

ATTACHMENT 2 - Strategic Assessment



Central Coast Council
Strategic Planning Framework Assessment
2, 14, 24 Collingwood Drive and 107 Matcham Road,
Matcham

PP/84/2015;
January 2019

Relationship to strategic planning framework

Where a regional or sub-regional plan is in place:

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

Central Coast Regional Plan 2036

The *Central Coast Regional Strategy 2036 (CCRP)* applies to the Central Coast local government area (LGA). The Planning Proposal will assist Council in meeting the targets set by the State Government in the Regional Strategy for provision of housing and/or jobs.

The CCRP is to provide the basis of the planning by the local government sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the relevant actions identified in the CCRP:

12	Direction 12: Protect and manage environmental values	
	Action	Assessment
12.5	Sensitively manage natural areas on the fringe of urban areas to mitigate land use incompatibility issues and provide important quality of life and tourism benefits	The proposed 1 ha lot size subdivision would successfully protect remnant vegetation on the site as no vegetation is likely to require removal for Bushfire Asset Protection Zones or for the provision of on-site sewage management facilities. Consequently the Planning Proposal is consistent with the CCRP.

Table 1: Central Coast Regional Plan Assessment

2. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Central Coast Community Strategic Plan – One: Central Coast

The *Central Coast Community Strategic Plan* outlines a set of guiding principles, aspirations and values for the community. These reflect on social, economic, environmental and governance aspects for now and the future.

The following strategies outlined in the Community Strategic Plan are applicable to this Planning Proposal:

Theme - Green	
Focus Area – Cherished and Protected Natural Beauty	
Strategies	Assessment
F1 – Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species	The proposed rezoning to allow subdivision of the land to create an additional 4 lots is unlikely to result in the loss of vegetation through clearing for dwellings, asset protection zones or on-site sewage management works.
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)	The proposed rezoning to allow subdivision of the land to create an additional 4 lots will result in a payment equivalent to that which would have been required under IDO 122 for the acquisition or embellishment of COSS land.

Table 2 – Community Strategic Plan Assessment

Biodiversity Strategy

The Biodiversity Strategy (2008) provides a framework and guide for the management of biodiversity in Gosford area that is consistent with regional, state, national and international strategies, plans and policies. The following Action in the Biodiversity Strategy is applicable to the Planning Proposal:

- 3 *Environmental zoned lands need to be retained with current minimum lot area standards to enable the lot sizes to allow sufficient space for land uses to occur without loss of biodiversity.*

The rezoning of the land to E4 Environmental Living is unlikely to result in the removal of vegetation for Asset Protection Zones or on-site sewage management works, therefore the additional 1 ha lots would not lead to a loss of biodiversity.

Policy D2.02 – Rezoning of Land Zoned Conservation & Scenic Protection (Conservation) 7(a)/Environmental Conservation E2

As the subject land is zoned 7(a), this Policy applies. The Policy objectives are:

- 1 *To define objectives for the Conservation 7(a) / E2 zone to ensure the long term preservation of the scenic and environmental qualities of the region and to ensure Planning Proposals (ie LEPs) are consistent with the prescribed objectives.*
- 2 *To establish criteria to be used by Council to assess requirements to prepare a Planning Proposal. (ie local environmental plan) primarily for the purpose of providing dedication of strategically environmentally/scenically important land for the community benefit in exchange for additional development rights having regard to the land's attributes pertaining to the zone boundary of the 7(a) Conservation zone / Environmental Conservation E2, but also for the purpose to alter the zone, uses, subdivision or other provisions.*

The objectives of the 7(a) zone are:

- a *The conservation and rehabilitation of areas of high environmental value.*
- b *The preservation and rehabilitation of areas of high visual and scenic quality in the natural landscape.*
- c *The provision and retention of suitable habitats for native flora and fauna.*
- d *The prohibition of development on or within proximity to significant ecosystems, including rainforests, estuarine wetlands etc.*
- e *The provision and retention of areas of visual contrast within the City, particularly the "backdrop" created by retention to the ridgelines in their natural state.*
- f *The provision of opportunities for informal recreation pursuits, such as bushwalking, picnic areas, environmental education, etc in appropriate locations.*
- g *The minimisation or prohibition of development so that the environmental and visual qualities of the natural areas are not eroded by the cumulative impact of incremental individually minor developments.*
- h *The minimisation or prohibition of development in areas that are unsuitable for development by virtue of soil erosion, land slip, slope instability, coastal erosion or bushfire hazard.*

As the land is zoned 7(a) the subject land has been identified as having characteristics of environmental value, scenic quality and accommodating habitat for native flora and fauna. Increased density through rezoning, subdivision and subsequent development for dwellings, will occur. Information from the applicant has indicated that Asset Protection Zones and on-site sewage management will not require additional clearing. The conservation and preservation of the existing is consistent with this Policy and the objectives of the 7(a) zone.

Besides being assessed on environmental, statutory and strategic grounds any Planning Proposal pertaining to 7(a) zoned land must include the following:

- Land capability assessment
- Vegetation analysis
- Faunal analysis
- Visual assessment
- Bushfire hazard analysis
- SEPP 19 - Bushland in Urban Areas
- Strategic basis
- Preparation of DCP
- Dedication of land to COSS

Since the preparation of this Policy, the matters relating to land capability, vegetation, fauna and bushfire have become statutory matters which have to be addressed in any Planning Proposal assessment, and have been addressed separately to this Policy in the report. The matters relating to visual quality and COSS are the subject of Council's DCPs or strategies which have also been addressed separately in the report.

Scenic Quality

Chapter 2.2 of Gosford DCP 2013 identifies the site as being in the Coastal Valleys Geographic Unit and in the Matcham-Holgate Landscape Unit. The Matcham-Holgate Landscape Unit is of regional scenic significance due to it being an outstanding example of a rural cultural landscape. The visual features of the valleys include significant topographic enclosure created by major ridgelines, within this framework minor ridges which further break up the views. The Matcham-Holgate area has a low absorption capacity for further development and moderate to high visual sensitivity. Its detracting elements are where development features dominate the landscape features.

The development objectives applicable to this Planning Proposal are:

Opportunities for increases in densities and scale are available in areas not subject to visibility constraints or other physical constraints. Visually constrained land includes land on main roads within scenic protection areas, within scenic protection areas and conservation zoned areas.

Retain current subdivision standards in scenic protection zoned areas to ensure continuing dominance of landscape features over built environment.

Maintain broad patterns of land use within area to ensure protection of landscape diversity and in particular scenic protection and conservation zoned areas.

The Planning Proposal will maintain the broad pattern of land use and lot size already evident within the locality. Therefore the Planning Proposal will not adversely impact the scenic quality of the area.

Character

Chapter 2.1 of Gosford DCP 2013 identifies the site as being in Matcham Character Precinct 2 – Scenic Buffer (see map below). The Development Objectives for the Scenic Buffer are:

1. *Maintain broad patterns of land use within area to ensure protection of landscape diversity and in particular Environmental/Conservation zoned areas.*
2. *Recognise importance of privately owned Environmental/Conservation zoned land in providing a complimentary land system to and a buffer area for COSS lands.*

The desired character for the Scenic Buffer is:

Retain natural slopes and prevent further fragmentation of the tree canopy in order to maintain habitat values and informal scenic characters of hillside or valley properties, plus meandering roads with unformed verges. Along creeks, ridges, slopes or road frontages, conserve all mature bushland remnants that provide scenically-prominent backdrops visible from any road or nearby property. Limit intrusion of structures upon their landscape setting by concentrating new buildings and pavements in existing clearings. Use low-impact construction such as suspended floors and decks rather than extensive cut-and-fill, particularly on elevated slopes or near bushland.

The Desired Character Statement emphasises the importance of the retention of the tree canopy. The proposed subdivision indicates that there is opportunity for each proposed allotment to provide a subdivision design with building envelopes that would not require the removal of trees to satisfy the requirements of an Asset Protection Zone.

3. Is the planning proposal consistent with applicable state environmental planning policies?

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

State Environmental Planning Policy	Comment
SEPP No 19 – Bushland in Urban Areas	
<p>The general aim of this Policy is to protect and preserve bushland within the urban areas referred to in Schedule 1 because of:</p> <ul style="list-style-type: none"> (a) its value to the community as part of the natural heritage, (b) its aesthetic value, and (c) its value as a recreational, educational and scientific resource. <p>The specific aims of this policy are:</p> <ul style="list-style-type: none"> (a) to protect the remnants of plant communities which were once characteristic of land now within an urban area, (b) to retain bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term, (c) to protect rare and endangered flora and fauna species, (d) to protect habitats for native flora and fauna, (e) to protect wildlife corridors and vegetation links with other nearby bushland, (f) to protect bushland as a natural stabiliser of the soil surface, (g) to protect bushland for its scenic values, and to retain the unique visual identity of the landscape, (h) to protect significant geological features, (i) to protect existing landforms, such as natural drainage lines, watercourses and foreshores, 	<p>The applicant has proposed protection of the existing stands of trees and submitted information that the required Asset Protection Zones and area required for on-site sewage management would require minimal removal of existing vegetation on the site. The Planning Proposal is therefore considered to be consistent with the SEPP.</p>

State Environmental Planning Policy	Comment
<p>(j) to protect archaeological relics,</p> <p>(k) to protect the recreational potential of bushland,</p> <p>(l) to protect the educational potential of bushland,</p> <p>(m) to maintain bushland in locations which are readily accessible to the community, and</p> <p>(n) to promote the management of bushland in a manner which protects and enhances the quality of the bushland and facilitates public enjoyment of the bushland compatible with its conservation.</p>	
SEPP No. 55 – Remediation of Land	
<p>Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment</p> <p>(b) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(c) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>(d) by requiring that a remediation work meet certain standards and notification requirements.</p>	<p>SEPP 55 lists some activities that may cause contamination, one of which is agricultural or horticultural activities. Council’s historical aerial photographs indicate that the subject land was being used for orchards in 1954. By 1957 the land was being used for market gardens and was still being so used in 1964. By 1986 the land had been subdivided and dwellings built. As the land has been used for agricultural and horticultural activities a preliminary contamination assessment is to be undertaken in accordance with <i>Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land</i>.</p>

Table 3 – State Environmental Planning Policy Assessment

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

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

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

No.	Direction	Applicable	Consistent
4.2	Mine Subsidence and Unstable Land	N	N/A
4.3	Flood Prone Land	N	N/A
4.4	Planning for Bushfire Protection	Y	Y
Regional Planning			
5.1	Implementation of Regional Strategies	Y	Y
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	N	N/A
5.9	North West Rail Link Corridor Strategy	N	N/A
5.10	Implementation of Regional Plans	Y	Y
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	N	N/A
6.3	Site Specific Provisions	Y	Y
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	N	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A

No.	Direction	Applicable	Consistent
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	N/A

Table 4 – S9.1 Ministerial Direction Compliance

Ministerial Section 9.1 Directions

Direction	Comment
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p> <p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p>	<p>The subject site exhibits cleared areas suitable for additional housing on 1 Ha lots. The zoning of this land to permit 1 ha sized lots would facilitate the protection and conservation of existing vegetation. The proposal to zone the land to E4 with an APU (under CCLEP) to permit an additional 4 lots would not reduce the environmental protection standards applying to the land and hence be consistent with this Direction.</p>
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p> <p>A planning proposal must contain provisions that facilitate the conservation of items, places,</p>	<p>No items of European Heritage have been identified in any planning instrument as being located on the site.</p> <p>The Due Dilligence Report for Aboriginal Objects concluded that:</p> <ul style="list-style-type: none"> - The proposed activity will be undertaken on disturbed land;

Direction	Comment
<p>buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area. This includes items, areas, objects and places of indigenous heritage significance.</p>	<ul style="list-style-type: none"> - The site has a low likelihood of containing Aboriginal objects - An application for an Aboriginal Heritage Impact Permit is not required for this activity.
Housing, Infrastructure and Urban Development	
3.3 Home Occupations	
<p>Aims to encourage the carrying out of low impact small business in dwelling houses. Applies when the relevant planning authority prepares a planning proposal.</p>	<p>The proposal does not impact on the permissibility of home occupations.</p>
Hazard & Risk	
4.4 Planning for Bushfire Protection	
<p>Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas. Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.</p>	<p>The subject land is classified as Rural Fire Service Bushfire Category 1 and Category 2 and Vegetation Buffer. The RFS has advised that it raises no objections to the proposal subject to a requirement that the future subdivision of the land complies with <i>Planning for Bush Fire Protection 2006</i>. Should Council and DP&E support the amended planning proposal, then the gateway determination may require further consultation with the Rural Fire Service.</p>
Regional Planning	
5.10 Implementation of Regional Plans	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies. Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra</p>	<p>The Planning Proposal will provide continued housing choice for rural residential opportunities in the Matcham area. There are limited opportunities and areas suitable for this form of development in the local government area. The Planning Proposal seeks a modest increase in housing density which takes account of environmental constraints on the site. The additional four dwellings that will be permitted</p>

Direction	Comment
	<p>as a result of the proposal also will not create a negative impact upon the existing landscape. The proposal reduces the pressure on other genuine lands required as rural resources and constrains rural residential functions to an area already established for that use.</p> <p>The Planning Proposal is considered to be consistent with the directions and actions contained in the Central Coast Regional Plan as indicated in the response to Question 1 above.</p>
Local Plan Making	
6.1 Approval and Referral Requirements	
<p>Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>This Direction requires a Planning Proposal to minimise the inclusion of concurrence/consultation provisions and not identify development as designated development.</p>	<p>The planning proposal will not increase the need for referrals for development applications.</p>
6.3 Site Specific Provisions	
<p>Aims to discourage unnecessarily restrictive site specific planning controls.</p> <p>Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.</p> <p>The Planning Proposal must use an existing zone already applying in an environmental planning instrument and not impose any development standards in addition to those already contained in the environmental planning instrument. The proposal shall not contain or refer to drawings/concept plans that show details of the proposed development.</p>	<p>It is proposed that the relevant mapping be updated only subsequent to this proposal and no additional development standards than currently exist would be applied.</p> <p>The proposal shall not contain or refer to drawings/concept plans that show details of the proposed development.</p>

Table 5: S9.1 Ministerial Direction Assessment