability to the Tuggerah Town Centre, contributing to its desired future character as a sustainable and vibrant centre.

The focus of large format retailing will remain at the nearby Tuggerah Super Centre located to the immediate south of Tuggerah Train station. The subject site is not well suited to commercial office development due to being on the fringe of the Tuggerah Town Centre. Office development is better located closer to the rail line as part of the Tuggerah Business Park and Wyong Town Centre, both located near the site.

Given the site's strategic location as a key gateway, forming the entrance to the northern part of the Central Coast, future development must contribute a high level of amenity and attractiveness. As such, industrial development is not considered to be the highest or best use for this site. The existing Somersby and Warnervale Industrial Estates are located adjacent to the M1 Pacific Motorway and are better suited to accommodate the demand for freight and logistic businesses. The proposed residential and employment uses are considered to generate a better economic outcome for this site and will attract investment to the area to stimulate the economy and grow the region.

Section D – State and Commonwealth Interests

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

Traffic

A traffic and transport report has been prepared to support the proposal. The proposal will provide significant road infrastructure including upgrades to the Wyong Rd and Tonkiss St intersection. The proposal provides a range of new and upgraded shared pedestrian path and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange. Further detailed traffic modelling and investigations will be required at Development Application (DA) stage.

Consultation has occurred with Transport for NSW (TfNSW) who have indicated no objection to the proposal. TfNSW have confirmed that further modelling and updates to the VPA for State Infrastructure can be negotiated at the DA stage.

Water and Sewer

The proponent has prepared a servicing strategy to outline the proposed water demand and sewer loading for the development. For water supply, there is an existing 200mm water main on 50 Wyong Rd. The proposed development will be required to connect into the 200mm water main and extend this water main into the development land and connect back into the existing Council 150mm water main on the southern end of Tonkiss St.

The existing 300mm Council sewer main does not have the capacity for the whole development. Discussions with TfNSW have indicated that construction of new sewer infrastructure can be facilitated within, under or over the rail corridor, to convey wastewater flows from the subject site to the Wyong South Sewerage Treatment Plant (STP).

The proponent will be required to undertake further investigations and update the servicing strategy to consider the different options available to service the proposed development and finalise the preferred option. This detailed modelling will be required at the DA stage.

Electricity and Gas

A 132kV transmission line operated by Ausgrid traverses the site in a north to south direction. The easement for this line is approximately 45 metres.

It is proposed, in consultation with Ausgrid, to underground approximately 1,200m to 1,600m of the existing transmission line from the pole on the northern side of Wyong Road to the pole south of the site boundary.

Based on the proximity of the site to trunk gas infrastructure, the provision of gas supply is not expected to pose a constraint to development.

NBN

The site is currently serviced by the National Broadband Network. The surrounding residential areas are serviced by fibre to the node fixed line connections. It is likely that fixed line technology can be extended to the site to supply the proposed development.

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

Government agency consultation requirements are detailed in the Gateway Determination and have been conducted accordingly. Consultation with the following agencies was undertaken based on the identified site constraints and a copy of each response is attached to the Planning Proposal.

Table 7 – Agency Consultation

Agency	Date of response
Department of Climate Change, Energy, Environment & Water (BCD) – formerly Department of Planning & Environment	23 June 2023
	12 December 2023
Transport for NSW	15 June 2023
Department of Education - School Infrastructure NSW	14 July 2023
Environment Protection Authority (EPA)	19 June 2023
NSW Rural Fire Service (RFS)	13 July 2023

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

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

Department of Planning, Housing and Infrastructure (DPHI) – pre Gateway comments

The proposal must consider the directions within the Department's CCRP 2041 and Council's Local Strategic Planning Statement (LSPS) and Tuggerah to Wyong Economic Corridor Strategy. Is the development proposed in the indicative structure plan appropriate? Is a minimum buffer required to the M1 to manage acoustic and vibration impact? Does the proposal promote active transport and use of public transport to connect to the Tuggerah Train station and future Town Centre? Are the proposed LEP amendments adequate (no proposed FSR, height or minimum lot size controls) and is a local clause required to ensure timely delivery of the MU1 mixed land uses?

Council response – Assessment against State and Council planning strategies is outlined throughout the Planning Proposal. The proposed heights and densities have been workshopped with the Department's Urban Design team and the amended provisions are now supported by DPHI. The proposal has been amended to introduce new controls for the MU1 Mixed Use portion of the site for maximum building height and FSR. An FSR density control of 0.75:1 is proposed for the R1 General Residential zone, consistent with other R1 zoned land throughout the LGA. A local clause is not necessary to regulate the delivery of the MU1 portion of the site, the market will drive future use of this land in line with the wide range of permissible uses in the zone.

An acoustic assessment and air quality assessment have been prepared to support the proposal. A buffer has been provided to the M1 Motorway to protect existing vegetation and has been formed based on the acoustic assessment. The predictive modelling suggests that the proposed residential locations can be made suitable with specific construction material. Additional attenuation measures can be considered at DA stage to provide for improved amenity for the future residential development adjacent to the M1 Pacific Motorway.

The site is adjacent to Westfield Tuggerah which has a bus service that connects the shopping centre with the train station and the wider region. The proposal also provides a range of shared pedestrian paths and cycleways, including construction of a new shared pathway from the site to the existing overhead pedestrian bridge on Wyong Road, providing connection to the Tuggerah train station via Anzac Road.

Department of Climate Change, Energy, Environment & Water (DCCEEW) – Biodiversity Conservation Division

Support retention of C2 Environmental Conservation zone. The BCAR will be subject to a separate assessment and has not been submitted to BCD to date. Biodiversity issues can be resolved via the BCAR process and will need to be certified prior to submission of a Development Application (DA). Avoided land cannot be subject to development impacts and the proposed use of the Rocky Outcrop for an Adventure Park would create direct impacts to areas of high biodiversity value.

The proposal is to demonstrate consistency with the S9.1 Ministerial Direction for flooding. Flood and stormwater consultants should work together to remove inconsistencies between the reports. The proposed Central Green Park recreation area may be subject to high flood hazards, and the Urban Design Report should be updated to remove all open space and recreational areas from within the drainage corridor. Stormwater management and retaining wall design considerations will need to be resolved prior to the lodgement of any DA for the site.

Council response - Following the receipt of this advice the proponent finalised the BCAR (which has since been sent to BCD for assessment and certification) and updated the Flooding and Stormwater Reports. The proposed use of the Rocky Outcrop as an Adventure Park has been removed and this area is now proposed to be rezoned C2 along with the northern property boundary adjoining Wyong Rd.

The flooding consultant has undertaken more detailed modelling that has shown the depths of floodwaters within the waterways has reduced and any inconsistency with Planning Direction 4.1 Flooding is considered of minor significance. The Urban Design Report has been updated to remove open space and recreation areas from within the drainage corridor and the location of these areas will be subject to further consultation with Council and BCD at DA stage. The draft DCP Chapter 4.7 – Tuggerah Regional City has been updated with specific requirements to address stormwater management, flood management and earthworks and it is considered any future development of the site can be designed to mitigate any impacts.

Transport for NSW (TfNSW)

No objection to the proposal. The proponent has entered a Deed with TfNSW to share the Tuggerah Integrated Transport Plan (ITP) base model to assist with the progression of traffic modelling for the site. The updated traffic model and Traffic Impact Assessment (TIA) must be prepared prior to lodgement of the DA for development of the site. Updates to the existing Planning Agreement for the proponent to signalise the Wyong Rd/Tonkiss Rd intersection can be negotiated with TfNSW prior to lodgement of the DA. As the supporting TIA has not suggested any timing for road upgrades, it is assumed the Wyong Road/Tonkiss St intersection will be upgraded prior to any development occurring on the site.

Council response – The proponent and TfNSW will work together to agree on the modelling inputs and assumptions related to the development of the site (densities, staging and scenarios to be run) to enable an updated model and TIA to be prepared to inform future DAs. A draft Voluntary Planning Agreement (VPA) has been prepared to support the proposal which outlines the proponents commitment to undertaking additional traffic modelling and any required update to the existing State Planning Agreement (for upgrade to the Tonkiss ST/Wyong Rd intersection) prior to determination of any future DAs for the site.

Department of Education - School Infrastructure NSW (SINSW)

Enrolment demand stemming for the proposed growth can be accommodated in surrounding schools. The subject proposal is in a key area for economic development and residential growth. Continued growth in Tuggerah may necessitate a review of school expansion and provision in the area. SINSW is committed to working with Council to ensure schools are supporting community needs and appropriately resourced.

SINSW will require more detailed information (dwelling numbers, lot sizes, dwelling typology, staging, proposed infrastructure, etc) to provide more specific advice on the proposal. To complement future development of the site, SINSW recommends strong implementation of the active transport and public transport links to the primary school, high school and Tuggerah Train station. Shared User Paths or bi-directional cycleways are preferred for parents with young children to ride in close proximity to traffic.

Council response – comments are noted and any subsequent Development Applications (DAs) for the development of the site will be referred to SINSW. A range of new and upgraded pedestrian paths are provided within the site and external to the site, including a new shared pathway connecting the site to the existing pedestrian bridge on Wyong Road. This will facilitate pedestrian and cyclist access to the Tuggerah train station via the existing pedestrian path on Anzac Road.

Ausgrid

No formal response is considered necessary. Ongoing consultation should occur on the proposal.

Council response – comments are noted and any subsequent Development Applications for the development of the site will be referred to Ausgrid.

Environmental Protection Authority (EPA)

The EPA has no comment on the proposed and no further consultation is required. The proposal is unlikely to lead to activities that will constitute a schedule activity under the *Protection of the Environment Operations Act (1997)* or be undertaken by or on behalf of a NSW public authority, and the site is not being regulated by the EPA.

Council response – comments are noted.

NSW Rural Fire Service (RFS)

No objections to the proposal subject to future development complying with *Planning for Bush Fire Protection (PBP) 2019*.

Council response – comments are noted and the site specific DCP includes provisions that require future development complies with PBP 2019.

Darkinjung Local Aboriginal Land Council (DLALC)

No response received during formal agency consultation.

Council response – concurrence is assumed. Preliminary consultation has occurred between the proponent and DLALC as part of the preparation of the Due Diligence Assessment. The Darkinjung LALC expressed their intention to work with the proponent in celebrating the Aboriginal cultural heritage values of the area during the delivery of the development.

Local Planning Panel

The Local Planning Panel (LPP) considered the matter on 23 June 2022. The LPP comments were:

“The Panel supports Council progressing with the Planning Proposal; however Council should ensure that any subsequent development application for the use of the land thoroughly addresses the issues of flooding, evacuation, and suitability of the proposed use. The Panel reviewed the planning proposal and information provided and concurs that it has strategic and site specific merit”

Council response – comments are noted. The issues raised will be further considered during assessment of any future Development Applications (DAs) for the site.

Part 4 Mapping

Table 8 - Existing and Proposed Mapping

Map	Map Title
Existing Provisions	
A.	Existing Zoning of Land under CCLEP 2022
B.	Existing Minimum Lot Size under CCLEP 2022
Proposed Provisions	
C.	Proposed Zoning under CCLEP 2022
D.	Proposed Minimum Lot Size under CCLEP 2022
E.	Proposed Floor Space Ratio under CCLEP 2022
F.	Proposed Height of Buildings under CCLEP 2022
G.	Proposed Urban Release Area under CCLEP 2022

Part 5 Community Consultation

The Planning Proposal will be made available for community consultation as specified in the Gateway Determination.

Council has prepared a draft Development Control Plan (DCP) and draft Voluntary Planning Agreement (VPA) to support the Planning Proposal. The draft DCP and VPA will be exhibited concurrently with the Planning Proposal which is required to be exhibited for 30 business days.

The proposal will be made available on Council’s website www.yourvoiceourcoast.com

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

Part 6 Project Timeline

Table 9 - Key Project Timeframes

Action	Period	Start Date	End Date
Gateway Determination	5 months	July 2022	December 2022
Design review in consultation with DPHI (formerly DPE) as required by the Gateway Determination	5 months	December 2022	April 2023
Timeframe for government agency consultation	18 months	May 2022	December 2023
Commencement and completion dates for public exhibition	1 month	April 2024	May 2024
Timeframe for consideration of submissions	2 months	May 2024	June 2024
Timeframe for consideration of a proposal (by Council)	1 month	June 2024	July 2024
Date of submission to the Department to finalise LEP	1 month	July 2024	August 2024
Anticipated date RPA will make and notify the plan	7 days	September 2024	September 2024

Supporting Documentation

Table 10 - Supporting documentation to the Planning Proposal

Attachment	Document
A.	Gateway Determination – 19 December 2022
B.	Alteration of Gateway Determination – 3 August 2023
C.	Alteration of Gateway Determination – 8 February 2024
D.	Local Planning Panel Advice – 23 June 2022
E.	Council Report & Minutes – 28 June 2022
F.	Draft Central Coast DCP 2022 – Chapter 4.7 Tuggerah Regional City
G.	Amended Draft Central Coast DCP 2022 – Chapter 5.34 Tuggerah Precinct
H.	Draft Voluntary Planning Agreement (VPA)

Several studies and investigations have been prepared to support and justify the Planning Proposal. Each of these studies and reports are attached.

Table 11 - Supporting studies and investigations

Attachment	Document
1.	Urban Design Report (Urbis, December 2023)
2.	Review of Noise Constraints (EMM, March 2024)
3.	Market Demand and Economic Benefit Assessment (Urbis, May 2023)
4.	Community Needs Assessment (Urbis, May 2023)
5.	Biodiversity Certification Assessment Report (Ecological, December 2023)
6.	Strategic Bushfire Study (Ecological, June 2023)
7.	Transport Assessment (Ason Group, May 2023)
8.	Preliminary Site Investigation - Contamination (Douglas Partners, September 2021)
9.	Geotechnical Desktop review (Douglas Partners, September 2021)
10.	Aboriginal Objects Due Diligence Assessment (Urbis, April 2024)
11.	Flood Assessment Report (Stantec, February 2024)
12.	Stormwater Management Report (Infrastructure & Development Consulting, February 2024)
13.	Utilities Report (Infrastructure & Development Consulting, May 2023)
14.	Air Quality Assessment (EMM Consulting, March 2024)

Land Use Tables

Land Use Table for RU6 Transition under Wyong Local Environmental Plan 2013

Zone RU6 Transition

1 Objectives of zone

- To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To ensure that interim land uses do not have an adverse impact on the conservation or development potential of land identified for future investigation in the North Wyong Shire Structure Plan or Wyong Settlement Strategy.

2 Permitted without consent

Nil

3 Permitted with consent

Air transport facilities; Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Community facilities; Dual occupancies; Dwelling houses; Electricity generating works; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Flood mitigation works; Home-based child care; Home businesses; Home industries; Home occupations; Horticulture; Information and education facilities; Oyster aquaculture; Recreation areas; Recreation facilities (outdoor); Research stations; Roads; Tank-based aquaculture; Waste or resource management facilities; Water recreation structures; Water supply systems

4 Prohibited

Any other development not specified in item 2 or 3

Proposed Land Use Table under Central Coast Local Environmental Plan 2022

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote best practice in the design of multi dwelling housing and other similar types of development.
- To ensure that non-residential uses do not adversely affect residential amenity or place unreasonable demands on services.

2 Permitted without consent

Home occupations; Recreation areas

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Car parks; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Sewage reticulation systems; Shop top housing; Signage; Tank-based aquaculture; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3