

PLANNING PROPOSAL

Mooney Mooney and Peat
Island

Prepared for
PROPERTY & DEVELOPMENT NSW
23 August 2021



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Report Number	Final

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EXECUTIVE SUMMARY

This Planning Proposal Report has been prepared by Urbis on behalf of Property & Development NSW and seeks amendments to the Gosford Local Environmental Plan 2014 (**GLEP 2014**) for surplus Government owned land at Peat Island and Mooney Mooney (**the site**).

The aim of the Planning Proposal is to facilitate the future redevelopment of the site, for a mix of residential, community, tourism and employment generating land uses.

The Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Having regard to the Department of Planning, Infrastructure and Environment (**DPIE**)'s '*Local Environmental Plans – a guide to preparing local environmental plans*' and '*Planning Proposals - a guide to preparing planning proposals*'.

BACKGROUND

This Planning Proposal was first submitted to the former Gosford Council in August 2014. On 9 December 2014 Gosford Council resolved the Proposal to send to DPIE for Gateway Determination. On 22 September 2015, DPIE required that a revised Planning Proposal to be prepared to address a number of issues.

A revised Planning Proposal was submitted to Central Coast Council (**Council**) in November 2016. Gateway Determination was issued by DPIE on 10 August 2017. A letter received from DPIE on 25 June 2020 confirmed that the Gateway Determination has been extended and the time frame for competing the LEP is by 10 August 2021.

The Gateway Determination stated that while the supporting studies were sufficient, a number of conditions are required to be addressed prior to progressing the Planning Proposal further.

Since August 2017, Property & Development NSW has undertaken a significant amount of consultation with public authorities and Council, including the submission of a Planning Proposal addendum to Council in December 2018 for review and comments.

Post the 2018 addendum submission, Property & Development NSW has engaged technical consultants to undertake further environmental investigations, including the preparing of a Heritage Conservation Management Plan (**CMP**), Microbat Management Plan (**MMP**) and a Site Specific Development Control Plan (**DCP**) to respond to Council's and public authorities feedback received in March 2019.

In November 2020, a second Planning Proposal Addendum package was submitted to Council, accompanied by the documents above and included the updated technical studies. This package was to further respond to Gateway Determination conditions and address all the issues raised by Council and agencies during the pre-public exhibition consultation process.

Subsequent to extensive discussions with Council from November 2020 to June 2021 this Planning Proposal Report has been prepared, which is a consolidated planning document (that includes the findings of the previous addendum reports) to support the Planning Proposal for public exhibition,

It has been prepared based on the revised indicative Concept Plan, draft LEP zoning maps and revised technical investigations appended to this report.

SITE CONTEXT

This strategically important site is located at the southern gateway to the Central Coast Local Government Area (**LGA**) within the broader Central Coast region, the third largest urban area within NSW with a population of approximately 338,000 people. DPIE expects that the LGA will have a population of up to 410,000 people over the next 20 years.

The site is located approximately 29 kilometres (km) to the south west of Gosford City Centre, approximately 55km to the north of Sydney CBD and approximately 24km from the start of the M1 Motorway at Hornsby / Wahroonga. The closest railway station is situated at Brooklyn, approximately 5km to the south east. The 592 bus service connects the Hawkesbury River Station to Mooney Mooney and to Hornsby in the south.

The subject site is located at Mooney Mooney on the Hawkesbury River. The surrounding area has exceptional scenic quality. Key features of which are the Hawkesbury River and surrounding national parklands, which include the Muogamarra Nature Reserve to the south separated from the site by the

Hawkesbury River, Popran National Park immediately to the north, and Brisbane Water National Park to the north-west on the opposite side of Mooney Mooney Bay.

The M1 Motorway is a dominant feature of the surrounding area and it divides the site. The existing residential neighbourhood of Mooney Mooney is located to the east of the M1 Motorway. The existing housing stock in Mooney Mooney comprises detached housing. There is no local convenience retail provision within Mooney Mooney, with the exception of the Mooney Mooney Club, which is located on Kowan Road adjacent to the riverfront oyster farming industry.

To the north of the site is bushland forming part of the Popran National Park, which extends up the western side of M1 Motorway. Beyond Mooney Mooney to the north, is the residential suburb of Cheero Point, which is located on the eastern side of the M1 Motorway.

To the south of the site is the Hawkesbury River, which forms a significant scenic element of the surrounding area. Further beyond the immediate surrounds are other residential communities along the Hawkesbury River including Brooklyn, Cogra Bay, Milson Island and Dangar Island.

The majority of the Peat Island site was originally developed for institutional purposes (psychiatric facility) with some other ancillary uses on Mooney Mooney. The former Mooney Mooney Public School is located on the eastern side of the subject site. As a consequence, the current land use zoning reflects the former SP2 Infrastructure (for the purpose of Hospital) institutional land uses.

Peat Island, formerly known as Rabbit Island, has historically been Crown Land since European Settlement. The island was dedicated for use as an asylum for inebriates (alcoholics), specifically for females in 1901. Construction of the buildings associated with the asylum commenced in 1902 and involved the clearing and levelling of the island. Since that time the site has variously been used as a psychiatric facility, home for boys and disability institution until its permanent closure in 2010. A detailed history of the site is provided in the Heritage Impact Statement attached at Appendix P.

The Mooney Mooney Public School opened in 1939. A decline in enrolments and an increase in the availability of alternative schools within the locality resulted in the closure of the school in 2007.

The former institutional uses on the site are redundant and the subject site is surplus to the needs of NSW State Government. The current zoning and limited range of permissible uses are inappropriate for any future commercially viable alternate use of the site. There is therefore a genuine need to review the zoning of the site, as well as examine the site constraints and opportunities to assist in the determination of the highest and best land use for the site.

INDICATIVE CONCEPT PLAN

An Indicative Concept Plan (Concept Plan) has been developed for the site to demonstrate the likely development that could occur if the Planning Proposal was gazetted. The Indicative Concept Plan responds to the surrounding context, including the prevailing zoning of adjoining land and environmental and physical site constraints.

The Indicative Concept Plan for the site envisages the following land uses:

- **Community facilities:** A new community facility precinct is proposed to be located within the Chapel Precinct. The existing Chapel and the identified heritage curtilage will be retained in its current location, and adaptively reused for community purposes. A strategy is to be developed for the communities facility's long-term use with the potential development of a new community centre.
- **Tourism and accommodation:** Peat Island will be transformed into a tourism and accommodation precinct, with supporting cafes, restaurants and the like to be accommodated in retained historic buildings and the addition of new purpose built buildings sympathetic to the unique history and character of the island.
- **Residential:** A mix of dwellings including detached, attached housing and low rise residential flat buildings. In total approximately 267 new dwellings are proposed with 51 low density dwellings, 54 townhouses and 162 apartments. The low to medium density residential development will range in height from between 1-3 storeys.
- **Emergency services facilities:** Indicative locations for a Marine Rescue NSW Facility and NSW Rural Fire Service (RFS) are shown on the indicative Concept Plan, which are subject to further stakeholder

consultation and a separate planning approval process. These facilities will provide emergency support for existing and future population of the site and the wider Gosford area.

- **Transport and access:** New vehicle and pedestrian access routes will be provided across the site, including an improved foreshore walk and improved pedestrian connections between the east and west precincts and to Peat Island. New public and private car parking will also be provided across the site.
- **Public open space, conservation area and waterfront accessibility:** Landscaping and public open space will be integrated as a defining element of the visual character of the development. This includes new public open space areas across the site and the proposed conservation area directly adjacent the Popran National Park. The key features of the conservation and open space strategy include:
 - Creation of 9.65ha of public accessible open space, including the large public park along the Mooney Mooney foreshore for informal recreation purposes.
 - Creation of 10.4ha of environmental conversation area, including the area adjacent to Popran National Park and Tank Hill.

It should be noted that Lot 9 DP 863305 is excluded from the Planning Proposal, given it is under the care, control and management of Central Coast Council and will be retained as RE1 Public Recreation Zone. The location for the RFS facilities is indicative and does not form part of the Planning Proposal. The RFS facility is subject to further stakeholder consultation and a separate proposal.

A land-based marina is shown on the Indicative Concept Plan located on the foreshore of the Hawkesbury River adjacent to Peat Island. It does not form part of the planning proposal or the LEP amendments and would be subject to a separate future planning proposal if it is to proceed. This would include a detailed environmental assessment of the impacts. This part of the site is currently zoned partly RE1 Public Recreation and partly SP2 Infrastructure (for the purpose of hospital) under GLEP 2014 and is proposed to be rezoned to RE2 Private Recreational Zone. A car park on a portion of the site is proposed to be included as part of the Planning Proposal and as an Additional Permitted Use under Schedule 1 of GLEP 2014.

PLANNING CONTEXT

Statutory Context

The local planning controls that currently apply to the site are contained within the *Gosford Local Environmental Plan 2014 (GLEP 2014)*.

Under GLEP 2014, the majority of the site is currently zoned SP2 Infrastructure and is identified on the zoning map as 'Hospital' (the entire Peat Island and majority of the main land is zoned for hospital use) and 'Educational Establishment' (for the former School) under GLEP 2014. It also includes areas zoned for RE1 Public Recreation. However, it is important to note the only areas of land zoned RE1 Public Recreation that are currently accessible to the public is Mooney Mooney Point Reserve and Deerubbin Reserve. Due to the steepness of the topography, the ability to use the remaining RE1 zoned areas for either active or passive recreational purposes is limited. The waterway surrounding Peat Island is zoned W2 Recreational Waterways.

The only uses permitted with development consent on the part of the site zoned SP2 Infrastructure are those uses identified on the Land Zoning Map (i.e. 'Hospital' and 'Educational Establishment') including any development that is ordinarily incidental or ancillary to development for that purpose. All other uses are prohibited. The only uses permitted with development consent on the part of the site zoned RE1 Public Recreation are:

Camping grounds; Car parks; Caravan parks; Child care centres; Community facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures."

There is no maximum height or minimum lot size applying to any part of the site under GLEP 2014.

Proposed Planning Control Amendments

The Planning Proposal is seeking to amend the following provisions of the GLEP 2014:

- Amend Clause 2.1 Land Use Zones of the GLEP 2014 to include SP3 Tourist zone listed under Special Purpose Zones. The proposed SP3 Tourist Zone objectives and proposed permissible uses are consistent with the draft SP3 Tourist zone within the draft *Consolidated Central Coast Consolidated Local Environmental Plan (CCLEP)*. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal.
- Amend the GLEP 2014 Land Zoning Map applicable to the site, and rezone SP2 Infrastructure and RE1 Public Recreation zones to E2 Environmental Conservation, R1 General Residential, R2 Low Density Residential, RE1 Public Recreation, RE2 Private Recreation, and SP3 Tourist zones.
- Amend the GLEP 2014 Height of Buildings Map to reflect the maximum height of the buildings proposed (8.5m, 12m and 15m) across selected areas of the site as indicated on the proposed Height of Buildings Map.
- Amend the GLEP 2014 Lot Size Map to allow minimum lots size of 150sqm, 220sqm, 300sqm and 450sqm across selected areas of the site as indicated on the proposed Minimum Lot Size Map.
- Amend the GLEP 2014 Additional Permitted Uses Map and amend the GLEP 2014 Schedule 1 Additional permitted uses to include the use of certain land at Mooney Mooney, including:
 - RE2 Private Recreation zoned land, being portion of Lot 11, DP 1157280 and Lot 12, DP 1158746 as identified on the Additional Permitted Uses Map.
 - To include ‘car parks’ as additional permitted use on this part of the site.
 - R1 General Residential zoned land, being the southern portion of Lot 14, DP1158746 as identified on the Additional Permitted Uses Map.
 - Development for the purposes of emergency services facility (for the purpose of a Rural Fire Service facility) is permitted with development consent. The proposed emergency services facility is permissible with consent within the proposed R1 General Residential zone under the draft CCLEP. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal).
 - RE1 Public Recreational zoned land, being lot 4 DP239249 as identified on the Additional Permitted Uses Map.
 - Development for the purposes of emergency services facility (for the purpose of Marine Rescue Facility) is permitted with development consent. The proposed emergency services facility is permissible with consent within the proposed RE1 zone under the draft CCLEP. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal.
 - R1 General Residential zoned land, as identified on the Additional Permitted Uses Map, being the south eastern portion of lot 12, DP1158746 located along Peats Ferry Road, lot 12, DP863305 and the southernmost portion of lot 14 DP1158746 located to the east of M1 Pacific Motorway:
 - Development for the purpose of ‘food and drink premises’ and ‘shops’ are permitted with development consent.
 - The indicative Concept Plan comprises local shops/restaurants and cafes in the form of shop top housing within the Southern Foreshore precinct and the Chapel Residential precinct. The proposed ‘shops’ and ‘food and drinks premises’ are intended to offer local convenience retailing, such as local stores, cafes and local dining options. The proposed shop has a minimum area of approximately 170sqm, which is of a scale that is better suited for this local area. The planning proposal included two locations for ‘shop’ to allow future land use flexibility on either side of the M1 highway. The location of local convenience retailing will be determined by future market demand at either location.
 - RE1 Public Recreation zoned land, being Lot 11 DP863305 as identified on the Additional Permitted Uses Map.
 - Development for the purpose of electricity generating works is permitted with development consent.

This Planning Proposal includes the proposed LEP amendment to include Peat Island as an Item of Environmental Heritage (Item - General) under Part 1 - Heritage Items, Schedule 5 of the Gosford LEP.

The curtilage for the heritage listing includes the entirety of the Peat Island landform and the causeway to the mainland but does not include any of the foreshore areas along Mooney Mooney. This is to ensure the implementation of statutory obligations and to provide future guidance for change to individual elements, and repair.

A separate nomination process for listing the place on the NSW State Heritage Register can be undertaken with the Heritage Council of NSW and Heritage NSW of the NSW Department of Premier and Cabinet (as delegate).

Strategic Context

The Planning Proposal has been prepared in consideration of the planning objectives, priorities and actions in relevant strategic planning policies including:

- Section 9.1 Ministerial Direction Assessment
- Central Coast Regional Plan (2036)
- Central Coast Community Strategic Plan 2018-2028
- Central Coast Local Strategic Planning Statement 2020 (**CCLSPS**)

The Planning Proposal demonstrates strategic merit through its consistency with the objectives and actions of the Central Coast Regional plans and CCLSPS as summarised below:

- The Planning Proposal and the Indicative Concept Plan comprise a range of land uses, which will contribute to the growth in leisure business investment and employment opportunities in the Central Coast LGA.
- Consistent with the direction, the Planning Proposal will create employment in a location with great highway exposure and convenient regional connection.
- The Planning Proposal will capitalise on the site's location and its biodiversity richness and provide a destination tourist offer to attract visitors.
- The proposal provides a mix of short-term tourist accommodation and a mix of housing types that are in demand in the Central Coast Region.
- The Planning Proposal recognises the biodiversity values of the site and the importance of natural areas, by retaining and protecting flora and fauna and sensitively manages the natural landscape of the site.
- The Planning Proposal recognises the heritage value of the site by preserving heritage buildings and sensitively adaptive and reuse buildings for public purposes.
- The Planning Proposal creates recreational areas and community facilities to encourage social cohesion and provide public benefit.

COMMUNITY AND STAKEHOLDER CONSULTATION

Consultation with the local residents of Mooney Mooney commenced in 2009 prior to the closure of the Peat Island hospital facility. To date, Property & Development NSW has engaged and actively sought community and agency feedback prior to the lodgement of this revised Planning Proposal.

In addition consultation with the community, DPIE and Central Coast Council, the list of engaged agencies is provided below:

- Transport for NSW (TfNSW)
- State Emergency Service
- Fire & Rescue NSW
- NSW Police
- Ausgrid
- Hornsby Shire Council

- Heritage NSW
- Local Aboriginal Land Council
- Office of Sport
- NSW Environment, Energy and Science
- National Parks and Wildlife Service
- Central Coast Local Health District
- Department of Primary Industry (Fisheries)
- Department of Primary Industries (Water)
- TAFE
- Department of Premier and Cabinet
- Crown Lands
- Department of Education
- NSW Ambulance
- NSW Rural Fire Services
- Marine Rescue NSW

Ongoing consultation with community and stakeholders will continue as the project progresses.

Property & Development NSW are liaising with Aboriginal Housing Office (**AHO**) and Land and Housing Corporation (**LAHO**), part of Housing and Property Group within DPIE, to determine if there are any opportunities for affordable and social housing development.

KEY ECONOMIC AND COMMUNITY BENEFITS

The Planning Proposal will continue to contribute to a range of key economic and community benefits for the local community and wider Central Coast LGA, including:

- Injection of capital investment into the economy from expenditure on housing, infrastructure services both internal and external to the site including road, energy services, water, sewer and communication works.
- Provision of publicly accessible foreshore access around Peat Island and along the river foreshore.
- Provision of up to 267 new dwellings to help meet regional housing needs.
- Preservation of the historical significance of Peat Island through the implementation of a Conservation Management Plan and the retention of 9 non-listed historical buildings on Peat Island and 4 non-listed historical buildings on the mainland for adaptive re-use.
- The retention of the Chapel as a community facility to serve the local community in consultation with Council and any Non-Government Organisations.
- Protection of sensitive mangroves area, thus protecting natural attributes of the site and the visual aesthetics of the site.
- 10.4ha of heavily vegetated land zoned as Environmental Conservation areas to conserve significant bushland in perpetuity.

Following detailed analysis of the site and its surrounding context, and the applicable State, regional and local planning policies, we are firmly of the view that there is clear site specific and strategic planning merit to the Planning Proposal. The Planning Proposal has appropriately addressed agencies concerns and the Gateway Determination conditions. It is therefore recommended that this Planning Proposal be favourably considered by Council and resolved to forward to DPIE prior to public exhibition commencing.

1. INTRODUCTION

1.1. OVERVIEW

This Planning Proposal has been prepared by Urbis (on behalf of Property & Development NSW) to facilitate the preparation of a Local Environmental Plan (LEP) amendment to the *Gosford Local Environmental Plan 2014 (GLEP)*.

This Planning Proposal seeks to rezone surplus land owned by the NSW Government at Peat Island and Mooney Mooney (**the site**) for a mix of community facilities, open space, residential and employment generating uses (including tourism, retail, restaurant and café).

This Planning Proposal report is to provide a wholistic assessment of the planning proposal to enable it to be placed on public exhibition.

1.2. PROJECT OBJECTIVES

The objective of the Planning Proposal is to formally amend GLEP 2014, to permit a mix of residential, recreational and employment generating uses within the site. The Planning Proposal seeks to apply building height and lot size development standards to the site, which are currently not applicable to the site, and seeks to permit additional permitted uses that are currently not included in the Gosford LEP land use zones. It should be noted that the proposed additional permitted uses are generally consistent with the permitted uses in the relevant land use zones under the draft Consolidated Central Coast Local Environmental Plan **CCLEP** (subject to gazettal).

1.3. PROJECT HISTORY

The first revision of the Planning Proposal was prepared and lodged with the former Gosford Council in **August 2014**. On 9 December 2014, Gosford Council issued the Planning Proposal to DPIE for Gateway Determination review. Subsequent to the review by DPIE, the Planning Proposal was required to be revised and further consideration given to a number of environmental issues.

The Planning Proposal was then revised to address the matters outlined above and was resubmitted to Central Coast Council in **November 2016**. Gateway determination was issued on **10 August 2017**. The Gateway Determination stated that while the supporting studies were sufficient, a number of conditions are required to be addressed prior to progressing the Planning Proposal further. A letter received from DPIE on 25 June 2020 confirmed that the Gateway Determination has been extended and the time frame for competing the LEP is by 10 August 2021.

Since the issue of the Gateway Determination, Property & Development NSW has also undertaken a significant amount of consultation with public authorities, including the submission of a Planning Proposal addendum to Council in **December 2018** for review and comments.

Post the 2018 submission, Property & Development NSW engaged technical consultants to undertake further environmental investigations, including the preparing of a Heritage Conservation Management Plan (**CMP**), Microbat Management Plan (**MMP**) and a Site Specific Development Control Plan (**DCP**) to respond to Council's and public authorities feedback received in 2019 and early 2020.

In **November 2020**, a second Planning Proposal Addendum package was submitted to Council, accompanied by the documents above and included the updated technical studies. This package responded to the Gateway Determination conditions and addressed all the issues raised by Council and agencies during the pre-public exhibition consultation process.

Subsequent to extensive discussions with Council from November 2020 to June 2021, this Planning Proposal Report has been prepared, which is a consolidated planning document (that includes the findings of the previous addendum reports) to support the Planning Proposal for public exhibition.

1.3.1. Summary of Changes to Planning Proposal

For the purpose of public exhibition, a summary of changes between the 2016 Planning Proposal Indicative Concept Plan and the current Planning Proposal Indicative Concept Plan is described below for easy reference for the community.

Table 1 Summary of changes to development outcomes

Consideration	Original Planning Proposal (2016 version)	Revised Planning Proposal 2021
Residential Yield	Approximately 268 dwellings	Approximately 267 new dwellings
Retail	2,008sqm	Minimum 170sqm (intended to offer local convenience retailing, such as local stores, cafes and local dining options)
Community Facilities (including the Chapel)	3,000sqm	3,882sqm
Land zoned for environmental conservation (E2 Environmental Conservation)	11.3 ha	10.4ha
Land zoned for public open space (RE1 Public Recreation and RE2 Private Recreation zones)	10 ha	9.65 ha
Tourism Zoned Land	3.72 ha	5.05 ha
Residential Uses on Peat Island	None proposed	None proposed
Marina development	Land and water based marina is proposed	Marina (both land and water based) removed from the Planning Proposal.
Retention and adaptive reuse of the non-listed heritage buildings	4 buildings are retained and proposed to be reused	9 non-listed historical buildings on Peat Island and 4 non-listed historical buildings on the mainland for adaptive re-use. Proposed LEP amendment to include Peat Island as an Item of Environmental Heritage (Item - General) under Part 1 - Heritage Items, Schedule 5 of the Gosford LEP.
Emergency services	Emergency services are located in different locations.	Location has been identified for potential RFS facilities subject to further stakeholder consultation and a separate proposal.

Note: The development outcome figures identified in this table, including the number of dwellings and land areas are based on the indicative Concept Plan. The indicative Concept Plan and development figures are indicative only and is subject to further detailed design and development applications.

1.4. REPORT STRUCTURE

This Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979 (the EP&A Act)*. Also having regard to the Department of Planning, Infrastructure and Environment (DPIE)'s '*Local Environmental Plans – a guide to preparing local environmental plans*' and '*Planning Proposals - a guide to preparing planning proposals*'.

The relevant sections of the report are listed below:

- **Section 2:** detailed description of the site, the existing development and local and regional context.
- **Section 3:** current statutory planning framework relevant to the site, including the State and local planning controls and development contributions.
- **Section 4:** State and local strategic planning policies relevant to the site and the Planning Proposal.
- **Section 5:** key features of the indicative concept plan associated with the requested Planning Proposal.
- **Section 6:** response to Gateway Determination conditions.
- **Section 7:** comprehensive description and assessment of the requested Planning Proposal in accordance with the DPIE guidelines.
- **Section 8:** conclusion and justification.

This Planning Proposal is supported by the following technical reports and documents:

Table 2 Technical Reports

Documents	Consultant	Appendix
Indicative Concept Plan	Urbis	Appendix A
LEP Maps	Urbis	Appendix B
Site Specific Development Control Plan	Urbis	Appendix C
Urban Design Report	Urbis	Appendix D
Heritage Conservation Management Plan	Urbis	Appendix E
Utilities Infrastructure Report	Mott Macdonald	Appendix F
Water Cycle Report	Mott Macdonald	Appendix G
Traffic and Transport Assessment	Mott Macdonald	Appendix H
Biodiversity Certification Assessment Report and Microbat Management Plan	Ecological Australia	Appendix I
Riparian and Aquatic Constraints Assessment	Ecological Australia	Appendix J
Social Impact Assessment	Ethos Urban	Appendix K
Targeted Site Investigation	JBS&G	Appendix L

Documents	Consultant	Appendix
Strategic Bushfire Study	Peterson Bushfire	Appendix M
Environmental Noise Assessment	Renzo Tonin & Associates	Appendix N
Aboriginal Cultural Heritage Assessment	Extent Heritage	Appendix O
European Heritage Impact Assessment	Urbis	Appendix P
Community Needs Statement	Urbis	Appendix Q
Economic Statement	Urbis	Appendix R
Visual Impact Statement	Urbis	Appendix S
Consultation Summary	Property & Development NSW	Appendix T
Letter of Offer	Property & Development NSW	Appendix U
Site Survey	Chase Burke & Harvey	Appendix V

2. SITE CONTEXT

2.1. SITE DESCRIPTION

The site consists of land at Mooney Mooney and Peat Island (the site) as shown in Figure 1. The site is located on the northern banks of the Hawkesbury River and is the southern gateway to the Central Coast. The site is bound by the Hawkesbury River on the southern, eastern and western boundaries, Popran National Park to the west of M1 Pacific Motorway (M1) and the existing residential community on the eastern side of the M1.

The subject site comprises approximately 33 hectare parcel of land made up of 19 existing lots (including Peat Island) and unregistered land (SP2 Roads). Majority of the lots are owned by Property & Development NSW, with two lots owned by Crown Land and two lots owned by TfNSW. Figure 1 identifies the ownership of the subject site.

Further details on the site and its individual land parcels are provided in the Urban Design Report prepared by Urbis found at Appendix D.

Figure 1 Site Location Plan



LOT	DP	OWNERSHIP	DESCRIPTION
WESTERN PRECINCT			
2	239249		North west along foreshore
7	1180499		Residual lot fronting causeway
12	1158746		Main lot of western precinct
10	1157280	Property NSW	Peat Island and Causeway
11	1157280		Western foreshore adjacent to main lot 12 of western precinct
8	1180499		Western foreshore strip west of main lot 12.
9	1180499		Western foreshore strip west of lot 2, south of lot 8.
4	239249		West of Peats Ferry Road south of lot 12, east of lot 9.
SOUTH WEST PRECINCT			
7302	1151629	Crown Land	Deerubbin Reserve - small lot
11	863305	TfNSW	Mooney Mooney Point Reserve
CENTRAL NORTH EAST PRECINCT			
7011	1057994	Crown Land	Northern central lot
14	1158746	Property NSW	Main central lot between motorway and highway
13	1158746		Former service station and open space
12	863305	TfNSW	Southernmost central lot by off ramps
EASTERN PRECINCT			
1	945014	Property NSW	North east lot of former Mooney Mooney Public School
2	1205588		North west lot of former Mooney Mooney Public School
1	431780		Main lot of former Mooney Mooney Public School
21	836628		Main eastern lot

Source: Urbis

2.2. EXISTING DEVELOPMENT

2.2.1. Central & East Mooney Mooney

The Central and East Mooney Mooney land is located to the east of the M1 Motorway. It is bound by the existing low density residential community of Mooney Mooney in the north, the Mooney Mooney Club and existing oyster farm businesses in the south and riparian vegetation (mangroves) and Mooney Mooney Creek to the east. The Old Pacific Highway runs through the centre of this precinct connecting it to Brooklyn and Cheero Point.

The central east parcel of land between the M1 Motorway and Old Pacific Highway comprises land associated with the former Peat Island psychiatric facility and is characterised by two distinct areas being cleared and uncleared land.

Existing site features as shown on Figure 2 are described as follows:

1. The northern portion of the site comprises steeply sloping land that is heavily vegetated which rises to a height of RL80 metres from a low point of RL8 metres and is highly visible from surrounding areas. There is a water tower that sits outside the site boundary on the highest point which is accessed via an unsealed road from the north. Alongside the M1 there is also an emergency breaking ramp.
2. Detached residential dwellings within the ownership of NSW Government Property. These are nestled into the base of the vegetated escarpment.
3. An existing chapel which is surrounded by existing vegetation including a number of Norfolk Pines.
4. Institutional buildings and facilities associated with the former mental institution on Peat Island. This includes dormitory buildings (disused and heavily dilapidated) and former tennis courts. A pedestrian underpass provides access under the M1 Motorway.
5. A pad site previously occupied by a service station is situated immediately to the west of the Old Pacific Highway. The site has been cleared of buildings and structures. Remediation will be required (removal of underground storage tanks) prior to any future development on this part of the site.

6. To the east of the Old Pacific Highway, the site comprises predominantly low density residential development (single and two storey detached dwellings on deep blocks) off Kowan Street with surrounding vegetation.
7. The former Mooney Mooney Public School site includes cleared land and former school buildings and facilities addressing Point Road.
8. The shed for the Mooney Mooney Rural Fire Service (RFS) is located in this part of the site on the corner of the Old Pacific Highway and Point Road.

2.2.2. West Mooney Mooney & Peat Island

The west Mooney Mooney and Peat Island land is located on the western side of the M1 Motorway and is bound by the Hawkesbury River to the west, Derrubin Reserve to the south, Popran National Park (zoned E1 National Parks and Nature Reserves) to the north and the M1 to the east. This land (including Peat Island) is secured and is not accessible to the general public.

Existing site features as shown on Figure 3 are described as follows:

9. Peat Island is a key feature of land on the western side of the M1 Motorway. The former Peat Island psychiatric facility closed in 2010 and buildings associated with this use are predominately vacant. The island is occupied by an ad-hoc collection of buildings, car parking, open space, in-ground pool, gardens and pathways associated with its former use. The buildings on the island vary in age, style and condition. Many of the site's buildings are extremely dilapidated.
10. The northern and southern ends of the island are low and consist of flat reclaimed land (2 metres AHD) while the centre of the original island is higher at 4 metres AHD. Vegetation on the island includes lawns and mature trees.
11. The 3 hectare island is connected to the mainland by a 250 metre man-made causeway, which provides shared vehicle (single lane) and pedestrian access to the island.
12. The most northern tip of the precinct adjoins the Popran Reserve and is heavily vegetated. Land south of Popran Reserve has been cleared and is occupied by a number of institutional style buildings associated with the former psychiatric facility.
13. Land immediately to the east of Peat Island is also cleared and comprises the former dairy farming land, a car park and associated buildings connected with the psychiatric facility. Mangroves and sandstone rocks are located along some parts of the foreshore of the Hawkesbury River.
14. An existing pedestrian underpass providing a connection between the east and west precincts under the M1. This pedestrian underpass is a legacy of the former psychiatric facility.
15. An existing road connection that connects the M1 off ramp in the northbound direction in the western precinct with the Old Pacific Motorway and the eastern precinct. A pedestrian connection is also possible at this location although this is not formalised.

Figure 2 Aerial Photograph Central & East Mooney Mooney



Source: Urbis

Figure 3 Aerial photograph West Mooney Mooney & Peat Island



Source: Urbis

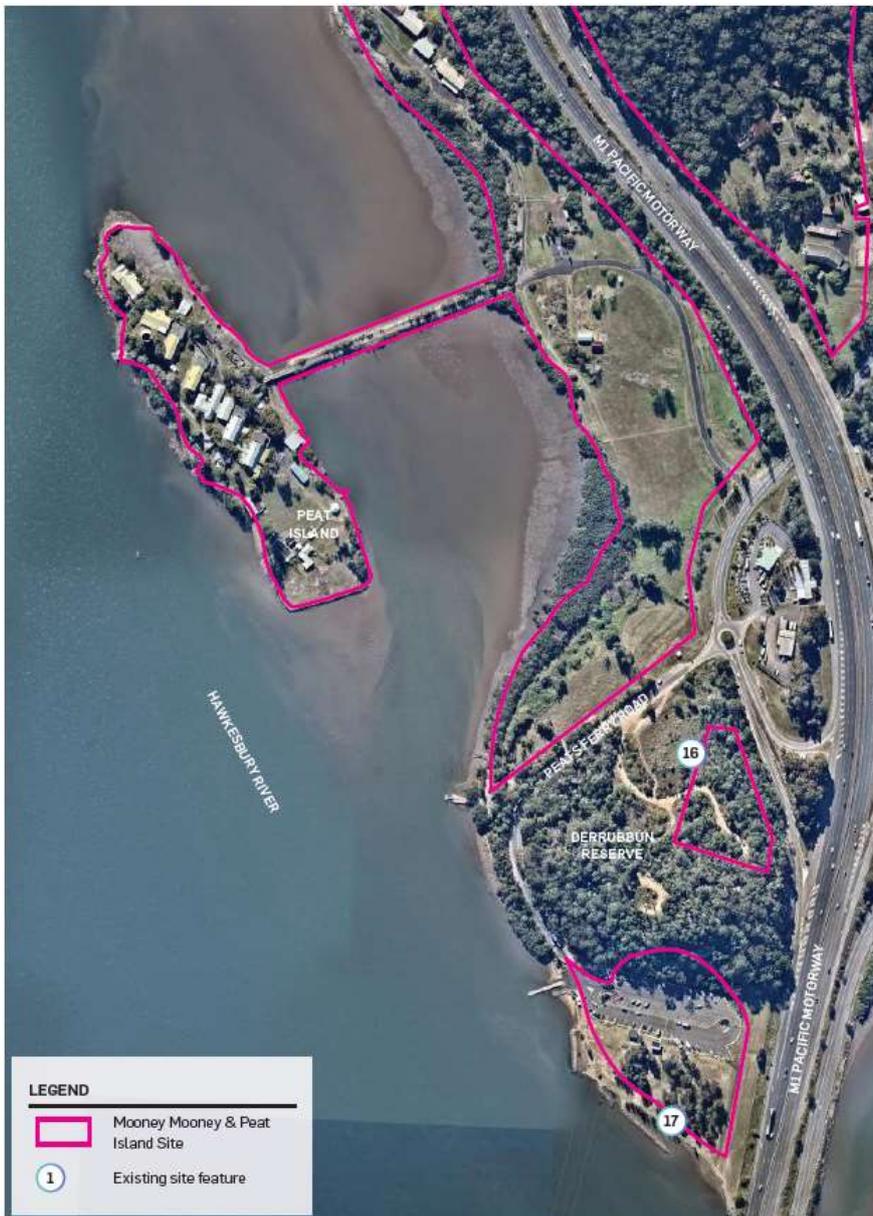
2.2.3. South West Mooney Mooney

The south west Mooney Mooney land is located on the western side of the M1 Motorway and is bound by the Hawkesbury River to the west and south, the mainland areas associated with former Peat Island psychiatric facility to the north and the M1 to the east.

Existing site features as shown on Figure 4 are described as follows:

16. The southern portion of the precinct includes Derrubbun Reserve, which generally consists of steeply sloping, heavily vegetated land. Only the small parcel of land is included within the planning proposal which has frontage to the Pacific Motorway off ramp. The land part of an unsealed track to the highest point. This land is owned by the TfNSW.
17. The most southern portion of the precinct comprises Mooney Mooney Point Reserve, which provides public recreation facilities including public car and trailer parking and public wharf and jetties. The car parking area within the Reserve has recently been upgraded. Mooney Mooney Point Reserve is Crown Land. No changes are proposed to the zoning of the Reserve but the land has been included within the planning for the proposal to ensure that its uses are fully recognised and integrated into the future planning of the wider area.

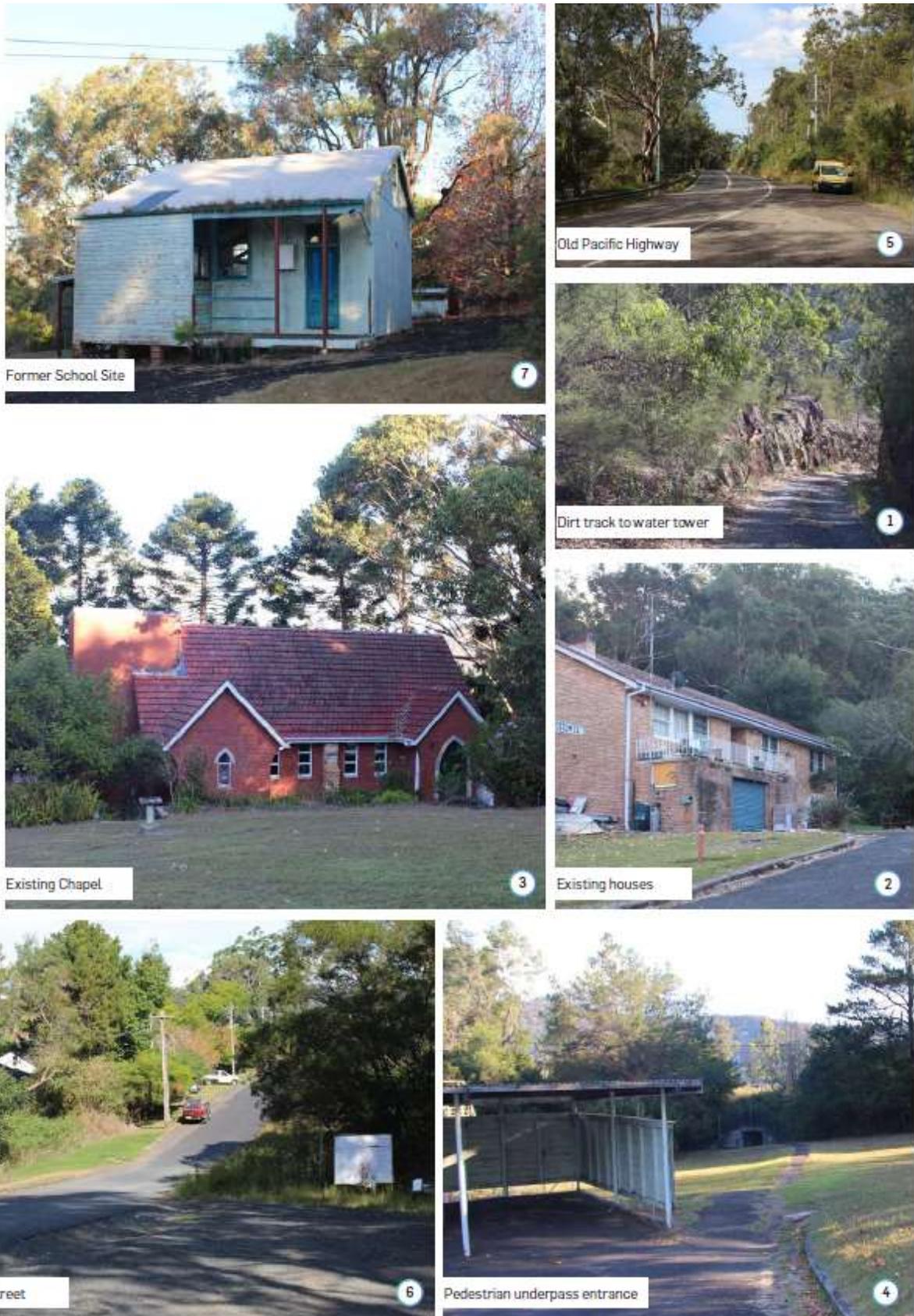
Figure 4 Aerial photograph South West Mooney Mooney



Source: Urbis

The respective significant features of each precinct are numbered on each aerial map and are shown in the photo surveys below (Picture 1).

Picture 1 Site Photos Mooney Mooney and Peat Island key features



Source: Urbis

Picture 2 Site Photos Mooney Mooney and Peat Island key features



Source: Urbis

2.2.4. Access

Direct vehicular access to and from the site to the M1 Motorway is available via on / off ramps connecting Mooney Mooney on both sides of the M1.

Peat Ferry Road is a local road that traverses East Mooney Mooney. It provides two way vehicle access to Deerubbin Reserve and Mooney Mooney Point parkland / rest area at the southern tip of the precinct. This section of Peat Ferry Road is regularly used for informal parking. Formal car and trailer parking facilities are available within the Mooney Mooney Point Reserve. These parking facilities have recently been upgraded.

Peat Ferry Road connects East and West Mooney Mooney with an underpass under the M1 which in turn connects to the Pacific Highway. The existing vehicle underpass is not suitable for pedestrians (no footpath) however, a pedestrian tunnel under the M1 provides pedestrian access between the two precincts. This passageway was originally constructed to facilitate access between the nurse's dormitories within the eastern precinct and the main hospital buildings within the western precinct. The pedestrian passageway and Peat Ferry Road underpass will be retained and upgraded (if required) as part of any future development of the site.

The Pacific Highway provides access to other nearby suburbs to and from Mooney Mooney, such as Brooklyn to the south and Cheero Point to the north. It also facilitates cycle access through the locality, as cyclists are not permitted on the Motorway.

A public bus service, route 592 operates between 7.00am and 3.30pm providing access between Mooney Mooney and Brooklyn, to Hawkesbury River Station and Berowra/Cowan Stations.

The closest rail service operates from Brooklyn (Hawkesbury River Station). The station provides regular services to Gosford and Newcastle, as well as services to Hornsby, Chatswood and Sydney.

2.2.5. Existing Community Facilities

The site currently accommodates a number of community facilities which are to be retained and / or relocated within the site.

Rural Fire Service Station: The Mooney Mooney Volunteer Bushfire Brigade shed is accommodated adjacent to the site of the former Mooney Mooney Primary School. The size of the shed is unsuitable for a new fire truck, and finding an alternative and larger site more suited to the needs of the RFS is a priority.

Community library: The former Mooney Mooney Primary School hall is informally used as a community library facility operated by community volunteers on a part time basis.

Chapel: The existing chapel consists of a 1950s brick building situated on land associated with the Peat Island hospital. The building is not heritage listed. The proposed rezoning is sufficiently flexible to enable the retention and ongoing use of the chapel. The Indicative Concept Plan envisages that the chapel is retained in its current location.

2.2.6. Infrastructure

It is understood that the site is serviced, with access to essential services including water, electricity and telecommunications. Utilises report prepared by Mott MacDonald is attached at Appendix F

Water

The site is currently serviced via a combination of Sydney Water and Council owned infrastructure. The Mooney Mooney reservoir is located within the site boundary and supplies the existing dwellings. Potable water is transferred to this reservoir via Sydney Water's Cowan North reservoir, located approximately 2.4 km south of the site. This reservoir has a total capacity of 0.9 ML and a current max daily demand of 0.47 ML.

Potable water mains supply the RMS, Ambulance Services and public toilets on the western side of the highway.

Peat Island utilises a private potable water system which is supplied by Council's potable water network. Given the limited access to the island, future development on Peat Island will likely be serviced by this arrangement.

Sewer

The site is generally well serviced by sewer infrastructure, with assets located on both the eastern and western side of the Motorway.

The site is currently serviced by a combination of Council and Sydney Water owned wastewater infrastructure. Existing dwellings are serviced via a series of low-pressure mains which discharge to Sydney Water's Brooklyn Wastewater Treatment Plant (WWTP) on the southern side of the Hawkesbury River. Sydney Water have indicated that external catchments serviced by this WWTP are not forecast to exceed their original licence allocation, and therefore there may be spare capacity which could be utilised by Mooney Mooney.

Peat Island is serviced via a private sewer pump which discharges to the Council owned mains in Mooney Mooney. Future development on Peat Island will likely be serviced by this arrangement. The private sewer pump station with a flow metre which restricts flows to a maximum 5 L/s. Where possible, future development should restrict sewer outflows to this rate to limit the risk of upgrades to existing sewer infrastructure crossing the Hawkesbury River.

Electricity

The site currently receives electrical supply from the Somersby zone substation, located approximately 22 km to the north-east. Existing dwellings are serviced by rural overhead powerlines located within the road reserve.

A 132 kV overhead transmission line is located on the western side of the PIRA. No development is permitted beneath the transmission line. Some minor land uses may be possible however, this will be at the discretion of Transgrid.

There is a risk that the development cannot be serviced by the existing electrical network. If a substation is required, there is an opportunity to set aside land in order to reduce Ausgrid site acquisition challenges. As construction of a new substation would add significant costs to the project, any available capacity in the existing feeders should be used before a new substation is progressed.

The redevelopment of the site provides an opportunity to underground the existing overhead powerlines. This is common practice for new developments and adds to the overall amenity of the site.

It is unlikely that Peat Island could be serviced via an underground electrical network. It is assumed that the existing overhead servicing system will be retained.

There is no gas supply to Mooney Mooney and as such the opportunities to convert gas to electricity to supplement any increase in demand is restricted. Alternative energy systems such as solar power could be explored however, land take and reliability of supply make these options challenging for implementation.

Telecommunications

Telstra, Optus, Nextgen, AAPT and NBN Co. operate telecommunications assets within the study area. All the underground truck telecommunications infrastructure, excluding AAPT, follow the Pacific Highway on the eastern side of the road corridor.

Fibre optic cabling is located adjacent the western side of the road corridor, through the centre of the site.

NBN Co. have indicated that the area will be serviced via a fixed wireless network.

2.2.7. Topography

The proposed planning controls for the site have been heavily influenced by the site's topography which includes areas of cleared flat land as well as steeply sloping land, including:

- A steep escarpment adjacent to the motorway in the most northern portion of the West Mooney Mooney precinct limits the future development potential of this part of the site.
- Steeply sloping land within Deerubbin Reserve and the northern section of the East Mooney Mooney precinct has been identified as not suitable for residential development.
- Low lying land at the northern and southern extents of Peat Island (1-2m AHD) and the western foreshore immediately opposite Peat Island comprise reclaimed land. Geotechnical investigations

indicate that the land on the western foreshore opposite Peat Island could be filled to above required flood planning levels to accommodate future development.

During the design development process of the Indicative Concept Plan, areas of the site which were identified with an average slope greater than 20% were determined as unsuitable for development. This is shown in **Error! Reference source not found.** below with gradients in excess of 20% identified in blue. The Indicative Concept Plan reflects these topographical constraints and in turn has been reflected in the proposed planning control amendments.

Site survey information is contained at Appendix V.

2.2.8. Easements

The site is affected by the following easements:

High voltage power line: A high voltage power line extends through the site. Future development is to ensure that a 40 metre easement is to be maintained around the power line. Limited development / uses are permitted within this easement.

Water supply tank: An existing water supply tank is located within West Mooney Mooney. The water tank is to be retained and zoning remain. Access to the water supply tank and its current zoning will be maintained.

Vehicle emergency stopping ramp: The existing emergency stopping ramp extends from the M1 into the site for use by southbound vehicles and utilises the steep slope of the land at this point. No changes are proposed to the zoning of the ramp or its current usage.

To address the constraints posed by these easements, they were considered as part of the design process for the Indicative Concept Plan during the constraints mapping for the site.

2.3. LOCALITY CONTEXT

2.3.1. Regional Context

This strategically important site is located at the southern gateway to the Central Coast Local Government Area (LGA) within the broader Central Coast region; the third largest urban area within NSW with a population of approximately 340,000 people. It is expected that the Central Coast will have a population of over 415,000 people by 2036. The Hornsby LGA is located on the southern side of the Hawkesbury River.

The site is located approximately 29 kilometres (km) to the south west of Gosford City Centre, approximately 55km to the north of Sydney CBD and approximately 24km from the start of the M1 Motorway at Hornsby / Wahroonga. The closest railway station is situated at Brooklyn, approximately 5km to the south east. The 592 bus service connects the Hawkesbury River Station to Mooney Mooney and to Hornsby in the south.

The *Central Coast Regional Plan (CCRP)* establishes the planning framework to deliver a prosperous and sustainable future for the Central Coast Region's current and future residents. The CCRP provides a vision that supports the need for the Planning Proposal. This includes:

- *A healthy natural environment, a flourishing economy and well-connected communities.*
- *Scenic values and distinctive character of communities to underpin the social and cultural identity of the region.*
- *Greater housing diversity to suit the changing needs of the community, particularly the ageing population and the needs of weekend and seasonal visitors.*
- *Revitalised local centres have become livelier, more attractive places, with vibrant retail and services.*
- *The region's renowned natural environment providing attractive settings for a range of lifestyles and is a drawcard for visitors beyond the region.*

The CCRP has four overarching goals:

- *A prosperous Central Coast with more jobs close to home.*
- *Protect the natural environment and manage the use of agricultural and resource lands.*
- *Well-connected communities and attractive lifestyles.*
- *A variety of housing choice to suit needs and lifestyles.*

These goals have been addressed by this Planning Proposal, as detailed in Section 7.3 of this report. Section 7.3 provides an assessment of the Planning Proposal against the strategic merit criteria identified in the CCRP.

Figure 5 Regional Context



Source: Urbis

2.3.2. Local Context

The subject site is located at Mooney Mooney on the Hawkesbury River. The surrounding area has exceptional scenic quality. Key features of which are the Hawkesbury River and surrounding national parklands, which include the Muogamarra Nature Reserve to the south separated from the site by the Hawkesbury River, Popran National Park immediately to the north, and Brisbane Water National Park to the north-west on the opposite side of Mooney Mooney Bay.

The M1 Motorway is a dominant feature of the surrounding area and it divides the site. The M1 Motorway has three travelling lanes in each direction at Mooney Mooney. The existing residential neighbourhood of Mooney Mooney is located to the east of the M1 Motorway. The housing stock in Mooney Mooney comprises detached housing. There is no local convenience retail provision within Mooney Mooney, with the exception of the Mooney Mooney Club, which is located on Kowan Road adjacent to the riverfront oyster farming industry. Local residents are currently required to travel to Brooklyn to meet their basic convenience retail needs.

To the north of the site is bushland forming part of the Popran National Park, which extends up the western side of M1 Motorway. Beyond Mooney Mooney to the north, is the residential suburb of Cheero Point, which is located on the eastern side of the M1 Motorway.

To the south of the site is the Hawkesbury River, which forms a significant scenic element of the surrounding area. Further beyond the immediate surrounds are other residential communities along the Hawkesbury River including Brooklyn, Cogra Bay, Milson Island and Dangar Island.

Demographic Profile

A detailed demographic profile is provided in the Social Impact Assessment, found at Appendix Q. Key demographic considerations include:

Population size and future growth: Mooney Mooney is a relatively small village. ABS census data (2016) indicates that the population is 394 residents in Mooney Mooney. Forecast population growth for Mooney Mooney is an approximately 3% to 2036.

Population Age: There is a high concentration of Mooney Mooney residents aged over 50 years, with the median age within Mooney Mooney 49 years. The area experiences a significantly higher proportion of residents aged 50+ years than in the Greater Sydney area (48%). Additionally, the suburb has a higher proportion of residents aged 60+ years than the Sydney region suggesting that the area is attractive to retirees and those in the pre-retirement stage. Mooney Mooney has a significantly lower proportion of residents in the 20-34 year bracket than the Sydney region (14% compared to 23% across Sydney).

Household characteristics: Approximately 71% of all households in Mooney Mooney are family households, which is consistent with the Greater Sydney average. The proportion of group households and lone households are slightly lower than to Greater Sydney average (2% compared to 5% and 17% compared to 22% respectively).

Employment: Of those who reported being in the labour force, 95% were employed, with the unemployment rate of 5% slightly lower than the Greater Sydney average of 6%. A higher proportion of residents across the study areas are employed in the construction and agriculture, forestry and fishing industries compared with Greater Sydney. The main occupation groups in Mooney Mooney are construction industry (17%), professional services (14%), and agriculture, forestry and fishing (12%). In comparison, 10.09% of the workforce are employed in professional services in Greater Sydney.

Housing stock: A large portion of residents own their own home at 70%, compared to the Greater Sydney average of 62%. There is little diversity within the existing housing stock with 96.1% of dwellings being detached dwellings. 24.2% of dwellings are rented.

Figure 6 Local Context



Source: Urbis

3. STATUTORY CONTEXT

This section identifies current statutory planning framework relevant to the site, including the State and local planning controls and development contributions.

Statutory assessment is detailed in Section 6 of this report.

3.1. STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) provides the legislative planning framework for infrastructure and the provision of services across NSW.

The proposed development will require existing utility services to be upgraded and/or augmented to enable the future residential population to be accommodated. These works (provided at future development application stage) will need to be undertaken in accordance with the provisions of the Infrastructure SEPP.

Clause 101 of the Infrastructure SEPP requires that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that vehicular access to the land is provided by a road other than the classified road and the safety, efficiency and ongoing operation of the classified road will not be adversely affected. The site has frontage to M1 Pacific Motorway, which is a major state road. A Traffic and Impact assessment prepared by Mott MacDonald is attached at Appendix H, which address all key traffic and transport related matters associated with the proposed indicative Concept Plan. Detailed traffic survey and assessment, including compliance with Clause 101 will be demonstrated at future development application stage.

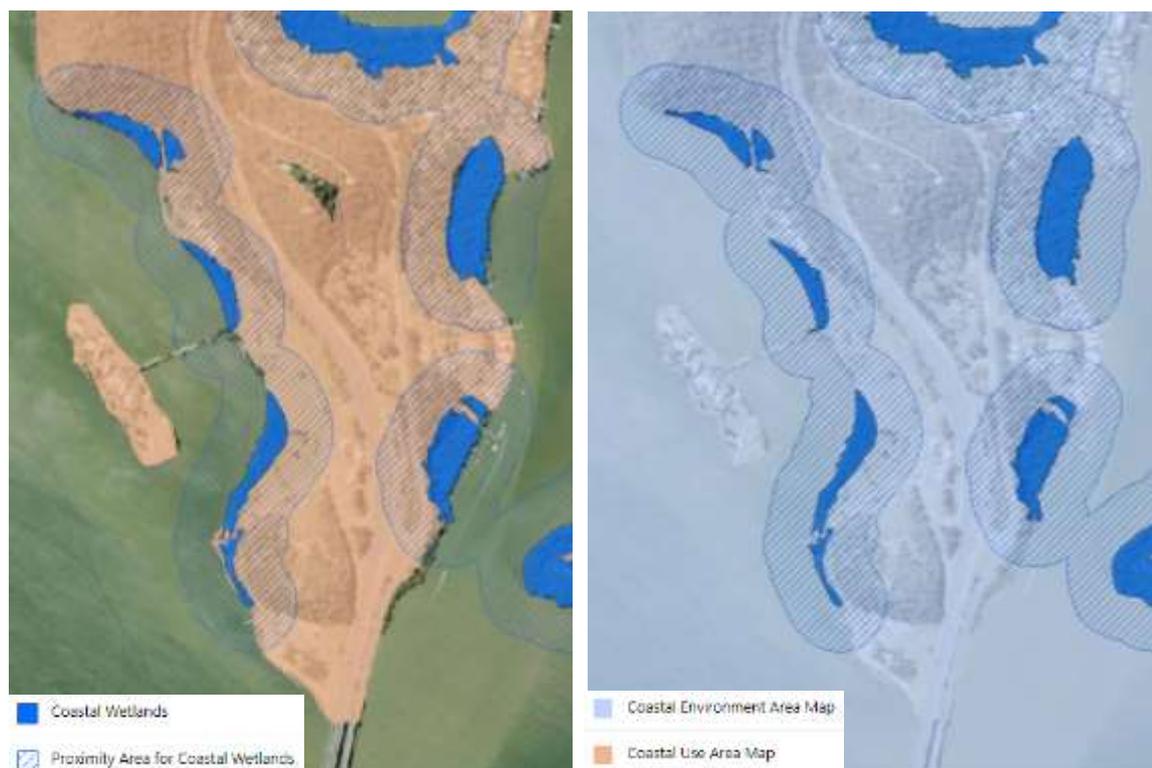
Clause 102 of the Infrastructure SEPP requires residential development adjacent to road corridors (annual average daily traffic volume of more than 40,000 vehicles) to assess impact of road noise or vibration. An Environmental Noise Assessment is prepared by Renzo Tonin & Associates attached at Appendix N. The assessment quantifies the noise impacts from road traffic noise affecting the potential future land uses depicted in the indicative concept plan. Specifically, this report identifies the compliance capability of the proposal with the NSW Environment Protection Authority's (EPA) 'Road Noise Policy' (RNP); the NSW 'State Environmental Planning Policy (Infrastructure)' 2007 (ISEPP), with regard to road traffic noise impact from the M1 Pacific Motorway.

Concurrence with TfNSW in accordance with Clause 104 of the *Infrastructure SEPP* will also be undertaken for any Traffic Generating developments and assessed at future development application stage.

3.2. STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The *Coastal Management SEPP* identifies the site area as within the Coastal Environment Area and Coastal Use Area as shown in Figure 7. Areas of the site are also designated as Coastal Wetlands and Proximity Areas for Coastal Wetlands.

Figure 7 Coastal Management SEPP Policy Map



Source: NSW Department of Planning and Environment

The aim of the SEPP is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, including the management objectives for each coastal management area, by:

- *managing development in the coastal zone and protecting the environmental assets of the coast, and*
- *establishing a framework for land use planning to guide decision-making in the coastal zone.*

Developments are required to demonstrate that sufficient measures have been, or will be, taken to protect, and where possible enhance, the biophysical, hydrological and ecological integrity of coastal wetland.

Developments in the proximity to coastal wetlands must demonstrate that the proposed development will not significantly impact on:

- *the biophysical, hydrological or ecological integrity of the adjacent coastal wetland, or*
- *the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland.*

Development on coastal environment area land must consider whether it is likely to cause an adverse impact on:

- *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- *coastal environmental values and natural coastal processes,*
- *the water quality of the marine estate, in particular, the cumulative impacts of the proposed development on any sensitive coastal lakes,*

- *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- *Aboriginal cultural heritage, practices and places,*
- *the use of the surf zone.*

Development on coastal use area land consider whether the proposed development is likely to cause an adverse impact on:

- *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- *the visual amenity and scenic qualities of the coast, including coastal headlands,*
- *Aboriginal cultural heritage, practices and places,*
- *cultural and built environment heritage.*

The SEPP requires that development consent must not be granted unless the consent authority is satisfied that:

- *the development is designed, sited and will be managed to avoid an adverse impact, or*
- *if that impact cannot be reasonably avoided – the development is designed, sited and will be managed to minimise that impact, or*
- *if that impact cannot be minimised – the development will be managed to mitigate that impact.*

3.3. STATE ENVIRONMENTAL PLANNING POLICY NO 19—BUSHLAND IN URBAN AREAS

SEPP 19 seeks to protect and preserve areas of urban bushland. Clause 10 of the SEPP sets out matters which must be considered when preparing draft LEPs, including consideration of the general provisions and for priority to be given to retaining bushland.

Much of the site has been cleared or substantially modified due the previous institutional uses on site and associated dairy farm. Some parts of the site remain heavily vegetated. The proposed development will conserve large areas of suitable flora and fauna habitat with bushland adjacent to the development footprint.

Some clearance of vegetation will be required to facilitate the introduction of suitable asset protection zones and to accommodate the future development.

3.4. STATE ENVIRONMENTAL PLANNING POLICY (KOALA HABITAT PROTECTION) 2021

The *State Environmental Planning Policy (Koala Habitat Protection) 2021* was made and commenced on 17 March 2021.

The SEPP applies to land within the LGA proposed for development which is over 1ha in size. The SEPP will therefore be a relevant consideration in any future development application for the site. The SEPP seeks to ensure the proper management and conservation of vegetation that is a source of koala habitat.

3.5. STATE ENVIRONMENTAL PLANNING POLICY NO 65 — DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT 2002

SEPP 65 provides a statutory framework to guide the design quality of residential apartment developments.

Amenity controls within SEPP 65 will guide the appropriate siting and design of the future residential flat buildings.

3.6. STATE ENVIRONMENTAL PLANNING POLICY NO 55 — REMEDIATION OF LAND (1998 EPI 520)

The Remediation SEPP 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. Development consent should not be granted unless:

- *it has been considered whether the land is contaminated, and*
- *if the land is contaminated, the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose of the proposed development, and*
- *if the land requires remediation to be made suitable for the proposed development, the land will be remediated before the proposed use is commenced.*

3.7. SYDNEY REGIONAL ENVIRONMENTAL PLAN 20 HAWKESBURY NEPEAN RIVER

The aim of Sydney Regional Environmental Plan 20 Hawkesbury Nepean River (**SREP No 20**) (now a deemed SEPP) is to protect the environment of the Hawkesbury – Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. This requires consideration of the strategies listed in the Action Plan of the Hawkesbury-Nepean Environmental Planning Strategy, impacts of the development on the environment, the feasibility of alternatives and consideration of specific matters dealing with total catchment management, environmentally sensitive areas, water quality, water quantity, cultural heritage, flora and fauna, urban development, and the metropolitan strategy.

This plan applies to certain land in the Greater Metropolitan Region that is within the following local government areas: Baulkham Hills, Blacktown, Blue Mountains, Camden, Campbelltown, Fairfield, Gosford, Hawkesbury, Hornsby, Ku-ring-gai, Liverpool, Penrith, Pittwater, Warringal, Wollondilly.

It is note that the biocertification area is not within these listed LGAs, however, this SREP has been addressed at the request of DPIE. The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

3.8. GOSFORD LOCAL ENVIRONMENTAL PLAN 2014

This section provides a summary of the existing local planning controls that apply to the site under the current legislative framework.

Gosford Local Environmental Plan 2014 (GLEP 2014) is the primary environmental planning instrument applying to the site and the proposed development.

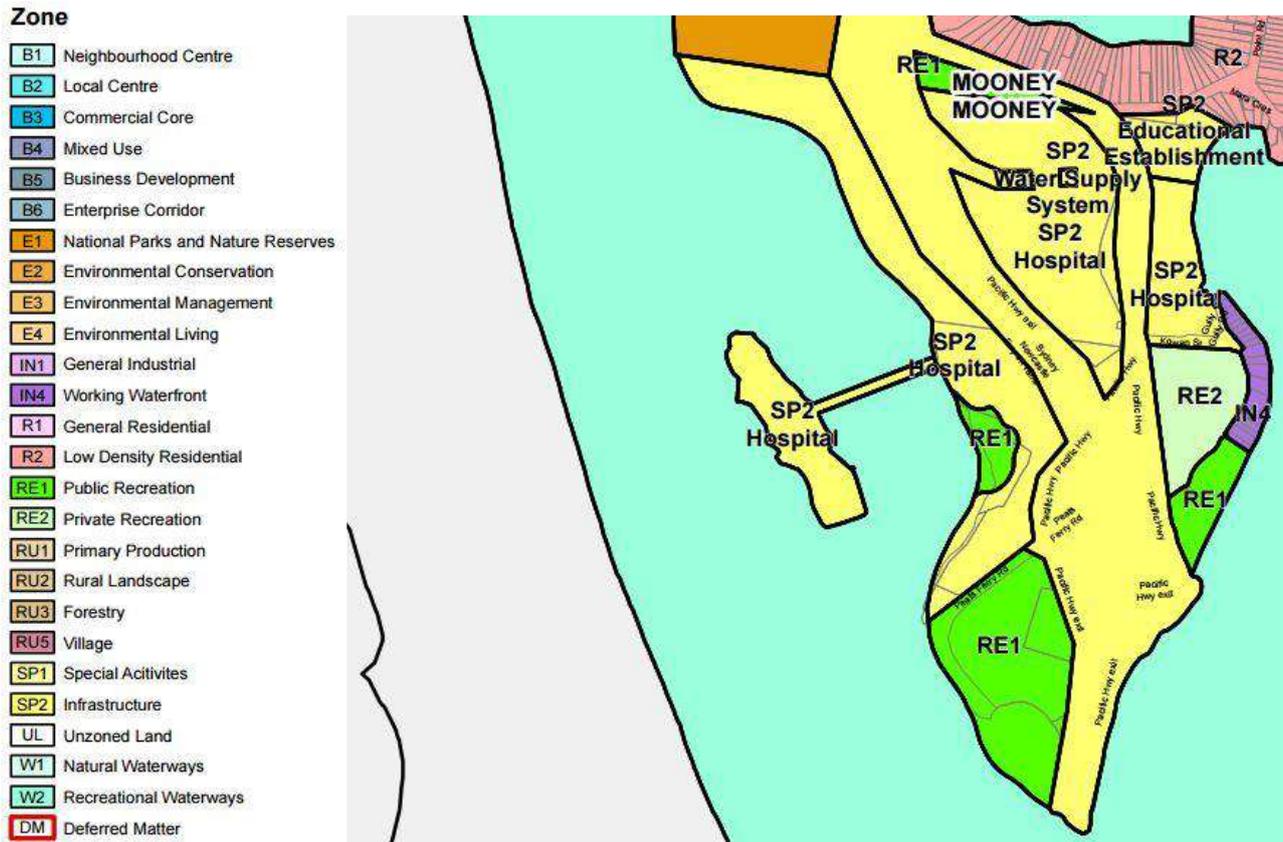
3.8.1. Land Use Zoning

Under GLEP 2014, the majority of the site is currently zoned SP2 Infrastructure and is identified on the zoning map as *'Hospital'* (the entire Peat Island and majority of the mainland is zoned for hospital use) and *'Educational Establishment'* (for the former School) under GLEP 2014. It also includes areas zoned for RE1 Public Recreation. However, it is important to note that Mooney Mooney Point Reserve and the adjoining Deerubbin Reserve are the only areas of land zoned RE1 Public Recreation that are currently accessible to the public. Due to the steepness of this land, its ability to be used for either active or passive recreational purposes is limited. The waterway surrounding Peat Island is zoned W2 Recreational Waterways.

The only uses permitted with development consent on the part of the site zoned SP2 Infrastructure are those uses identified on the Land Zoning Map (i.e. "Hospital". and "Educational Establishment") including any development that is ordinarily incidental or ancillary to development for that purpose. All other uses are prohibited. The only uses permitted with development consent on the part of the site zoned RE1 Public Recreation are:

Camping grounds; Car parks; Caravan parks; Child care centres; Community facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures.

Figure 8 Land Use Zoning Map

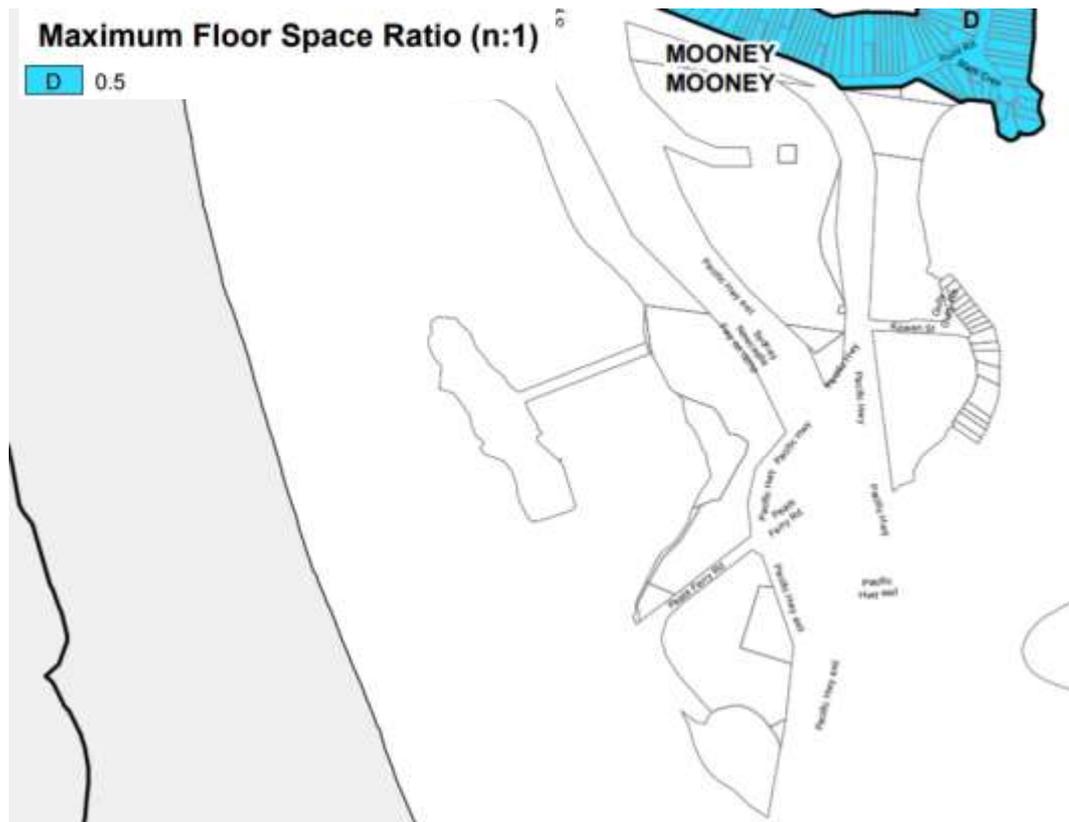


Source: Legislation NSW

3.8.2. Building Height and Lot Size

There is no maximum height or minimum lot size applying to any part of the site under GLEP 2014.

Figure 11 Floor Space Ratio Map



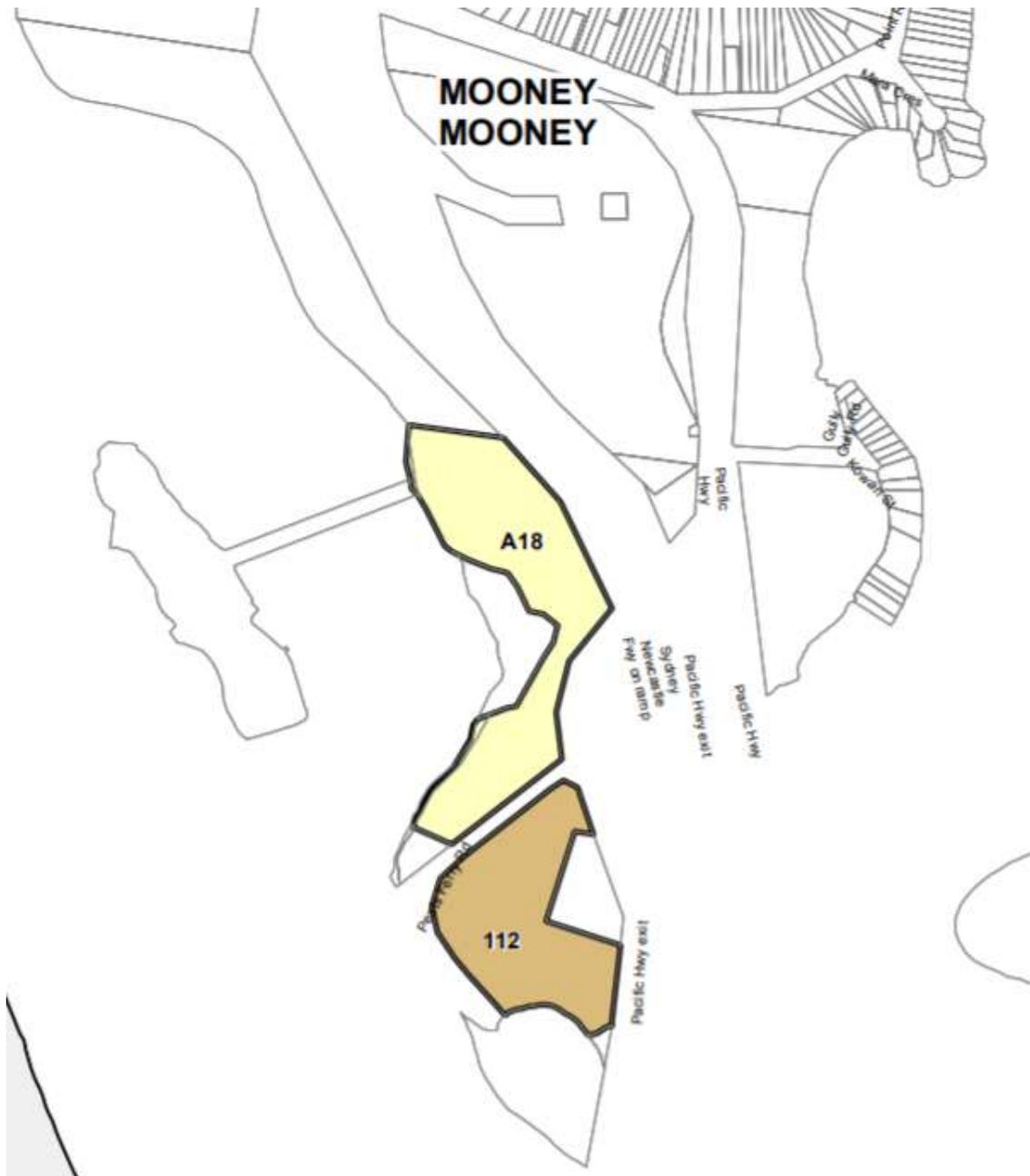
Source: Legislation NSW

3.8.4. Heritage Conservation

The site includes a locally listed heritage item and a locally listed archaeological site as shown in Figure 12. The listed items are as follows:

- Grave of Frances Peat (within Deerubbun Reserve) – 112
- Site of George Peat's Inn – A18

Figure 12 Heritage Map



Source: NSW Legislation

3.8.5. Aboriginal Heritage

A total of six Aboriginal sites recorded on the Aboriginal Heritage Information System (AHIMS) database are located within the site area as follows and discussed in further detail in the Aboriginal Cultural Heritage Assessment Report at Appendix O:

- **AHIMS site 45-6-0476:** This site is called ‘Spectacle Island, Mooney Mooney’ and is not listed with a site recorder. The supplied site coordinates place the site on Mooney Mooney Point and in the southern portion of the study area. The AHIMS site number indicates that this recording is an older recording, and is listed as a rock engraving. The original site recording form indicates that the site consists of a number of engravings across flat rock surfaces on the western side of Mooney Mooney Point. The original reference for the recording (Sim 1963) indicates that the group of engravings was identified along a number of flat rock surfaces over a distance of approximately 400 metres and within the grounds of the Peat Island Mental Hospital (Sim 1963: 59).

- **AHIMS site 45-6-1836:** This site is called 'Cabbage Point' and is listed as a shelter with midden deposit. The site recorder is listed as Warren Bluff. The site location is shown in the northern portion of the site, and on the eastern margin of a natural feature shown in NSW Land and Property Information as 'Cabbage Point'.
- **AHIMS site 45-6-1837:** This site is called 'Peats Point' and is listed as a rock engraving site. The site recorder is listed as Warren Bluff. This site location is shown within the northern portion of the study area and approximately 15 metres east of the Hawkesbury River. Information provided on the original site recording form (recorded 1989) indicate that the site consisted of a several engravings identified across a sandstone platform overlooking the Hawkesbury River. Although it is not mentioned on the site recording form, it is apparent that this site is located in the same area and may include some of the same engravings as identified in 1963 (AHIMS site 45-6-0476).
- **AHIMS site 45-6-1990:** this site is called 'Hawkesbury' and is listed as a shelter with midden deposit recorded by Warren Bluff in 1989. The site is shown on the small rise overlooking Mooney Mooney Point and within the study area.
- **AHIMS site 45-6-2500:** this site is called 'Jordie Cave' and is a shelter with art. The site was recorded by Zol Bodlay in 1992. The site location is shown on the eastern margin of the study area bordering the western side of the M1. The site recording form indicates that the site was located within the Murrumbidgee National Park and was accessed via the Murrumbidgee Ridge Fire Trail. The site is more likely located approximately 10 kilometres to the west in association with the Murrumbidgee Ridge within the Murrumbidgee National Park.
- **AHIMS site 45-6-2757:** this site is called 'Peat Island' and is shown as an art (pigment or engraved) site. The site status on the AHIMS site register is shown as 'Deleted', indicating that although the site is still listed on the AHIMS site register it is no longer a recorded Aboriginal site. No further information on the nature of the original site recording or reason for deletion is available. The site is listed on the AHIMS site register with matching coordinates to AHIMS site 45-6-1837 so may be a duplicate and has been deleted for that reason.

In addition to the six Aboriginal sites shown within the site area, there are an additional two recorded Aboriginal sites in the vicinity of the site. These include:

- **AHIMS site 45-6-0479:** this site is called 'Mooney Mooney Point' and is listed as a shelter with archaeological deposit. The AHIMS coordinates place the site in the Hawkesbury River and approximately 220 metres southeast of the study area. It is likely that the site was originally recorded on Mooney Mooney Point, which incorporates the southern portion of the study area. The fact that this site is listed as a shelter site indicates that it was recorded in a location with suitable sandstone overhangs, such as the small rise overlooking Mooney Mooney Point. The site recording from 1936 indicates the site consisted of a shelter on Mooney Mooney Point just below a group of houses. An additional site recording form attached to the original site recording form was submitted to AHIMS by Warren Bluff in 1989. Bluff provides updated coordinates for the site location as well as photos. It is unclear whether this is the same shelter identified in 1936. The updated coordinates provided by Bluff place the site on the southern side of the local high point overlooking Mooney Mooney Point and within the site area.
- **AHIMS site 45-6-2501:** this site is called 'Saxon Overhang' and is listed as a shelter with art. The AHIMS coordinates place this site in the middle of the Hawkesbury River and approximately 250 metres west of the study area. The original site recording form indicates that, similar to AHIMS site 45-6-2500, the site was located within Murrumbidgee National Park. Murrumbidgee National Park is located to the west of the Hawkesbury River, indicating that the site is not located within the site area.

Figure 13 OEH AHIMS site register search results



Source: Artefact

3.8.6. Draft Central Coast Local Environmental Plan 2018

In November 2016, Central Coast Council resolved to consolidate the LEPs for the LGA. The Draft Central Coast LEP was publicly exhibited between December 2018 and February 2019. The Central Coast LEP was adopted by Council on 14 December 2020 and is expected to come into force in late 2021. The land zoning for the site as per the GLEP 2014 is retained in the Draft Central Coast LEP.

3.9. GOSFORD DEVELOPMENT CONTROL PLAN 2013

The Gosford Development Control Plan 2013 (DCP) provides the detailed development controls which apply to land across the Central Coast local government area.

In November 2016, Central Coast Council resolved to prepare a consolidated DCP for the LGA. The Draft Central Coast DCP was publicly exhibited between December 2018 and February 2019. The Central Coast DCP was adopted by Council on 14 December 2020 and is expected to come into force in late 2021.

4. STRATEGIC CONTEXT

This section of the report identifies the relevant State and local strategic planning policies which are relevant to the site. It outlines the key objectives, planning priorities and actions required to deliver the vision for the Central Coast Region and the Central Coast local government area.

A detailed assessment of the consistency of the proposal with the State and local strategic planning policies is provided within **Section 6**.

4.1. CENTRAL COAST REGIONAL PLAN 2036

The Central Coast Regional Plan (CCRP) 2036 establishes the strategic planning framework to deliver a prosperous and sustainable future for the Central Coast's current and future residents. The vision is delivered through four goals:

1. a prosperous Central Coast with more jobs close to home;
2. protection for the natural environment and careful, sustainable management of agricultural and resource lands;
3. well-connected communities and attractive lifestyles; and
4. a range of housing choices to suit needs and lifestyles.

4.2. CENTRAL COAST COMMUNITY STRATEGIC PLAN 2018-2028

Central Coast Community Strategic Plan 2018-2028 is a 10-year plan developed by Central Coast Council to help set the priorities and confirm strategies and activities that best achieve the community's desired outcomes for the future. The Strategic Plan outlines five goals to help create a vibrant and sustainable future for the Central Coast.

4.3. CENTRAL COAST LOCAL STRATEGIC PLANNING STATEMENT 2020

In response to the Central Coast Regional Plan, the Central Coast Local Strategic Planning Statement (LSPS) provides a strategic framework for the sustainable growth of the Central Coast.

The LSPS identifies four guiding planning pillars to support growth in the Region being:

- **Place:** to ensure growth in a manner that recognises and reinforces the qualities of Central Coast living, with a community-focus supported by accessible public spaces for families, businesses and neighbourhoods.
- **Environment:** to ensure that natural heritage and a healthy environment are promoted with the built environment planned and managed to protect natural assets and respond to environmental pressures.
- **Lifestyle:** to ensure an equitable living, working and recreational environment; offering greater access to jobs, improved health and well-being and improved leisure, family and community opportunities.
- **Infrastructure:** to ensure infrastructure systems are better connected within the region to support appropriate growth, with infrastructure to pro-actively respond to growth, upgrading and innovating for the future.

To facilitate sustainable growth, the LSPS identifies four strategies as follows:

- **Revitalise centres:** to bring activity and life to existing centres to both stimulate growth and to create and maintain a sense of place.
- **Renew the urban form:** to improve the living environment for new and existing communities and create new housing types, upgraded public realm and better movement networks.
- **Define the urban edge:** to define urban growth and environmental protection and provide greater clarity around the environmental living opportunities at the urban-environment interface and look at new spaces of tourism innovation.

- **Create a sustainable region:** to embrace change and create neighbourhoods that are inclusive, adaptable and resilient with planned growth to innovate and upgrade existing urban systems to minimise resource use, reduce waste, maximise health and well-being.

5. INDICATIVE CONCEPT

An Indicative Concept Plan has been prepared by Urbis Urban Design to demonstrate the indicative development that could occur if the Planning Proposal was gazetted. The Indicative Concept Plan responds to the surrounding context, including the prevailing zoning of adjoining land and environmental and physical site constraints.

The intended outcome of the indicative Concept Plan is illustrated at Figure 14.

Figure 14 indicative Concept Plan



Source: Urbis

The Indicative Concept Plan comprise the following precincts:

1. Mooney Mooney Village

- New parkland for Mooney Mooney Residential Neighbourhood, incorporating existing identified AHIMS site.
- Residential lots with clear demarcation between private lots and areas of retained vegetation.
- Community Title townhouse lots at the southern end of the precinct along Kowan Street, including communal open space.

2. Chapel Residential Precinct

- Provide greater housing choice and improve safety of pedestrian link under M1 motorway and access to Chapel.
- Apartment development to provide secured car park and opportunity for ground floor retail (neighbourhood shops).
- Retain Chapel and the identified heritage curtilage as community facility and public open space.

Provision for a community centre within the Chapel precinct. **3 Northern Foreshore**

- Align road with reduced cross section to protect AHIMS sites and Inner Vegetated Riparian Zone.
- Residential lots for detached housing.
- Foreshore pathway designated as shared cycling and pedestrian path.

4 Peat Island

Retain important heritage items including reservoir tower, original swimming hut, sewing room and cottages on Peat Island, and the dairy store on Mooney Mooney mainland to support tourism uses and access on Peat Island

5 and 6 Potential sites for NSW Rural Fire Service facility

Two locations have been identified as potential sites for Rural Fire Service Station (south of Peats Ferry Road and within the Chapel Precinct). This is subject to further stakeholder consultation and a separate planning proposal.

Location 5 (Lot 9 DP 863305) is excluded from the Planning Proposal, given it is under the care, control and management of Central Coast Council and will be retained as RE1 Public Recreation Zone. The location for the RFS facilities in this location is indicative and does not form part of the Planning Proposal. The RFS facility is subject to further stakeholder consultation and a separate proposal.

7 Southern Foreshore

- Residential lot for townhouses providing demarcation between area of private lots and retained vegetation.
- Apartment development to provide secured car park and ground floor retail (neighbourhood shops).
- Align foreshore pathway and designation as shared cycling and pedestrian path

8 Waterfront Parkland and Public Parking

Public parking and publicly accessible waterfront parkland.

9 Land-based Marina (excluded from this Planning Proposal)

A land-based marina is shown on the Indicative Concept Plan located on the foreshore of the Hawkesbury River adjacent to Peat Island. It does not form part of the planning proposal or the LEP amendments and would be subject to a separate future planning proposal if it is to proceed. This would include a detailed environmental assessment of the impacts. This part of the site is currently zoned partly RE1 Public Recreation and partly SP2 Infrastructure (for the purpose of hospital) under GLEP 2014 and is proposed to be rezoned to RE2 Private Recreational Zone. A car park on a portion of the site is proposed to be included as part of the Planning Proposal and as an Additional Permitted Use under Schedule 1 of GLEP 2014.

10 Marine Rescue NSW Facility

Potential location for a Marine Rescue facility subject to further stakeholder consultation and separate proposal.

11 AUSGRID Substation

Preferred location for future substation at the southern end of Mooney Mooney. Ausgrid to inform further technical requirements at a later stage for detailed design

5.1. INDICATIVE DEVELOPMENT OUTCOMES

An overview of the approximate land uses, yield lots sizes and GFA that are anticipated in the Precinct by the Indicative Concept Plan are show in the Table below. The final yield and dwelling mix will be subject to detailed planning at the development application stage.

Table 3 Indicative Table of Development

Zone	Zoning land area (Approximate sqm)	Approximate number of dwellings			GFA (sqm)	Total
		Residential lots	Town houses	Apartments/ Hotel		
R1 - General Residential						
Residential	52,59	15	54	162		231
Chapel / Community Centre	3,882					
Neighbourhood Shops at Southern Foreshore					170*	
R2 Low Density Residential						
Residential	36,725	36				36
TOTAL RESIDENTIAL	89,316	51	54	162		267
TOTAL RETAIL					170*	
SP3 Tourist						
New buildings	50,530			40		40
Existing buildings				45		45
TOTAL ACCOMMODATION	50,530			85		85
RE2 - PRIVATE RECREATION	9,150					
E2 – ENVIRONMENTAL CONSERVATION	104,583					
RE1 - PUBLIC RECREATION	94,709					

Zone	Zoning land area (Approximate sqm)	Approximate number of dwellings			GFA (sqm)	Total
		Residential lots	Town houses	Apartments/ Hotel		
Substation	7,400					
TOTAL OPEN SPACE	208,442					
TOTAL AREA	348,287					

* The indicative Concept Plan comprises local shops/restaurants and cafes in the form of shop top housing within the Southern Foreshore precinct and the Chapel Residential precinct. The proposed 'shops' and 'food and drinks premises' are intended to offer local convenience retailing, such as local stores, cafes and local dining options. The proposed shop has a minimum area of approximately 170sqm, which is of a scale that is better suited for this local area. The planning proposal included two locations for 'shop' to allow future land use flexibility on either side of the M1 highway. The location of local convenience retailing will be determined by future market demand at either location.

5.2. LAND USES

The Planning Proposal for the site envisages the following mix of land uses:

- **Community facilities:** A new community facility precinct is proposed to be located within the Chapel Precinct. The existing Chapel and the identified heritage curtilage will be retained in its current location, and adaptively reused for community purposes. A strategy is to be developed for the community facility's long-term use with the potential development of a new community centre.
- **Tourism and accommodation:** Peat Island will be transformed into a tourism and accommodation precinct, with supporting cafes, restaurants and the like to be accommodated in retained heritage buildings and the addition of new purpose built buildings sympathetic to the unique history and character of the island. No residential uses are proposed on the island.
- **Residential:** A mix of low and medium density dwellings are proposed across the Mooney Mooney area, including detached and attached housing and residential flat buildings. In total, the rezoning would facilitate approximately 267 new dwellings with 51 low density dwellings, 54 townhouses and 162 apartments. The medium density residential development will range from 1- 3storeys. The final yield and dwelling mix will be subject to detailed design and planning at the development application stage.
- **Emergency services facilities:** A Marine Rescue NSW Facility and NSW Rural Fire Service Facility are proposed to be located within the site.
- **Transport and access:** new vehicle and pedestrian access routes will be provided across the site, including an improved foreshore walk and pedestrian connections. Also new public and private car parking will be provided across the site with upgraded amenity facilities in public areas.
- **Public open space, conservation area and waterfront accessibility:** Landscaping and public open space will be integrated as a defining element of the visual character of the development. This includes new public open space areas across the site and proposed conservation area directly adjacent the Popran National Park. The key features of the conservation and open space strategy include:
 - Creation of 9.65ha of publicly accessible open space, including the large public park along the Mooney Mooney foreshore for informal recreation purposes.
 - Creation of 10.4ha of environmental conversation area, including the land adjacent to Popran National Park and Tank Hill.

5.3. BUILT FORM

Given the M1 Motorway divides the site into two separate and distinct precincts and considering the significant size of the site, there is opportunity to achieve a variety of housing types, heights and densities

across the site. The variety of dwelling types proposed respond to site constraints and opportunities, as well as the surrounding land use context. The built form strategy has been developed in consultation with the technical consultant team including a visual impact consultant.

Accordingly, the following key built form controls are proposed as part of the LEP amendment:

- 8.5m building height for all land zoned R2 Low Density Residential,
- 8.5m building height for land zoned R1 General Residential adjacent to the existing chapel in the eastern precinct, area north of Kowan Street, and the southern portion of the land to the east of Peats Ferry Road.
- 15m building height for land zoned R1 General Residential west of the M1 Motorway opposite the Causeway to Peat Island, and the northern portion of the land to the east of Peats Ferry Road
- 12m building height for the remaining land zoned R1 General Residential located between the M1 Motorway, Old Pacific Highway and the Motorway underpass road, and east of the M1 Motorway northbound off-ramp on northern side of Peats Ferry Road, and
- 12m building height for non-residential land uses on Peat Island.

The Site Specific DCP also contain built form controls for each of the precincts, including built form guidance for new buildings in heritage precinct and residential developments.

5.4. LOT SIZE

Small lot sizes have been provided to R1 General Residential Zone, to allow for flexibility in the subdivision layout and allow for a slightly different housing product than what is currently available in Mooney Mooney.

Larger lot sizes have been provided elsewhere on the site to reflect the character of the area. These lots will be comparable in size to the existing product found in Mooney Mooney (which is subject to a minimum lot size of 550sqm).

Accordingly, the following minimum allotment size controls are proposed as part of the LEP amendment:

- 150sqm, 220sqm and 300sqm for land zoned R1 General Residential.
- 300sqm for land zoned R2 Low Density Residential located within the northern portion of Mooney Mooney Village.
- 450sqm for land zoned R2 Low Density Residential located in the Northern Foreshore precinct.

6. RESPONSE TO GATEWAY DETERMINATION CONDITIONS

Gateway determination was issued on 10 August 2017 and contained a number of conditions required to be satisfied prior to public exhibition.

The proposal's response to the Gateway Determination conditions are summarised in Table 4 below.

Table 4 Response to Gateway Determination conditions

Gateway Determination Conditions	Response
<p><i>1. Council is to update the Planning Proposal prior to community consultation to:</i></p> <p><i>attach, refer to and outline the findings of all supporting studies, where appropriate, including the 'Urban Design Report';</i></p>	<p>Findings of all supporting updated technical studies are referenced and discussed in this Planning Proposal Report.</p> <p>The Urban Design Report attached at Appendix D also summaries the key updated technical studies that have informed the revised indicative Concept Plan and the final outcome of the Planning Proposal.</p> <p>Additional supporting documentations are attached at the Appendices.</p>
<p><i>remove reference to Singleton Mill heritage item as this is not located at this site;</i></p>	<p>Reference to Singleton Mill heritage item is removed.</p> <p>Refer to revised indicative Concept Plan attached at Appendix A.</p>
<p><i>confirm all affected lots and include a map that identifies the site, lot boundaries and lot numbers;</i></p>	<p>Revised site survey confirms all affected lots, lot boundaries and lot numbers attached is attached at Appendix V.</p> <p>The lot and ownership summary table are also provided in the Urban Design Report attached at Appendix D.</p>
<p><i>consider and discuss the suitability of alternative approaches for achieving the proposal's intent, such as applying alternative zones or inserting new land uses in the land use tables to permit additional uses at the site rather than relying on the use of Schedule 1 - Additional Permitted Uses;</i></p>	<p>The use of Schedule 1 - Additional Permitted Uses is the most appropriate zoning pathway because majority of the proposed additional permitted use relates to emergency services facility (Marine and Rescue Facility and Rural Fire Service Facility), which will be permissible with consent under the draft CCLEP. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal.</p> <p>The other additional permitted uses include:</p> <ul style="list-style-type: none"> ▪ RE2 Private Recreation zoned land, being portion of Lot 11, DP 1157280, and Lot 12, DP 1158746 as identified on the Additional Permitted Uses Map: Development for the purposes of Car parks <p>The intent of the area is to provide future open space and recreational opportunities. To allow flexibility and the accommodate future visitor parking demand to the area, a car park is proposed within this area.</p>

Gateway Determination Conditions	Response
	<p>Under GLEP 2014, a portion of this area is currently zoned as RE1 Public Recreation, with the remainder zoned SP2. It is proposed to be rezoned RE2. The proposed additional car park land use is currently prohibited in the RE2 zone under the current Gosford LEP. Therefore, the only way to allow these additional uses in a RE2 zone is to rely on Schedule – Additional Permitted Uses.</p> <ul style="list-style-type: none"> ▪ R1 General Residential zoned land, being the south eastern portion of lot 12, DP1158746 located along Peats Ferry Road, lot 12, DP863305 and the southernmost portion of lot 14 DP1158746 located to the east of M1 Pacific Motorway as identified on the Additional Permitted Uses Map: Development for the purpose of food and drink premises and shops. <p>The indicative Concept Plan comprises local shops/restaurants and cafes in the form of shop top housing within the Southern Foreshore precinct and the Chapel Residential precinct. The proposed ‘shops’ and ‘food and drinks premises’ are intended to offer local convenience retailing, such as local stores, cafes and local dining options. The proposed shop has a minimum area of approximately 170sqm, which is of a scale that is better suited for this local area. The planning proposal included two locations for ‘shop’ to allow future land use flexibility on either side of the M1 highway. The location of local convenience retailing will be determined by future market demand at either location.</p> <p>Shops, Restaurants and cafes are prohibited under the R1 zone of the Gosford LEP and the draft CCLEP. Given the proposal no longer includes a service station and a neighbourhood centre, it is proposed to include food and drink premises and local shops as additional permitted uses to provide sufficient and much needed local convenience retailing for exiting and incoming residents.</p> <ul style="list-style-type: none"> ▪ RE1 Public Recreation zoned land, being Lot 11 DP863305 as identified on the Additional Permitted Uses Map: Development for the purpose of electricity generating works is permitted with development consent. <p>A potential location for a new electricity substation. This is the preferred location identified by Ausgrid. It is important to note that under <i>State Environmental Planning Policy (Infrastructure) 2007, Clause 41 Development permitted without consent</i>, the substation can be carried out by or on behalf of an electricity supply authority without consent on any land.</p>

Gateway Determination Conditions	Response
<p><i>discuss the need for updated heritage schedules, if appropriate;</i></p>	<p>A Heritage Conservation Management Plan (CMP) prepared by Urbis Heritage is attached at Appendix E. The CMP provides a considered analysis of the heritage significance of the place and provides policies and guidance to assist owners and users to appropriately manage this significance into the future.</p> <p>Consistent with the recommendation of the CMP, Precinct A: Peat Island and Causeway has been nominated as a local Item of Environmental Heritage (Item – General) under Part 1 – Heritage Items, Schedule 5 of the Gosford LEP.</p> <p>The curtilage for the heritage listing includes the entirety of the Peat Island landform and the causeway to the mainland, but not include any of the foreshore areas along Mooney Mooney.</p> <p>This is to ensure the implementation of statutory obligations and provide future guidance for change to individual elements, maintenance and repair.</p> <p>Peat Island and Causeway has also been identified as State significant. A separate nomination process for listing the place on the NSW State Heritage Register is to be undertaken with the Heritage Council of NSW and Heritage NSW of the NSW Department of Premier and Cabinet (as delegate).</p>
<p><i>confirm the proposed planning provisions, including zones, zone boundaries and planning controls, following completion of agency consultation and resolution of issues; and</i></p>	<p>Extensive agency consultation and additional detailed technical investigation have been undertaken to resolve issues and to confirm the proposed planning provisions, including land use zones, zone boundaries and planning controls. This Planning Proposal and draft zoning maps have been updated accordingly.</p> <p>Response to agency consultation is summarised in Section 7.5 of this report.</p>
<p><i>prepare a complete set of maps clearly showing the proposed LEP amendments.</i></p>	<p>A complete set of updated maps clearly showing the proposed LEP amendments is contained within Appendix B.</p>
<p><i>2. Council is to update the Planning Proposal to demonstrate consistency with the following section 117 Directions after supporting information has been obtained and/or following agency consultation:</i></p> <p><i>1.1 Business and Industrial Zones;</i></p> <p><i>1.4 Oyster Aquaculture;</i></p>	<p>Response to Directions Section 9.1 Directions (formally known as section 117 Directions) is summarised in Table 9 of this report and is discussed in detail within the technical reports attached at the Appendices.</p> <p><i>State Environmental Planning Policy (Coastal Management) 2018</i> was gazetted on 3 April 2018, which consolidate SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection) into one integrated policy.</p>

Gateway Determination Conditions	Response
<p>2.1 Environment Protection Zones;</p> <p>2.2 Coastal Protection;</p> <p>2.3 Heritage Conservation;</p> <p>3.1 Residential Zones;</p> <p>3.4 Integrating Land Use and Transport;</p> <p>4.1 Acid Sulfate Soils;</p> <p>4.3 Flood Prone Land;</p> <p>4.4 Planning for Bushfire Protection;</p> <p>5.10 Implementation of Regional Plans;</p> <p>6.2 Reserving Land for Public Purposes;</p> <p>6.3 Site Specific Provisions;</p> <p>SEPP 19 Bushland in Urban Areas;</p> <p>SEPP 55 Remediation of Land;</p> <p>SEPP 62 Sustainable Aquaculture;</p> <p>SEPP 71 Coastal Protection;</p> <p>SREP 20 Hawkesbury Nepean River; and</p> <p>Draft SEPP Coastal Management.</p>	<p>SEPP 71 is now repealed and consistency with <i>SEPP Coastal Management 2018</i> is addressed in Section 7.</p> <p>The proposal does not involve the:</p> <p>(a) cultivating fish or marine vegetation for the purposes of harvesting the fish or marine vegetation or their progeny with a view to sale, or</p> <p>(b) keeping fish or marine vegetation in a confined area for a commercial purpose (such as a fish-out pond),</p> <p>Accordingly, SEPP 62 Sustainable Aquaculture is not applicable.</p>
<p>3. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows: (a) the Planning Proposal must be made publicly available for a minimum of 28 days; and (b) the relevant planning authority must comply with the notice requirements for public exhibition of Planning Proposals and the specifications for material that must be made publicly available along with Planning Proposals as identified in section 5.5.2 of <i>A guide to preparing local environmental plans (Department of Planning and Environment 2016)</i>.</p>	<p>The Planning Proposal will be made publicly available for a minimum of 3 months.</p> <p>Public exhibition will comply with the notice requirements for public exhibition of Planning Proposals.</p> <p>Material will be made publicly available as identified in section 2.3.1 of <i>A guide to preparing local environmental plans (DPIE 2018)</i>.</p> <p>The Planning Proposal is capable of complying with the condition.</p>
<p>4. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:</p>	<p>Pre-Exhibition consultation has been undertaken with the relevant public authorities. Each public authority was provided with a copy of the Planning Proposal and the relevant supporting material.</p>

Gateway Determination Conditions	Response
<p><i>NSW Environment, Energy and Science;</i></p> <p><i>National Parks and Wildlife Service;</i></p> <p><i>NSW Department of Primary Industries - Fisheries;</i></p> <p><i>NSW Department of Primary Industries - Water;</i></p> <p><i>Transport for NSW;</i></p> <p><i>Transport for NSW - Roads and Maritime Services ;</i></p> <p><i>NSW Rural Fire Service;</i></p> <p><i>Darkinjung Local Aboriginal Land Council;</i></p> <p><i>Guringai Tribal Link;</i></p> <p><i>Fire and Rescue NSW;</i></p> <p><i>Ambulance Service of NSW;</i></p> <p><i>NSW Police Force;</i></p> <p><i>State Emergency Services;</i></p> <p><i>Hornsby Shire Council;</i></p> <p><i>NSW Health;</i></p> <p><i>NSW Education and Communities;</i></p> <p><i>Crown Lands;</i></p> <p><i>Ausgrid;</i></p> <p><i>Transgrid;</i></p> <p><i>Relevant river user and industry groups such as River Rescue and local oyster producer association; and</i></p> <p><i>Lower Hawkesbury community groups.</i></p> <p><i>Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.</i></p>	<p>Public authority's feedback has been received, and the technical reports updated to respond to these feedbacks. Responses are discussed in greater detail within the technical reports attached at the Appendices.</p>
<p><i>5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act.</i></p>	<p>Noted.</p>

Gateway Determination Conditions	Response
<i>This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).</i>	
6. <i>The timeframe for completing the LEP is to be 18 months from the week following the date of the Gateway determination.</i>	<p>A letter received from DPIE on 25 June 2020 confirmed that the Gateway Determination has been extended and the time frame to finalise the LEP is by 10 August 2021.</p> <p>Gateway Extension is currently with Council and DPIE.</p>

7. PLANNING PROPOSAL ASSESSMENT

The Planning Proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Having regard to the Department of Planning, Infrastructure and Environment (DPIE)'s *'Local Environmental Plans – a guide to preparing local environmental plans'* and *'Planning Proposals - a guide to preparing planning proposals'*.

This section addresses each of the matters to be addressed as outlined in the guidelines, including:

- Objectives and intended outcomes
- Explanation of provisions
- Justification including need for proposal, relationship to strategic planning framework, environmental, social and economic impacts and State and Commonwealth interests.
- Draft LEP maps which articulate the proposed changes
- Likely future community consultation

7.1. OBJECTIVES AND INTENDED OUTCOMES

The primary objective of the proposed rezoning is to obtain the necessary zoning of this surplus government land to facilitate its development for a mix of residential, community, recreation and employment generating land uses. The proposed rezoning will revitalise this former institutional site to establish it as a vibrant southern gateway to the Central Coast Region.

The Planning Proposal also seeks to provide necessary built form controls, including minimum allotment sizes, FSR and building height controls and additional permitted use clauses to provide greater certainty regarding future built form outcomes.

A site specific DCP is also prepared to guide future developments and to ensure that:

- Flooding measures are implemented at DA stage.
- Riparian corridor requirements to protect the coastal environment of the site.
- Aboriginal Cultural Heritage and European Heritage significance controls to preserve heritage significance and value.
- A pedestrian and cycling strategy can be developed at DA stage.
- The requirement for APZs have been incorporated to ensure bushfire measures are implemented at DA stage.
- Built forms are development to be consistent with the character of each precinct.

General objectives of the Planning Proposal are to:

- Meet increasing demand for additional housing supply in the region with the addition of approximately 267 dwellings.
- Provide a range of housing typologies to provide housing choice in an area that has a very limited mix of housing product.
- Provide local jobs for the existing community.
- Provide development on land that is currently zoned for urban purposes, which will not significantly impact upon environmentally sensitive land or the visual and scenic qualities of the area.
- Provide the opportunity for the protection and adaptive re-use of significant heritage buildings.
- Accommodate safe and flood-free development that does not compromise the safety of surrounding areas and is based on best practice hydrological solutions.
- Provide much needed local retail convenience to the existing local community.

- Enhance, retain and/or relocate existing community services and facilities within the site. To create recreational and social interaction opportunity for visitors and residents.
- Optimising the operations of emergency services, including introducing new emergency services (including NSW Marine Rescue facility and NSW Rural Fire Services) into the area.
- Provide public open space and public access to Peat Island and the surrounding foreshore, which is currently not accessible to the public.
- Rezone heavily vegetated land to E2 Environmental Conservation to ensure this significant bushland located on the escarpment is conserved in perpetuity, and the scenic quality of the Hawkesbury River is protected.

As discussed in Section 5, the intended outcome of the Planning Proposal is illustrated on the Indicative Concept Plan to demonstrate the indicative development that would occur if the Planning Proposal was gazetted.

7.2. EXPLANATION OF PROVISIONS

The section provides an explanation of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed through LEP amendment.

7.2.1. Overview

The Planning Proposal incorporates amendments to the Gosford LEP 2014 as it relates to the site. Specifically this Planning Proposal seeks to amend the following provisions of the GLEP 2014;

- Amend Clause 2.1 Land Use Zones of the GLEP 2014 to include SP3 Tourist zone listed under Special Purpose Zones.
- Amend the GLEP 2014 Land Zoning Map applicable to the site, and rezone SP2 Infrastructure and RE1 Public Recreation zones to E2 Environmental Conservation, R1 General Residential, R2 Low Density Residential, RE1 Public Recreation, RE2 Private Recreation, and SP3 Tourist zones.
- Amend the GLEP 2014 Height of Buildings Map to reflect the maximum height of the buildings proposed (8.5m, 12m and 15m) across selected areas of the site as indicated on the proposed Height of Buildings Map.
- Amend the GLEP 2014 Lot Size Map to allow minimum lots size of 150sqm, 220sqm, 300sqm and 450sqm across selected areas of the site as indicated on the proposed Minimum Lot Size Map.
- Amend the GLEP 2014 Additional Permitted Uses Map and amend the GLEP 2014 Schedule 1 Additional permitted uses to include the use of certain land at Mooney Mooney, including:
 - RE2 Private Recreation zoned land, being portion of Lot 11, DP 1157280 and Lot 12, DP 1158746 as identified on the Additional Permitted Uses Map.
 - To include 'car parks' as additional permitted use on this part of the site.
 - R1 General Residential zoned land, being the southern portion of Lot 14, DP1158746 as identified on the Additional Permitted Uses Map.
 - Development for the purposes of emergency services facility (for the purpose of a Rural Fire Service facility) is permitted with development consent.
 - RE1 Public Recreational zoned land, being lot 4 DP239249 as identified on the Additional Permitted Uses Map.
 - Development for the purposes of emergency services facility (for the purpose of Marine Rescue Facility) is permitted with development consent.
 - R1 General Residential zoned land, as identified on the Additional Permitted Uses Map, being the south eastern portion of lot 12, DP1158746 located along Peats Ferry Road, lot 12, DP863305 and the southernmost portion of lot 14 DP1158746 located to the east of M1 Pacific Motorway:
 - Development for the purpose of 'food and drink premises' and 'shops' are permitted with development consent.

- RE1 Public Recreation zoned land, being Lot 11 DP863305 as identified on the Additional Permitted Uses Map.
 - Development for the purpose of electricity generating works is permitted with development consent.
- Amendment to include Peat Island as an Item of Environmental Heritage (Item - General) under Part 1 - Heritage Items, Schedule 5 of the Gosford LEP.

The proposed zones have been derived from those of the GLEP 2014, with the addition of the SP3 Tourist Zone from the Standard Instrument – Principal Local Environmental Plan which will apply to Peat Island and its causeway.

The proposed SP3 Tourist Zone objectives and proposed permissible uses are consistent with the draft SP3 Tourist zone within the draft Consolidated Central Coast Consolidated Local Environmental Plan (**CCLEP**). Therefore, the SP3 zone will be consistent with draft CCLEP, subject to gazettal.

It is considered that the proposed amendments to the GLEP 2014 are the best, most efficient and time effective approach to delivering the intended outcome of the proposal.

7.2.2. Land use zoning

It is proposed to amend the land use zoning applicable to the site from SP2 Infrastructure and RE1 Public Recreation to:

- E2 Environmental Conservation
- R1 General Residential
- R2 Low Density Residential
- RE1 Public Recreation
- RE2 Private Recreation, and
- SP3 Tourist
 - It is proposed that within GLEP 2014, clause 2.1 Land use zones be amended to include standard instrument zone SP3 Tourist, which would apply to Peat Island and its causeway.

Lot 1 DP 597504, zoned SP2 Water Supply System does not form part of the Planning Proposal and remains unchanged.

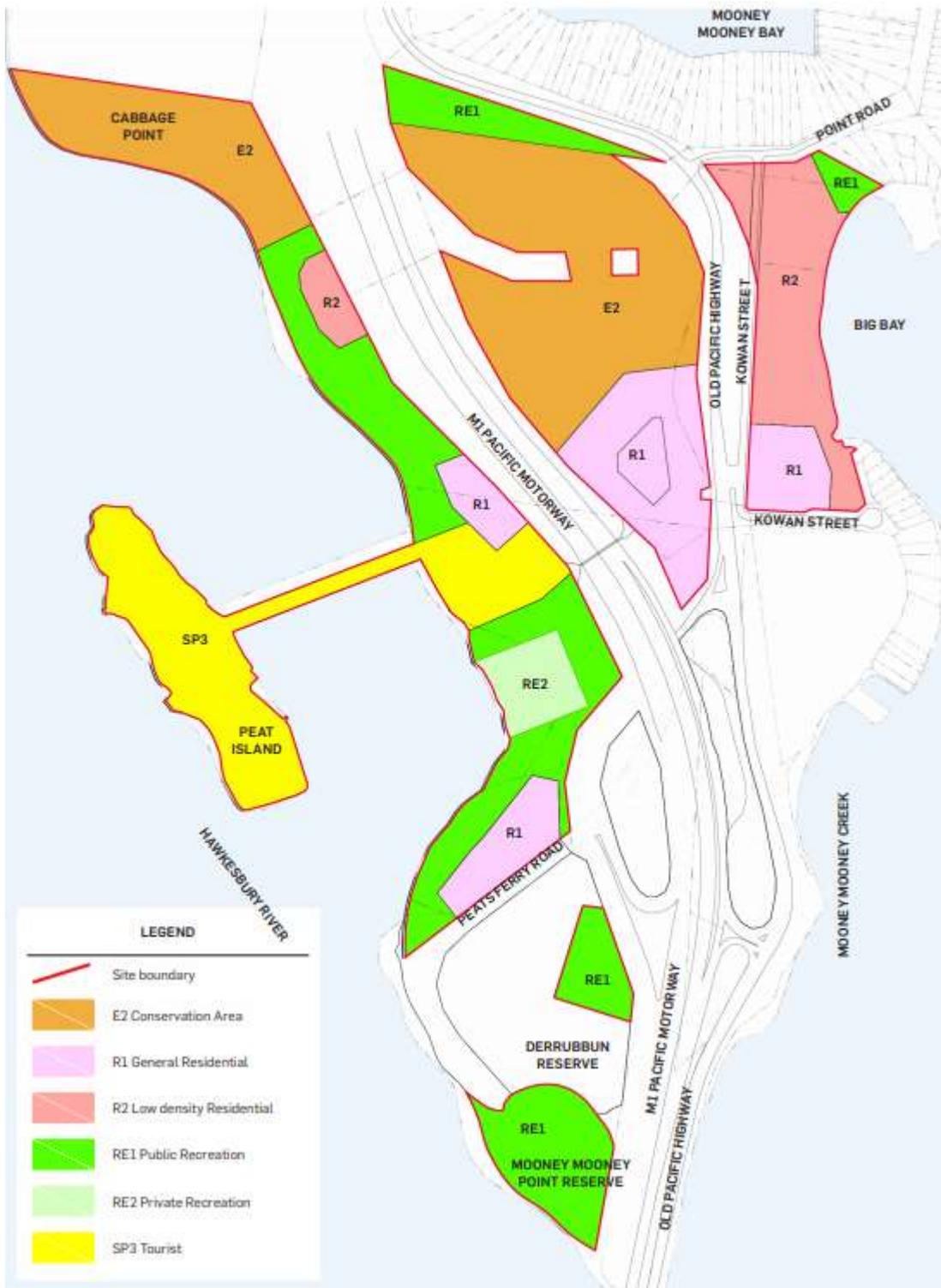
Lots 16, 17, 18, 20 DP863305 are excluded from the Planning Proposal and remain unchanged.

Similarly, Lot 9 DP 863305 does not form part of the Planning Proposal and will be retained as RE1 Public Recreation Zone.

The RE1 zone of Lot 7011 DP 1057994 is retained.

The proposed land zoning amendments listed above are in accordance with the proposed Land Zoning Map at Appendix B and shown in Figure 15.

Figure 15 Proposed Zoning Map



Source: Urbis

The following table outlines the land uses applicable to the proposed rezoning, which also take into consideration the land uses proposed within the respective zones under the draft CCLEP.

Table 5 GLEP 2014 Land Use Table Amendments

Objectives	Permissible Uses	Proposal Commentary
Zone E2 Environmental Conservation		
<ul style="list-style-type: none"> • <i>To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.</i> • <i>To prevent development that could destroy, damage or otherwise have an adverse effect on those values.</i> • <i>To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford.</i> • <i>To ensure that development is compatible with the desired future character of the zone.</i> • <i>To limit development in areas subject to steep slopes and flooding.</i> 	<p><i>Permitted without consent</i></p> <p><i>Nil</i></p> <p><i>Permitted with consent</i></p> <p><i>Bed and breakfast accommodation; Dwelling houses; Environmental facilities; Environmental protection works; Home occupations; Oyster aquaculture Recreation areas; Roads; Water storage facilities</i></p> <p><i>Prohibited</i></p> <p><i>Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3</i></p>	<p>The E2 Zone is proposed for land at the northern end of the site and the escarpment known as 'Tank Hill' in East Mooney Mooney. The zone would apply to land that has been identified as unsuitable for urban development due to its important natural characteristics and high visual exposure.</p> <p>Cabbage Point is also proposed to be rezoned to E2 to extend the conservation area and provide linkage to Popran National Park located to the north.</p>
R1 General Residential		
<ul style="list-style-type: none"> • <i>To provide for the housing needs of the community.</i> 	<p><i>Permitted without consent</i></p> <p><i>Home occupations; Recreation areas</i></p>	<p>The R1 Zone is suitable for most of the proposed residential land. The majority of the proposed residential land is identified as R1 because R2 Low</p>

Objectives	Permissible Uses	Proposal Commentary
<ul style="list-style-type: none"> • <i>To provide for a variety of housing types and densities.</i> • <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i> • <i>To ensure that development is compatible with the desired future character of the zone.</i> • <i>To promote best practice in the design of multi dwelling housing and other similar types of development.</i> • <i>To ensure that non-residential uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for multi dwelling housing or other similar types of development.</i> 	<p><i>Permitted with consent</i></p> <p><i>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Hostels; Hotel or motel accommodation; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture</i></p> <p><i>Prohibited</i></p> <p><i>Any development not specified in item 2 or 3</i></p>	<p>Density Residential only provides for detached dwelling houses.</p> <p>To facilitate other types of housing form such as residential apartment, townhouses, attached dwellings and dual occupancy, a R1 General Residential zone is the most appropriate residential zone under the Gosford LEP.</p> <p>The R1 zone will apply to majority of residential land west of the M1 Motorway as well as the residential area between the M1 Motorway and the old Pacific Highway. A small strip of R1 zoned land is proposed along Kowan Street to provide for townhouse style development.</p> <p>The following additional permitted use is proposed within the R1 zone:</p> <ul style="list-style-type: none"> ▪ Southern portion of Lot 14, DP1158746: <ul style="list-style-type: none"> • Development for the purposes of emergency services facility (for the purpose of a Rural Fire Service facility) is permitted with development consent. • The proposed emergency services facility is permissible with consent within the proposed R1 General Residential zone under the draft CCLEP. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal. <p>South eastern portion of lot 12, DP1158746 located along Peats Ferry Road, lot 12, DP863305 and the</p>

Objectives	Permissible Uses	Proposal Commentary
		<p>southernmost portion of lot 14 DP1158746 located to the east of M1 Pacific Motorway:</p> <ul style="list-style-type: none"> • Development for the purpose of 'food and drink premises' and 'shops' are permitted with development consent. • The proposed 'shops' and 'food and drinks premises' are intended to offer local convenience retailing, such as local stores, cafes and local dining options. The proposed shop has a minimum area of approximately 170sqm, which is of a scale that is better suited for this local area. The planning proposal included two locations for 'shop' to allow future land use flexibility on either side of the M1 highway. The location of local convenience retailing will be determined by future market demand at either location. • Shops, restaurants and cafes are prohibited under the R1 zone of the Gosford LEP and the draft CCLEP. Although 'neighbourhood shop' is permissible with consent in the R1 zone, it is restricted to 100sqm, which does not provide sufficient area to service the local community. Therefore it is proposed to include 'food and drink premises' and 'shops' as an additional permitted use on the site to provide sufficient and much needed local convenience retail services for existing and incoming residents.

Objectives	Permissible Uses	Proposal Commentary
R2 Low Density Residential		
<ul style="list-style-type: none"> • To provide for the housing needs of the community within a low density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To ensure that development is compatible with the desired future character of the zone. • To encourage best practice in the design of low-density residential development. • To promote ecologically, socially and economically sustainable development and the need for, and value of, biodiversity in Gosford. • To ensure that non-residential land uses do not adversely affect residential amenity or place demands on services beyond the level reasonably required for low-density housing. 	<p><i>Permitted without consent</i></p> <p><i>Home occupations; Recreation areas</i></p> <p><i>Permitted with consent</i></p> <p><i>Bed and breakfast accommodation; Boarding houses; Boat sheds; Centre-based child care facilities; Community facilities; Dwelling houses; Group homes; Home-based child care; Home industries; Hospitals; Neighbourhood shops; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Seniors housing; Tank-based aquaculture</i></p> <p><i>Prohibited</i></p> <p><i>Any development not specified in item 2 or 3</i></p>	<p>It is proposed to rezone land east of the old Pacific Highway predominantly R2 Low Density. This is suitable because the land adjoins existing low density residential, and environmental constraints limit more intense residential uses.</p> <p>It is proposed to rezone land in the Northern Foreshore Precinct as R2 Low Density. Providing 1-2 storey dwelling houses at this location will mitigate any visual or scenic impacts and is compatible with the existing and character of development on the Hawkesbury River.</p>
RE1 Public Recreation		
<ul style="list-style-type: none"> • To enable land to be used for public open space or recreational purposes. • To provide a range of recreational settings and activities and compatible land uses. • To protect and enhance the natural environment for recreational purposes. 	<p><i>Permitted without consent</i></p> <p><i>Environmental facilities; Environmental protection works</i></p> <p><i>Permitted with consent</i></p> <p><i>Aquaculture; Camping grounds; Car parks; Caravan parks; Centre-based child care facilities; Community</i></p>	<p>The RE1 zone will apply to a large portion of the site, providing for public access to the western foreshore and Peat Island. A large waterfront park is proposed opposite Peat Island for passive recreational purposes.</p> <p>The following additional permitted use is proposed within the RE1 zone:</p>

Objectives	Permissible Uses	Proposal Commentary
<ul style="list-style-type: none"> <i>To identify areas suitable for development for recreation, leisure and cultural purposes.</i> <i>To ensure that development is compatible with the desired future character of the zone.</i> 	<p><i>facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roads; Water recreation structures</i></p> <p><i>Prohibited</i></p> <p><i>Any development not specified in item 2 or 3</i></p>	<ul style="list-style-type: none"> Lot 4 DP239249: <ul style="list-style-type: none"> Development for the purposes of emergency services facility (for the purpose of Marine Rescue Facility) is permitted with development consent. The proposed emergency services facility is permissible with consent within the proposed RE1 zone under the draft CCLEP. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal. Lot 11 DP863305: <ul style="list-style-type: none"> Development for the purpose of electricity generating works (for a substation) is permitted with development consent.
RE2 Private Recreation		
<ul style="list-style-type: none"> <i>To enable land to be used for private open space or recreational purposes.</i> <i>To provide a range of recreational settings and activities and compatible land uses.</i> <i>To protect and enhance the natural environment for recreational purposes.</i> <i>To ensure that development does not have an unacceptable impact on the amenity of nearby properties.</i> 	<p><i>Permitted without consent</i></p> <p><i>Nil</i></p> <p><i>Permitted with consent</i></p> <p><i>Aquaculture; Community facilities; Environmental facilities; Environmental protection works; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Restaurants or cafes; Roads</i></p>	<p>The RE2 zone will apply to the area opposite Peat Island. The intent of the area is to provide future open space and recreational opportunities. To allow flexibility and to accommodate future visitor parking demand in the area, a car park is proposed within this area.</p> <p>The following additional permitted use is proposed within the RE2 zone:</p>

Objectives	Permissible Uses	Proposal Commentary
<ul style="list-style-type: none"> To ensure that development is compatible with the desired future character of the zone. 	<p><i>Prohibited</i></p> <p><i>Any development not specified in item 2 or 3</i></p>	<ul style="list-style-type: none"> Portion of Lot 11, DP 1157280 and Lot 12, DP 1158746: <ul style="list-style-type: none"> To include 'car parks' as additional permitted use on this part of the site.
SP3 Tourist		
<ul style="list-style-type: none"> To provide for a variety of tourist-oriented development and related uses. To facilitate the provision of limited permanent accommodation in the form of mixed use development to improve the off-season viability of tourist-based development. To protect and enhance the natural environment for tourist and recreational purposes 	<p><i>Permitted without consent</i></p> <p><i>Nil</i></p> <p><i>Permitted with consent</i></p> <p><i>Amusement centres; Attached dwellings; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Caravan parks; Charter and tourism boating facilities; Community facilities; Dwelling houses; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Flood mitigation works; Food and drink premises; Function centres; Helipads; Home businesses; Home occupations; Information and education facilities; Jetties; Kiosks; Neighbourhood shops; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Roads; Secondary dwellings; Semi-detached dwellings; Sewage reticulation systems; Shop top housing; Tourist and visitor accommodation; Water</i></p>	<p>The SP3 Tourist zone will be a new zone in the GLEP 2014. It is proposed to include this standard instrument zone to the GLEP 2014.</p> <p>The proposed SP3 Tourist Zone objectives and proposed permissible uses under the draft CCLEP have been adopted. Therefore, this Planning Proposal will be consistent with draft CCLEP, subject to gazettal.</p> <p>The zone would apply to Peat Island and its causeway. The island at present is generally derelict and has been inaccessible for many years.</p> <p>The site was closed to the general public through its lifetime and this Planning Proposal provides the opportunity to both provide accessibility and interpretation of its former use. The opportunity for tourism use is particularly welcome as it allows for controlled access to the island and for appropriate associated uses on the mainland. The designated uses have been sited and determined by a number of factors, including the view analysis, which provide an appropriate setting for the heritage attributes of the area.</p>

Objectives	Permissible Uses	Proposal Commentary
	<i>recreation structures; Water recycling facilities; Water reticulation systems</i> <i>Prohibited</i> <i>Any development not specified in item 2 or 3</i>	

7.2.3. Additional Permitted Uses

As discussed in the land use table above. It is proposed to amend GLEP 2014 Schedule 1 Additional permitted uses to include the following:

Amend the GLEP 2014 Additional Permitted Uses Map and amend the GLEP 2014 Schedule 1 Additional permitted uses to include the use of certain land at Mooney Mooney, including:

- RE2 Private Recreation zoned land, being portion of Lot 11, DP 1157280 and Lot 12, DP 1158746 as identified on the Additional Permitted Uses Map.
 - To include 'car parks' as additional permitted use on this part of the site.
- R1 General Residential zoned land, being the southern portion of Lot 14, DP1158746 as identified on the Additional Permitted Uses Map.
 - Development for the purposes of emergency services facility (for the purpose of a Rural Fire Service facility) is permitted with development consent.
- RE1 Public Recreational zoned land, being lot 4 DP239249 as identified on the Additional Permitted Uses Map.
 - Development for the purposes of emergency services facility (for the purpose of NSW Marine Rescue facility) is permitted with development consent.
- R1 General Residential zoned land, as identified on the Additional Permitted Uses Map, being the south eastern portion of lot 12, DP1158746 located along Peats Ferry Road, lot 12, DP863305 and the southernmost portion of lot 14 DP1158746 located to the east of M1 Pacific Motorway:
 - Development for the purpose of 'food and drink premises' and 'shops' are permitted with development consent.
- RE1 Public Recreation zoned land, being Lot 11 DP863305 as identified on the Additional Permitted Uses Map.
 - Development for the purpose of electricity generating works is permitted with development consent.

It is proposed to amend the GLEP 2014 Additional Permitted Uses Map to reflect this addition to Schedule 1 of the GLEP 2014. The map is illustrated in Figure 16.

Figure 16 Proposed Additional Permitted Uses Map

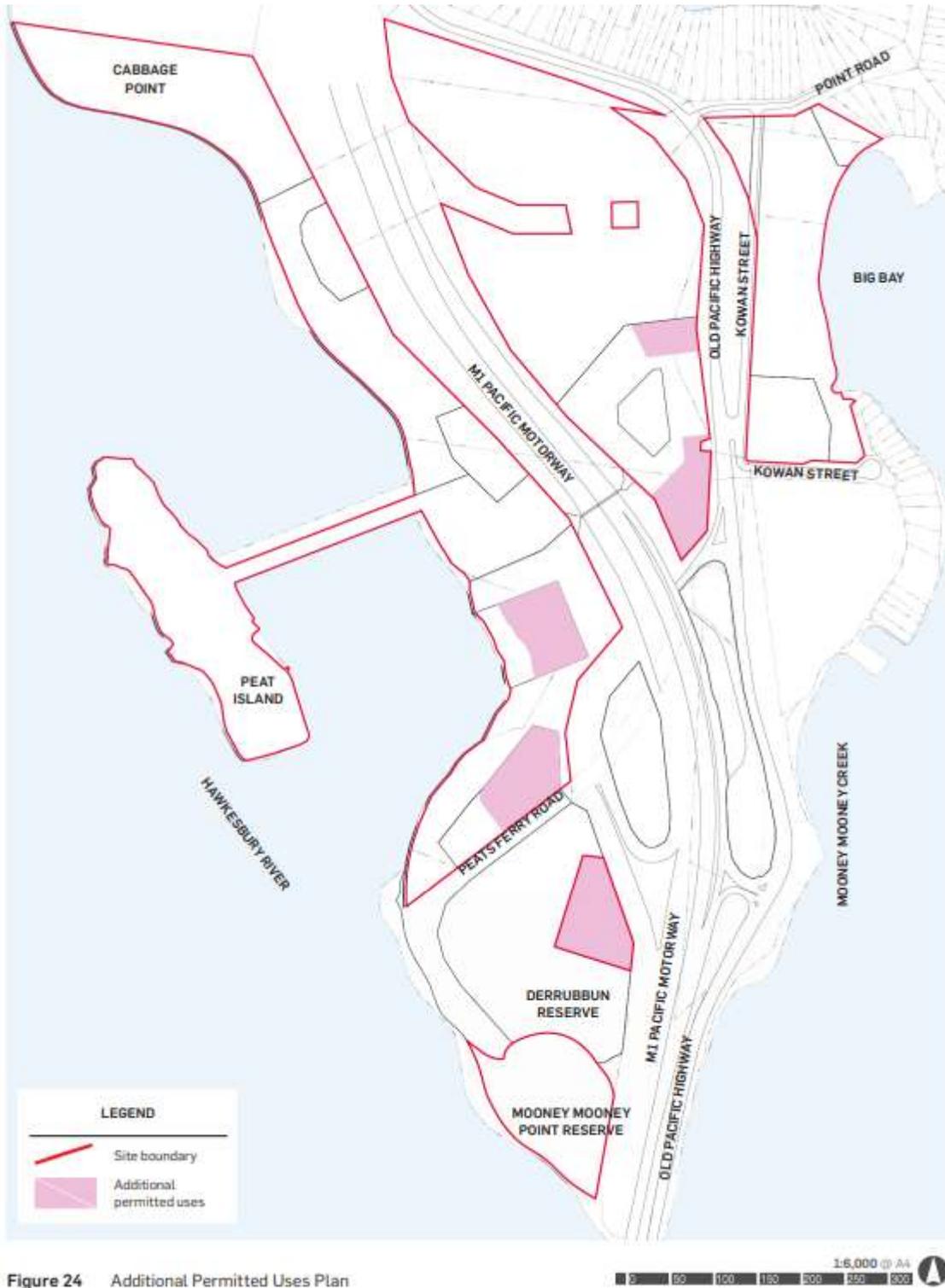


Figure 24 Additional Permitted Uses Plan

Source: Urbis

7.2.4. Height

The Planning Proposal seeks the introduction of three maximum height controls;

- I – 8.5 metres
- M – 12 metres
- O – 15 meters

The objectives of the height limits are consistent with the objectives of clause 4.3 Height of Buildings in the GLEP 2014:

(1) The objectives of this clause are as follows—

(a) to establish maximum height limits for buildings,

(b) to permit building heights that encourage high quality urban form,

(c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight,

(d) to nominate heights that will provide an appropriate transition in built form and land use intensity,

(e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area,

(f) to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.

The intended maximum height of buildings is illustrated in Figure 17 below.

Figure 17 Proposed Height Map



Source: Urbis

7.2.5. Minimum Lot Size

The Planning Proposal seeks the introduction of two minimum lot size controls;

- A – 150sqm
- B – 220sqm
- D – 300sqm
- G – 450sqm

The objectives of the minimum lot sizes are consistent with the objectives of clause 4.1 Minimum Subdivision Lot Size in the GLEP 2014:

(1) The objectives of this clause are as follows—

(a) to reflect State, regional and local planning strategies relating to the provision of various sizes of land,

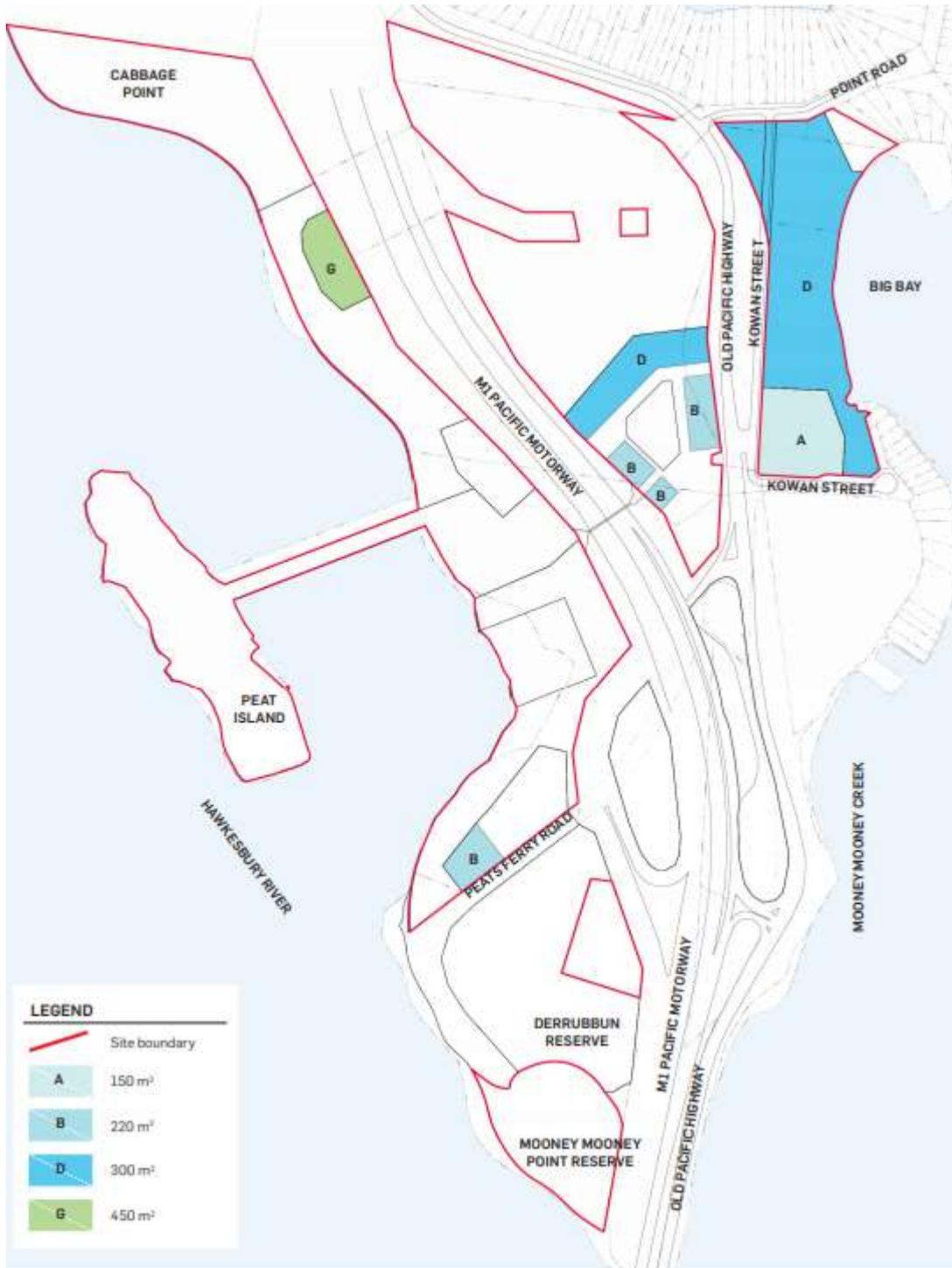
(b) to ensure that the subdivision of land is compatible with the desired future character of the area,

(c) to promote the ecologically, socially and economically sustainable subdivision of land,

(d) to ensure that the creation of parcels of land for development occurs in a manner that protects the physical characteristics of the land, does not create potential physical hazard or amenity issues for neighbours, can be satisfactorily serviced and will, through its potential cumulative effects, not create capacity problems for existing infrastructure.

The intended minimum lot size is illustrated in Figure 18 below.

Figure 18 Proposed Minimum Lot Size Map



Source: Urbis

7.2.6. Heritage Item

The Heritage Conservation Management Plan (attached at Appendix E) has assessed Peat Island and Causeway as having significance at the State level for historic, social, aesthetic, rarity and representative values.

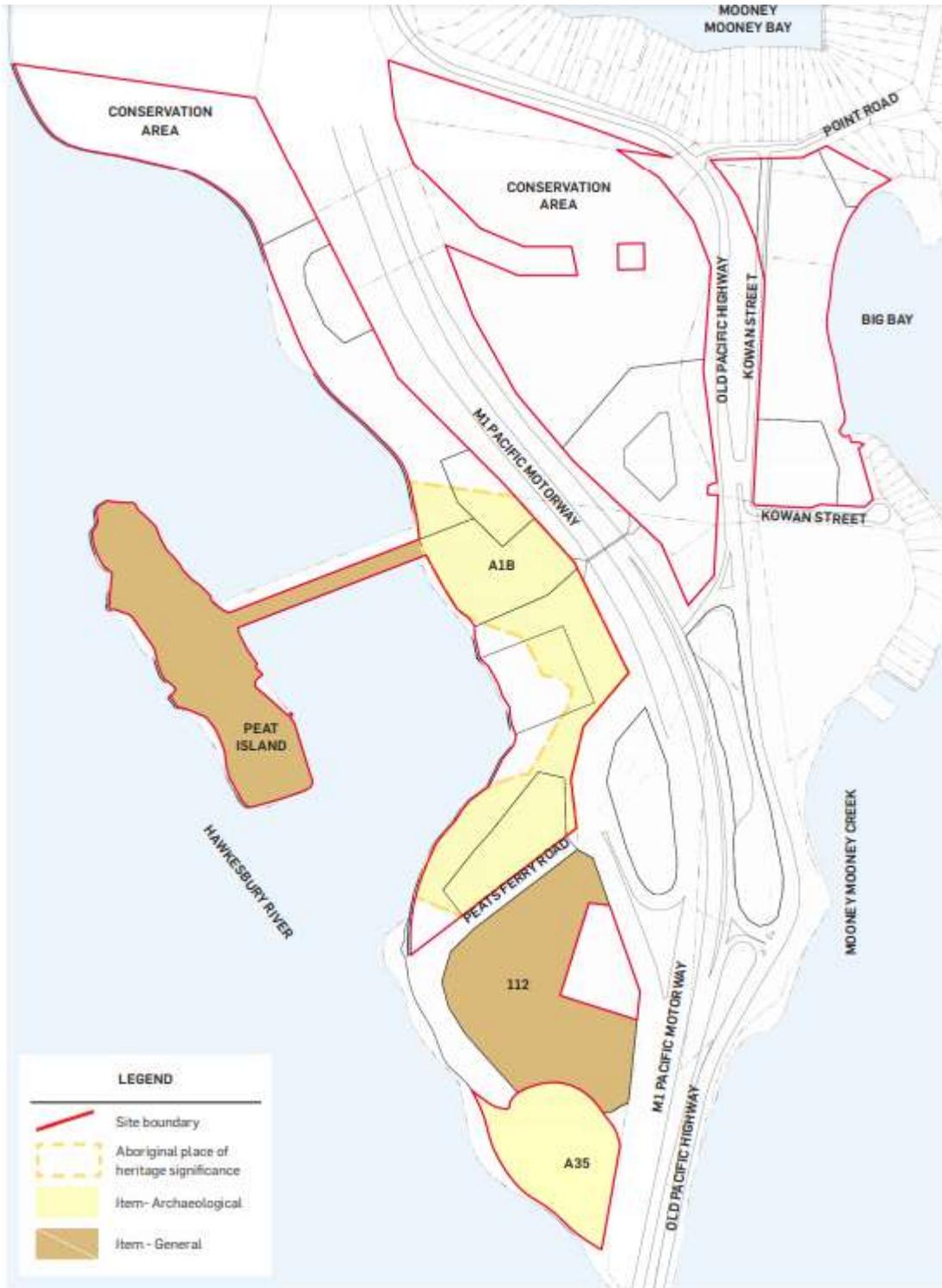
However, Peat Island and its elements are not currently listed as a heritage item or items under the Gosford LEP 2014 or the Heritage Act 1977. This is a result of the site's long-term institutional use and ongoing Government ownership.

To retain its heritage and cultural significant, the CMP recommended to nominate Peat Island and the causeway for local heritage listing on Gosford LEP 2014. The curtilage for the heritage listing should include the entirety of the Peat Island landform and the causeway to the mainland, but not include any of the foreshore areas along Mooney Mooney.

A separate nomination process for listing the place on the NSW State Heritage Register can be undertaken with the Heritage Council of NSW and Heritage NSW of the NSW Department of Premier and Cabinet (as delegate).

The intended heritage listing is illustrated in Figure 19 below.

Figure 19 Proposed Heritage Map



Source: Urbis

7.2.7. Site Specific Development Control Plan

The Planning Proposal is accompanied by a draft site-specific Development Control Plan (DCP) attached at Appendix C, which was prepared in consultation with Council and provides the detailed guidelines and controls for the delivery of the indicative concept.

The site specific DCP supplements the provisions of the Gosford DCP and draft Central Coast Consolidated DCP and includes site specific objectives and controls for the site. Where the site specific DCP conflicts with other requirements of the Central Coast DCP 2018, the site specific DCP prevails.

The site specific DCP sets out the vision for Mooney Mooney and Peat Island as follows:

A mixed-use community nestled into its scenic natural setting on a peninsula of the Hawkesbury River. As the southern gateway to the central coast, the redevelopment sensitively integrates the historically significant Peat Island and surrounding land into the existing Mooney Mooney neighbourhood. It provides a diverse mix of housing options, as well as new tourism and visitor facilities which provide employment opportunities for locals. Waterfront parklands, restored heritage buildings and dedicated conservation areas connect residents to nature and the history of the site.

The objectives of the site specific DCP are to:

- Facilitate the future redevelopment of the site for a mix of residential, community, tourism and employment generating land uses.
- Establish overarching design principles and controls for the infill development of Mooney Mooney and Peat Island which respond to the natural setting and local character of the site.
- Deliver a range of dwelling options across the different character precincts which provide greater housing choice and diversity.
- Provide new publicly accessible open space areas which allow for a mix of local recreational activities that maximise waterfront access.
- Adaptively reuse heritage buildings to allow the local and wider community to engage with the cultural significance of the site.
- Provide guidance on the integration of residential development with employment generating land uses such as local neighbourhood shops, cafes and tourism.
- Allow for efficient and safe movement of traffic and all modes of transport including pedestrians and cyclists to, from and within the site.
- Guide development to minimise impacts to the environment, and ensure development is planned in a way that enhances the natural environment and cultural significance of the site.

The site specific DCP provides guidance for future development of the site in relation to:

- Character areas
- Aboriginal cultural heritage
- European heritage and archaeology
- Landscape significance
- Environmental management including riparian zones
- Vegetation retention, planting and managed
- Asset protection zones
- Flood planning
- Stormwater management
- Public open space
- Access and parking
- Built form in relation to heritage and residential development.

The DCP is a long term planning document guiding all permissible future developments within the site (subject to the gazettal of the rezoning).

A draft DCP was forwarded to Council for review and comments in October 2019. Council feedback was received in March 2020. The final DCP has been updated to respond to Council's comments and has addressed all the outstanding items.

7.2.8. Planning Agreement

A Letter of Offer is attached at Appendix V.

Following discussions with Council Executives on 7 July 2021, Property & Development NSW confirms that it will retain its all land and buildings. Property & Development NSW is committed to enter into a voluntary planning agreement (VPA) under *Part 7 Infrastructure contributions and Finances*, Subdivision 2 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for community facilities, local infrastructure, open space and conservation areas.

Property & Development NSW will continue to work co-operatively with Council to draft the VPA concurrently with exhibition of the Planning Proposal.

PDNSW has reviewed feedback from the community regarding the inclusion of community facilities at Mooney Mooney. PDNSW proposes for the dedication of the Chapel building and adjacent land including memorial rose garden within lot 14 DP1158746 to accommodate a future multipurpose building. PDNSW will investigate options with Council at a later date.

The management of the local parks and conservation areas (areas zoned as RE1 and E2) are subject to ongoing consultation and resolution with public authorities and will remain in ownership and management of NSW Government at this stage

7.3. JUSTIFICATION

Section A – Need for the planning proposal

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

Yes – the Planning Proposal has been prepared in accordance with the Central Coast Regional Plan and Central Coast LSPS. In accordance with the Regional Plan and LSPS, the Proposal will provide opportunities for local employment, protect the natural environment and recognise heritage significance, to deliver a well-designed and inclusive community with a variety of housing choice and access to the Region's scenic landscape character for recreation and leisure.

In addition to the objectives of these strategies, this Planning Proposal has been informed by a comprehensive evaluation of the site's physical and strategic attributes. This urban design analysis has informed the preparation of the Indicative Concept Plan to appropriately respond to the existing environmental character to achieve an appropriate built form outcome to realise the objectives and intended outcomes of the applicable strategic planning policies.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes – the proposed amendments to the LEP are required to achieve the objectives and intended outcomes of this Planning Proposal to deliver a high-quality mixed use precinct supported by residential uses in an accessible and high amenity setting.

Without an amendment to the statutory planning controls, the Indicative Concept Plan for the site cannot be achieved and the associated public benefits would not be realised.

A Planning Proposal will achieve the anticipated land use and built form development outcomes outlined in Section 5 of this report.

The existing SP2 zoning for the site related to the previous hospital and educational uses and is now redundant. The proposed residential, tourism and recreation zonings for the site are considered appropriate as they will allow sustainable redevelopment of the site to deliver housing choice and employment opportunities with high amenity value, whilst protecting the existing landscape character values.

The preparation of the site-specific Planning Proposal would not compromise the work undertaken by Council in the preparation of the Central Coast LEP.

Without an amendment to the statutory planning controls, the proposed concept cannot be achieved, and the associated public and community benefits would be lost. The site is an appropriate place to for future growth, allowing for targeted infill development and allow for the development of a sustainable community. This Planning Proposal aligns with the strategic direction for the Region.

Section B – Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, of district plan or strategy (including any exhibited draft plans or strategies)?

Yes – the Planning Proposal is consistent with the provisions of the relevant regional and district planning policies and strategies as outlined in **Section 4** and as summarised in the following table.

Table 6 Relationship to Strategic Planning Framework

Central Coast Regional Plan	Consistency
<i>Direction 3: to provide support to economic sectors with existing or potential strengths to increase local employment</i>	The Proposal will provide opportunities to promote the tourism appeal of the region's landscape qualities and waterways. The Proposal allows for the renewal of vacant buildings to make the most of the site's location and coastline to enhance the visitor economy.
<i>Direction 7: to increase job containment in the region</i>	<p>The proposal presents the opportunity to review the planning controls for a site that is currently underutilised due to its outdated SP2 zone. The proposal is a direct response to identify opportunities to re-use surplus government land. It will revitalise the Mooney Mooney area and will stimulate investment with new commercial opportunities on Peat Island, community facilities and local convenience retail opportunities on the mainland.</p> <p>The proposal provides significant opportunity to create investment in the Mooney Mooney area through the delivery of employment generating land uses, local jobs and much needed local convenience retailing as well as tourism uses and a variety of housing typologies. The Planning Proposal will provide employment opportunities for Central Coast residents close to home.</p> <p>This large site is the southern gateway to the Central Coast region. The proposed land uses will provide benefits to both the local community (jobs, amenity and local convenience) as well as the broader community for tourism. This will be even more important given the recent completion of the North West Connex Motorway, which provides better road infrastructure, connecting Mooney Mooney with the boarder Central Coast Region.</p>
<i>Direction 8: to recognise the importance of the cultural landscape and rich Aboriginal heritage of the region</i>	The Proposal is the result of thorough urban design and technical studies to assess the landscape and heritage significance of the site which have informed the development of the indicative Concept Plan. The Proposal seeks to respect the cultural identity of the local landscape and protect and maximise the scenic amenity as the setting for the proposed development. The siting and design of the Proposal have been carefully considered to reinforce the local sense of place and identity.
<i>Direction 12 - Protect and manage environmental values</i>	An extensive network of open space is proposed, opening up the western foreshore areas and Peat Island for public use and enjoyment for the first time. Over 10 ha of bushland is to be conserved in perpetuity and zoned as E2 Environmental Conservation.

Central Coast Regional Plan	Consistency
	<p>Consideration has been given to flooding, coastal management, waterway protection, biodiversity, Aboriginal and European heritage protection etc. A Heritage CMP, Microbat Management Plan and a Site Specific DCP have been prepared to protect the cultural landscape and environmental value of the site.</p> <p>The proposal has reviewed and assessed the floodplain risk and coastal environment to ensure the site can be sustainably developed.</p> <p>A Biodiversity Certification Assessment Report has been prepared to avoid, minimise and mitigate impacts on the vegetation and species habitat present within the biocertification area and measures to minimise impacts during the future construction and operation of the site.</p>
<p><i>Direction 18: to create places that are inclusive, well-designed and offer attractive lifestyles</i></p>	<p>The Proposal provides for housing choice in a well-designed community setting that offers plentiful opportunities for enjoyment of and access to the natural environment. The Proposal seeks to enhance the existing sense of community to provide an attractive place to live and work.</p>
<p><i>Direction 19: to accelerate housing supply and improve housing choice</i></p>	<p>The Planning Proposal and indicative Concept Plan provides for approximately 267 new dwellings in a range of housing types to provide new homes for the growing Central Coast population, to meet the housing type demands of residents and provide greater housing choice through sustainable development in an area of high amenity.</p>
<p><i>Direction 21: to provide housing choice to meet community needs</i></p>	<p>The Planning Proposal and Indicative Concept Plan provide for a range of dwellings, lot types and sizes, including smaller-lot housing in infill locations. The Proposal will allow for housing diversity to provide for changes in household sizes and provide greater housing choice.</p> <p>The provision of a range of dwelling types will provide housing choice, thereby providing housing for different needs of the community.</p> <p>The proposed residential use is supported by community facilities, public open space and local convenience retailing.</p> <p>The proposal provides development on a site that is already serviced, and infrastructure can be upgraded/augmented where required.</p>

The Planning Proposal addresses the Assessment Criteria within the DPIE guidelines as summarised below:

(a) *Does the proposal have strategic merit?*

Yes – the Planning Proposal will give effect to the Central Coast Regional Plan as outlined in the table above and the local strategic planning statement as outlined in response to Question 4 below. The proposed amendments also respond to the Central Coast’s expected population growth from approximately 340,000 people over 415,000 people by 2036 and the need to provide more housing and jobs within the Region by providing high quality housing choice and local employment opportunities.

Peat Island is also proposed to be heritage listed to preserve the cultural and built form heritage significance of the island in perpetuity. The proposed adaptive re-use the island means of conserving the significance of the place is through the facilitation of new adaptive reuse, which enable the buildings and structures of heritage significance to be repaired, adapted and occupied into the future. Adaptive reuse options which

promote public accessibility and access will allow for an improved understanding and interpretation of the heritage values of the place and its contribution to the heritage of New South Wales and the Central Coast region.

The proposal also allows upgrade and new community facilities which contribute positively to the social wellbeing of the community.

(b) *Does the proposal have site-specific merit?*

Yes – the Planning Proposal has site-specific merit having regard to the following matters:

Natural environment:

- The preparation of the indicative Concept Plan has been informed by an Aboriginal Cultural Heritage Assessment (**Appendix O**) to ensure that the design response recognises the significance of Aboriginal heritage at the site.
- A Flooding and Water Cycle Management Report (**Appendix G**) has been prepared to identify appropriate flood planning levels; understand flooding conditions and provide recommendations for mitigation; provide recommendations on a flood evacuation strategy for Peat Island; and consider a water cycle strategy for future development in relation to stormwater infrastructure. The indicative Concept Plan has been developed to ensure that appropriate flood planning measures and riparian setback areas have been incorporated for the Proposal to respond to and protect the natural environment.
- A Biodiversity Certification Assessment Report (**BCAR**) (**Appendix I**) and Aquatic Constraints Assessment (**Appendix J**) have been undertaken to assess the biodiversity values present at the site. These assessments have informed the preparation of the indicative Concept Plan to protect the significance of the natural environment including the locations for riparian buffers and to ensure proposed development is not located in areas with high environmental value.
- The development of the Proposal has been informed by a Bushfire Assessment (**Appendix M**) to ensure the indicative Concept Plan includes an appropriate Asset Protection Zone (APZ). The APZ strategy responds to the existing topography and the various types of vegetation present at the site including the retention of existing native vegetation and any anticipated revegetation as part of the Proposal.

Existing, approved and likely future uses in vicinity of site

- The Proposal seeks to amend an outdated land zoning for the site which relates to the historic Hospital use of the site. The site represents a sustainable location for development as part of an existing community. The proposed housing and employment generating uses will complement the existing community as well as provide housing choice and employment opportunities for local residents. The Proposal includes the adaptive re-use of long-term vacant buildings and provides for community and recreation uses to support the community into the future.

Existing and proposed services and infrastructure

The indicative Concept Plan has been developed around the existing community infrastructure and services at Mooney Mooney to enable the Proposal to support and grow local infrastructure and services. The Proposal will be serviced by existing water, sewer, electricity and telecommunications infrastructure, and where required, existing services infrastructure will be augmented to serve the Proposal.

Utilities Assessment prepared by Mott MacDonald is attached at Appendix F.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes – the Planning Proposal is consistent with the provisions of the Central Coast Local Strategic Planning Statement as outlined in **Section 4** and as summarised below:

Table 7 Relationship to Local Planning Strategies and Plans

Central Coast Community Strategic Plan	Consistency
<i>Objective A1: Work within our communities to connect people, build capacity and create local solutions and initiatives</i>	The Proposal seeks to build on the existing Mooney Mooney community to provide additional housing capacity and local employment opportunities
<i>Objective B4: Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors</i>	The Proposal provides greater access to recreational spaces and parkland areas, including waterfront access for families, community and visitors.
<i>Objective C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents</i>	The Proposal includes opportunities for additional local employment opportunities in a range of sectors including tourism, hospitality and retail.
<i>Objective 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</i>	The Proposal allows for the sustainable adaptive re-use of heritage buildings to grow tourism in the Central Coast in an area of high natural environmental value that is readily accessible.
<i>Objective F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species</i>	The Proposal seeks to protect the cultural and environmental heritage of the site and open up access to important heritage assets to the community. The indicative Concept Plan has been designed to protect the environmental significance and native species at the site.
<i>Objective 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</i>	The Proposal provides greater community access to recreational green spaces, native bushland and the Central Coast's waterways, as well as protecting areas of high environmental value.
<i>Objective 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</i>	The Proposal represents sustainable development through the design and siting of carefully considered in-fill development that minimises impacts on local habitat and mitigates environmental impacts including stormwater management.
<i>Objective I4: Provide a range of housing options to meet the diverse and changing needs of the community including adequate affordable housing</i>	The Proposal provides for an additional approximate 267 new dwellings to provide housing choice for the community in a range of dwelling types and lot sizes.

Central Coast Local Strategic Planning Statement	Consistency
<i>Place: to ensure growth in a manner that recognises and</i>	The Proposal has been developed through a thorough urban design and assessment process that has sought to identify the key qualities of the site and local area to allow these to be recognised and reinforced in

Central Coast Local Strategic Planning Statement	Consistency
<i>reinforces the qualities of Central Coast living</i>	the indicative Concept Plan. The proposal will provide housing and employment opportunities supported by accessible public spaces with a community-focus.
<i>Environment: to ensure that natural heritage and a healthy environment are promoted</i>	The Proposal seeks to protect the significance of natural heritage at the site as well as the rich Aboriginal heritage. The indicative Concept Plan has been developed with land zoning and proposed development managed to protect the natural environment, as well as responding to environmental factors such as flood planning and stormwater management.
<i>Lifestyle: to ensure an equitable living, working and recreational environment</i>	The Proposal allows for the site to provide greater access to jobs and a range of housing types with immediate access to a high quality recreational environment offering improved health and well-being, leisure, family and community opportunities for Central Coast residents.
<i>Infrastructure: to ensure infrastructure systems are better connected within the region to support appropriate growth</i>	As set out in the Utilities Report (Appendix F), the proposed development can be sufficiently serviced in terms of water, sewer, electricity and telecommunications infrastructure. Where required, existing services infrastructure will be augmented to serve the Proposal.
<i>Revitalise centres: to bring activity and life to existing centres to both stimulate growth and to create and maintain a sense of place</i>	The Proposal represents sustainable development by making use of existing vacant buildings and carefully considered in-fill development to bring new life and activity to the existing site, creating growth and maintaining and enhancing the sense of place.
<i>Renew the urban form: to improve the living environment for new and existing communities</i>	The Proposal will improve the living environment for the existing Mooney Mooney community by renewing long-term vacant buildings and enhancing recreational opportunities. The Proposal will deliver new housing types and upgraded public realm and movement networks for new residents.
<i>Define the urban edge: to define urban growth and provide greater clarity around environmental living opportunities at the urban-environment interface</i>	The Proposal represents carefully considered environmentally living opportunities that allows housing and employment growth whilst protecting the natural environment. The Proposal also includes tourism innovation opportunities at the urban edge in accordance with the LSPS.
<i>Create a sustainable region: to embrace change and create neighbourhoods that are inclusive, adaptable and resilient</i>	The Proposal represents sustainable development through the adaptive re-use of long-term vacant buildings and carefully considered in-fill development around an existing community. The planned growth of the neighbourhood will minimise resource use and maximise health and well-being for residents. The indicative Concept Plan has been prepared based on technical assessments of the local area including a Strategic Bushfire Study (Appendix M) to ensure that the proposed

Central Coast Local Strategic Planning Statement	Consistency development is resilient. The proposed land zonings and siting will allow the development to be adaptable into the future.
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Q5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Yes – the Planning Proposal is consistent with relevant SEPPs as identified and discussed in the following table.

Table 8 Consistency with SEPPs

SEPP	Consistency
<p>Environmental Planning Policy (Infrastructure) 2007</p>	<p>Clause 101 of the Infrastructure SEPP requires that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that vehicular access to the land is provided by a road other than the classified road and the safety, efficiency and ongoing operation of the classified road will not be adversely affected. The site has frontage to M1 Pacific Motorway, which is a major state road.</p> <p>A Traffic and Impact assessment prepared by Mott MacDonald is attached at Appendix H, which address all key traffic and transport related matters associated with the indicative Concept Plan.</p> <p>The finding of the report is summarised below:</p> <p><u>Impact to Public Transport</u></p> <p>The travel mode profile generated under the indicative Concept Plan indicates that public transport trips comprise of approximately 12% of all commuter trips and that these trips all occur by rail. A review of available capacity of rail services was undertaken to understand the potential impact on current peak hour commuter services generated by the proposal. This is presented as an average peak hour load percentage against the total seating capacity of current services in 2014:</p> <ul style="list-style-type: none"> ▪ AM Peak: 64% (measured at Woy Woy) ▪ PM Peak: 49% (measured at Hornsby) <p>The review indicated that existing rail services (including Woy Woy and Hornsby) operating via Hawkesbury River station operate with some spare capacity that should easily accommodate any additional demand generated by the proposed development.</p> <p>Increased patronage at Hawkesbury River station, as well as nearby major train stations, as a result of the development will increase commuter parking requirements at those stations. This increase to commuter parking requirements would need to be addressed by Hornsby Shire Council / Central Coast Council and TfNSW. An allowance for these works could be included as part of Section 7.11 Contribution to be applied at development application stage.</p> <p>Bus services are infrequent in nature due to the existing low demand. Less than 1% of trips are expected to use the bus as a travel mode. Therefore, the proposal will not have any negative impact on bus services. Increases in bus routes and frequency will improve the public transport amenity to the site, and could be supported by developer contributions at DA stage if required.</p> <p><u>Road Network Performance</u></p> <p>Two types of analysis were undertaken to assess the impact of the rezoning and the future development on the road network performance. This included:</p>

SEPP	Consistency
	<ul style="list-style-type: none"> ▪ Intersection analysis for three local intersections, including Old Pacific Highway/ B83 Pacific Highway, M1 Northbound ramps/ Peats Ferry Road/ B2 Site Road / Pacific Highway Link Road and M1 Southbound ramps/ B83 Pacific Highway. This analysis was undertaken using SIDRA modelled to 2030. ▪ Motorway segment analysis for Pacific Highway M1 on and of ramps, including Diverge (Northbound & Southbound) and Merge (Northbound & Southbound). This analysis was undertaken using the Highway Capacity Manual 2010 methodology (HCM 2010). <p>The analysis was based on the indicative development yield of the Indicative Concept Plan.</p> <p>The result of the SIDRA modelling indicated that the additional trips generated from the indicative development yield will not have a negative impact on the operation of the local road network in 2030. All intersections will continue to operate at satisfactory levels (LOS of A or B) of service with spare capacity available.</p> <p>The result of the HCM 2010 modelling indicated that the additional trips generated from the indicative development yield will not have a negative impact on the operation of all on/off ramps in 2030 for both AM and PM peaks during weekday and the peak hour in weekends. All motorway segments before and after the ramp (i.e. M1 upstream and downstream segments) are operating with a LoS of D or better for all scenarios. It should be noted that the LoS D is a result of background traffic growth on M1 rather than a result of the development.</p> <p>Accordingly, the Planning Proposal will not impact on the operation of local road networks and the M1 motorway and will continue to operate at an acceptable LoS under the future 2030 scenario.</p> <p>In addition to traffic and parking assessment, the proposed residential developments located to the north of the site and along the M1 Highway (as part of the Chapel and Waterside Village Precincts) is required to undertake further geotechnical investigation in consultation with TfNSW at development application stage. The M1 in this location has been incised into a natural rock formation for the northern lanes, resulting in a retaining wall being created by the rock formation. Future developments proposed in these locations is required to consider the “zone of influence” to any existing structures, which include the rock retaining wall protecting the northern M1 lanes and any slope stability measures for the southern lanes, to ensure that any construction along the residential zoned lots does not structurally impact the freeway.</p> <p>Geotechnical and structure assessment and the following should be considered in development application stage:</p> <ul style="list-style-type: none"> ▪ restrictions on developable areas adjacent to the M1 (e.g. easement) – the width of this restriction would need input from the geotechnical engineer and in consultation with TfNSW.

SEPP	Consistency
	<ul style="list-style-type: none"> ▪ Installation of retaining walls (if required) to effectively (and permanently) manage the level difference between the M1 and the developable land to the west. ▪ Other treatments including reinforced earth, soil nailing etc. should be identified and confirmed by a geotechnical engineer as part of their assessment. <p>Overall, the assessment confirmed that all intersections and motorway segments will continue to operate at very acceptable LOS under the future 2030 scenario after the completion of the development.</p> <p>Clause 102 of the Infrastructure SEPP requires residential development adjacent to road corridors (annual average daily traffic volume of more than 40,000 vehicles) to assess impact of road noise or vibration.</p> <p>An Environmental Noise Assessment is prepared by Renzo Tonin & Associates attached at Appendix N. The assessment quantifies the noise impacts from road traffic noise affecting the potential future land uses depicted in the indicative concept plan. Specifically, this report identifies the compliance capability of the proposal with the NSW Environment Protection Authority's (EPA) 'Road Noise Policy' (RNP); the NSW 'State Environmental Planning Policy (Infrastructure)' 2007 (ISEPP), with regard to road traffic noise impact from the M1 Pacific Motorway.</p> <p>The Environmental Noise Assessment notes that the most significant noise impacts upon the proposed development would be traffic noise.</p> <p>The assessment noted that majority of the site is within the noise contours where road traffic noise levels from the M1 Pacific Motorway, for the design year 2030, would exceed the ISEPP road traffic noise criteria for the day period [ie. > LAeq,(15hr) 60dB(A)], and some would also exceed the IESPP road traffic noise criteria for the night period [ie. > LAeq,(9hr) 55dB(A)].</p> <p>Therefore, it is recommended that for residential lots located within the identified area shown in the figure below, appropriate acoustic mitigation measures should be incorporated in the design of the residential lots.</p>



The map above is included in the site specific DCP, which requires acoustic facade treatments to be applied for the identified noise affected areas.

Mitigation measures include noise barriers, setback from the Highway, building treatments and building design. These measures can be adopted at the future development application stage.

The residential land uses proposed in the Planning Proposal are suitable, subject to design measures and noise controls being implemented at development application stage.

Targeted acoustic assessment will be undertaken when the location of the proposed development is confirmed at the future development application stage.

SEPP	Consistency
	<p>Overall, this assessment has addressed relevant Infrastructure SEPP matters of consideration for the planning proposal stage.</p> <p>Concurrence with TfNSW in accordance with Clause 104 of the Infrastructure SEPP will also be undertaken for any Traffic Generating developments and assessed at future development application stage.</p>
<p>State Environmental Planning Policy (Coastal Management) 2018</p>	<p>The development site contains land mapped under the Coastal Management SEPP as Coastal Wetlands and Coastal Wetlands Proximity Area.</p> <p>The proposal will involve damage to native vegetation, marine vegetation and carrying out of earthworks within land mapped as Coastal Wetlands. Therefore, development within these areas will be declared to be designated development.</p> <p>Removal of terrestrial native vegetation has been addressed through assessment and offsetting under the <i>Biodiversity Conservation Act 2016 (BC Act)</i> and detailed in the BCAR attached at Appendix I. The removal of marine vegetation in accordance with the <i>Fisheries Management Act 1994 (FM Act)</i> has been addressed in further detail in the Riparian and Aquatic Constraints Assessment attached at Appendix J.</p> <p>Assessment has been undertaken for terrestrial biodiversity related impacts in accordance with clause 10 (4) <i>Development on certain land within coastal wetlands and littoral rainforests area</i> and clause 11 (1) <i>Development on land in proximity to coastal wetlands or littoral rainforest</i> of the Coastal Management SEPP:</p> <ul style="list-style-type: none"> ▪ The proposal has been located to minimise, where possible, impacts to the Coastal Wetland. Minor encroachment in the north-west will occur due to the proposed residential development, and impacts should be assessed at DA stage when detailed design and engineering controls can be confirmed. ▪ Stormwater controls and stringent construction mitigation measures are required to be implemented at DA stage to ensure the quality and quantity of water discharged from future development would not result in degradation and damage to the Coastal Wetland. ▪ The proposed works will impact on 0.87 ha of coastal wetland proximity area (including 0.03 ha of mangroves). The impacts within the proximity area involves vegetation removal for the residential development and APZs. The adjacent wetland is considered to be in degraded to good condition with regards to ecological integrity. Where mangroves are present, the wetland is generally in good condition. Parts of the wetland containing Swamp Oak Forest are degraded by weed incursion and past land clearing. The majority of areas to be impacted within the Coastal Wetland Proximity Area are cleared, exotic or degraded. Overall, impacts to vegetation within the coastal

SEPP	Consistency
	<p>Wetland have been minimised through locating the development in suitable area.</p> <ul style="list-style-type: none"> ▪ Impacts to the quantity and quality of surface and groundwater flows to and from the adjacent coastal wetland have not been assessed as part of this report. The impacted area is proposed to be used for residential and recreational development. As this assessment is being undertaken at the planning proposal stage, detailed design and engineering controls have not yet been determined with regards to the development design and stormwater management. Issues relating to water quality and quantity discharging into the wetland will need to be addressed in detail during the detailed design phase (at DA stage) to ensure the biophysical, hydrological and ecological integrity of the wetlands are maintained. ▪ Detailed stormwater controls should be implemented at DA stage to ensure discharge from the development does not have significant impacts and result in degradation to the Coastal Wetland.
<p>State Environmental Planning Policy No 19— Bushland in Urban Areas</p>	<p>SEPP 19 seeks to protect and preserve areas of urban bushland. Clause 10 of the SEPP sets out matters which must be considered when preparing draft LEPs, including consideration of the general provisions and for priority to be given to retain bushland.</p> <p>Much of the site has been cleared or substantially modified due the previous institutional uses on site and associated dairy farm. Some parts of the site remain heavily vegetated.</p> <p>The proposed development will conserve large areas of suitable flora and fauna habitat and bushland to the north of the site.</p> <p>In the north-west of the study area, a fauna corridor will be maintained and rezoned to Environmental Conservation, which connects to Popran National Park. A designated fauna corridor will be retained within the proposed residential area in the north-east of the study area, linking vegetation in the east to Tank Hill.</p> <p>Some clearance of vegetation will be required to facilitate the introduction of suitable asset protection zones and to accommodate the future development. Removal of terrestrial native vegetation has been addressed through assessment and offsetting under the BC Act and detailed in the BCAR attached at Appendix I. Formal compensatory measures to vegetation removal (such as offsetting through the Biodiversity Offsets Scheme) have been undertaken and detailed within the BCAR.</p> <p>In any case, the provisions of SEPP 19 would apply to future DAs, providing additional protection to bushland areas retained within the site</p> <p>Additionally, the Bushfire Assessment report prepared by Peterson Bushfire (attached at Appendix M) confirmed that the proposal has been designed to accommodate the required APZ dimensions under the current legislation, provides adequate bushfire protection to future developments</p>

SEPP	Consistency
	<p>and access for fire-fighting. The requirement for APZs have been incorporated in the Site Specific DCP (attached at Appendix C) to ensure bushfire measures are implemented at DA stage.</p> <p>Accordingly, the Planning Proposal has been prepared in accordance with Clause 10 of the SEPP.</p>
<p>State Environmental Planning Policy (Koala Habitat Protection) 2021</p>	<p>While the Koala SEPP applies only to DAs (not biocertifications), the SEPP assessment is not technically required. However, the purpose of the biocertification is to assess all biodiversity related matters at the planning proposal stage, so that additional biodiversity assessment is not required at the DA stage. Therefore, this assessment has been included in the biocertification stage to avoid the requirement for future assessment of the SEPP during the DA stage.</p> <p>Part 2 of the SEPP requires an assessment of impact to koala habitat in certain areas. The Peat Island Mooney Mooney Planning Proposal requires this assessment as the proposed development is located within an LGA to which the Koala Habitat Protection SEPP applies, and the subject land is mapped as part of the Central Coast Koala Management Area on the Koala Habitat Protection Map (DPIE 2021).</p> <p>The BCAR report prepared by Eco Logical and attached at Appendix I. The Koala Habitat Protection SEPP has been addressed in detail in the BCAR and summarised below:</p> <p>While Koala records do exist within 5 km of the biocertification area, of those records most are greater than 20 years old, and they are separated from the biocertification area by major roads (M1 motorway) and large waterbodies (Hawkesbury River and Mooney Mooney Creek). There are no historic records within the suburb of Mooney Mooney or in adjacent vegetation in Popran National Park and no evidence to suggest a local population exists within or adjacent to the biocertification area.</p> <p>Opportunistic survey was undertaken by Eco Logical during vegetation surveys which included:</p> <ul style="list-style-type: none"> ▪ Koala habitat assessment ▪ Spotlighting <p>No Koalas were detected during spotlighting surveys.</p> <p>A population is located further to the east within Brisbane Water National Park; however, this population is separated by Mooney Creek and requires travelling a significant distance to reach the biocertification area. It is unlikely that the biocertification area would form part of the area of occupancy of this population. As the biocertification area is located at the edge of the Hawkesbury River, it does not serve as an important movement corridor between larger areas of habitat.</p> <p>Parts of the biocertification area do contain potential foraging habitat, including feed trees listed in Schedule 2 of the SEPP with the presence of</p>

SEPP	Consistency
	<p>feed trees such as <i>Eucalyptus punctata</i> (Grey Gum), which is a high use feed tree in the Central Cast Koala Management Area.</p> <p>Accordingly, despite the biocertification area being unlikely to contain or support Koalas, potential foraging habitat is available within the biocertification area, which the proposal is required to avoid through site selection.</p> <p>It is considered that the indicative Concept Plan layout has been selected in a feasible way with regard to Koala habitat by locating developments predominantly in cleared areas or in predominantly modified or degraded vegetation at the edge of cleared areas. The biocertification area has also been selected such that no major vegetated corridors which would facilitate the movement of Koalas across the landscape would be impacted.</p> <p>Therefore, only minor direct impacts to low quality foraging habitat will occur as a result of the vegetation removal. Formal compensatory measures (such as offsetting through the Biodiversity Offsets Scheme) have been undertaken and detailed within the BCAR.</p> <p>In terms of indirect impact:</p> <ul style="list-style-type: none"> ▪ the subject land contains existing residential development where dogs are present. Considering the existing presence of dogs, and that there are no records of dog attacks in the locality, the incidence of dog attacks is unlikely to increase as result of the proposal. ▪ Considering the existing high risk of vehicle strike, and absence of any historic vehicle strike of Koalas in the locality, the proposal is unlikely to result in an increased risk of vehicle strike to Koalas ▪ Incidence of bushfire within the site or adjacent habitat is unlikely to increase as a result of the proposal. ▪ Introduction or spread of disease within the site or adjacent habitat is unlikely to increase as a result of the proposal. ▪ There is a very small chance for Koalas to be present within the site during construction works. Mitigation measures should be implemented to minimise this impact. ▪ Fencing that may be installed within the site as a result of the future development is unlikely to substantially impede Koala movement more than would currently occur. The clearing required would not significantly fragment any significant movement pathways for Koalas or isolate any areas of habitat. <p>Overall, the Planning Proposal is unlikely to impact on koala habitat. Proposed management measures to mitigate any potential indirect impact are summarised below:</p>

SEPP	Consistency
	<ul style="list-style-type: none"> ▪ Clear delineation of habitat to be removed and fencing to exclude retained habitat. ▪ Briefing of contractors on importance of habitat to be retained. ▪ A pre-clearance survey should be undertaken prior to native vegetation removal to ensure no native fauna (including Koalas) are present in vegetation removed. ▪ Project manager and contractors must contact WIRES if injured Koalas or other wildlife is encountered during construction works. ▪ A Koala Monitoring Plan should be developed at DA stage to ensure long term retention of koala habitat. <p>Accordingly, the Koala SEPP have been addressed and assessed as part of the BCAR.</p>
<p>State Environmental Planning Policy No 55 — Remediation of Land</p>	<p>Contamination matters have been addressed by JBS&G in the Preliminary Site Investigation report (PSI).</p> <p>The PSI concluded that the site can be made suitable for all of the proposed land uses.</p> <p>As part of the additional technical analysis post Gateway Determination, JBS&G has been undertaking detailed site investigation (DSI) and attached at Appendix L.</p> <p>JBS&G has completed a sampling, analysis and quality plan (SAQP), which reviewed the Indicative Concept Plan and provided recommendations to address the proposed land use and site boundaries.</p> <p>The assessment considered SEPP 55 Remediation of Land and concluded that the site can be readily made suitable for the proposed land uses, subject to removal and validation of the underground storage tanks and remediation and/or management of the surficial Asbestos containing materials, buried asbestos and heavy metals identified.</p> <p>The results of the assessment will be validated in future development application stage.</p>
<p>State Environmental Planning Policy No 65 — Design Quality of Residential Apartment Development 2002</p>	<p>SEPP 65 provides a statutory framework to guide the design quality of residential apartment developments.</p> <p>The indicative concept has been designed to facilitate future building design in accordance with SEPP 65 and the accompanying Apartment Design Guide. Amenity controls within SEPP 65 will guide the appropriate sitting and design of the future buildings at DA stage.</p>
<p>Sydney Regional Environmental Plan 20 Hawkesbury Nepean River</p>	<p>The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.</p> <p>DPIE requested that policies relating to flora and fauna in the SREP should be further considered. Part 2 Clause 6 of the SREP relates to flora</p>

SEPP	Consistency
	<p>and fauna policy. This has been addressed in detailed in the BCAR (attached at Appendix I) prepared by Eco Logical and summarised below:</p> <ul style="list-style-type: none"> ▪ The proposed development will conserve large areas of suitable flora and fauna habitat with bushland adjacent to the biocertification area. It is recommended that management of degraded vegetation, particularly riparian areas, be undertaken to enhance habitat for flora and fauna communities. Controls should be implemented to minimise disturbance to wetland flora and fauna within private and public lands. ▪ Biocertification areas have been predominantly located in cleared areas or where native vegetation is generally in poor condition. ▪ The development has been designed to minimise the removal of native vegetation by locating footprints in cleared or disturbed areas. Some areas of moderate quality native vegetation will be impacted by the proposal and several hollow-bearing trees will be removed. A Vegetation Management Plan should be prepared at the DA stage and implemented to ensure restoration of habitat values and improve the quality of native vegetation to be retained. ▪ Impacts on waste assimilation and nutrient cycling have not been determined at this stage. ▪ The proposal will result in the removal of 0.16 ha of degraded EEC Swamp Oak Floodplain Forest. This EEC does not have high conservation value in the development site. ▪ The proposal will impact on 3.37 ha of habitat of native vegetation which provides potential habitat for several threatened species. Impact areas have been predominantly located in cleared areas or degraded vegetation. Areas of highest quality vegetation and habitat will be retained. Offsetting in accordance with the NSW BAM will be undertaken to compensate lost habitat for threatened flora, fauna and ecological communities. ▪ Impacts on native vegetation associated with Asset Protection Zones (APZs) have been included in impact area calculations. APZs have been located primarily within poor quality vegetation, and in moderate vegetation in the north-west of the site. Setbacks from the foreshore have been established in the indicative concept plan for residential properties, to minimise impacts to mangroves and the riparian corridor. ▪ Building footprints for residential development will not be located within mangroves. The Concept Plan has incorporated community lots where mangroves are present to reduce private use of the vegetation which may result in degradation. ▪ A pedestrian path is proposed to be built throughout public areas. This should limit foot traffic off the pedestrian path into adjacent vegetation. It is proposed that the north-west of the development site and north of the development site (Tank Hill) be rezoned to public recreation E2 – Environmental Conservation. This would increase foot traffic through

SEPP	Consistency
	<p>these areas of high quality vegetation. It is considered that these areas are suitable for access provided that pathways be aligned to minimise impacts on adjacent vegetation</p> <ul style="list-style-type: none"> ▪ The proposed development is unlikely to prevent fish passage. Impacts on fish habitat have been outlined in more detail in the Riparian and Aquatic Constraints Assessment. <p>Overall, the Planning Proposal is consistent with the flora and fauna policies of the SREP.</p>

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes – the Planning Proposal is consistent with relevant Ministerial directions under section 9.1 of the EP&A Act as identified and summarised in the following table.

The additional technical reports attached at the Appendices address these Section 9.1 Directions in detail.

Section 7. *Metropolitan Planning* of the direction is irrelevant the proposal and is not required to be addressed.

Table 9 Consistency with Section 9.1 Directions

Direction	Consistency
Employment and Resources	
<p>1.1 Business and Industrial Zones</p>	<p>The planning proposal give effect to the objectives of this direction in the following way:</p> <p>The site does not comprise existing business or industrial zones.</p> <p>Whilst the Planning Proposal does not propose any new business or industrial zones, the proposal includes new employment generating uses that will benefit the locality and the wider Central Coast region. New employment generating uses include tourism accommodation and tourist recreational uses located on Peat Island, local convenience retail/restaurant/café.</p> <p>The proposed employment uses respond well to the locational characteristics of the site (waterfront and close proximity to the motorway) and are likely to be patronised by locals and visitors and as such will not compete with established centres.</p> <p>The local and broader community would benefit from the proposal in the following ways:</p> <ul style="list-style-type: none"> ▪ Increased access to employment opportunities for local residents by providing jobs closer to home. ▪ Increased diversity of employment opportunities in local convenience retail, tourism and food and beverage. ▪ Provision of much needed local convenience retailing. ▪ Much needed investment in the area.

Direction	Consistency
	<p>An Economic Statement (attached at Appendix R) prepared by Urbis confirms that the indicative Concept Plan generally reduce the overall supply of commercial uses within the development in comparison to the 2016 version. As such, the conclusion of the 2016 report appears to still be valid for the current Planning Proposal, assuming that there have been no material changes in market characteristics.</p> <p>The 2016 Report concluded that the proposed mix of commercial uses including tourist facilities and local retail are underpinned by strong supporting market fundamentals. The proposed uses are not reliant on the local population for support; however the addition of this commercial use will significantly enhance access to retail uses for this local population which is currently not well serviced in this regard.</p> <p>Furthermore, the proposed development will lead to an increase in local employment opportunities through tourist accommodation and local retail use. These land uses combined could lead to the creation of direct onsite jobs. In addition to this, there is likely to be the creation of indirect jobs and jobs related to construction.</p>
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	<p>A search of the DPI Fisheries Spatial Data Portal showed the location of aquaculture leases on the eastern side of the Mooney Mooney mainland, which includes a number of Priority Oyster Aquaculture Areas (POAA) within the Hawkesbury River.</p> <p>The closest two areas are approximately:</p> <ul style="list-style-type: none"> ▪ 1.2 kilometres located on the opposite side of the Hawkesbury River Bridge; or ▪ 1.6 kilometres on the opposite side of the river.

Direction

Consistency

Macrophytes and Aquaculture Peats Island Mooney Mooney Planning Proposal



Source: Ecological

The planning proposal is only seeking to rezone land above the mean high water mark. The land based marina structure shown on the indicative Concept Plan is indicative and does not form part of the Planning Proposal.

Notwithstanding, potential impacts on oyster lease areas have been discussed in the Riparian Constraints Assessment (attached at Appendix I) for preliminary consideration.

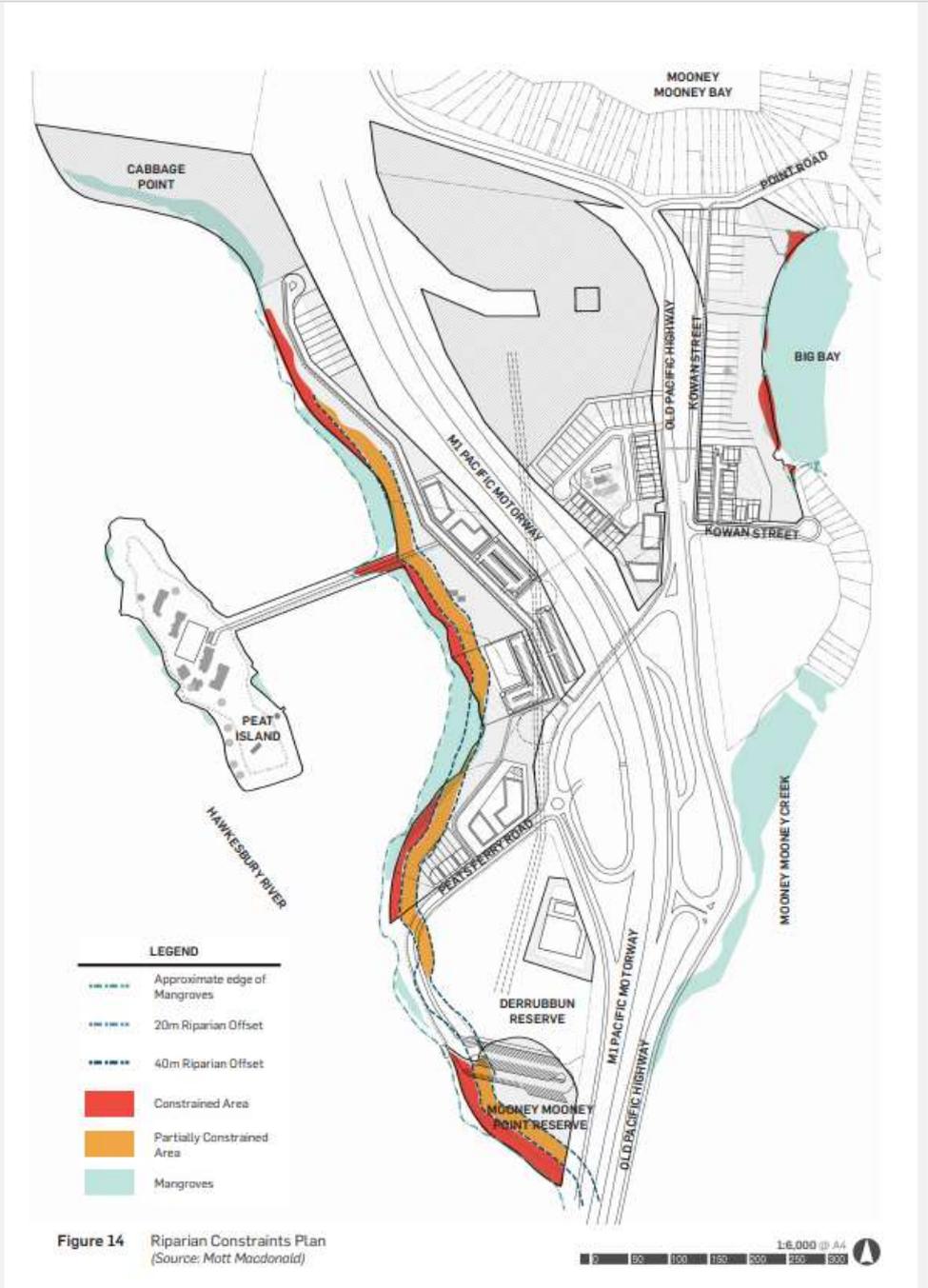
The indicative Concept Plan has incorporated Vegetation Riparian Zone (**VRZ**) for the protection of the mangroves, the tidal/mud flat area and downstream oyster farms, as it would provide a protective barrier between the proposed

Direction	Consistency
	<p>development and the waterway, helping to filter nutrients from stormwater and overland flow.</p> <p>In addition, the following recommendations can be adopted at development application stage to further protect the nearby oyster lease from the proposed developments:</p> <ul style="list-style-type: none"> ▪ An acid sulphate soil management plan would need to be prepared for those developments located within at-risk areas to ensure that any impacts of exposing acid sulphate soils on the nearby aquatic fauna are mitigated. Management of potential acid sulphate soils is to be in accordance with the Acid Sulphate Soils Manual (Acid Sulfate Soils Management Advisory Committee, 1998). <p>Accordingly, the Planning Proposal has been prepared in accordance with direction 1.4. Future DAs will be assessed in accordance with the NSW Oyster Industry Sustainable Aquaculture Strategy Third Edition 2016.</p>
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	<p>The proposal provides for a significant amount of bushland to be rezoned to E2 for environmental protection purposes. This will have positive long term ecological benefits.</p> <p>The Planning Proposal seeks to rezone 'Tank Hill' and land south of Popran National Park as E2 Environmental Conservation. This is to respond to recommendation by NSW Environment, Energy and Science (2017), which recommended the land not to be included as additional land within Popran National Park, but rather an environmental conservation extension to the national park. Popran National Park does not form part of the proposal and is retained as E1 National Parks and Nature Reserves zone.</p> <p>The management of the conservation areas (areas zoned as E2) are subject to ongoing consultation and resolution with public authorities and will remain in the ownership and management of NSW Government at this stage</p> <p>The proposed E2 zone will ensure that these significant bushlands are conserved in perpetuity and will limit development that could destroy, damage or otherwise have an adverse effect on the biodiversity value of the land.</p> <p>A Biodiversity Certification Assessment Report (BCAR) prepared by Eco Logical Australia is included at Appendix I. This report has been prepared to meet the requirements of the Biodiversity Assessment Method established under Section 6.7 of the <i>Biodiversity Conservation Act 2016</i> (BC Act).</p> <p>As part of the assessment, Eco Logical Australia undertook detailed field survey, including collection of plot data in accordance with the Biodiversity Assessment Method (BAM), including threatened flora survey, fauna habitat survey and nocturnal fauna survey.</p> <p>The assessment concluded that the development footprint has been designed to seek to minimise impacts to biodiversity values. Areas of highest quality</p>

Direction	Consistency
	<p>vegetation will be retained and fragmentation of large areas of habitat will be avoided. A total of approximately 10.96 ha of native vegetation will be retained within the conservation zones.</p> <p>The residual unavoidable impacts of the project were calculated in accordance with BAM by utilising the Credit Calculator (BAMC). A total of 50 ecosystem credits and a total of 268 species credits is accumulated to offset the residual impacts of the proposed project.</p> <p>Future development can offset the unavoidable impacts of development through the purchase and retirement of the above credits from the market, or via the Biodiversity Conservation Trust at the Development Application Stage.</p> <p>Furthermore, A Microbat Management Plan (MMP) has been prepared by Eco Logical to mitigate impacts to bats during construction works and to prevent and injury or death or disturbance during the breeding season. The MMP should be reviewed and revised at the DA stage when the final detailed design, construction details and timing is known for the repurposed buildings.</p> <p>Accordingly, the proposal will protect and conserve environmentally sensitive areas and is consistent with direction 2.1.</p>
2.2 Coastal Management	<p>In accordance with the <i>NSW Department of Planning and Environment Coastal Management SEPP Interactive Map</i>, the study area is not located within a coastal vulnerability area.</p> <p>The Planning Proposal is not seeking to amend the identified maps, including increasing or decreasing the land within the relevant maps under the <i>State Environmental Planning Policy (Coastal Management) 2018</i>.</p> <p>Under the Gosford LEP, the proposed area has not been identified as affected by a current or future coastal hazard.</p> <p>Under the <i>Coastal Management Act 2016</i>, the site is identified as being within a:</p> <ul style="list-style-type: none"> ▪ Proximity area for coastal wetlands ▪ Coastal environment area ▪ Coastal use area <p>The Riparian and Aquatic Constraints Assessment prepared by Eco Logical is attached at Appendix J. This report outlines the methods, results, constraints and recommendations of the desktop review and field survey of the Hawkesbury River and adjacent riparian zones within the Study Area. This includes a recommendation for the proposed location of the riparian buffers.</p> <p>There are two main constraints to development of the site: mangroves and tidal mudflats. Where direct impacts occur on mangroves, offsets should be considered through rehabilitation or replanting of more degraded areas of mangroves in the north west of the site.</p> <p>No seagrass was observed. The water in this area is likely to be too turbid to support seagrass, so seagrass is not likely to be a constraint within this area.</p>

Direction	Consistency
	<p>To minimise direct and indirect impacts to the mangroves from future developments, Ecological recommends VRZ buffer of 40m from the landward edge of the mangroves to prevent or minimise disturbance.</p> <p>The Natural Resources Access Regulator Guidelines allows 50% of the outer vegetated riparian zone width may be used for non-riparian uses including asset protection zones, recreational areas, roads, development lots and infrastructure. However, an equivalent area connected to the riparian corridor must be offset on the site and the inner 50% of the vegetated riparian zone must be fully protected and vegetated with native, endemic, riparian plant species.</p> <p>The indicative Concept Plan has been designed to reduce impacts to the inner riparian buffer through realigned carparks, residential areas and the pedestrian path, so that they are now proposed to be located away from the inner VRZ areas (refer to image below).</p> <p>The proposal encroaches into 0.81 ha of the inner riparian buffer and 1.08 ha of the outer riparian buffer. This encroachment into the inner VRZ is predominantly associated with the existing hard stand surfaces on the island and causeway (0.73 ha). No impacts to inner VRZ are associated with the proposed residential development.</p> <p>Accordingly, under the current proposed layout, approximately 0.03 ha of mangroves would be directly impacted. Offsetting of mangroves impacted as a result of the proposed development could take place via establishing mangroves elsewhere within the study area. Consultation with DPI Fisheries should take place to determine if offsetting of mangroves can take place to ensure no net loss of fish habitat.</p> <p>Riparian corridor requirements have also been incorporated in the site specific DCP to guide future developments and to protect the coastal environment of the site.</p>

Direction	Consistency
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Source: Urbis

In addition, the assessment also provides a number of recommendations to avoid impacts on sensitive riparian areas. These include:

- Water quality recommendation to manage drainage and overland flow from the site.
- A management plan for the mangroves within the study area to ensure their continued protection.
- The current riparian area should be rehabilitated with native species that typically form an 'ecozone' from terrestrial system to aquatic. Where there are no mangroves present (and in some cases no riparian vegetation), the

Direction	Consistency
	<p>riparian buffer should start at the top of the bank of the river, which in most of the foreshore areas, is the top of the rock retaining wall.</p> <ul style="list-style-type: none"> ▪ Incorporation of boardwalks and structures that would allow light to reach the water and mudflats below into the detailed designs would be recommended to ensure that where encroachment into the mangroves or mudflats is proposed, there would still be the opportunity for growth of marine vegetation below. ▪ Peat Island is considered exempt from the requirement to maintain a riparian buffer width as per Natural Resources Access Regulator (NRAR) guidelines. However, in order to protect the adjacent waterbody from degradation of water quality through stormwater runoff from the island once it is developed, it is recommended that a riparian buffer as wide as possible be established in these areas. This would act as a filter to protect the adjacent waterbody and contribute to riverbank stability. ▪ Once the Coastal Management Program for the Hawkesbury-Nepean River System is adopted, any development within the Coastal Management Areas will be subject to the requirements of the Coastal Management Program. <p>Accordingly, the proposal is consistent with direction 2.2.</p>
2.3 Heritage Conservation	<p>Aboriginal Cultural Heritage</p> <p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Extent Heritage and is attached at Appendix O. The ACHAR has been prepared in consultation with NSW Environment, Energy and Science and the Aboriginal community. Further Aboriginal archaeological survey also has been undertaken to assess the Aboriginal cultural heritage significance of the site.</p> <p>The ACHAR has been prepared in accordance with the following codes and guideline endorsed by Heritage NSW under the <i>National Parks and Wildlife Act 1974</i>:</p> <ul style="list-style-type: none"> ▪ <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2010).</i> ▪ <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (2010).</i> ▪ <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010).</i> ▪ <i>Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (2011).</i> <p>The documentary research and archaeological survey resulted in the identification of eight Aboriginal archaeological sites within the study area. These includes three Aboriginal site complexes:</p>

Direction	Consistency
	<ul style="list-style-type: none"> ▪ an Aboriginal engraving and grinding groove site on a sandstone platform on Peat Island (consisting of two separate Aboriginal Heritage Information Management System (AHIMS) recordings, #45-6-3586 and #45-6-3587); ▪ an Aboriginal engraving site on a vast sandstone outcrop along the western Mooney Mooney foreshore (with two separate AHIMS recordings #45-6-0476 and #45-6-1837) and ▪ an Aboriginal rock shelter complex comprising six separate rock shelters with midden deposit, and located on a three-tiered sandstone shelf along the southern Mooney Mooney foreshore (with three separate AHIMS recordings #45-6-0479, #45-6-1990 and #45-6-3584). <p>A further five Aboriginal sites have been recorded within the study area, including a rock shelter at Cabbage Point (#45-6-1836; not identified during the survey), two rock shelters along the eastern foreshore (#45-6-3643 and #45-6-3644) as well an Aboriginal engraving site (#45-6-3135) and grinding groove site (#45-6-3585) within the Mooney Mooney public school grounds.</p> <p>To assist with Aboriginal cultural heritage management and protection, the site has been divided into four areas of Aboriginal heritage constraint, including no-go areas and high risk areas where significant cultural material is identified, areas requiring further investigation where cultural materials are predicted to be present, and areas with few or no constraints. The areas of constraints are summarised below:</p> <ul style="list-style-type: none"> ▪ No-Go Areas: areas that have identified Aboriginal sites of cultural value, with an appropriate boundary. ▪ High-Risk Areas: potential areas of high cultural and/or scientific value to be present. These areas are considered greater than other parts of this zone due to the particular landform characteristics, namely the presence of areas of vertical/near vertical slope (i.e. sandstone escarpments where rockshelters occur), and/or areas of flat land (where sandstone exposures containing engravings occur). ▪ Areas Requiring Further Investigation: where there is potential for further cultural material, but less potential for sites of high cultural and/or scientific value to be present (i.e. less likely to contain Aboriginal engraving and/or rockshelter sites). These areas do not appear to contain the near vertical/flat sandstone geology, which the higher significance sites would more likely be found, but do not exclude the possibility of other cultural materials, such as artefact scatters or sub-surface deposits being present. ▪ Areas with Few/No Aboriginal Constraints: areas within the study area that have been subject to significant ground surface disturbance in the historic period, within which cultural material is considered of low risk to be present. <p>Where future development occurs within the 'high risk areas' and 'areas requiring further assessment', an ACHA must be prepared in accordance with Heritage NSW standards and guidelines to support the future development</p>

Direction	Consistency
	<p>application. Adequate consultation with the local Aboriginal knowledge holders is also required to ensure cultural values are given.</p> <p>Areas with few Aboriginal constraints propose the lowest risk to the development, and it is anticipated that no site specific design and/or planning recommendations are required.</p> <p>In accordance with the above, the Indicative Concept Plan has avoided locating developments within the 'no go' areas in order to reduce the impact on the Aboriginal cultural value of the study area. These changes were initiated as part of an iterative Aboriginal community consultation process and have resulted in the following design changes to the indicative Concept Plan (refer to the figure below):</p> <ul style="list-style-type: none"> ▪ Residential lots have been removed and the subject area is proposed to be rezoned as open space to conserve site #45-6-3585. ▪ The proposed pedestrian and cyclist pathway skirting the perimeter of Peat Island has been shifted to avoid encroachment into the inner Vegetated Riparian Zone, and to avoid direct impacts to the Aboriginal engraving and grinding groove complex #45-6-3587 and #45-6-3586. ▪ Realignment of residential lots, road, dry-boat stacker, surface parking areas to avoid impact on sites #45-6-1837 and #45-6-0476. ▪ The width of the road reserve along the Northern Foreshore area and Waterside Village has been reduced to avoid encroachment into the inner Vegetated Riparian Zone, and to avoid direct impacts to the Aboriginal engraving complex #45-6-0476, #45-6-1837 and #45-6-2757.

Direction	Consistency
	<p><i>Source: Urbis</i></p> <p>However, it is considered that the development of an electrical substation and associated bushfire APZ has the potential to result in harm to the identified Aboriginal rock shelter cultural landscape site #45-6-3584. Ongoing consultation with the local Aboriginal community and detailed assessment of the final development outcome should be undertaken prior to development application.</p> <p>With regards to the Aboriginal engraving site #45-6-3135, archaeological assessment and advice from the local Aboriginal community suggests that some of the engravings exposed on this sandstone outcrop may not be of cultural origin. It is recommended to engage a suitable individual who specialises in the identification of Aboriginal rock art in the Sydney region to further investigate these features, and to liaise with Heritage NSW to determine the most suitable management approach of site #45-6-3135 post exhibition.</p>

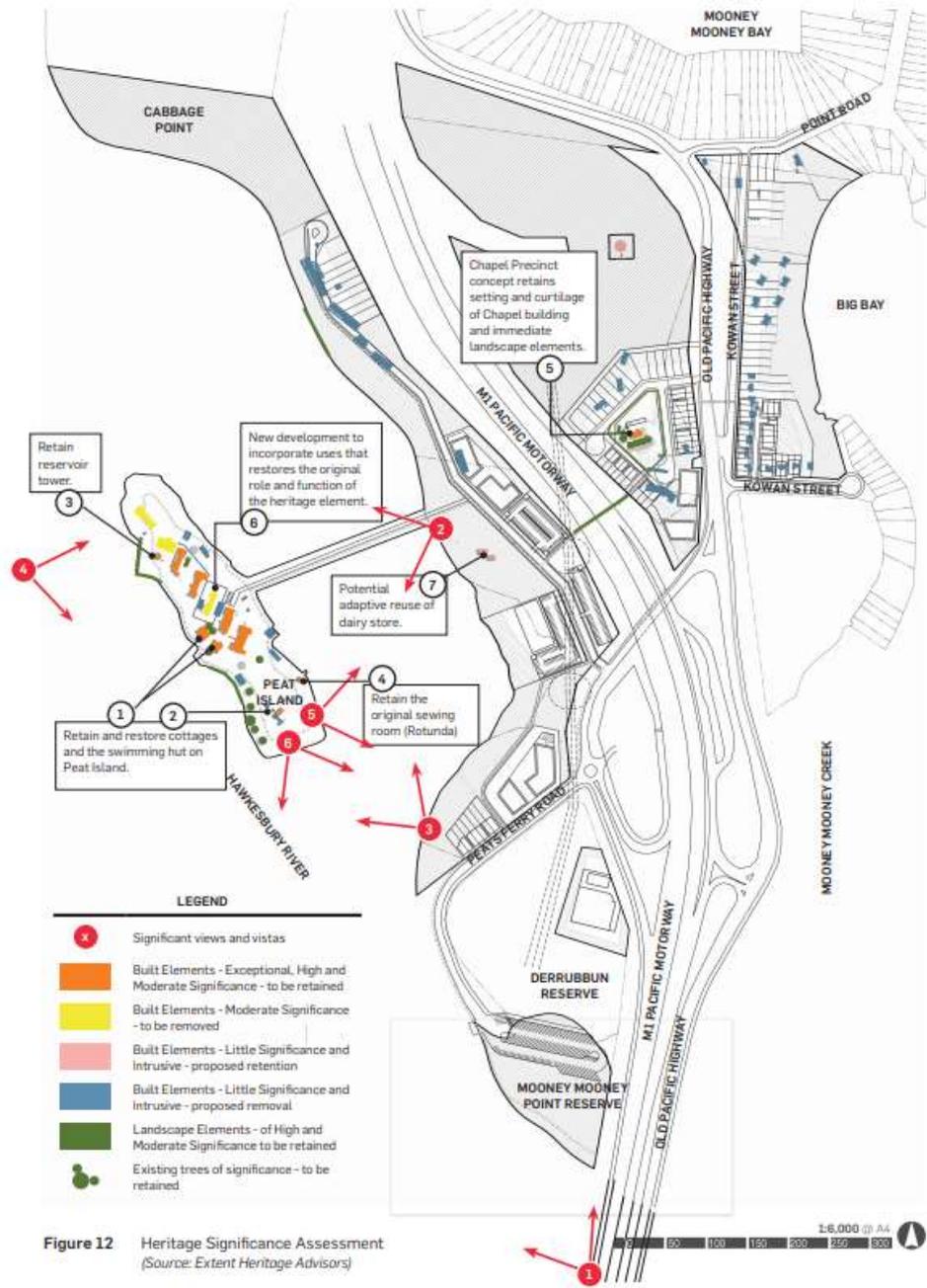
Direction	Consistency
	<p>In addition, the following recommendations are made:</p> <ul style="list-style-type: none"> ▪ A copy of the finalised ACHAR report should be provided to the registered Aboriginal stakeholders and the AHIMS Registrar of Heritage NSW, for their records. ▪ Works of any kind, including geotechnical testing and other environmental investigations, are not permissible in the vicinity of identified Aboriginal sites or their identified site boundaries (corresponding with the no-go zones above) without first obtaining an Aboriginal Heritage Impact Permit (AHIP) from Heritage NSW. In other areas, appropriate assessment in accordance with Heritage NSW standards and guidelines should be adopted. ▪ Where Aboriginal sites are identified but would remain unaffected by the proposed development, appropriate Aboriginal Cultural Heritage Management Plans (or equivalent documents) should be developed at the development application phase. This would ensure their conservation and management into the future as development progresses and visitation increases around them. <p>European Heritage</p> <p>A Heritage Impact Statement prepared by Urbis is attached at Appendix P.</p> <p>Peat Island (Precinct A) is listed as a heritage item on the <i>Department of Ageing, Disability & Home Care Section 170 Heritage and Conservation Register</i> (DADHC S170 Register). Part of Precinct B (Mooney Mooney foreshore) is identified as an Archaeological Heritage Item under Schedule 5 of the Gosford LEP 2014, also known as George Peat's Inn. No sections of the former Peat Island Centre are currently listed as a built (European) heritage item under the Gosford LEP 2014 or the NSW State Heritage Register.</p> <p>The Heritage Impact Statement assessed the potential heritage impacts of the Planning Proposal on the significance of the former Peat Island Centre and the adjacent heritage items.</p> <p>Based on the heritage assessment and the grading of significance, a Heritage Conservation Management Plan (CMP) for the former Peat Island Centre at Mooney Mooney has been prepared by Urbis and is attached at Appendix E.</p> <p>The CMP provides a considered analysis of the heritage significance of the place and provides policies and guidance to assist owners and users to appropriately manage this significance into the future.</p> <p>Section 7 of this CMP outlines the individual elements across the site and their relative grading of significance with consideration for their contribution of the collective significance of the former Peat Island Centre. This section also outlines significant landscape elements and views.</p> <p>Section 8 of this CMP outlines the obligations relating to the management of the place given its identified heritage significance. In particular, Section 8.2.2.2 outlines obligations associated with the development or disposal of items listed on a State Agency Section 170 Heritage and Conservation Register.</p>

Direction	Consistency
	<p>Section 9 of this CMP outlines opportunities and constraints in relation to the future use and development of the place with regard for its identified heritage significance. This includes discussion of where appropriate development opportunities may be located.</p> <p>Section 10 of this CMP provides conservation policies which must be adopted to guide the ongoing conservation of the place and its significant elements. In particular, Policy 8 recommends that Precinct A: Peat Island be nominated for individual listing as a heritage item on the NSW State Heritage Register and the Gosford LEP 2014.</p> <p>This CMP will be adopted by all owners, users and tenants of the place to guide and protect the heritage significance of the former Peat Island Centre.</p> <p>Consistent with the recommendation of the CMP, this Planning Proposal includes the proposed LEP amendment to include Peat Island as a local Item of Environmental Heritage (Item - General) under Part 1 - Heritage Items, Schedule 5 of the Gosford LEP.</p> <p>The curtilage for the heritage listing includes the entirety of the Peat Island landform and the causeway to the mainland but does not include any of the foreshore areas along Mooney Mooney.</p> <p>This is to ensure the implementation of statutory obligations and provide future guidance for change to individual elements, maintenance and repair.</p> <p>The CMP also recommended that a separate nomination process for listing the place on the NSW State Heritage Register should be undertaken with the Heritage Council of NSW and Heritage NSW of the NSW Department of Premier and Cabinet (as delegate).</p> <p>The Planning Proposal has been assessed with regard to its potential heritage impacts in accordance with the Conservation Management Plan (Urbis 2020). The indicative Concept Plan has also been revised to protect heritage significant buildings and landscape identified for retention (refer to image below).</p> <p>The Indicative Concept Plan retain these elements as they make a defining contribution to the significance of the place or because they are important to the local community. The selection of buildings and associated landscapes to be retained has been considered to ensure that significant visual and environmental buffers are respected and that the overall landscape setting of the place is retained. Prior to any physical works being undertaken, a further detailed design stage is needed which will be subject to heritage assessment to ensure these visual heritage values are protected.</p> <p>The Indicative Concept Plan has avoided visual impacts on the Peat Island precinct by locating more substantial future development locations within the remaining Precincts B, C and D on the mainland, and also allowing for a rationalisation of existing development on the Island, which currently obscures original and significant elements. This will ensure that the significant visual and associative relationship between Peat Island and the Hawkesbury River will be retained and conserved.</p>

Direction

Consistency

Overall, 9 non-listed historical buildings on Peat Island are proposed to be retained and 4 non-listed historical buildings on the mainland are proposed to be retained for adaptive re-use purposes.



Source: Urbis

The Planning Proposal is considered to be acceptable from a heritage perspective and it will provide for future development that will activate and revitalise the precinct. The best means of conserving the significance of the place is through the facilitation of new adaptive reuse proposals which enable the buildings and structures of heritage significance to be repaired, adapted and occupied into the future. Adaptive reuse options which promote public accessibility and access will allow for an improved understanding and

Direction	Consistency
	<p>interpretation of the heritage values of the place and its contribution to the heritage of New South Wales and the Central Coast region.</p> <p>The Planning Proposal is supported from a heritage perspective and recommended for approval subject to the following recommendations:</p> <ul style="list-style-type: none"> ▪ Future detailed design of new buildings, landscaping, interpretation, adaptation of existing buildings and structures and any service and structural upgrades must be undertaken in accordance with the heritage related guidelines, policies and recommendations outlined in the following documents (or updated as relevant): <ul style="list-style-type: none"> – Conservation Management Plan Former Peat Island Centre (Urbis 2020) – Aboriginal Cultural Heritage Assessment Report (Extent 2021) – Historical Archaeological Assessment (to be completed at DA stage and in accordance with the recommendations of a qualified archaeologist) – Site Specific Development Control Plan (prepared as part of this Planning Proposal) ▪ A detailed archival recording of the place, its setting, views and landscape, should be undertaken prior to physical works commencing. Any buildings or structures proposed for demolition or alteration should be recorded prior to works. ▪ An interpretation strategy should be prepared and implemented as part of the proposed works. The interpretation strategy should explore opportunities for interpretation in media, architecture, landscape and consider all aspects of the significance of the place. <p>Aboriginal Cultural Heritage and European Heritage significance controls have also been included as part of the site specific DCP to guide future developments.</p> <p>Overall, the Planning Proposal and the indicative Concept Plan is able to protect identified Aboriginal and European heritage significant sites and is consistent with Direction 2.3.</p>
2.4 Recreation Vehicle Areas	Not applicable.
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable.

Direction	Consistency
<p>2. 6 Remediation of Contaminated Land</p>	<p>JBS&G undertook a preliminary site investigation (PSI) in 2013 and updated the assessment in 2016 to include an enlarged site and to assess the changes which may have occurred at the site in the intervening period.</p> <p>Investigations identified a number of areas of potential environmental concern (AECs) posing contamination risks associated with historical and current uses of the site. Therefore, it was recommended to undertake intrusive sampling targeting identified AECs to provide an assessment of potential soil contamination and confirm the findings of the preliminary investigation.</p> <p>An updated Detailed Site Investigation report has been prepared by JBS&G and is attached at Appendix L. The report presents finding of the targeted investigation focusing on identified AECs, including filled areas and a former service station, together with a grid-based sampling approach across the remaining site.</p> <p>A total of 73 test pits and boreholes were advanced across the site, with five groundwater monitoring wells. Three previously installed groundwater monitoring wells located at the former service station were also sampled.</p> <p>The results of the soil sampling are summarised below:</p> <ul style="list-style-type: none"> ▪ <i>Filling has historically occurred on Peat Island (Portion 3) and foreshore areas (Portion 4 and Portion 11);</i> ▪ <i>Underground storage tanks (USTs) at the site were identified to the east of the former laundry – Portion 1 (a diesel UST) and at the former service station – Portion 7 (three USTs with one UST decommissioned by concrete filling);</i> ▪ <i>Concentrations of Primary Contaminants of Potential Concern (COPCs) reported from soil sample locations within the site were generally reported below the adopted assessment criteria, with the exception of the presence of asbestos containing materials on the surface soils in Portions 1 and 3, and within the fill material at location SS03. All other concentrations were not considered to present a health risk for the proposed development. Some samples at the site identified heavy metals and PAHs above the adopted ecological criteria, and these areas may need to be remediated/managed during development;</i> ▪ <i>Isolated samples at two locations identified elevated concentrations of lead above the adopted human health criteria for a residential land use. Statistical analysis was completed on all lead concentrations reported across the site which indicated that lead presented a low risk to human health for the proposed residential land use;</i> ▪ <i>Surficial Asbestos containing materials (ACM) and building material was observed in Portion 1 and Portion 3 of the site which represents a potential human health and aesthetic issue for the proposed development. The surficial ACM will require management and/or remediation;</i>

Direction	Consistency
	<ul style="list-style-type: none"> ▪ <i>Friable asbestos was identified at one location in conjunction with ACM in the northern part of Portion 3 (Peat Island) which will require remediation and/or management for the proposed development;</i> ▪ <i>Elevated copper, nickel and zinc concentrations were identified within the majority of groundwater samples collected from the site. As the concentrations were generally consistent, it is considered that the likely source of these heavy metals is the underlying sandstone and not indicative of source contamination. Lead was reported within one sample marginally above the adopted criteria, however, is considered consistent with other groundwater monitoring wells within the vicinity and not indicative of lead contamination within the groundwater; and</i> ▪ <i>Potential acid sulfate soils were identified below the groundwater table in the northern portion of Peat Island. Should any excavation of the natural material occur below groundwater at the site, an acid sulfate soils management plan should be prepared.</i> <p>The following recommendations are made:</p> <ul style="list-style-type: none"> ▪ <i>Due to the presence of asbestos fines and ACM at the site, an Asbestos Management Plan is required to manage the presence of asbestos at the site prior to remediation/development; and</i> ▪ <i>As per the Protection of the Environment Operations (Underground Petroleum Storage System) Regulations 2019, as the underground storage tanks are currently not in use, the identified underground storage tanks should be removed, and the tank excavation appropriately validated.</i> <p>Based on the findings of this investigation, JBS&G made the following conclusions:</p> <p><i>The site can be made suitable for the proposed land use, subject to removal and validation of the underground storage tanks and remediation and/or management of the surficial ACM, buried asbestos and heavy metals identified above the ecological criteria.</i></p> <p>Overall, the Planning Proposal is consistent with Direction 2.6.</p>
<p>3. Housing, Infrastructure and Urban Development</p>	
<p>3.1 Residential Zones</p>	<p>The Planning Proposal will contribute to housing supply in a growing region and on land that is currently underutilised.</p> <p>The Planning Proposal provides development on a site that is already largely serviced, and if required infrastructure can be readily upgraded.</p> <p>A mix of dwellings including detached, town houses and low rise three storey residential flat buildings are proposed. In total approximately 267 new dwellings are proposed, with 51 low density residential lots, 54 townhouses and approximately 162 apartments. The variety of dwelling types proposed responds to site constraints and opportunities, as well as the surrounding land use context.</p>

Direction	Consistency
	<p>In addition, Property & Development NSW are liaising with Aboriginal Housing Office (AHO) and Land and Housing Corporation (LAHO), to determine if there are any opportunities for affordable and social housing development.</p> <p>The proposal will broaden the range of housing choices in the area within a site that will have access to employment, new community facilities, open space and local convenience retailing. Importantly, the Indicative Concept Plan does not require any significant clearing of land to facilitate residential development.</p> <p>The proposal is therefore consistent with direction 3.1 Residential Zones.</p>
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	<p>The proposal is consistent with the direction for the following reasons:</p> <p>The Indicative Concept Plan shows a mixed use development that combines residential development with local convenience retailing, tourism, community facility and recreation use.</p> <p>The site is situated within walking distance to established bus stops, and within cycling distance (5.5km) to Hawkesbury River station in Brooklyn, which offers Sydney-Newcastle train services.</p> <p>The site exhibits good access to existing motorway infrastructure (Pacific highway) with direct access to Sydney and Gosford CBDs.</p> <p>A pedestrian and cycling strategy have been developed by Urbis and Mott MacDonald and has been included within the Site Specific DCP (attached at Appendix C and extracted below).</p>

Direction	Consistency
	<p><i>Source: Urbis</i></p> <p>The strategy aims to improve and connect pedestrian and cycling networks within the site and along the foreshore to the wider Central Coast region. The following improvements are recommended to provide better pedestrian and cycling access:</p> <p>Improvements may be considered for the existing cycle lane with recommendations to extend the cycle lane and formalise it to connect Mooney Mooney area with Hawkesbury River Station in Brooklyn.</p> <p>A dedicated cycle lane is to be provided along the Old Pacific Highway to connect with the existing cycle lane. Where possible, the cycle lane is to be extended to connect Mooney Mooney area with Hawkesbury River Station in Brooklyn.</p>

Direction	Consistency
	<p>The existing pedestrian underpass near M1 Pacific Highway is to be maintained. Future improvements to the pedestrian underpass need to be made against Crime Prevention Through Environmental Design (CPTED) principles, including lighting requirement to provide a safer pedestrian connection.</p> <p>A shared pedestrian/cycling path is recommended along the Pacific Highway Link through the underpass. The lane continues north with a crossing provided on the Old Pacific Highway, which provides the option for cyclists to travel southbound using the cycle only lane or northbound using the shared path.</p> <p>Access to Peat Island is limited to a narrow bridge that runs along the causeway from the western side of the Mooney Mooney peninsula to Peat Island. The causeway itself is approximately 200m in length and 5m wide, which limits the capacity of additional vehicle. Due to this constraint and investigations indicating that widening is not feasible from an economic, environmental or heritage perspective, vehicular traffic operating across the causeway is recommended to be limited to service vehicles only and other authorised vehicles.</p> <p>Accordingly, the objectives of direction 3.4 have been considered as part of this Planning Proposal.</p>
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable.
3.6 Shooting Ranges	Not applicable.
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable.
<i>4. Hazard and Risk</i>	
4.1 Acid Sulphate Soils (ASS)	<p>The majority of the site has been identified as Class 5 and poses a low danger. The southern portion of the site (including the eastern foreshore area) and Peat Island has been identified as Class 2 in Council's LEP.</p> <p>A Review of Preliminary Site Investigation Report prepared by JBS&G (2016) indicated that the site is located within an area which has a “disturbed terrain” and may include filled areas, which often occur during reclamation of low lying swamps for urban development. The 2016 Report concluded that based on the geography and geology, potential ASS will be present at locations proximal to the river.</p> <p>Riparian Constraints Assessment prepared by Eco Logical (attached at Appendix J) further confirmed that the likelihood of potential ASS occurring are within and adjacent to river bed. As discussed previously, exposing acid sulfate soils can cause acidic conditions in the water and may impact on aquatic biodiversity as well as nearby oyster leases if not managed carefully. Therefore, an acid sulphate soil management plan is recommended to be prepared for those developments located within at-risk areas (as identified below) to ensure</p>

Direction	Consistency
	<p>that any impacts of exposing acid sulphate soils on the nearby aquatic fauna are mitigated.</p>  <p><i>Source: Ecological</i></p> <p>Any future DAs will need to comply with the provision relating to Acid Sulfate Soils in Council's LEP and the Proposal has addressed direction 4.1.</p>
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	<p>The Proposal's consistency with direction 4.3 has been addressed in detail in the Water Cycle Management Review prepared by Mott MacDonald and is attached at Appendix G.</p> <p>The aim of the report is to:</p> <ul style="list-style-type: none"> ▪ identify appropriate flood planning levels; ▪ understand flooding conditions and provide recommendations for mitigation; ▪ provide recommendations on a flood evacuation strategy for Peat Island; and ▪ consider a water cycle strategy for future development in relation to stormwater infrastructure. <p>Key findings of the report are summarised below:</p>

Direction	Consistency
	<p>The majority of the site is not flood affected. The following portions of the site are affected in the 100 year average recurrence interval (ARI) storm event:</p> <ul style="list-style-type: none"> ▪ The outskirts of Peat Island; ▪ The southern peninsula (car park) of the mainland; ▪ Areas along the western coastline of the mainland; and ▪ Areas along the eastern coastline of the mainland, primarily at the proposed low density residential backs of lots. <p>It should be noted that while portions of the site are flood affected, habitable buildings are not expected to be impacted during the 100 year ARI storm event. A proposed apartment building on the western coastline is located within the 100 year flood extents.</p> <p>The probable maximum flood (PMF) flood level expected at the site is approximately 3.3m AHD. Given the topography of the site, the PMF flood extents are similar to those of the 100 year ARI storm event. Two proposed apartment buildings on the western coast are flood affected in the PMF event.</p> <p>The assessment recommends the following measures to mitigate flood risks (illustrated in the image below):</p> <ul style="list-style-type: none"> ▪ Buildings that are flood affected are proposed to be constructed to comply with the following flood planning level (FPL) (which has been determined by adopting Brooklyn flood data and extrapolating back to the site and considering 100 year flood levels, PMF flood levels, climate change (estuarine & coastal)): <ul style="list-style-type: none"> – Habitable buildings - mainland: 3.6m AHD – Non-habitable buildings - mainland: 3.1m AHD – Peat Island buildings: 4.4m AHD. <p>To mitigate flood impact to the western coastline of the mainland, Habitable floor levels within this area should be raised to at least the proposed minimum FPL stated above. This will ensure this area will no longer be within the 100 year ARI flood zone, and the future apartment buildings can be constructed to withstand floodwater forces expected during this storm event. Consideration should also be given to floating debris. This requirement is expected to be addressed during the Development Application phase.</p>

Direction	Consistency
	 <p data-bbox="470 1198 742 1556"> LEGEND Flood Planning Levels - - - - - Habitable Development (Mooney Mooney 3.6m, Peat Island 4.4m) - - - - - Non-Habitable Development (3.1) Minor Fill Area Existing Flood Extents - - - - - PMF Flood Extents (3.30m AHD) 100-years Flood Extents (2.00m AHD) </p> <p data-bbox="1268 896 1412 974">Required land filling. Land fill to avoid encroachment of the inner VRZ.</p>
	<p data-bbox="470 1590 638 1624"><i>Source: Urbis</i></p> <p data-bbox="470 1646 1428 1724">An indicative Flood Evacuation Plan has been prepared by Mott MacDonald and is contained within Appendix G and extracted below.</p> <p data-bbox="470 1747 1412 1892">As most areas within the Site are above the PMF level, safe refuge can be reached by staying in place. If evacuation is necessary, the main exit route out of the Site is the Pacific Motorway which gradually rises in a northerly direction towards Cheero Point.</p> <p data-bbox="470 1915 1428 2027">The sole access to Peat Island is via the existing Causeway from Mooney Mooney, and this causeway is almost entirely inundated in the PMF storm event. However, the island itself does not become completely inundated during the</p>

Direction	Consistency
	<p>PMF storm event, indicating that refuge will be available on the island and evacuation may not be required.</p> <p>A preliminary review of the lower Hawkesbury River Flood Study (1997) also indicates that peak flood levels are experienced between 80 and 90 hours into the flood event. It is expected that this will enable sufficient warning time for safe evacuation from the island for occupiers. However, evacuation is not the sole strategy available as there are areas above the PMF within Peat Island, so consideration should be given at future DA stages to confirm whether a shelter-in-place strategy is appropriate for the Island.</p> <p>All development applications for land which is subject to flooding must be accompanied by an Emergency Management Plan including all details of evacuation and re-supply strategy. The purpose of this plan is to ensure safe evacuation from existing and future land uses is not compromised.</p> <p>This evacuation strategy will require coordination with the State Emergency Service (SES) to ensure required supplies, such as food, power and emergency equipment, is fixated to the island.</p>  <p><i>Source: Mott MacDonald</i></p> <p>Applicable FPL, the requirement for a flood evacuation plan and fill requirements have been incorporated in the Site Specific DCP (attached at Appendix C) to ensure flooding measures are implemented at DA stage.</p>

Direction	Consistency
	<p>In summary, the proposal is consistent with the requirements outlined in the <i>NSW Flood Prone Land Policy and the NSW Floodplain Development Manual (2005)</i> and direction 4.3.</p>
<p>4.4 Planning for Bushfire Protection</p>	<p>Bushfire matters has been assessed in the Bushfire Assessment Report prepared by Peterson Bushfire attached at Appendix M. The report addressed <i>Planning for Bushfire Protection 2019</i>, identified Asset Protection Zone (APZ) based on the Indicative Concept Plan and ensured development are removed from the escarpment.</p> <p>The assessment concluded that:</p> <ul style="list-style-type: none"> ▪ The Proposal is not considered incompatible with the surrounding environment and bushfire risk. With sound bushfire management, the proposal can co-exist within the bushland setting. ▪ The Indicative Concept Plan has been developed via an iterative process involving strategic analysis, bushfire constraints assessment and bushfire protection requirements. ▪ Based on bushfire landscape analysis and risk profiling, development within areas mapped as high bushfire risks has been removed. These areas are the forested and steep lands in the northern portion of the site adjoining the National Park. ▪ Where developments are proposed within areas mapped as medium bushfire risk, appropriate bushfire protection provisions such as APZs, adequate access and buffering between medium density residential development from the hazard interface have been incorporated in the revised Indicative Concept Plan. ▪ An APZ strategy has been prepared in accordance with <i>Planning for Bushfire Protection 2019</i> and has been incorporated into the Indicative Concept Plan (as shown on the figure below). The APZ strategy respond to existing topography and the various types of vegetation within the site area. It is based on the retention of existing native vegetation (including the mangroves community), and any anticipated revegetation as part of future developments. The applicable APZs across the study area range in width between 10m and 24m. Applicable APZs are contained within the Design Report attached at Appendix D and the APZ Strategy Map is extracted below.

Direction	Consistency
	 <p>LEGEND</p> <ul style="list-style-type: none"> (Asset Protection Zones) Existing vegetation areas - outside of site boundary Reserves / Major Vegetation Areas within site boundary <p><i>Source: Urbis</i></p> <p>The majority of the subject site is mapped low risk. These areas provide ample space and opportunities to shelter in place, in the unlikely scenario that access is severed in both the north and south directions.</p> <p>The Indicative Concept Plan will result in an improved situation for the existing Mooney Mooney community in regard to access and emergency management infrastructure, and at a level that will be adequate for the proposed increased density.</p> <p>Accordingly, the proposed development could be undertaken based on the above mentioned APZ strategy and recommendations to be implemented prior to lodgement of future DAs.</p>

Direction	Consistency
	<p>The requirement for APZs have been incorporated in the Site Specific DCP (attached at Appendix C) to ensure bushfire measures are implemented at DA stage.</p> <p>The proposal addresses all bushfire protection related matters required and is consistent with direction 4.4.</p>
<i>5. Regional Planning</i>	
5.1 Implementation of Regional Strategies – revoked	
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
(5.5-5.8 – revoked)	
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	<p>Central Coast Regional Plan (CCRP)</p> <p>The Planning Proposal is consistent with the CCRP and CCLSPS as discussed in Section 7.3. The proposal directly contributes to the Goals and Directions of the CCRP and is consistent with strategic vision the draft LSPS, which will facilitate growth to revitalise Mooney Mooney area supported by housing, community facilities, open space network and infrastructure. Importantly, the Planning Proposal will also protect the natural environment and provide lifestyle options inherent to the locality.</p> <p>Overall, the Proposal makes a significant and much needed contribution to housing and employment land supply in the local area and the broader Region. Environmental and heritage conservation management has been considered to protect the environmental and heritage values of the site and maintain the attractive setting of the site for recreation, tourism and residential development.</p> <p>The Planning Proposal is able to address the Regional Plan and is consistent with direction 5.10.</p>
5.11 Development of Aboriginal Land Council land	<p>The site is not identified on the State Environmental Planning Policy (Aboriginal Land) 2019 Land Application Map.</p> <p>Not applicable.</p>

Direction	Consistency
<i>6. Local Plan Making</i>	
6.1 Approval and Referral Requirements	This is an administrative requirement for Council.
6.2 Reserving Land for Public Purposes	This is an administrative requirement for Council.
6.3 Site Specific Provisions	<p>The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the GLEP 2014 and draft CCLEP.</p> <p>The Planning Proposal proposes amendments to Schedule 1 Additional Permitted Uses, to enable redevelopment of the site as a genuine mixed use development.</p> <p>The proposed emergency services facilities (NSW Rural Fire Service facility and Marine Rescue NSW facility) are permissible with consent within the proposed R1 General Residential zone under the draft CCLEP.</p> <p>The intent of the RE2 land is to provide future open space and recreational opportunities. A 'car park' is proposed within this area as an additional permitted use to allow flexibility and the accommodate future visitor parking demand to the area.</p> <p>Given the proposal does not comprise a neighbourhood centre, it is proposed to include 'food and drink premises' and 'shops' as additional permitted uses within the R1 zone to provide sufficient and much needed local retail services for exiting and incoming residents. The proposed 'shops' and 'food and drinks premises' are intended to offer local convenience retailing, such as local stores, cafes and local dining options. The proposed shop has a minimum area of approximately 170sqm, which is of a scale that is better suited for this local area. The planning proposal included two locations for 'shop' to allow future land use flexibility on either side of the M1 highway. The location of local convenience retailing will be determined by future market demand at either location. Although 'neighbourhood shop' is permissible with consent in the R1 zone, it is restricted to 100sqm, which does not provide sufficient area to service the local community. Therefore it is proposed to include 'shops' as an additional permitted use on the site to provide sufficient and much needed local convenience retail services for existing and incoming residents.</p> <p>The proposed additional permitted use for electricity generating works on RE1 land is proposed to accommodate a potential Ausgrid substation to service the future population. Ausgrid recommended the location of proposed the substation site, which is adjacent to an existing 132 kV transmission lines and has requested for the land to be reserved for this purpose. The requirements to service the development will be confirmed with Ausgrid during the feasibility stage. Therefore, the additional permitted use within RE1 zone is to provide electricity services as per the request of Ausgrid.</p>

Direction	Consistency
	Overall, the R1, RE1 and RE2 zones with an additional permitted use clause is considered the most appropriate way to successfully implement the Proposal. Therefore, the Proposal is consistent with direction 6.3.

Section C – Environmental, social and economic impact

Q7. *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?*

A Biodiversity Certification Assessment Report (BCAR) (**Appendix I**) and Riparian and Aquatic Constraints Assessment (**Appendix J**) have been prepared to assess critical habitat, threatened species and ecological communities at the site. The BCAR identifies a number of threatened ecological communities and species at the site, as well as the measures taken to avoid, minimise and mitigate impacts on the vegetation and species habitat present and measures to minimise impacts during construction and operation of the development. As a result, the proposal has been located to minimise impacts on riparian areas and avoid impacts to good condition native vegetation. A total of 13.82 ha of native vegetation proposed for retention and 10.96 ha of native vegetation will be protected within conservation zones in the north of the site with the land proposed to be zoned E2 - Environmental Conservation. To offset the residual unavoidable impacts of development, purchase and retirement of ecosystem and species credits from the market, or via the Biodiversity Conservation Trust, will be required.

The Riparian and Aquatic Constraints Assessment also identifies that the disturbance of the acid sulfate soils at the site by future construction activity in or on the riverbed sediment. To mitigate any impact on aquatic biodiversity and fauna, an acid sulphate soil management plan is required to be prepared for those future developments located within at-risk areas.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The Planning Proposal is not expected to give rise to any unreasonable environmental impacts. Where potential environmental impacts have been identified, mitigation and management measures have been provided. **Section 10** provides a summary of the potential environmental impacts and management measures.

Traffic and Transport

As set out in the Traffic & Transport Review (**Appendix H**), the existing road network contains spare capacity to accommodate the additional trips associated with proposed rezoning of the area. The expected development resulting from the rezoning proposal is not expected to have a negative impact on the operational performance of the local road network. The M1 motorway and Hawkesbury River Bridge will continue to operate at an acceptable level of service as a result of the Proposal and the proposed parking provision has been assessed and found to be adequate. As a result, the Planning Proposal will not have any material environmental effects in this regard.

Aboriginal Heritage

The Aboriginal Cultural Heritage Assessment Report (ACHAR) (**Appendix O**) identifies eight Aboriginal archaeological sites, as well as large areas of moderate, high and very high archaeological potential within the site. The findings of the ACHAR and the outcomes of the Aboriginal community consultation process undertaken have been used to inform the finalisation of the indicative Concept Plan, to ensure that the potential for impacts to Aboriginal cultural heritage are avoided and/or minimised. Since, 2018, the indicative Concept Plan has been revised to reduce the impact of the proposed development on the Aboriginal cultural value of the site by limiting development in some areas containing identified Aboriginal sites through an iterative Aboriginal community consultation process. There are, however, elements of the Proposal that are proposed to be further refined through ongoing consultation with the local Aboriginal community as detailed designs are developed to ensure impacts on Aboriginal heritage continue to be minimised. A program of archaeological test excavation is proposed as part of the future development application phases provide further assessment of archaeological Aboriginal sites to assist in the design development process and avoid

or minimise impacts on Aboriginal heritage value. As such, the likely environment effects are considered to be acceptable.

Built Heritage

The Heritage Impact Statement (**HIS**) (**Appendix P**) identifies that Peat Island has heritage significance at the State level for its historic, associative, aesthetic, rarity and representative values and that areas of development along the Mooney Mooney foreshore associated with the operations of the facility have a contributory but overall lower level of heritage significance. The HIS notes that the best means of conserving this heritage significance is through the facilitation of adaptive reuse which enables the buildings and structures of heritage significance to be repaired, adapted and occupied into the future for public accessibility and access. The HIS also proposes strategies to assist in maintain the identified heritage significance, which have been adopted in the Conservation Management Plan (**CMP**) (attached at Appendix E), site specific Development Control Plan (**DCP**) (attached at Appendix C). As such, the Proposal is considered to result in acceptable environmental effects in this regard.

In addition, the CMP recommended for Peat Island be nominated for individual listing as a heritage item on the NSW State Heritage Register and the Gosford LEP 2014 (or the appropriate updated environmental planning instrument as applicable).

Flood Planning and Water Cycle Management

A Water Cycle Management Review (**Appendix G**) has been prepared to identify appropriate flood planning levels for the site; provide recommendations on flood evacuation strategy; review riparian requirements and provide input to the indicative Concept Plan; and consider a water cycle strategy for future development in relation to stormwater infrastructure. A Flood Planning Level which accommodates a climate change and sea level rise scenario has been defined to inform the preparation of the indicative Concept Plan and objectives for future water quality treatment on site are identified. Riparian offsets have been applied to the Proposal and the indicative Concept Plan has been developed to remain outside of the maximum setback. As such, the environmental effects are considered to be acceptable.

Bushfire Hazard

The Strategic Bushfire Study (**Appendix M**) has undertaken a detailed investigation of the site landscape and bush fire constraints to inform the preparation of the indicative Concept Plan. The subject site is identified as bushfire prone land and the bushfire assessment has informed the proposed land use and bushfire protection provisions; notably preventing built development in the high risk areas within the northern portion of the site, and for the proposed development, Asset Protection Zone and access provisions. The Proposal will facilitate new uses and improvements to access, infrastructure and emergency services which will greatly improve the existing level of bushfire emergency management and ensure an adequate level of bushfire protection for the new uses. As such, the environmental effects in relation to bushfire hazard are considered to be acceptable.

Contamination

As set out in the Detailed Site Investigation (DSI) (**Appendix L**), targeted site investigations and sampling has been undertaken across 81 locations on site. The DSI finds that the site can be made suitable for the proposed land use, subject to removal and validation of the existing underground storage tanks associated with the historic filling use and remediation and/or management of the surficial asbestos containing materials, buried asbestos and heavy metals identified above the ecological criteria. As such, the environmental effects are considered to be acceptable.

Q9. Has the planning proposal adequately addressed any social and economic effects?

As set out in the Social Impact Assessment (Appendix K) and Economic Statement (Appendix R) the Planning Proposal will have a range of social and economic effects. Key social and environmental effects and proposed mitigation measures are as follows:

Social

- The capacity for approximately 267 new dwellings in a range of dwelling types and lot sizes to provide housing choice for the growing Central Coast population.
- The Planning Proposal includes new housing and commercial uses which will lead to the addition of new residents and visitors into the existing Mooney Mooney community. Targeted stakeholder consultation

undertaken highlighted that residents are concerned about the impacts of the increased population and therefore mitigation measures are proposed including:

- Undertaking further community engagement during future design development phases to ensure that future development reflects community values and aspirations.
 - Considering staging of development to allow existing communities to adapt to the likely growth in residential densities and new uses in the area.
 - Explore opportunities for community development activities during the planning and implementation phases of the Proposal including where existing and new residents can engage.
- The potential for increased housing choice for existing residents, via townhouses and apartments. These new dwelling types may provide more affordable home ownership options for new and existing residents, as well as opportunities to downsize or age in place while remaining connected to the existing Mooney Mooney community. However, the new dwelling types may result in potential changes to the social composition of the community and may change the character of the existing community. A proposed mitigation measure is to ensure new housing forms are similar to existing housing to minimise disruption to the local community character.
 - Improved opportunities for local recreation activities including increased dedicated parkland areas and waterfront access with 9.65ha of public accessible open space, plus 10.4ha of environmental conservation area. Increased opportunities for recreation, physical activity and enjoyment of the surrounding environment resulting from creation of new foreshore walking tracks and open spaces. Measures to be implemented for future development phases should ensure that the open space (i.e. parkland and foreshore walks) created through the Planning Proposal is of a high spatial, architectural and design quality to maximise the benefits of the scheme for the new and existing residents of Mooney Mooney and visitors to the area. This is to mitigate any impacts on the natural environment of increased residential and visitor population, which may undermine the amenity and lifestyle of the area.
 - Increased opportunities for residents to connect with and enjoy the natural environment through the creation of new walking tracks and foreshore parkland in Mooney Mooney and on Peat Island and improved access to open space on Peat Island. Future development should ensure that Peat Island redevelopment incorporates public access, to enhance the resident and visitor population's access to natural settings in the area, and to mitigate the loss of open space as a result of the future development.
 - Potential increased community pride associated with increased housing and recreation opportunities, new tourism and recreation uses, increased numbers of visitors, and the regeneration of the area as catalysed by the Planning Proposal. To mitigate any impacts on the existing resident's sense of place, community engagement should be undertaken for future phases to specifically address sense of place within the local community, to assist in defining sense of place to be reflected in future development
 - Potential enhanced connection to place arising from re-development of Peat Island in a way that preserves and celebrates European and Aboriginal heritage and increases community access to the site; providing access and the heritage significance of Peat Island for both the local and wider community including providing short-stay accommodation options on-site. Increased community access to Peat Island has the potential for increased opportunities for recreation, health and wellbeing benefits, a sense of place and community ownership. To maintain this benefit for the community it should be ensured that the community can access Peat Island for the majority of the year, and that public access is maintained regardless of whether the site is used for private tourism activities.
 - The Planning Proposal may result in increased pressure on existing social infrastructure within Mooney Mooney. To mitigate this, potential opportunities from the increased population should be explored to revitalise existing social infrastructure facilities located within Mooney Mooney that are currently underutilised, including the potential for the proposed facilities on Peat Island to be made available for community purposes.
 - Enhancing access to local convenience facilities and potentially regional emergency services such as the Rural Fire Service, as well as retention of the Chapel for potential use by local community groups and a new community facility to meet community needs.
 - Local schools and childcare facilities are likely to have capacity to cater for the needs of children living in the proposed new dwellings. The Brooklyn Community Health Centre, which is approximately a 10 minute drive from Mooney Mooney is expected to have the capacity to serve the new residents of the proposed development.

Economic

- An increase in local employment opportunities through tourist accommodation and community retail uses, offering employment in different sectors to those currently predominantly found in Mooney Mooney.
- The increased population will improve the viability of existing and future businesses due to increased patronage. The additional 267 residential dwellings will generate around \$8.5 million of retail spending which would more than support the retail space proposed, without accounting for increased visitor spend associated with the tourist accommodation (**Appendix R**).
- The creation of indirect jobs and jobs related to construction and flow on effects for the supply chain and local economy.
- Potential for increased employment self-containment. Currently, many residents travel outside the local area for work, leading to long commuting times, which generate both financial and social costs for commuters. New employment opportunities in Mooney Mooney may also offer increased opportunities for active travel to work, leading to positive health and wellbeing benefits.

The Urban Design Report and indicative Concept Plan (**Appendix D**) demonstrates how the site can appropriately accommodate the proposed residential and employment generating uses and create a high amenity environment.

Section D – State and Commonwealth interests

Q10. *Is there adequate public infrastructure for the planning proposal?*

As set out in the Community Facilities Needs Analysis (**Appendix Q**) there is expected to be sufficient capacity in existing services including schools and healthcare to service the proposed new residents. The Proposal also includes additional community and retail facilities to serve the new residents. The Proposal includes 9.65ha of public accessible recreation open space, plus 10.4ha of environmental conservation area, to serve the leisure needs of the new and existing residents including waterfront access. The Proposal includes specific tangible public benefits as part of the public domain and benefits that can be secured through the amended LEP and site-specific DCP.

Q11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Consultation with the local residents and government agencies commenced in 2009 prior to the closure of the Peat Island hospital facility. To date, Property & Development NSW has engaged and actively sought community and agency feedback prior to the lodgement of this revised Planning Proposal.

A Stakeholder Consultation Summary Report is attached at Appendix T and summarised in Section 7.5.1 of this report. Community consultation summary is documented in the updated Social Impact Assessment attached at Appendix K.

Consultation with community will continue during the public exhibition process and consultation with public authorities will continue post public exhibition.

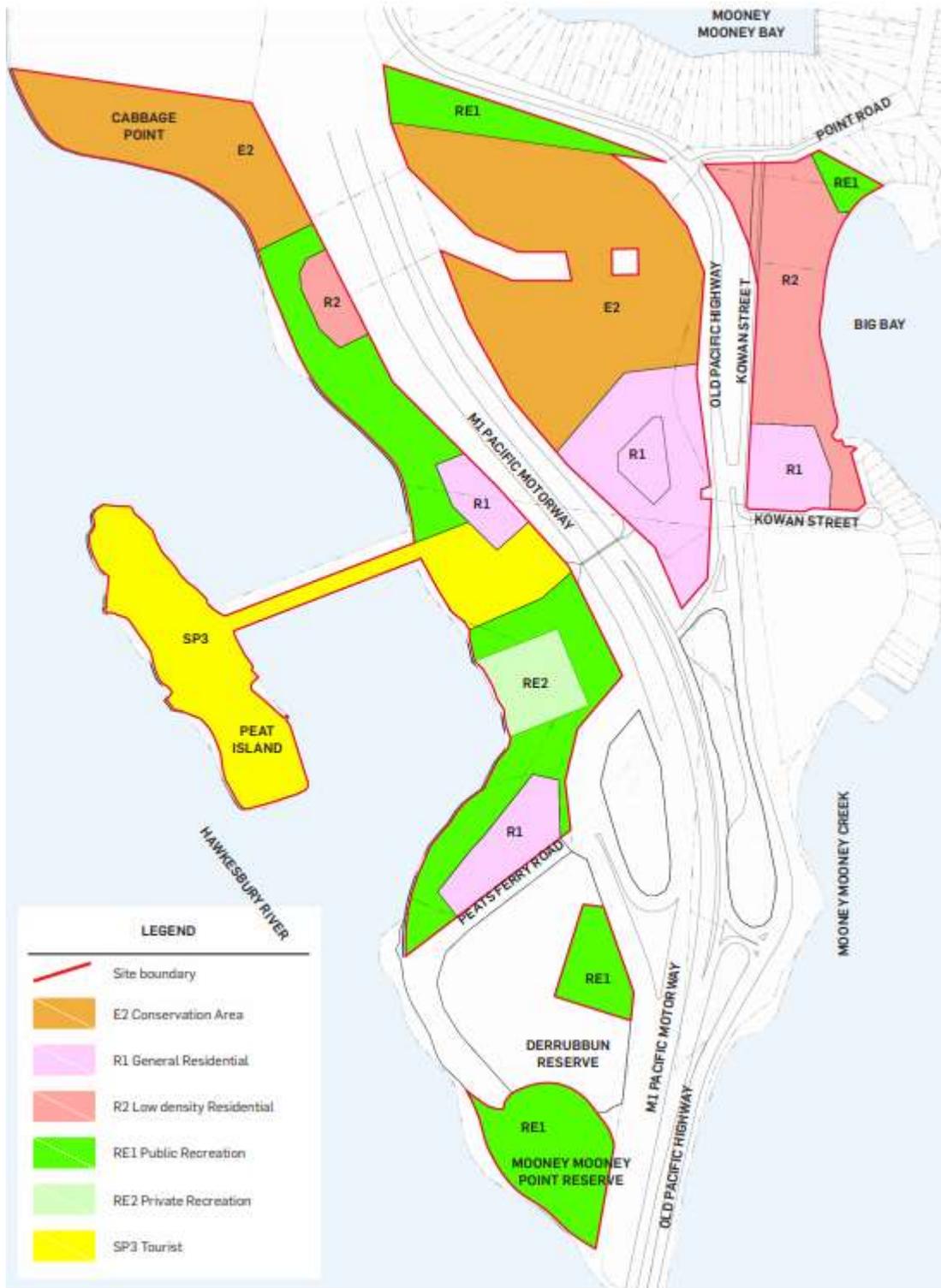
7.4. MAPPING

Five maps contained within the GLEP 2014 are proposed to be amended or included:

- Land Use Zoning Map 12A
- Height of Buildings Map 12A
- Lot Size Map 12A
- Additional Permitted Uses Map 12A
- Heritage Map 12A

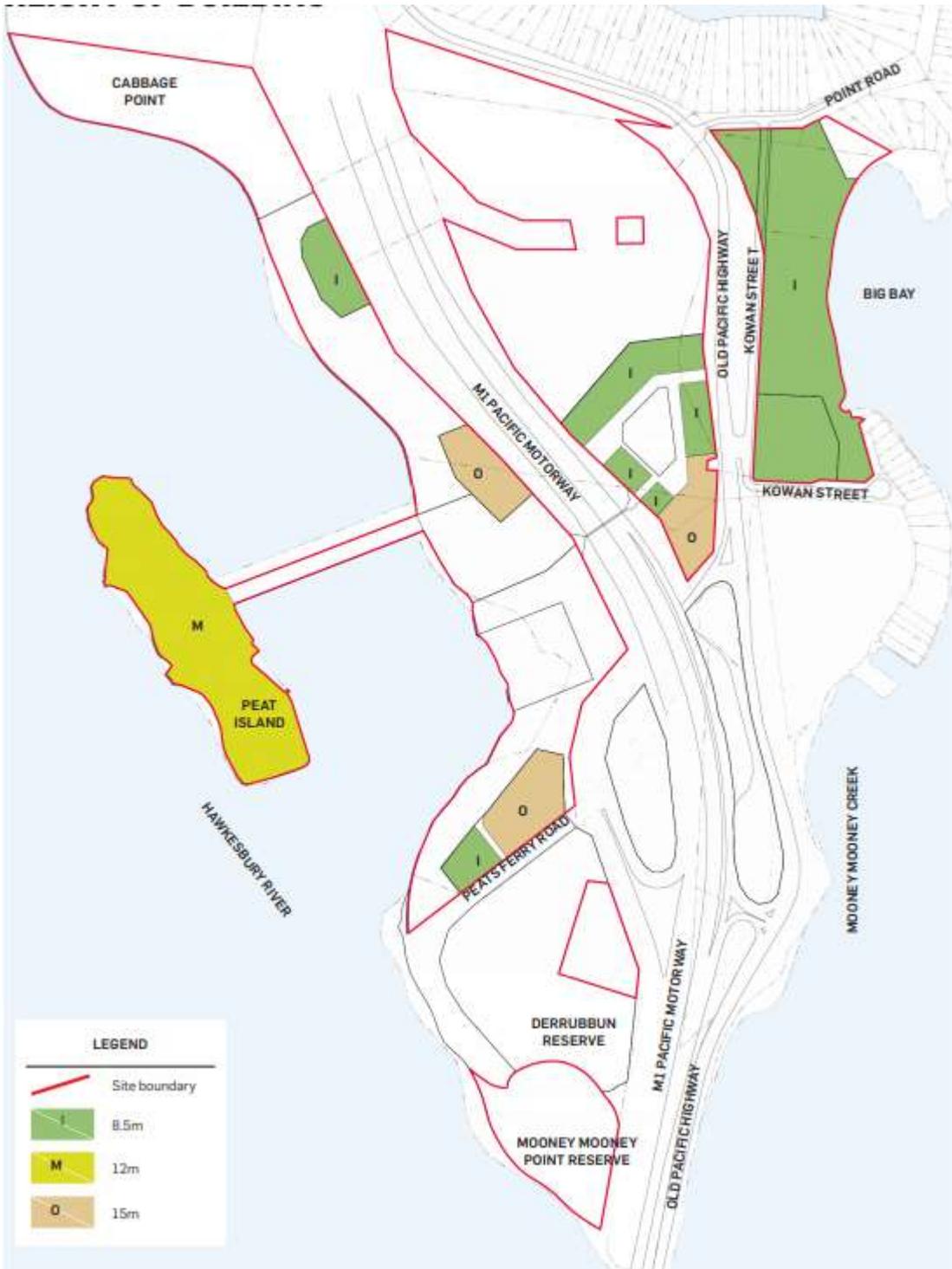
These proposed maps are provided on the following pages and also found at Appendix B.

Figure 20 Proposed amendments to GLEP 2014 Land Zoning Map 12A



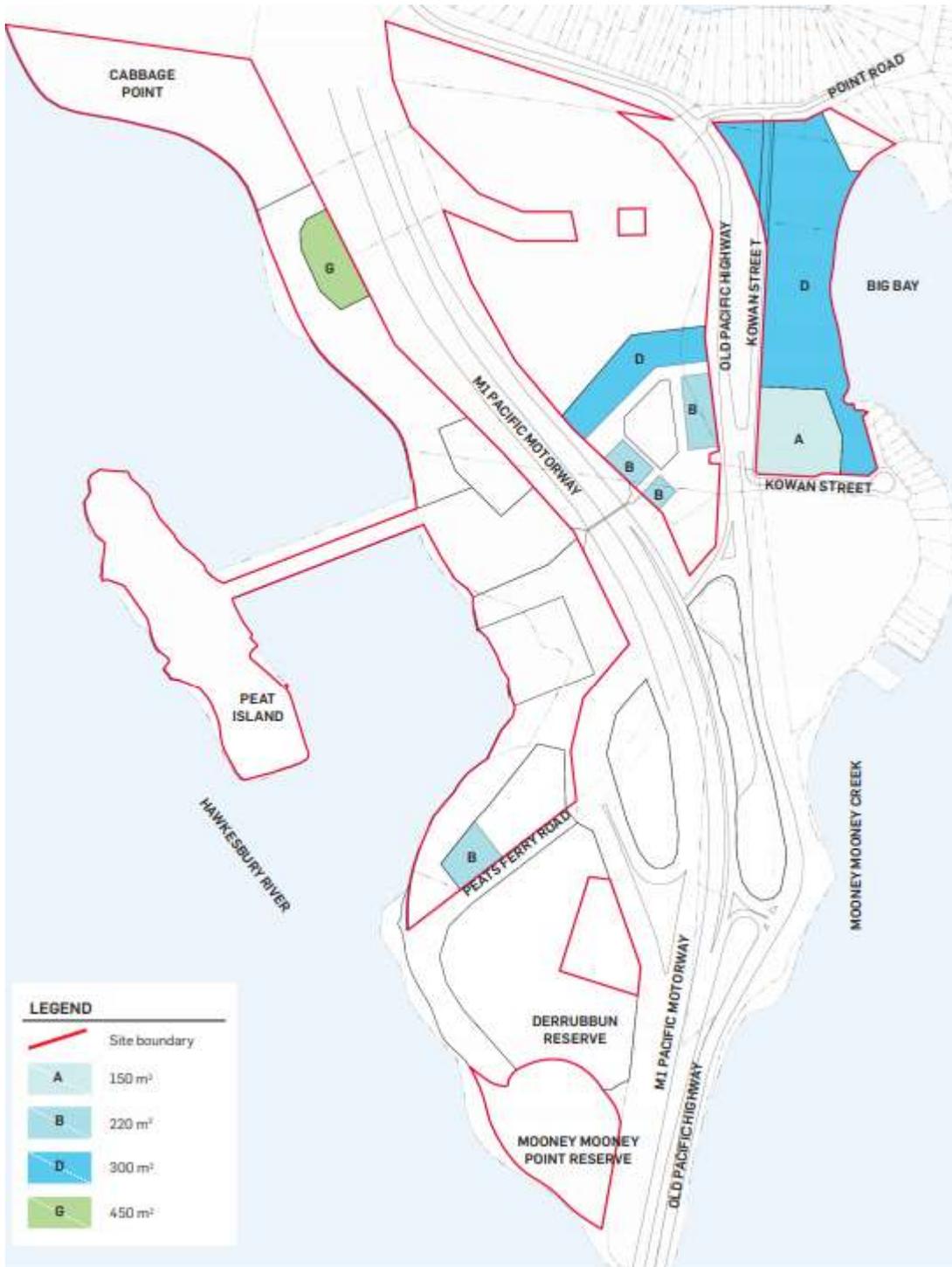
Source: [Urbis]

Figure 21 Proposed amendments to GLEP 2014 Height of Buildings Map 12A



Source: Urbis

Figure 22 Proposed amendments to GLEP 2014 Lot Size Map 12A



Source: Urbis

Figure 23 Proposed amendments to GLEP 2014 Additional Permitted Uses Map 12A

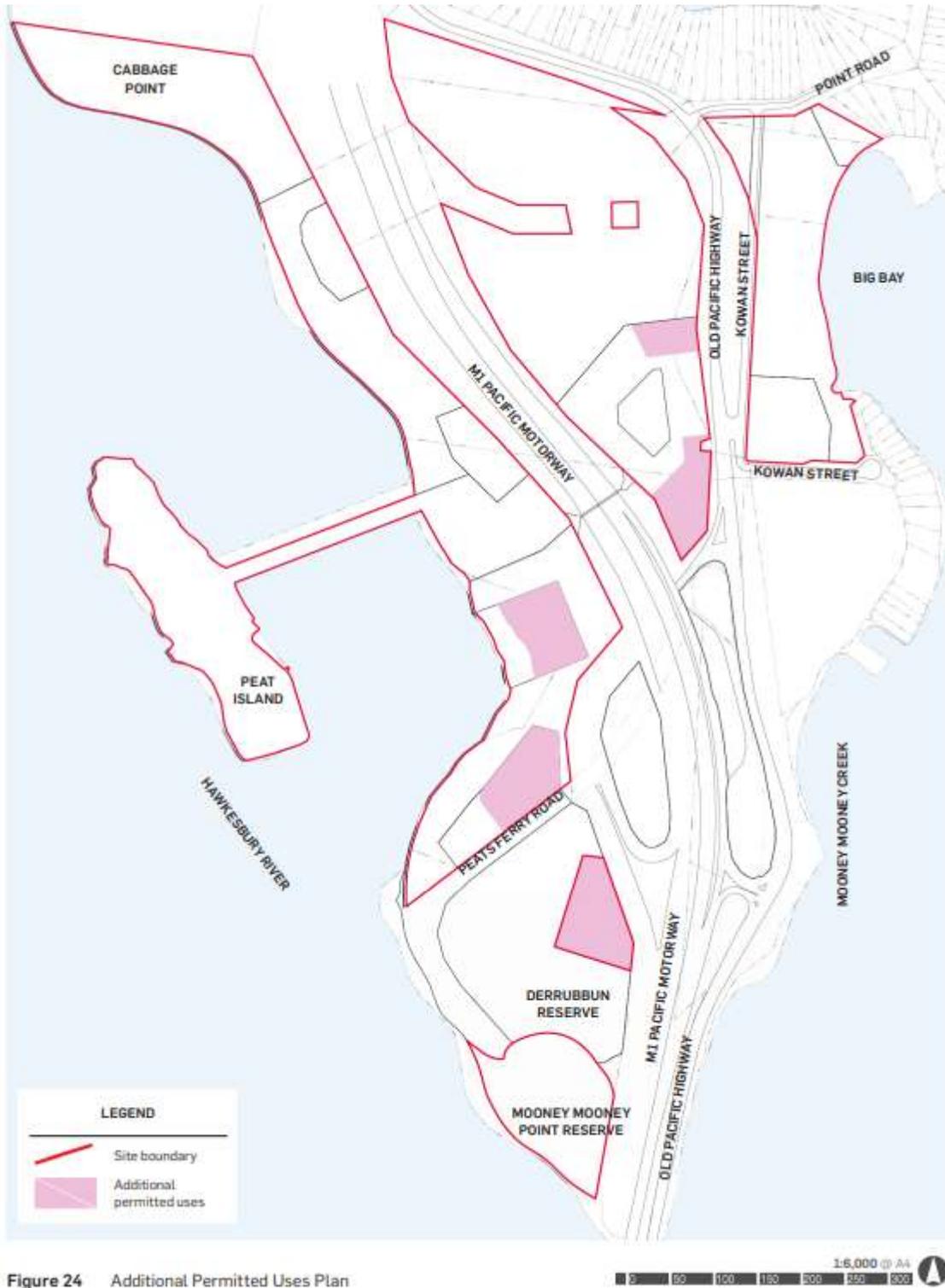
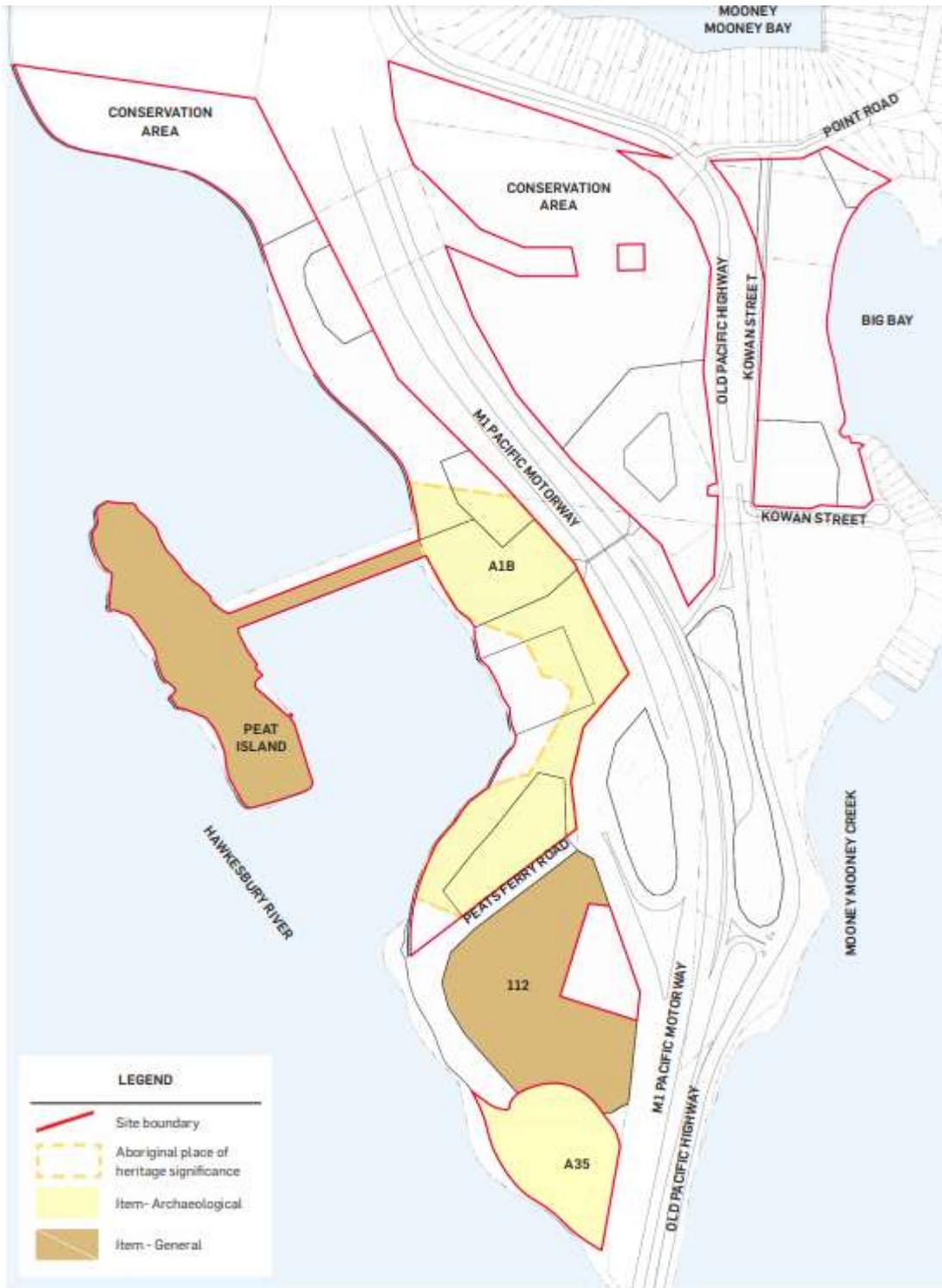


Figure 24 Additional Permitted Uses Plan

Source: Urbis

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Figure 24 Proposed amendments to GLEP 2014 Heritage Map 12A



Source: Urbis

7.5. COMMUNITY AND STAKEHOLDER CONSULTATION

Consultation with the local residents of Mooney Mooney commenced in 2009 prior to the closure of the Peat Island hospital facility. To date, Property & Development NSW has engaged and actively sought community and agency feedback prior to the lodgement of this revised Planning Proposal.

A number of methods have been used to gather information from the relevant interest groups, stakeholders and local residents. These methods included:

- Newsletters
- Community Open Day
- Stakeholder meetings, including with Mooney-Cheero Progress Association Community information sessions
- Targeted stakeholder consultation (2018 & 2019).

Community consultation summary is documented in the updated Social Impact Assessment attached at Appendix K.

In addition to DPIE and Central Coast Council, the list of engaged agencies is provided below:

- Transport for NSW (TfNSW)
- State Emergency Service
- Fire & Rescue NSW
- NSW Police
- Ausgrid
- Hornsby Shire Council
- Heritage NSW
- Local Aboriginal Land Council
- Office of Sport
- NSW Environment, Energy and Science
- National Parks and Wildlife Service
- Central Coast Local Health District
- Department of Primary Industry (Fisheries)
- Department of Primary Industries (Water)
- TAFE
- Department of Premier and Cabinet
- Crown Lands
- Department of Education
- NSW Ambulance
- NSW Rural Fire Services
- Marine Rescue NSW

A Stakeholder Consultation Summary Report is attached at Appendix T. A summary of consultation is provided below.

7.5.1. Summary of Previous Stakeholder and Community Consultation

2010

In 2010, Property & Development NSW commenced discussions with the former Gosford City Council and the then tenants of Peat Island – the Department of Ageing, Disability and Home Care. The discussions explored possible future uses and sought to gain an understanding of community needs and aspirations for Peat Island.

2011

A formal engagement process commenced in February 2011 with local residents and former Gosford City Council before the formal commencement of the rezoning process for the redevelopment of the site.

2014

The rezoning proposal was discussed at a pre-lodgement meeting with Council officers on 7 July 2014 and a briefing to Gosford City Council Councillors was held on 15 July 2014.

The Planning Proposal was formally submitted to the former Gosford Council in August 2014.

On 9 December 2014 Gosford Council resolved the Proposal to send to DPIE for Gateway Determination.

On 22 September 2015, DPIE required that a revised Planning Proposal to be prepared to address a number of issues.

2016

Property & Development NSW met with the regional office of DPIE and Central Coast Council on 5 July 2016 to discuss the matters raised in the letter.

On 4 August 2016, Property NSW also met with the state member for Hornsby; The Hon. Matthew Kean MP. The purpose of the meeting was to discuss key community views (as shown in Table 11 on page 83) on the proposal before the Planning Proposal is submitted.

In response to the matters raised, a revised Planning Proposal was submitted to Central Coast Council (Council) in November 2016.

2017

Gateway Determination was issued by DPIE on 10 August 2017. The Gateway Determination stated that while the supporting studies were sufficient, a number of conditions are required to be addressed prior to progressing the Planning Proposal further.

In September 2017, Property & Development NSW met directly with Transport for NSW (TfNSW) Representatives at King Street Newcastle Offices to discuss the planning proposal.

In October 2017, Property & Development NSW provided TfNSW with land access for bridge works at Peat Island on the Hawkesbury River.

On 10 October 2017, a state agency briefing was held for all agencies.

2018

During 2017 and 2018, Property & Development NSW worked on responding to the conditions of the Gateway Determination, including addressing stakeholder feedback from agencies.

In May 2018, correspondence received from TfNSW on the planning proposal.

In August and September 2018, Mott MacDonald received advice and feedback from TfNSW on the Mooney Mooney traffic study.

In December 2018, Property & Development NSW submitted the first revision of the Planning Proposal Addendum to Central Coast Council, including additional technical reports, for review prior to commencement of public exhibition.

2019

In February 2019, correspondence received from TfNSW.

In March 2019, Council provided its feedback on the Planning Proposal Addendum Package. Council identified additional work to progress the Planning Proposal to public exhibition.

Throughout April to October 2019, Mott MacDonald received separate feedback from TfNSW on the revised traffic study and analysis.

In May 2019, inspection of the Chapel Building was held between Council and Property & Development NSW.

In September 2019, Mott MacDonald received further advice from TfNSW on the SIDRA traffic modelling to inform the Traffic Study.

Regular meetings with Council from September 2019 onwards.

In November 2019:

- Property & Development NSW emailed TfNSW to seek support on the Emergency Services Precinct in order to create an Emergency Services Working Group to commence design planning for the area.
- Inspection of Peat Island was held between Council and Property & Development NSW.

2020

In January 2020, a teleconference was held between Property & Development NSW and TfNSW to discuss land ownership issues and actions arising regarding the site, including the Emergency Services Precinct.

In February 2020, Property & Development NSW met with Council and a local community member.

In March 2020, meeting was held with Sydney Water to address Sydney Water and Council comments on the Water Cycle Report prepared by Mott MacDonald.

In April 2020:

- Property & Development NSW issued correspondence to Council on responses to the Site-Specific DCP.
- Meeting was held with Rural Fire Services (RFS) to confirm the location and site requirements of the RFS facility.

In May 2020, discussions commenced with Council on Lot 9 DP 863305.

In June 2020:

- Property & Development NSW provided an update meeting with DPIE representatives.
- Property & Development NSW also met with Council and a local community member.
- Meeting was held with Marine Rescue NSW to discuss the status of the Planning Proposal. Discussions on a joint facility with RFS and Marine Rescue was considered to be supportive.

In July 2020:

- Marine Rescue confirmed site requirements for a Marine Rescue Facility. Property & Development NSW confirmed the preferred locations are not developable due to environmental constraints. Further discussions are to be held to discuss alternative options.
- Crown Lands agreed to proceed with vesting arrangements of Lots 7, 8 and 9 DP 1180499.

In August 2020:

- Council confirmed that they do not wish to take ownership of either the Chapel or the School. Property & Development NSW reissued correspondence requesting Council's preferred location for a Community Facility.

In September 2020:

- Property & Development NSW met with Council to inspect the School Building and Chapel to assist in their response on the preferred community facilities location.
- Support was given by TfNSW for the inclusion of TfNSW-owned land within the Planning Proposal, including Lots 9, 11 & 12 in Deposited Plan 863305. TfNSW is happy to enter into discussions to confirm mechanism of land ownership/management post public exhibition.
- Office of Sport agreed to enter into discussion regarding the shared use of the Milson Island Jetty with RFS and Marine Rescue and provided in-principle support of the Planning Proposal.
- Property & Development NSW issued correspondence to Ausgrid seeking confirmation of support of the proposed substation location.

In October 2020, Ausgrid provided a response and confirmed no objections to the proposal, noting further discussions to be undertaken (post exhibition) on an easement for the connection of the proposed substation.

On 20 October 2020, Council confirmed in a letter that on balance, the Chapel and precinct would be the preferred area for the development of a community facility. In principle, Council could accept the redevelopment of the Chapel and precinct for a new community facility subject to entering into a planning agreement and ensuring that security of funding and design is provided.

On 9 November 2020, a second Planning Proposal Addendum package was issued to Council.

2021

Reoccurring fortnightly meetings with Council throughout 2021 to progress the revised Planning Proposal to public exhibition.

Monthly Project Control Group meetings with State Agencies to provide project status updates on the Planning Proposal and progress on responding to agencies requirements. Agencies include:

- DPIE, Planning
- NSW Crown Lands, DPIE
- Transport for NSW
- NSW Rural Fire Services
- Marine Rescue NSW
- NSW National Parks and Wildlife Service, DPIE

In April 2021, an updated Memorandum of Understanding between Property & Development NSW and Darkinjung Local Aboriginal Land Council (DLALC) was executed to continue to develop a plan to realise the potential of the land. PDNSW and DLALC meet on a regular basis. A copy of the Memorandum of Understanding has been provided to Council.

In May 2021:

- the Peat Island / Mooney Mooney Community Reference Group (**PIMMCRG**) was established to provide a consultative forum, guidance and an information point between the community and Property & Development NSW on the use of community facilities and public spaces. The PIMMCRG meet on a monthly basis.
- On 12 May 2021, Property & Development NSW met with the Planning Delivery Unit (**PDU**), DPIE. PDU provided case management support to ensure current items inhibiting progress of Planning Proposal can be resolved in a timely manner. Property & Development NSW met with PDU on a regular basis including participation at the fortnightly Council meetings to progress the Planning Proposal.
- On 22 May 2021, Property & Development NSW attended the Dedication Service of the Peat Island Chapel. The service held was to dedicate the Chapel to the memory of the residents and families of the Peat Island Facility.

In July 2021:

- On 5 July 2021, a meeting was held with Aboriginal Housing Office (**AHO**) to discuss and explore opportunities available with AHO to provide social and/or affordable housing in the precinct.
- On 7 July 2021, a meeting was held with Council to determine final matters to resolve and determine a pathway for resolution to progress the Planning Proposal.
- On 12 July 2021. A meeting was held with Land and Housing Corporation (**LAHC**) to discuss and explore opportunities available with LAHC to provide affordable housing in the precinct.

7.5.2. Public Exhibition and Agency Consultation

As part of the Planning Proposal process, it is anticipated that further public consultation will occur.

Clause 3.34 of the *Environmental Planning and Assessment Act 1979* requires the relevant planning authority to consult with the community in accordance with the gateway determination. The Gateway Determination stated:

“I am aware that there is considerable community interest in the future of this site and note Council's resolution for 3 months community consultation. While the Gateway determination sets a minimum 28 day community consultation requirement, nothing prevents Council from undertaking further community consultation. I encourage Council and Property NSW to work collaboratively with the community to ensure all interested parties are aware of what is proposed and are provided with an opportunity to have their views considered.”

Central Coast Council has confirmed that the updated Planning Proposal would be publicly exhibited for 3 months.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in the local newspaper(s)
- A notice on the Central Coast Council website.
- Written correspondence to adjoining and surrounding landowners.

The Planning Proposal package would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation. It is requested that all the technical documentation supporting the Planning Proposal request are exhibited.

7.6. PROJECT TIMELINE

The following table sets out the anticipated project timeline in accordance with the DPIE guidelines. The key milestones and overall timeframe will be subject to further detailed discussions with Council and the DPIE.

Table 10 Anticipated Project Timeline

Process	Indicative Timeframe
Commencement and completion dates for public exhibition period.	Q3 - Q4 2021
Timeframe for consideration of submissions and government agency consultation post exhibition.	Q4 2021
Timeframe for the consideration of the proposal post exhibition.	Q 4 2021 - Q1 2022
Date of submission to the Department to finalise the LEP.	Q1 2022

8. CONCLUSION

This Planning Proposal Report has been prepared on behalf of Property & Development NSW and seeks amendments to Gosford Local Environmental Plan 2014 (GLEP 2014) for surplus Government owned land at Peat Island and Mooney Mooney.

The aim of the Planning Proposal is to facilitate the future redevelopment of the site, for a mix of residential, community, tourism and employment generating land uses.

The Planning Proposal was originally submitted to Central Coast Council in November 2016. Gateway Determination was issued by the Department of Environment and Planning (DP&E) on 10 August 2017. The Gateway Determination included a number of conditions, which requires the Planning Proposal to be resubmitted to the Department upon completion of agency consultation and resolution of issues, prior to community consultation commencing.

Since August 2017, Property & Development NSW has undertaken a significant amount of consultation with public authorities, the community and Central Coast Council, including the submission of Planning Proposal addendums to Council in December 2018 and November 2020 for review and comments.

Iterative design process has also been undertaken to develop the indicative Concept Plan to inform the LEP amendments, which better addresses the environmental and heritage value of the site, including the following:

- Aboriginal Cultural Heritage Assessment
- Heritage Significance Assessment;
- Riparian and Aquatic Constraints Assessment;
- Flora and Fauna Assessment;
- Biodiversity Certification Assessment;
- Strategic Bushfire Study;
- Traffic and Transport Assessment;
- Infrastructure and Utilities;
- Water Cycle Management Review;
- Environmental Noise Assessment; and
- Visual Impact Assessment.

In addition, a Heritage CMP, a Microbat Management Plan and a Site Specific Development Control Plan (DCP) have been prepared to accompany the Planning Proposal and facilitate future management of the site.

More importantly, this Planning Proposal is in the public's interest and will provide significant economic and community benefits to the local community and wider Gosford area including:

- The Planning Proposal is generally consistent with Regional planning strategic goals set out in the Central Coast Regional Plan. It is also generally consistent with relevant SEPPs and Section 9.1 Directions.
- Extensive technical studies have been prepared to support the Planning Proposal and to demonstrate that the proposed land uses, and envisaged densities will not have any adverse impacts on the surrounding environment.
- The rezoning of the site will make a valuable contribution to the diversity and quality of housing in Mooney Mooney and will create new local employment opportunities.
- The future redevelopment of the site as proposed by this rezoning will make a valuable and positive contribution to the provision of much needed local convenience retailing and community facilities within the local catchment.

- The creation of a network of open space, public foreshore access, improved connections between the existing community and new development will not only benefit the site but also the wider community and tourists.
- The indicative Concept Plan responds positively to the site conditions and surrounding environment. The indicative Concept Plan has been developed having carefully considered and assessed all the existing site constraints, the significant opportunity to become the southern gateway to the Central Coast and ensuring that development aspirations for the site are realistic, sustainable and achievable.

Following detailed analysis of the site and its surrounding context, and the applicable State, regional and local planning policies, we are firmly of the view that there is clear site specific and strategic planning merit to the Planning Proposal. The Planning Proposal has appropriately addressed agencies concerns and the Gateway Determination conditions.

DISCLAIMER

This report is dated 2 August 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Property & Development NSW (**Instructing Party**) for the purpose of Planning Proposal (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

INDICATIVE CONCEPT PLAN

APPENDIX B

LEP MAPS

APPENDIX C

**SITE SPECIFIC DEVELOPMENT
CONTROL PLAN**

APPENDIX D

URBAN DESIGN REPORT

APPENDIX E

**HERITAGE CONSERVATION
MANAGEMENT PLAN**

APPENDIX F

UTILITIES INFRASTRUCTURE REPORT

APPENDIX G

WATER CYCLE REPORT

APPENDIX H

**TRAFFIC AND TRANSPORT
ASSESSMENT**

APPENDIX I

BIODIVERSITY CERTIFICATION ASSESSMENT REPORT AND MICROBAT MANAGEMENT PLAN

APPENDIX J

**RIPARIAN AND AQUATIC
CONSTRAINTS ASSESSMENT**

APPENDIX K

SOCIAL IMPACT ASSESSMENT

APPENDIX L

TARGETED SITE INVESTIGATION

APPENDIX M

STRATEGIC BUSHFIRE STUDY

APPENDIX N

ENVIRONMENTAL NOISE ASSESSMENT

APPENDIX O

**ABORIGINAL CULTURAL HERITAGE
ASSESSMENT**

APPENDIX P

**EUROPEAN HERITAGE IMPACT
ASSESSMENT**

APPENDIX Q

COMMUNITY NEEDS STATEMENT

APPENDIX R

ECONOMIC STATEMENT

APPENDIX S

VISUAL IMPACT STATEMENT

APPENDIX T

CONSULTATION SUMMARY

APPENDIX U

LETTER OF OFFER

APPENDIX V

SITE SURVEY

