



# **Interim Darkinjung Development Delivery Plan**

February 2019



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A white line starts from the top left, goes diagonally down to the right, then turns and goes diagonally up to the right, ending at the top center. A white circle is positioned on the lower diagonal segment, containing the number 1.

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# ***Introduction***

# Darkinjung Development Delivery Plan

**This Interim Darkinjung Development Delivery Plan (Interim Delivery Plan) has been prepared for the Darkinjung Local Aboriginal Land Council (Darkinjung) by the Department of Planning and Environment (The Department).**

The Interim Delivery Plan is not a development delivery plan prepared for the purposes of and in accordance with the State Environmental Planning Policy (Aboriginal Land) 2019 (SEPP). In accordance with the SEPP, it is intended that a development delivery plan be prepared for Darkinjung and approved by the Minister by 1 September 2019 to recognise the broader Darkinjung development pipeline following a more comprehensive land audit and strategic assessment.

This Interim Delivery Plan is a strategic document that identifies the first stage of the Darkinjung development pipeline. The Interim Delivery Plan is the first interim development delivery plan given effect under the section 9.1 Ministerial Direction 5.11 Development of Aboriginal Land Council land.

The Interim Delivery Plan is required to be considered when planning proposals are prepared by a planning proposal authority. The Interim Delivery Plan provides detailed guidance for sites identified through a land audit and rapid strategic assessment. By requiring planning proposals to consider the Interim Delivery Plan, it is intended that the first stage of the Darkinjung development pipeline will support economic and social opportunities for Darkinjung and its community.

The Interim Delivery Plan has been prepared in consultation with Darkinjung. Darkinjung is supportive of the Interim Delivery Plan and inclusion of sites for the first stage of the development pipeline.

This Interim Delivery Plan has been approved by the Department of Planning and Environment and is published on the Department's website.

## Darkinjung Delivery Framework


The *Aboriginal Land Rights Act 1983* was passed by the NSW Parliament to establish a network of Aboriginal Land Councils to acquire and manage land as an economic base for Aboriginal communities, as compensation for historic dispossession and in recognition of their ongoing disadvantage. The *Aboriginal Land Rights Act 1983* recognises that land is of spiritual, social, cultural and economic importance to Aboriginal people.

In 2016, the NSW Parliament's Standing Committee on State Development *Inquiry into Economic Development in Aboriginal Communities* recommended that the planning system needed to better accommodate aspirations of the *Aboriginal Land Rights Act 1983*.

The *Central Coast Regional Plan 2036* (Regional Plan) includes a direction to strengthen the economic self-determination of Aboriginal communities (Direction 6) to support implementation of the NSW Government plan for Aboriginal Affairs, *Opportunity, Choice, Healing, Responsibility and Empowerment* (OCHRE). The Regional Plan recognises that encouraging Aboriginal people to gain economic benefit from their land will support broader regional development, biodiversity and social outcomes.

Image below: New residential area under construction





The Darkinjung Delivery Framework — Consultation Paper, identified a number of issues faced by Local Aboriginal Land Councils when considering the economic use of their land, and a suite of actions to overcome some of these issues as they apply to Darkinjung and better support the achievement of Direction 6 of the Regional Plan.

Following consultation, the Darkinjung Delivery Framework now includes a SEPP and Ministerial Direction to form part of a suite of interrelated actions involving collaboration, education and revised policy to address some of the impediments faced by Local Aboriginal Land Councils participating in the planning system and in developing their land.

This Interim Delivery Plan has been prepared to support the immediate implementation of the new framework ahead of the Minister approving a development delivery plan for the purposes of the Aboriginal Land SEPP.

## Darkinjung Local Aboriginal Land Council

Darkinjung is one of 120 Local Aboriginal Land Councils in NSW established under the *Aboriginal Land Rights Act 1983*. The NSW Department of Planning and Environment recognises Darkinjung is a unique and significant land owner in the Central Coast with responsibilities to improve, protect and foster the best interests of Aboriginal persons within the region.

## About the Interim Darkinjung Development Delivery Plan

The Department has worked with Darkinjung to prepare the Interim Delivery Plan. It provides detailed guidance for sites identified through a land audit and rapid strategic assessment.

### Ministerial Direction

The new Ministerial Direction – 5.11 Development of Aboriginal Land Council land provides for this Interim Development Delivery Plan to be considered when planning proposals are prepared by a planning proposal authority.

## Planning Circular

Planning Circular PS 19-003 outlines administrative review processes available for plan-making decisions under Part 3 of the *Environmental Planning and Assessment Act 1979* for land subject to an interim development delivery plan, that is shown in the Aboriginal Land SEPP.

Local Aboriginal Land Councils can request an independent review or a rezoning review before a planning proposal has been submitted to the Department for a Gateway determination. These reviews are carried out by the regional planning panel and must consider this Interim Delivery Plan when it applies the strategic merit test to determine if a proposal should proceed

## Objectives

The objectives of this Interim Delivery Plan are:

- To identify policy considerations for plan-making for identified sites on Darkinjung owned land.
- To ensure development of priority sites is consistent with strategic plans and the related economic, environmental and social context.
- To identify proposed development outcomes that align with the Darkinjung's community land and business plan.
- To identify key issues related to the development of the priority sites and pathways for their resolution.
- To identify a program of actions to progress development outcomes for the priority sites.

Image right: Wandabaa Waraba (Spirit Turtle), the spirit of the dreamtime migrating from the past into a brighter future









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# ***Strategic Context***





## Central Coast strategic planning context

### Central Coast Regional Plan 2036

The Regional Plan provides a framework to guide growth and change on the Central Coast and includes specific actions to strengthen the economic self-determination of the Darkinjung that are of relevance to the Interim Delivery Plan which are:

*Action 6.1 — Collaborate with Central Coast Council and the Darkinjung Local Aboriginal Land Council to strategically assess the Land Council's land holdings and identify priority sites to create a pipeline of projects.*

*Action 6.2 — Incorporate the outcome of the assessment into a revised North Wyong Shire Structure Plan.*

This Interim Delivery Plan presents the outcome of the initial review of Darkinjung sites, an analysis of environmental and land use constraints and recognises the first stages of the Darkinjung development pipeline. It will guide planning decisions for these sites and assist in the delivery of regional housing and employment needs.

### North Wyong Structure Plan

The North Wyong Shire Structure Plan is applicable to lands in the north of the Central Coast Region and identifies where and when development is planned to occur and ensure that sufficient land exists to meet regional housing and employment needs, as a minimum.

The Lake Munmorah and Wallarah sites identified in this Interim Delivery Plan are identified in the North Wyong Shire Structure Plan as '*strategically located constrained lands requiring further investigation and offset strategies to define conservation requirements and development potential*'. This Interim Delivery Plan considers the broader objectives of the North Wyong Shire Structure Plan, including the need to balance development and biodiversity conservation outcomes to achieve habitat connectivity, protect potential future resource extraction and meet residential and employment needs.

### Southern Growth Corridor Planning

The Regional Plan identifies the southern and northern growth corridors as a key focus for economic development in the region. The corridors together provide major infrastructure and services that can be better utilised to accommodate housing and employment growth.

The southern corridor extends from the Kariong M1 Pacific Motorway interchange to the strategic centre of Erina. The Regional Plan companion document, Central Coast Implementation Plan 2018-2020, identifies a priority action to prepare a land use strategy for the southern growth corridor to guide land use outcomes in the corridor including protecting the natural attributes, revitalising and facilitating better transport access and achieving more diverse economic growth opportunities.

Central Coast Council is the responsible agency for preparing the strategy. At its meeting of 12 November 2018, Central Coast Council resolved to exhibit the draft Somersby to Erina Corridor Strategy (draft Strategy). The exhibition is expected to commence in early 2019.

The Kariong site is adjacent to the southern growth corridor. This Interim Delivery Plan considers the Regional Plan's broad objectives for the southern growth corridor including protecting the natural attributes, revitalising and facilitating better transport access and achieving more diverse economic growth opportunities. Central Coast Council's draft Strategy may apply to the Kariong site identified in this Interim Delivery Plan. As the planning process progresses, assessment of the Kariong site will address consistency with the draft Strategy and its proposed outcomes.

## Darkinjung Community Land and Business Plan 2016-2019

Under the *Aboriginal Land Rights Act 1983*, Local Aboriginal Land Councils are required to prepare community land and business plans in consultation with the Local Aboriginal Land Council members, persons who have a cultural association with land in the land council's area and other stakeholders. The purpose of the community land and business plan is to describe the aims of the Local Aboriginal Land Council and to develop strategies by which these can be achieved. The community land and business plan is approved by the board of the Local Aboriginal Land Council and the NSW Aboriginal Land Council.

The Darkinjung Community Land and Business Plan 2016-2019 sets goals relating to community benefits and participation, land and people, culture and heritage and business, finance and economic enhancement. Darkinjung's vision is to strengthen and empower their community for all generations.

**Figure 1. Darkinjung Community Land and Business Plan 2016-2019 alignment**

<b><i>Darkinjung Community Land and Business Plan objectives</i></b>	<b><i>Interim Delivery Plan alignment</i></b>
<p>Strategic Goal 1: Community benefits and participation:</p> <p>To provide real and tangible benefits to our members which will enhance their ability to participate actively in the community, including the Darkinjung LALC.</p>	<p>This Interim Delivery Plan provides detailed guidance for sites identified through a land audit and rapid strategic assessment. By requiring planning proposal authorities to consider the Interim Delivery Plan, it is intended that the identified development pipeline will support tangible economic and social benefits for the Darkinjung community, consistent with this objective.</p>
<p>Strategic Goal 2: Land and people, culture and heritage:</p> <p>To maintain and share our knowledge for future generations by preserving, protecting and celebrating our connection to our land.</p>	<p>This Interim Delivery Plan also requires that planning and development of sites supports the protection and preservation of Aboriginal culture and heritage consistent with this objective.</p>
<p>Strategic Goal 3: Business, finance and economic enhancement:</p> <p>To create opportunities for economic development through strong investment and effective management of current and future assets.</p>	<p>This Interim Delivery Plan formally recognises Darkinjung's planning and development priorities to ensure economic opportunities are realised for current and future assets, consistent with this objective of the community land and business plan.</p>

## Strategic conservation planning

The Department has commenced strategic conservation planning in the region. This includes Strategic Biodiversity Certification for the Central Coast under the *Biodiversity Conservation Act 2016* and Strategic Assessment under the *Environment Protection and Biodiversity Conservation Act 1999* for identified development impact areas in the region.

Strategic conservation planning aims to facilitate both the conservation and development outcomes in the *Central Coast Regional Plan 2036*. It aims to achieve:

- Defined development footprints which have State and Commonwealth biodiversity approvals, and
- A package of supporting conservation measures which could include:
  - Identification of regionally significant biodiversity corridor linkages (existing and proposed) linkages and pinch points for conservation and restoration,
  - A series of supporting conservation measures which could include development contributions for land purchase or restoration and local planning amendments to increase protection for critical habitat and linkages.

Responsibility for implementing the conservation and development measures identified in the final Biocertification will be shared by NSW Government and land owners.

The sites in this Delivery Plan contain areas of remnant vegetation, including plant community types and corresponding threatened ecological communities. None of the plant community types mapped across the sites are currently listed as serious and irreversible impact entities under the *Biodiversity Conservation Act 2016*.

The Regional Plan and North Wyong Shire Structure Plan identify a proposed landscape scale network of biodiversity and landscape corridors. These areas include large areas of remnant vegetation which could be connected to protect and manage ecosystems and ensure connectivity between habitats.

The rezoning and development assessment process for the identified sites will need to demonstrate avoidance of environmental impacts, identify offset requirements and consider the region's broader conservation outcome and regional habitat connectivity planning considerations when negotiating potential offsets.



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# ***Land Audit and Rapid Strategic Assessment***

## Land audit and rapid strategic assessment

Darkinjung owns approximately 3,700 ha of land across the Central Coast Local Government Area.

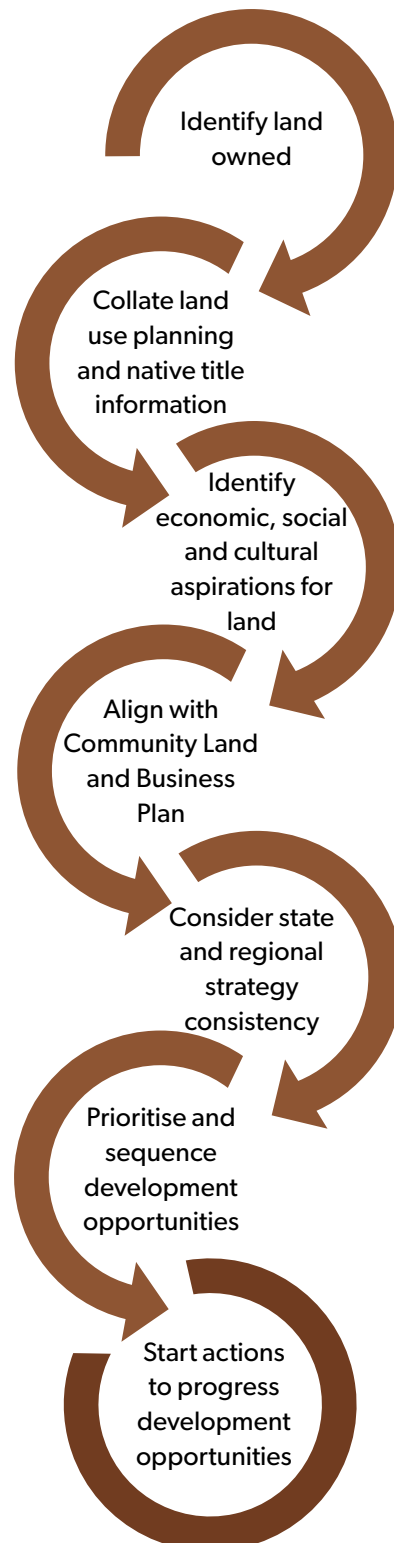
Darkinjung has completed an audit of this land to identify sites that align with its *Community Land and Business Plan 2016-2019*. Darkinjung provided the Department of Planning and Environment with sites to be assessed through a rapid strategic assessment.

### Rapid Strategic Assessment

The Department completed a rapid strategic assessment of the sites against the following criteria, to determine the sites for inclusion in this Interim Delivery Plan:

- Land tenure and if the land is owned by Darkinjung.
- Darkinjung's economic, social and cultural aspirations for its land as contained in the *Darkinjung Community Land and Business Plan 2016-2019*.
- Native title status and if there is a low, medium or high likelihood to the proposal proceeding because of native title.
- State and regional strategy context including consideration of the Central Coast Regional Plan 2036 and the North Wyong Shire Structure Plan.
- Potential planning pathways and if a rezoning or development application is required.
- Opportunities which could be progressed within six months.
- Planning status and community engagement on the priority proposal.

Figure 1. Land Audit and Rapid Strategic Assessment Process



## Interim Delivery Plan Sites

A review of the Darkinjung proposals against the above criteria resulted in the following sites for inclusion:

### Lake Munmorah

Residential and environmental conservation proposal

- Lot 642 on DP1027231 (405-415 Pacific Highway, Lake Munmorah, 2259)
- Lot 644 on DP1027231 (2 Kanangra Drive, Crangan Bay, 2259)
- Lot 100 on DP1044282 (425 Pacific Highway, Crangan Bay, 2259)

### Wallarah

Employment land and environmental conservation proposal

- Lots 1, 2 and 3 on DP1156997 (380 Motorway Link Road, Wallarah)



Map 1. Lake Munmorah (1) and Wallarah (2) sites

### Somersby

Environmental management and environmental conservation proposal

- Lot 481 on DP 1184693 (Reeves Street, Somersby, 2250)

### Kariong

Urban expansion proposal

- Lots 512 and 513 on DP727686 (300 Woy Woy Road, Kariong, 2250)



Map 2. Somersby (3) and Kariong (4) sites

Image right: Aerial image of a residential area









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# ***Proposals***



## Lake Munmorah Proposal

**Proposal to rezone land for residential development (approximately 75ha) and environmental conservation (approx. 88ha) with an approximate yield of 600 residential lots.**

### Status

There is a current planning proposal (PP 2015 Wyong 002 01) for residential development and the protection of environmentally sensitive lands. The Department issued a Gateway determination issued in February 2015.

The majority of agency and council comments have been provided. Darkinjung are currently updating and finalising specific supporting studies including traffic, transport and access studies, environmental studies and Aboriginal cultural heritage.

### Strategic merit

This planning proposal has strategic merit based on the broader economic benefits and social and environmental outcomes for Darkinjung and it forms a logical expansion to the proposed Lake Munmorah residential and employment area. Inclusion in this Interim Delivery Plan will support resolution of planning issues and integration in updated staging and sequencing of land release relating to the broader North Wyong land release area to be completed by the Department.

### Strategy consistency

#### Central Coast Regional Plan 2036

The Regional Plan identifies the future planning for the northern growth corridor as a key priority for the region, particularly its alignment with strategic land use planning outcomes in Lake Munmorah and Greater Warnervale and the guidance it provides for staging and sequencing of development in the north of the region. The site does not sit within the northern growth corridor. However, it adjoins land being considered in Central Coast Council's master planning of broader Lake Munmorah growth area. Planning for this site needs to consider the likely future nearby land uses and linkages with this broader Lake Munmorah area.

#### North Wyong Structure Plan 2012

The site is identified as both a strategically located constrained site for further investigation and as part of the green corridor and habitat networks in the Structure Plan. Planning for the site needs to address the following matters as required by the Structure Plan:

- Opportunities to contribute to the proposed green corridor and habitat networks
- Opportunities to offset vegetation losses
- Resource extraction potential related to proposed coal mining and clay extraction.
- Need for additional residential and employment uses to meet future demand.
- Relationship of proposals to future development outcomes and broader conservation outcomes.

The key objective of the planning proposal will be to achieve a balance between development, biodiversity conservation and protection of future resources potential.

### Environmental considerations

#### Biodiversity and habitat connectivity

The planning proposal provides an opportunity to formalise part of the proposed green corridor and link to the nearby State Conservation Area. There is also an opportunity for the broader conservation outcomes of the strategic conservation planning for the region to be addressed.

In accordance with the Biodiversity Assessment Methodology, the planning proposal will need to demonstrate:

- Avoidance of biodiversity impacts
- Assessment of impact from the proposed development and the relevant credits to offset any impact
- Offset strategy to identify how any biodiversity impact will be offset.

There is potential to demonstrate the above matters through the strategic conservation planning program being completed in the region if the timing of the rezoning aligns with the finalisation of the strategic conservation planning program.



## Mineral resources

The site is close to the Chain Valley underground coal mine and covers current mining leases. The area has been identified as having commercially viable coal resources below the proposal area with coal mining under the proposed rezoning most likely to occur in the medium-long term as an extension to the Chain Valley mine. This site is affected by mine subsidence.

The planning proposal needs to reflect the area not affected by the existing coal mine and future coal mine extension.

## Aboriginal cultural heritage

An Aboriginal Heritage Due Diligence Assessment prepared for the planning proposal identified that an Aboriginal Cultural Heritage Assessment Report needs to be prepared and referred to Office of Environment and Heritage for review prior to rezoning of the land.

## Traffic and transport considerations

The planning proposal needs to identify the specific traffic related impacts of the proposed development and potential options to resolve these issues, specifically impacts relating to access to the Pacific Highway and the local road network.

Given the proximity of the priority site to the Pacific Highway there are broader strategic issues with the

state road network in Lake Munmorah and the cumulative impact in the area that needs to be considered by state agencies.

## Servicing and infrastructure provision

The planning proposal needs to include water and sewer servicing concepts and a storm water management strategy prepared with Central Coast Council.

The planning proposal will be considered an Urban Release Area under *Wyong Local Environmental Plan 2013*. State and local infrastructure contributions will be required for the proposal.

## Consultation

Consultation with state agencies is underway. It is intended to publicly exhibit the planning proposal in the next six months.

## Other matters

A process for extinguishing Native Title is currently underway.

## Statutory matters

The planning proposal will need to comply with any applicable Section 9.1 Ministerial Directions and State Environmental Planning Policies or adequately justify any inconsistencies prior to rezoning of the site.



## Wallarrah Proposal

**Proposal to rezone land for employment uses (approximately 42ha) and environmental conservation.**

### Status

There is a current planning proposal (PP 2016 CCOAS 005 00) for industrial development and the protection of environmentally sensitive lands. The Department issued a Gateway determination in December 2016.

Most council comments and agency comments have been provided. Darkinjung are preparing updates and finalising specific supporting studies including environmental and Aboriginal cultural heritage.

### Strategic merit

The planning proposal has broader economic benefits and social and environmental outcomes for Darkinjung and is strategically located near the M1 Pacific Motorway interchanges to support freight and logistics connections and the broader economic outcomes identified in the Regional Plan. The planning proposal also supports delivery of other employment opportunities in the Bushells Ridge area, the largest undeveloped employment area in the region.

### Strategy consistency

#### Central Coast Regional Plan 2036

The Regional Plan identifies the land for consideration in review of the updated staging and sequencing of land release relating to the North Wyong area. In addition, the *Central Coast Regional Plan Implementation Plan 2018-2020* identifies a priority to facilitate development around existing M1 Pacific Motorway interchanges to support the regional economy and create more jobs within the region.

#### North Wyong Structure Plan 2012

The site is identified as both a strategically located constrained site for further investigation and as part of the green corridor and habitat networks in the Structure Plan. Planning for the site needs to address the following matters as required by the Structure Plan:

- Opportunities to contribute to the proposed green corridor and habitat networks
- Opportunities to offset vegetation losses
- Resource extraction potential related to proposed coal mining and clay extraction.
- Need for additional residential and employment uses to meet future demand.
- Relationship of proposals to future development outcomes and broader conservation outcomes.

The key objective of the planning proposal will be to achieve a balance between development, biodiversity conservation and protection of future resources potential.

## Environmental considerations

### Biodiversity and habitat connectivity

The planning proposal provides an opportunity to formalise part of the proposed green corridor. There is also an opportunity for the broader conservation outcomes of the strategic conservation planning for the region to be addressed.

In accordance with the Biodiversity Assessment Methodology, the proposal will need to demonstrate:

- Avoidance of biodiversity impacts
- Assessment of impact from the proposed development and the relevant credits to offset any impact
- Offset strategy to identify how any biodiversity impact will be offset.

There is potential to demonstrate the above matters through the strategic conservation planning program being completed in the region if the timing of the rezoning aligns with the finalisation of the strategic conservation planning program.

Image left: House under construction

## Mineral resources

The site is identified as an area with potential state significant clay resource. However, the site also provides an important environmental opportunity for habitat connectivity in the region. The industrial portion of the planning proposal enables the potential future extraction of the clay resource; however, the environmental conservation portion would preclude that. In assessment and decision making for the planning proposal, state agencies will need to consider the balance of development, protection of potential clay resource extraction, contribution to the broader conservation outcomes in the region and habitat connectivity, and appropriate land use buffers provided between these uses.

## Aboriginal cultural heritage

An Aboriginal Heritage Due Diligence Assessment prepared for the planning proposal identified that an Aboriginal Cultural Heritage Assessment Report needs to be prepared and referred to Office of Environment and Heritage for review prior to rezoning of the land.

## Traffic and transport considerations

The planning proposal needs to identify the specific traffic related impacts of the proposed development and potential options to resolve these issues, specifically impacts relating to access to the M1 Pacific Motorway link and local road network.

## Servicing and infrastructure provision

The proposal needs to include water and sewer servicing concepts and a storm water management strategy prepared in consultation with Central Coast Council.

The proposal will be considered an Urban Release Area under *Wyang Local Environmental Plan 2013*. State and local infrastructure contributions will be required for the proposal.

## Consultation

Consultation with state agencies is underway. It is intended to publicly exhibit the planning proposal in the next 6 months.

## Other matters

A process for extinguishing native title is currently underway.

## Statutory matters

The planning proposal will need to comply with any applicable section 9.1 Ministerial Directions and State Environmental Planning Policies or adequately justify any inconsistencies prior to rezoning of the site.





## Somersby Proposal

***Proposal to rezone land for environmental management (approximately 22.4ha) and environmental conservation (approximately 101.6ha) resulting in an approximate yield of nine rural residential style lots.***

### Status

A planning proposal is to be submitted.

### Strategic merit

The site and the rezoning proposal have strategic merit based on the broader economic benefits and social and environmental outcomes for Darkinjung, increase in land zoned for conservation and it not impacting on land with important agricultural values.

### Strategy consistency

#### Central Coast Regional Plan 2036

The site is included as a rezoning proposal for rural residential style development east of the M1 Pacific Motorway at Somersby. The Regional Plan makes provision for rural residential development however it

is to be managed to avoid impacts on the viability of biodiversity values, agricultural enterprises and future potential urban expansion opportunities. Planning for the site needs to address the following matters highlighted in the Regional Plan:

- Opportunities to contribute to the proposed biodiversity corridor and habitat networks
- Opportunities to offset vegetation losses
- Need for additional residential and employment uses to meet future demand
- Relationship of proposals to future development outcomes and broader conservation outcomes
- Minimise impact to important agricultural values.

### Environmental considerations

#### Biodiversity and habitat connectivity

A planning proposal for the site may provide opportunity to formalise part of the proposed biodiversity corridor. There is also an opportunity for the broader conservation outcomes of the strategic conservation planning for the region to be addressed.



In accordance with the Biodiversity Assessment Methodology, any planning proposal will need to demonstrate:

- Avoidance of biodiversity impacts
- Assessment of impact from the proposed development and the relevant credits to offset any impact
- Offset strategy to identify how any biodiversity impact will be offset.

There is potential to demonstrate the above matters through the strategic conservation planning program being completed in the region if the timing of a planning proposal aligns with the finalisation of the strategic conservation planning program.

## **Aboriginal cultural heritage**

A planning proposal will need to address Aboriginal cultural heritage impacts through the preparation of an Aboriginal Heritage Due Diligence Assessment and potentially an Aboriginal Cultural Heritage Assessment Report to inform any future rezoning.

## **Traffic and transport considerations**

A planning proposal will need to identify the specific traffic related impacts of proposed development and potential options to resolve these issues.

## **Servicing and infrastructure provision**

Any planning proposal needs to include consideration of water and sewer servicing and storm water management that is appropriate for the intensity of development proposed.

Local and potentially state infrastructure contributions will be required for the proposal.

## **Planning pathway**

A planning proposal to be submitted and a Gateway determination granted. Consultation with state agencies, Central Coast Council and the community will be part of the planning proposal process.

## **Other matters**

A process for extinguishing native title is currently underway.

## **Statutory matters**

A planning proposal will need to comply with any applicable section 9.1 Ministerial Directions and State Environmental Planning Policies or adequately justify any inconsistencies prior to rezoning of the site.

# Kariong Proposal

**Proposal to rezone land for urban expansion purposes (approximately 6.5ha).**

## Status

A planning proposal is to be submitted.

## Strategic merit

The site has strategic merit based on the broader benefits to the Darkinjung and it being a logical expansion of the Kariong urban area that will support the delivery of additional housing for the region. There are several land use constraints (e.g. biodiversity, slope, servicing, cultural heritage, access) that will require careful resolution to identify a suitable development outcome.

## Strategy consistency

### Central Coast Regional Plan 2036

The site is located adjacent to the area shown in the Regional Plan as the southern growth corridor. The Central Coast Council is preparing a land use strategy for the corridor that will consider the planned growth and development in the corridor. The future planning and assessment for this site will need to consider land use planning for the Kariong local area. Planning for the site needs to address the objectives of the draft land use strategy and the following matters highlighted in the Regional Plan:

- Opportunities to contribute to the proposed biodiversity corridor and habitat networks
- Opportunities to offset vegetation losses
- Need for additional residential and employment uses to meet future demand
- Relationship of proposals to future development outcomes and broader conservation outcomes.

## Environmental considerations

### Biodiversity and habitat connectivity

A planning proposal for the site may provide opportunity to formalise part of the proposed biodiversity corridor. There is also an opportunity for the broader conservation outcomes of the strategic conservation planning for the region to be addressed.

In accordance with the Biodiversity Assessment Methodology, any proposal will need to demonstrate:

- Avoidance of biodiversity impacts
- Assessment of impact from the proposed development and the relevant credits to offset any impact
- Offset strategy to identify how any biodiversity impact will be offset.

There is potential to demonstrate the above matters through the strategic conservation planning program being completed in the region if the timing of a planning proposal aligns with the finalisation of the strategic conservation planning program.

### Aboriginal cultural heritage

A planning proposal will need to address Aboriginal cultural heritage impacts through the preparation of an Aboriginal Heritage Due Diligence Assessment and potentially an Aboriginal Cultural Heritage Assessment Report to inform any future rezoning.

### Traffic and transport considerations

A planning proposal will need to identify the specific traffic related impacts of proposed development and potential options to resolve these issues, specifically the access to Woy Woy Road.

## **Servicing and infrastructure provision**

Any planning proposal needs to include consideration of water and sewer servicing and storm water management that is appropriate for the intensity of development proposed.

Local and potentially state infrastructure contributions will be required for the proposal.

The provision of water and sewer servicing is to be considered in future planning and development assessment.

## **Planning pathway**

A planning proposal to be prepared. Consultation with state agencies, Central Coast Council and the community will be part of the planning proposal process.

## **Other matters**

A process for extinguishing native title is currently underway.

## **Statutory matters**

A planning proposal will need to comply with any applicable section 9.1 Ministerial Directions and State Environmental Planning Policies or adequately justify any inconsistencies prior to rezoning of the site.

Image right: Sun Orchid (*Thelymitra* sp.)







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# ***Work Program & Review***

## Work Program March - September 2019

This section is a summary of the recommended actions, description and responsibilities for the first six months of the Darkinjung development program to reflect this Interim Delivery Plan.

### **Action 1: Exhibit the Lake Munmorah planning proposal**

**Responsibility:** Central Coast Council assisted by the Department of Planning and Environment

This will require resolution of the following issues:

- Finalisation of the biodiversity impact assessment report
- Traffic network requirements clarified and agreed to with RMS and Central Coast Council
- Aboriginal Cultural Heritage investigations completed and addressed.
- Updated planning proposal with consideration of agency and internal council comments and amendment to the proposed rezoning boundary.

### **Action 2: Exhibit the Wallarah planning proposal**

**Responsibility:** Central Coast Council assisted by the Department of Planning and Environment

This will require resolution of the following issues:

- Finalisation of the biodiversity impact assessment report
- Traffic network requirements clarified and agreed to with RMS and Central Coast Council
- Aboriginal Cultural Heritage investigations completed and addressed
- Resources and Geoscience objection to the environmental zoning over state significant clay resource resolved
- Updated planning proposal with consideration of agency and council comments

### **Action 3: Preparation of a planning proposal for the Somersby rural residential proposal**

**Responsibility:** Darkinjung

This includes lodgement of a rezoning proposal including information to satisfy:

- Need and justification for the proposal
- Relationship to strategic planning framework
- Consideration of assessment criteria
- Environmental, social and economic impacts considered consistent with this Interim Delivery Plan
- Mapping provided

### **Action 4: Assessment of a planning proposal for Somersby rural residential proposal**

**Responsibility:** Department of Planning and Environment

Assessment of the planning proposal and (if endorsed) recommendation for proceeding to the Gateway for determination.

### **Action 5: Land use assessment of the Kariong local planning area**

**Responsibility:** Department of Planning and Environment

Undertake a land use assessment of the Kariong local planning area to inform preparation of Darkinjung planning proposals for urban expansion sites.





### **Action 6: Preparation of a planning proposal for the Kariong urban expansion**

Responsibility: Darkinjung

This includes lodgement of a rezoning proposal including information to satisfy:

- Need and justification for the proposal
- Relationship to strategic planning framework
- Consideration of assessment criteria
- Environmental, social and economic impacts considered consistent with this Interim Delivery Plan
- Mapping provided

### **Action 7: Assessment of a planning proposal for the Kariong residential proposal**

Responsibility: Department of Planning and Environment

Assessment of the planning proposal and (if endorsed) recommendation for proceeding to the Gateway for determination.

### **Action 8: Preparation of a final Darkinjung Development Delivery Plan**

Responsibility: Department of Planning and Environment in consultation with Darkinjung

This will include a further land audit and strategic assessment of sites owned by the Darkinjung to further expand the development pipeline and recognise this in a more comprehensive development delivery plan in accordance with the SEPP.

A development delivery plan for Darkinjung will include 28 days minimum consultation with the community, state agencies and Central Coast Council to ensure there is stakeholder awareness of future development intention and their strategic context.







*For more information about the Department of Planning visit [www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)*