

Employment & Resources	Comments
.1 Business & Industrial Zones	
Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified centres. Applies when a planning proposal affects land within an existing or proposed business or industrial zone.	Not Applicable The proposal does not affect land within an existing or proposed business or industrial zone.
1.2 Rural Zones	
Aims to protect the agricultural production value of rural land. Applies when a planning proposal affects land within an existing or proposed rural zone.	Not Applicable The proposal does not affect land within an existing or proposed rural zone.
1.3 Mining, Petroleum Production and Extractive Ind	ustries
Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	Applicable The proposal is located within land affected by coallease CCL 707. Supporting correspondence attached to the proposal indicates that the rezoning of the site would not impact the likely potential for future resource extraction in the area. Subsidence Advisor NSW has advised that there is no objection to the proposed rezoning. Future surface development will be subject to the concurrence of Subsidence Advisory NSW. The Proposal is consistent with this direction.
.4 Oyster Aquaculture	
Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers. Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use	Not Applicable The proposal does not affect land within a Priorit Oyster Aquaculture Area.

of land between oyster aquaculture in a Priority



Employment & Resources	Comments
Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.	
1.5 Rural Lands	
 Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes. Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone. 	Applicable The proposal includes land within an existing rural zone (E2 and E3 land). The land is not currently utilised for agricultural production and is unlikely to suit this purpose in the future, given the growing residential population in the vicinity of the site. The proposal considers the environmental constraints of the land and incorporates a biodiversity corridor to protect native vegetation and biodiversity. The site is also identified within the North Wyong Shire Structure Plan as a future residential development precinct (subject to investigation) and therefore the proposal is consistent with strategic plans for the area. The Proposal is consistent with this direction.

Environment & Heritage	Comments
2.1 Environmental Protection Zones	
 Aims to protect and conserve environmentally sensitive areas. Applies when the relevant planning authority prepares a planning proposal. 	Applicable The proposal facilitates the protection and conservation of environmentally sensitive areas. A Biodiversity Certification Assessment Report (BCAR) has been prepared by Travers Bushfire and Ecology (2019) to support the proposal. The BCAR identifies one Endangered Ecological Community (EEC) on the site - Swamp Sclerophyll Forest on Coastal Floodplains of the NSW NC, SB and SEC Bioregions. This EEC is predominantly located within the existing E2 Environmental Conservation zoned area of the site. This portion of the site is identified as an inter-regional corridor within the strategic regional planning framework (Central Coast Regional Plan) and is not proposed to be rezoned from the existing E2 zone.



Environment & Heritage	Comments
	The BCAR also identifies that the remainder of the site contains actual and potential habitat for several threatened fauna species (including microbats and squirrel gliders).
	The site also forms part of a local corridor connecting the riparian corridor through the site to the north. The proposal includes the loss of some of this habitat. However, the increased width of the biodiversity corridor and the proposal to zone this land to E2 Environmental Conservation and prepare a Vegetation Management Plan for this site, will ensure that environment protection on this site is improved and the inter-regional corridor is solidified in perpetuity. To this end, a Habitat Corridor Functional Analysis has been prepared to support the Proposal. The Analysis proposes mitigation measures to improve the functionality of the corridor, including: • Glider pole installation on Mulloway Road and Teraglin Drive. • Terrestrial culverts off Mulloway Road. • Planting of fast-growing foraging tree species within the Mulloway Road frontage of the corridor.
	The Proposal is inconsistent with this direction.
	However, it is considered that the inconsistency is minor due to the reasons listed above.
2.2 Coastal Management	
Aims to protect and manage coastal areas of NSW	Applicable
Applies when a planning proposal applies to land within the coastal areas of NSW	The subject site is located on land which is within a
within the coastal areas of NSW	coastal environment area. An assessment of the proposal against the <i>Principles of the NSW Coast Policy</i> has been undertaken (see <i>Assessment & Endorsement – F. Coastal Policy Assessment</i>).
	The proposal is generally consistent with the Principles of the Coastal Policy NSW. The proposal does not include land within a Coastal vulnerability area, nor is it in a coastal hazard area or a coastal wetland/littoral rainforest area.
	Through the site's inclusion within the North Wyong Shire Structure Plan (NWSSP) as a future



Environment & Heritage	Comments	
	development precinct, the proposal is considered consistent with the <i>Coastal Design Guidelines</i> (2003).	
	The Proposal is consistent with this direction.	
2.3 Heritage Conservation		
 Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority prepares a planning proposal. 	Applicable The AHIMS database has identified three (3) Aboriginal sites recorded near the subject site. The proposal was supported by a preliminary Aboriginal heritage assessment (see Supporting Documentation). Whilst this did not identify items or sites of significance, further investigative studies were required, post-gateway determination in accordance with the OEH Guidelines for Aboriginal Heritage Investigations for Proponents (2010). An Aboriginal Cultural Heritage Assessment Report (February 2019) prepared by Mary Dallas Consulting Archaeologists states that no Aboriginal archaeological remains or areas of archaeological potential were identified during the assessment. The report recommended a full assessment of the site in accordance with OEH guidelines for Proponents be undertaken prior to construction (see Supporting	
	Documentation). The Proposal is consistent with this direction.	
2.4 Recreational Vehicle Areas	The Proposal is consistent with this direction.	
Aims to protect sensitive land or land with	Applicable	
 significant conservation values from adverse impacts from recreational vehicles. Applies when the relevant planning authority prepares a planning proposal. 	The proposal does not seek land to be developed for the purpose of a recreation vehicle area. The Proposal is consistent with this direction.	
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs		
 Aims to ensure that a balanced and consistent approach is taken when applying environmental protection zones and overlays to land on the NSW Far North Coast. 	Not Applicable This Direction does not apply to the Central Coast LGA or former Wyong or Gosford LGAs.	
2.6 Remediation of Contaminated Lands		
 Aims to reduce the risk of harm to human health and the environment by ensuring that 	Applicable	



Environment & Heritage	Comments
contamination and remediation are considered by planning proposal authorities.	This direction applies due to the land being known to have been utilised for agricultural/horticultural activities, a Table 1 land use within the contaminated land planning guidelines.
	A Preliminary Site Investigation for Contamination has been prepared by Douglas Partners (2016) and has found that the there is a low potential for widespread contamination given the past site activities (see <i>Supporting Documentation</i>). Localised potential contamination sources were identified in the northern portion of the site in and around the building footprint. These localised potential contamination issues can be readily addressed through investigation and localized remediation if required.
	Based on this assessment, it is determined the site is generally considered compatible with the proposed residential land use. A Stage 2 Contamination Assessment may be required as part of DA conditions.
	The Proposal is consistent with this direction.

	Housing, Infrastructure & Urban Development	Comments
3.1	Residential Zones	
•	Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands. Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	Applicable The site is located within a nominated long term development precinct by the NWSSP. The timing for the early release is justified through completion of mining activities within the locality and availability of supporting infrastructure. The proposed lot size to be applicable to the site will be consistent with the general 450m² applicable to other land zoned R2 zoned under Wyong LEP 2013. Consent for the development of the site will not be granted until such time as essential services are connected (Clause 7.9 Wyong LEP 2013), in addition to any state infrastructure requirements being provided (Part 6 Wyong LEP 2013).



Housing, Infrastructure & Urban Development	Comments
	The Proposal is consistent with this direction.
3.2 Caravan Parks and Manufactured Home Estate	S
 Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates. Applies when the relevant planning authority prepares a planning proposal. 	Applicable The current zoning of the site does not permit caravan parks. The proposed zoning will continue to prohibit caravan park development. The Proposal is consistent with this direction.
3.4 Integrating Land Use & Transport	
 Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight. Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. 	Services – Planning Policy. The proposal includes a proposal to provide a shared pathway connection through the site from Mulloway Road to the southern end of the site, eventually connecting through to the pathway crossing Karignan Creek. The Traffic Impact Assessment has identified a need to augment the Pacific Highway and Chain Valley Road intersection as part of this PP and other concurrent PPs that rely upon the same intersection. The provision of this intersection is currently in the planning stages with Transport for NSW. The Proposal is consistent with this direction.
3.5 Development Near Regulated Airports and De	fence Airfields
Aims to ensure the effective and safe operation of regulated airports and defence airfields; that their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity,	Not Applicable The site is not located in the vicinity of a licensed aerodrome.



	Housing, Infrastructure & Urban Development	Comments	
•	development if situated on sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. Applies when a planning proposal creates, alters or removes a zone or provision relating to land near a regulated airport which includes a defence airfield.		
3.6	5 Shooting Ranges		
•	Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	Not Applicable The proposal is not located in the vicinity of a shooting range.	
3.7	3.7 Reduction in non-hosted short-term rental accommodation period		
•	Aims to mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be	Not Applicable Applies to Byron Shire Council. This Direction does	

Hazard & Risk	Comments
4.1 Acid Sulfate Soils	
 Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps. 	Applicable The subject site is Class 5 acid sulfate soils (located within 500m of a Class 1 and 2 acid sulfate soil). As far as potential for ASS is concerned any related impact can be dealt with at the DA stage. The Proposal is consistent with this direction.

reduced and ensure the impacts of short-term

are considered.

rental accommodation and views of the community

not apply to the Central Coast LGA or former Wyong

or Gosford LGAs.



	Hazard & Risk	Comments
•	Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence. Applies when a planning proposal permits development on land which is within a mine subsidence district or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.	Applicable The subject site is located within the Swansea/North Entrance Mine Subsidence District. The proposal is located within land affected by coal lease CCL 707. Supporting correspondence attached to the proposal indicates that the rezoning of the site would not impact the likely potential for future resource extraction in the area. Subsidence Advisory NSW and Geological Survey NSW have both advised advised that there is no objection to the proposed rezoning. Future surface development will be subject to the concurrence of Subsidence Advisory NSW. The Proposal is consistent with this direction.

4.3 Flood Prone Land

- Aims:
 - (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.
 - (b) to ensure that the provisions of a local environmental plan that apply to flood prone land are commensurate with flood behaviour and include consideration of the potential flood impacts on and off the subject land.
- This direction applies when a planning proposal authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

Applicable

The southern portion of the subject site is affected by both the 1% Annual Exceedance Probability (AEP) and Probable Maximum Flood (PMF) events occurring within Lake Macquarie.

A Flood Study and Impact Assessment has been prepared by WMA Water (2018). This current study considers flooding from:

- Lake Macquarie waterway;
- Karignan Creek;
- overland flow across the site.

The Flood Study identifies that no future residential development will be situated within the 1% AEP + 0.5m Flood Planning Level.

The Proposal is consistent with this direction.

4.4 Planning for Bushfire Protection

- Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.
- Applies when a planning proposal affects/is in proximity to land mapped as bushfire prone.

Applicable

The concept plan as submitted has demonstrated through supporting studies that compliance with the provisions of *Planning for Bushfire Protection* (PBP) 2019 can be achieved.

A Bushfire Protection Assessment has been prepared by Travers Bushfire and Ecology (2018).



Hazard & Risk	Comments
	The assessment has concluded that future development on site will provide compliance with the planning principles of Planning for Bushfire Protection 2019 and Community Resilience Practice Note 2/12 – Planning Instruments and Policies, subject to the use of the short fire run (SFR) methodology for the proposed RE1 portion of land to the west and north. This area is identified as low
	risk vegetation due to its consistent linear width which is at right angles to the development. The proposal incorporates appropriate APZ's and a fire trail along the western boundary of the site. The Proposal is consistent with this direction.

Regional Planning	Comments	
5.2 Sydney Drinking Water Catchments		
 Aims to protect water quality in the hydrological catchment. Applies when a relevant planning authority prepares a planning proposal that applies to Sydney's hydrological catchment. 	Not Applicable. This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast		

• Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning; and reduce land use conflict arising between agricultural use and nonagricultural use of farmland caused by urban encroachment into farming areas.

Not Applicable.

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

5.4 Commercial and Retail Development along the Pacific Highway, North Coast

 Aims to manage commercial and retail development along the Pacific Highway, North Coast.

Not Applicable

Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).



Regional Planning	Comments	
5.9 North West Rail Link Corridor Strategy		
 Aims to promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL) and ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and Structure Plans. Applies to the This Direction applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council. 	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).	
5.10 Implementation of Regional Plans		
 Aims to give legal effect to the vision, land use strategy, goals, directions and actions contained within Regional Plans. Applies when the relevant planning authority prepares a planning proposal. 	Applicable The proposal is consistent with the strategic direction established by the Central Coast Regional Plan 2036 and the North Wyong Shire Structure Plan 2012. Consistency of this Proposal with the CCRP has been assessed and can be found within Assessment & Endorsement – B. CCRP Assessment. The Proposal is consistent with this direction.	
5.11 Development of Aboriginal Land Council Land		
 Aims to provide for the consideration of development delivery plans prepared under State Environmental Planning Policy (Aboriginal Land) 2019 when planning proposals are prepared by a planning proposal authority. Applies when the relevant planning authority prepares a planning proposal for land shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019. 	Not Applicable Land within the Planning Proposal is not shown on the Land Application Map of State Environmental Planning Policy (Aboriginal Land) 2019.	

Local Plan Making	Comments	
6.1 Approval and Referral Requirements		
 Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority prepares a planning proposal. 	Applicable The proposal does not seek to include additional approval or referral requirements. The Proposal is consistent with this direction.	



Local Plan Making	Comments	
6.2 Reserving Land for Public Purposes		
 Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal. 	Applicable The subject site is not identified for acquisition for public purposes. The Proposal is consistent with this direction.	
6.3 Site Specific Provisions		
 Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out. 	Applicable The proposal does not seek to apply specific site- specific provisions through the LEP. Additional site- specific development control plan provisions have been prepared.	
	The Proposal is consistent with this direction.	

Comments

7.3 Parramatta Road Corridor Urban Transformation Strategy

 Aims to facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016) and the Parramatta Road Corridor Implementation Tool Kit. Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan

 Aims to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

 Aims to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).



Metropol	litan Planning	
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Comments

7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan

 Aims to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor

 The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts. Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan

• The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Stage 1 Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan dated August 2018 (the Stage 1 Land Use and Implementation Plan).

Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.9 Implementation of Bayside West Precincts 2036 Plan

 The objective of this direction is to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West Precincts 2036 Plan (the Plan). Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.10 Implementation of Planning Principles for the Cooks Cove Precinct

 The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles. Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).

7.11 Implementation of St Leonards and Crows Nest 2036 Plan

 The objective of this direction is to ensure development within the St Leonards and Crows Nest Precinct is consistent with the St Leonards and Crows Nest 2036 Plan (the Plan).

Not Applicable

This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).



Metropolitan Planning	Comments		
This direction applies to land within the St Leonards and Crows Nest Precinct in the North Sydney, Lane Cove, and Willoughby local government areas as shown on Map LAP_001 St Leonards and Crows Nest 2036 Plan Ministerial Direction published on the Department of Planning, Industry and Environment website on 29 August 2020.			
7.12 Implementation of Greater Macarthur 2040			
 The objective of this direction is to ensure that development within the Greater Macarthur Growth Area is consistent with the Greater Macarthur 2040 dated November 2018. This direction applies to Camden Council, Campbelltown City Council, and Wollondilly Shire Council. 	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		
7.13 Implementation of the Pyrmont Peninsula Place Strategy			
 The objectives of this direction are to: (a) facilitate development within the Pyrmont Peninsula that is consistent with the Pyrmont Peninsula Place Strategy (Place Strategy) and the Economic Development Strategy, This direction applies to land subject to the Pyrmont Peninsula Place Strategy in the City of Sydney local government area as shown on Map LAP_001 Pyrmont Peninsula Place Strategy Ministerial Direction published on the Department of Planning, Industry and 	Not Applicable This Direction does not apply to the Central Coast Local Government Area (or former Wyong or Gosford LGAs).		

Environment website on 11 December 2020.