

## 5.1 Introduction

The proposed AWT and Composting Facility would be subject to a range of environmental planning instruments, including Commonwealth and State Acts and Regulations, State Environmental Planning Policies (SEPPs), Regional Environmental Plans (REPs), and Local Environmental Plans (LEPs).

This Section discusses the relevant environmental planning instruments and their application to the proposed development, including approval requirements under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 5.2 Commonwealth Legislation

### 5.2.1 Environmental Protection and Biodiversity Conservation Act 1999

The purpose of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is to ensure that actions likely to cause a significant impact on a matter of national environmental significance (NES) undergo a rigorous assessment and approval process. Under the EPBC Act, an action includes a project, undertaking, development or activity.

Part 3 of the EPBC Act provides that an action that “*has, will have or is likely to have a significant impact on a matter of national environmental significance*” may not be undertaken without prior approval from the Commonwealth Minister for the Environment and Heritage, as provided for under the provisions of Part 9 of the EPBC Act. The EPBC Act provides the following as matters of NES for which Ministerial approval is required:

- World Heritage properties;
- Wetlands of International Significance (i.e. RAMSAR wetlands);
- Listed threatened species and communities;
- Listed Migratory Species protected under international agreements (CAMBA and JAMBA);
- Protection of the Environment from Nuclear Actions; and
- Marine Environment.

No part of the site is listed as a world heritage area, nor does it contain any wetlands of international significance. The project does not involve nuclear activities and is not proposed for a marine environment

The Section 26 Administrative Guidelines of the EPBC Act (Guidelines) set out criteria intended to assist in determining whether an action requires approval. In particular, the Guidelines contain the criteria for determining whether a proposed action is likely to have a “significant impact” on a matter of national environmental significance. Should the proponent deem the proposal to have a significant potential impact on a matter of NES, a referral to the Commonwealth Minister of Environment and Heritage would be undertaken to obtain a confirmation from the Commonwealth as to whether the Commonwealth considers the proposed action a “controlled action” requiring Commonwealth approval. The referral documentation typically submitted to the Commonwealth includes a description of the proposal and an assessment of potential impacts on matters of NES. The Commonwealth

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*Environment Protection and Biodiversity Conservation Regulations 2000* (EPBC Regulations) set out what information must be included in the referral. There is no Commonwealth land located on or within the vicinity of the subject site. Therefore the proposal has not been referred to the Federal Minister for the Environment and Heritage.

Flora and fauna assessments of the site revealed the existence of protected species listed under the EPBC Act. The EPBC-listed species recorded or predicted to occur on the site are listed in Chapter 18. These species are also listed under the *Threatened Species Conservation Act 1995* and thus have been assessed in relation to the current proposal under Section 5A of the EP&A Act (see Chapter 18 and **Appendix G** for details).

### 5.3 NSW Legislation

NSW legislation includes acts, regulations and environment and planning policies. Legislation relevant to the proposed development is outlined below. While the EP&A Act provides the framework for the planning and development approvals system within NSW, there are several other Acts and Regulations which must be considered. While the Integrated Development provisions do not apply to Part 3A Major Projects the provisions of these Acts still need consideration in the preparation of the Project Application and associated Environmental Assessment.

#### 5.3.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment (EP&A) Act 1979* and its supporting Regulation, the *Environmental Planning and Assessment (EP&A) Regulation 2000*, provide the framework for the assessment and approval of proposed developments within NSW. Assessment provisions are provided in three parts of the EP&A Act, Part 3A, Part 4 and Part 5.

Part 3A of the EP&A Act provides processes for the assessment of development applications which are considered to be a “Major Project” as declared by a State Environmental Planning Policy (SEPP), or by order of the Minister in the Government Gazette. The proposed works are considered to be a “Major Project” for the following reason:

- The Composting and AWT facilities will process 115,000 tonnes per year of waste (both greenwaste / biosolids and MSW waste) and therefore is a resource recovery facility that will handle more than 75,000 tonnes per of waste as listed in Schedule 1 Group 9 Clause 27 of the SEPP Major Projects (2005).

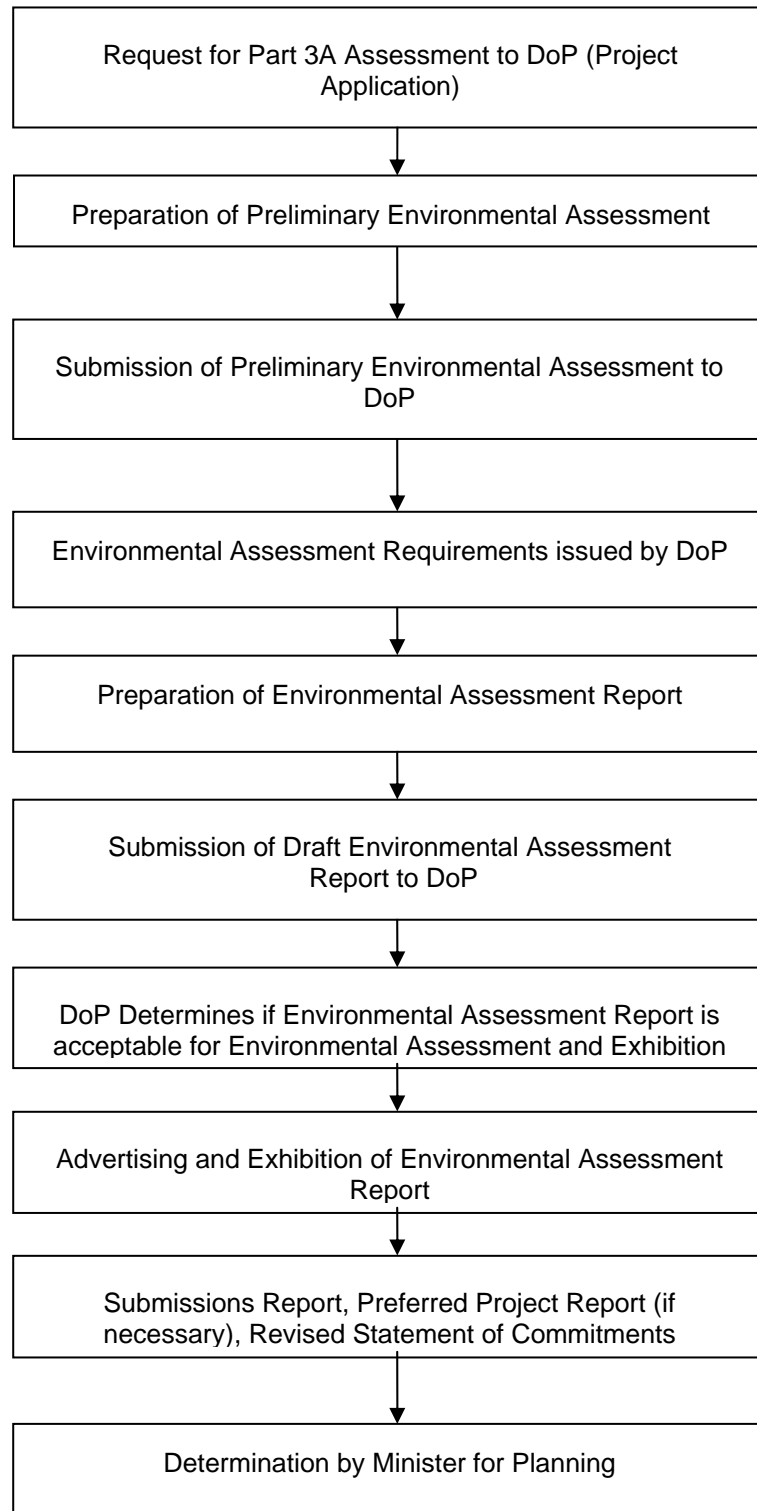
#### **Director-General Requirements**

On 25 August 2006 the Director- General declared that the project was considered a Major Project and to be assessed under the provisions of Part 3A.

On 10 October 2006 the Director-General of DoP, issued Environmental Assessment Requirements pursuant to section 75F(2) of the EP&A Act (refer to **Appendix A** for the Director- General’s Environmental Assessment Requirements).

As the project has been considered a “Major Project” the NSW Government Minister for Planning will be the determining authority. **Figure 5-1** illustrates the development and approvals process under Part 3A of the EP&A Act.

Figure 5-1 Planning Approval Process under Part 3A of the EP&amp;A Act 1979



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### 5.3.2 Protection of the Environment Operations Act 1997

The *Protection of the Environment Operations (POEO) Act 1997* relates to pollution and waste disposal in NSW and provides for the licensing of certain types of development. In order to ensure that the proposed development is designed and approved in accordance with the requirements of the POEO Act, Department of Planning (DoP) will forward this Environmental Assessment to the Department of Environment and Climate Change (DECC) for comment.

It is anticipated that the proposed development would require licensing under the provisions of the POEO Act as a waste recovery and processing facility. The Woy Woy WMF is currently licensed by the DECC (Licence No. 6053 given in Appendix B). It is proposed to submit an application to the DECC for a new licence for the proposed AWT and Composting Facilities operations.

### 5.3.3 Rural Fires Act 1997

Under Section 100B of the *Rural Fires (RF) Act 1997* authorisation is required from an authority as defined in Section 100E of the RF Act, for:

- (a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes; or
- (b) development of bush fire prone land for a special fire protection purpose.

As the proposed development is neither of the above the proposal does not require referral to the NSW Rural Fire Service under section 100B of the RF Act. However in accordance with section 79c of the EP&A Act, the Department of Planning may choose to refer the application to the Rural Fire Service.

### 5.3.4 Rivers and Foreshores Improvement Act 1948

The *Rivers and Foreshores Improvement (RFI) Act 1948* which provides for the protection of river and lakeside land in NSW. The proposed facilities are located within 40 m to Patonga Creek which flows within the Brisbane Water National Park. Under the RFI Act it is necessary to consider any development within 40 metres of any watercourse onsite. As outlined in Chapter 9 of the EA, several mitigation measures are proposed to ensure the proposed development would have no significant impact on water quality within Patonga Creek.

### 5.3.5 Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act 1995* (TSC Act) provides for the conservation of threatened species, populations and ecological communities of animals and plants. It provides a framework for the assessment of any action that may impact on threatened species.

On 31 October 2005, the majority of the provisions under the *Threatened Species Legislation Amendment Act 2004* and all the remaining provisions under the *Threatened Species Conservation Amendment Act 2002* commenced. A key amendment, which affects this Flora and Fauna Assessment, include the replacement of the Eight Part Test of Significance with a Seven Part Assessment of Significance. This amendment affects both Section 5A of the *EP&A Act* and Section 94

of the *TSC Act*. The revised factors retain the same intent in assessing the potential impacts of a proposed development on a threatened species, population (including their habitats) or EEC, however the new Seven Part test requires assessment of significance at a local scale rather than at a regional scale.

Should the Seven Part Assessment of Significance conclude that there may be a potentially significant impact on a listed species, population or EEC, a Species Impact Statement (SIS) must be prepared. A SIS must be prepared under the Terms of Reference issued by the Director General (DG) of the DECC. Approval for the proposal is also required by the DECC DG.

In light of changes to NSW legislation, a Seven Part Test was carried out for those *TSC Act* listed species and communities recorded and/or predicted to occur at times on the Site or within adjoining remnants. The Seven Part Tests are provided in **Appendix G**.

### 5.3.6 Heritage Act 1977

The *Heritage Act 1977* aims to protect and preserve items of non-indigenous heritage significance. The Act provides for the protection of items of local, regional and State heritage significance. The Act makes the Heritage Council the consent authority for any works that would impact State significant heritage items. A search of the NSW State Heritage Inventory revealed that there are no heritage items located within proposed development area. The search covered all heritage listings, including State and local listings.

A further search of the Commonwealth EPBC website was undertaken and revealed that there are no items of Australian heritage located on the subject site. Chapter 14 of this EA discusses heritage matters in further detail.

### 5.3.7 The National Parks and Wildlife (NPW) Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) governs the establishment, preservation and management of national parks, historic sites and certain other areas. The NPW Act also provides the basis for the legal protection and management of threatened native flora and fauna and Aboriginal sites within NSW. The implementation of the Aboriginal heritage provisions of the NPW Act is the responsibility of the Department of Environment and Climate Change (DECC) (formally the NSW National Parks and Wildlife Service).

The following provisions of the NPW Act provide for the protection of flora, fauna and ecological communities and would be adhered to in the construction of the proposal.

- Section 98 - A person shall not harm any protected fauna, or harm for sporting or recreational purposes game birds that are locally unprotected fauna, or use any substance, animal, firearm, explosive, net, trap, hunting device or instrument or means whatever for the purpose of harming any protected fauna.
- Section 99 - A person shall not harm any threatened interstate fauna, or use any substance, animal, firearm, explosive, net, trap, hunting device or instrument or means whatever for the purpose of harming any such fauna.

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- Section 118A - A person must not harm any animal that is of, or is part of, a threatened species, an endangered population or an endangered ecological community, or use any substance, animal, firearm, explosive, net, trap, hunting device or instrument or means whatever for the purpose of harming any such animal.
- Section 118C - A person must not, by an act or an omission, do anything that causes damage to any critical habitat.
- Section 118D - A person must not, by an act or an omission, do anything that causes damage to any habitat (other than a critical habitat) of a threatened species, an endangered population or an endangered ecological community if the person knows that the land concerned is habitat of that kind.
- Schedule 14 of the NPW Act lists lands of cultural significance to Aboriginals. The subject site is not listed under Schedule 14.

As a component of this EA, a search of the Commonwealth EPBC website found that no Indigenous Heritage site on the Register of the National Estate (RNE) located within a 5km radius of the site boundary.

As part of preparation of the EA, a full archaeological assessment of the site was undertaken which involved consultation with the Darkinjung Local Aboriginal Land Council (DLALC). The study found that there was no known site of archaeological interest within the boundaries of the site. This study is discussed in further detail in Chapter 14 of this EA.

### 5.3.8 The Native Vegetation Act 2003

The NSW Government released the regulations for the *Native Vegetation Act* on 14 November 2005, which came into effect on 1 December 2005. The *Native Vegetation Act* regulates the clearing of native vegetation on all land in NSW except for land listed in Schedule 1 of the Act. Excluded land under Schedule 1 of the Act includes National Parks and other conservation areas, State Forests and reserves, and urban areas. Specifically, urban areas, which are excluded, include areas zoned residential (but not rural residential), village, township, industrial or business.

A central feature of the *Native Vegetation Act* is the requirement for the implementation of a Property Vegetation Plan (PVP) before the clearing of any vegetation, including a single paddock tree. The PVP is a voluntary system and are negotiated agreements between individual landholders and their local Catchment Management Authority.

The Site is currently zoned 5(a) Special Uses under the Gosford Planning Scheme Ordinance and is currently licensed by DECC as a Solid Waste Class 1 Landfill (Licence number 6053). Under Schedule 1 of the *Native Vegetation Act* land within a zone designated "industrial" under an environmental planning instrument or, having regard to the purpose or substantial character of such a zone is exempt from the operation of the Act. This proposal is therefore considered exempt from the *Native Vegetation Act*.

### 5.3.9 Roads Act 1993

Section 138 of the *Roads Act 1993* prohibits a number of activities, such as conducting work in, on or over a public road, without gaining consent from the appropriate roads authority.

The proposed development would not require undertaking works on a public road thus approval or permit from the NSW RTA is not required.

### 5.3.10 Water Management Act 2000 and Water Act 1912

The *Water Management Act 2000* (WM Act) provides for the integrated and sustainable management of the State's waters. Among other matters, the WM Act details the framework for the development of water sharing provisions within defined management plans. Section 20 of the WM Act details the matters to be addressed within the water sharing provisions of management plans.

The proposed development would not involve any works that require licensing or the granting of permits under the provisions of the *Water Act 1912*.

### 5.3.11 Waste Avoidance and Resource Recovery Act 2001

The objectives of the *Waste Avoidance and Resource Recovery Act 2001* are to encourage the most efficient use of resources, to reduce environmental harm, and to provide for the continual reduction in waste generation in line with the principles of ecologically sustainable development (ESD). To meet the objectives of the Act, a resource management hierarchy has been established, comprising:

- avoiding unnecessary resource consumption;
- recovering resources (including reuse, reprocessing, recycling and energy recovery); and
- disposal (as a last resort).

These measures would be incorporated into both the construction and operation of the proposed development. A key objective of the proposed development is to recover resources from the MSW, greenwaste and biosolids waste streams, and this is in line with the objectives of the Act.

## 5.4 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are planning instruments under the EP&A Act that address more specific planning matters, where it is not considered appropriate for the Act to provide the detail.

### State Environmental Planning Policy (SEPP) – Major Projects (2005)

One of the aims of this SEPP is to identify State or regional significant development and provide a consistent and comprehensive assessment and decision making process for that development. It also aims to rationalise and clarify provision making the Minister the consent authority for Part 3A Projects and State Significant sites, and to keep those provisions under review so that the consent powers are devolved to councils when the State planning objectives have been achieved.

The proposed works will process more than 75,000 tonnes per annum of putrescible waste and will also have a capital investment of over \$30 million dollars and therefore the proposal is considered a Major Project by virtue of Clause 27 of Schedule 1 of SEPP 2005 Major.

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### State Environmental Planning Policy 44 – Koala Habitat Protection (SEPP 44)

SEPP 44 applies to the Gosford Local Government Area, as specified in Schedule 1 of this SEPP. SEPP 44 *“aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline”*.

The land adjoining the subject site in the Brisbane Water National Park supports known koala feed trees. The subject site connects with bushland to the south and west, however, so it is plausible for isolated koalas to roam onto the site. There was no evidence of this from the site inspection and from past studies, and no koala appearance in the locality has been recorded. Detailed discussion on koala and koala habitat is provided in Chapter 18.

### State Environmental Planning Policy 48 – Major Putrescible Landfill Sites (SEPP 48)

SEPP 48 applies to the proposed development comprising:

- “(a) a landfill site that is to be used for the purposes of disposing of putrescible waste, or waste including putrescible waste, brought to the site from more than one local government area and that has a capacity to receive:*
- (i) more than 75,000 tonnes per annum of waste, or*
  - (ii) more than 650,000 tonnes of waste over the life of the site, or*
- (b) the extension of, or addition of land to, a landfill site that is or is to be used for the purposes of disposing of putrescible waste, or waste including putrescible waste, brought to the site from more than one local government area and that will enable the site, as extended or added to, to have a capacity to receive:*
- (i) more than 75,000 tonnes per annum of waste, or*
  - (ii) more than 650,000 tonnes of waste over the life of the site.”*

The proposed development is for development of an AWT and Composting Facility, and does not involve the development of a new or extension of the existing putrescible landfill site. Therefore SEPP 48 does not apply to the proposed development.

## 5.5 Regional Planning Instruments

No Regional Environmental Plans apply to the subject site.

## 5.6 Local Environmental Plans

### 5.6.1 Gosford Interim Development Order No 122 and Gosford Planning Scheme Ordinance;

The proposed development is considered permissible with development consent as a ‘composting facilities or works’ in the 5 Special Uses zone under Interim Development Order No 122 and zone 5(a) under the Gosford Planning Scheme Ordinance.

## 6.1 Introduction

Outlined in the section below are the issues raised during the statutory and community consultation process and where they are addressed in the Environmental Assessment. Consultation with relevant government agencies was carried out by Department of Planning during preparation of the Director-General (DG) Requirements and subsequently by URS. Consultation was also carried out with the Darkinjung Local Aboriginal Land Council (DLALC), and issues raised by the DLALC are addressed in Chapter 14.

Given that the proposed development is located within the existing Woy Woy WMF, the level of consultation carried out was considered appropriate by Council for this project, based on the scale of the proposal, and the limited impact on the local community, as described in this Environmental Assessment.

## 6.2 Planning Focus Meeting

Given the scale of the project the Department of Planning determined a Planning Focus Meeting was not required. However, the Department of Planning consulted with the Department of Environment and Climate Change (DECC) and Councils planning department during preparation of the DG requirements. This Environmental Assessment has been prepared in line with the (DG) Requirements issued on 10 October 2006, in accordance with section 75F(2) of the EP& A Act, and given in **Appendix A**. The DG requirements issued for the project are summarised in **Table 6-1** below.

**Table 6-1 DG Requirements**

Issue Raised	Addressed in this EA
• Detailed Description of the Project	Chapter 4
• Draft Statement of Commitments	Chapter 22
• Strategic Waste Management and Planning	Chapter 2
• Water and Soils	Chapter 8 & 9
• Air Quality Impacts	Chapter 12
• Noise Impacts	Chapter 11
• Traffic and Transport Impacts	Chapter 13
• Hazard and Risk Impacts	Chapter 16
• Flora and Fauna Impacts	Chapter 18
• Aboriginal Heritage	Chapter 14
• Consultation: Should consult with relevant local, State or Commonwealth authorities, service providers, community groups or affected landowners. In particular Department of Environment and Conservation; and NSW Fire Brigade /NSW Rural Fire Services	Chapter 6
• Address Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 requirements as necessary	Chapter 18

## Chapter 6

## Consultation

## 6.3 Department of Environment and Climate Change

The requirements from DECC dated 26<sup>th</sup> September 2006, are given in **Appendix A**. Key issues raised by the DECC are summarised in **Table 6-2**.

**Table 6-2 Summary of Issues Raised by the DECC**

Part	Issue Raised	Addressed in this EA
Executive Summary	Include brief Executive Summary	Executive Summary
The Proposal	Objectives of the Proposal	Chapter 2
	Description of the Proposal <ul style="list-style-type: none"> <li>• Outline production process</li> <li>• Outline construction works</li> </ul>	Chapter 4
Environmental Issues	The Key Environmental Issues General <ul style="list-style-type: none"> <li>• Describe the baseline conditions</li> <li>• Assess Impacts</li> <li>• Describe management and mitigation measures</li> </ul>	Chapters 8 to 22
	• Air Quality	Chapter 12
	• Noise and Vibration	Chapter 11
	• Water	Chapter 9
	• Soils and Contamination	Chapter 8
	• Waste and Chemicals	Chapter 17
	• Flora and Fauna, in particular impacts on Brisbane Water National Park	Chapter 18
	• Cumulative Impacts	Chapter 21
Approvals	List of Approvals and Licenses	Chapter 5
Mitigation Measures	Compilation of Mitigation Measures	Chapter 22
Justification	Justification of the Proposal	Chapter 2

## 6.4 Gosford City Council

The requirements from Councils planning department dated 27<sup>th</sup> September 2006, are given in **Appendix A**. The key issues raised by Councils planning department in relation to the proposal are given the table below.

**Table 6-3 Summary of Issues raised by Council**

Issue Raised	Addressed in this EA
Detailed Description of the proposal including:	
• Proposal objectives	Chapter 1
• Site preparation	Chapter 4
• Consideration of alternatives	Chapter 3
• Staging	Chapter 4
• Monitoring	Chapter 22
Consideration of the following environmental Issues:	
• Air quality /odour	Chapter 12
• Leachate and gas management	Chapters 4 and 12
• Water quality	Chapter 9
• Soil issues, including sediment control, erosion and nutrient control	Chapters 8 and 9
• Traffic and Transport Impacts	Chapter 13
• Noise Impacts	Chapter 11
• Energy Issues	Chapter 19
• Social and Economic Issues	Chapter 15
• Flora and Fauna	Chapter 18
• Visual Amenity	Chapter 10
• Heritage Issues	Chapter 14
• Hazard Issues	Chapter 16
• Water and Soils	Chapters 8 and 9
• Cumulative Impacts	Chapter 22
Mitigation Measures	Chapter 22
Justification of the proposed Technology	Chapter 3
Impact of being in a Bushfire Prone Area	Chapter 16

## 6.5 Community Consultation

During the preparation of this Environmental Assessment the following key activities were undertaken by the Council to consult with the local community:

- Placement of Community Notice in Councils Newscorner of local newspaper “Central Coast Express Advocate” on 29<sup>th</sup> November and 6<sup>th</sup> December 2006;
- Preparation of Newsletter describing the project, and distribution to Community members who responded to the notice placed in the “Central Coast Express Advocate” requesting further information on the project; and

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## Consultation

- Council's Senior Technical Officer Waste Services, Mr James Lawson, delivered presentations on the proposed development to the Umina Rotary Club (16<sup>th</sup> August, 2006), the Probus Club of Gosford (24<sup>th</sup> October 2006) and the Gosford Rotary Club (1<sup>st</sup> February 2007).

Given that the proposed development is located within the existing Woy Woy WMF, this level of consultation was considered appropriate by Council for this project, based on the scale of the proposal, and the limited impact on the local community, as described in this Environmental Assessment.

The issues raised by the community are detailed in **Table 6-4**.

**Table 6-4 Summary of Issues Raised by Local Community**

Issue Raised	Addressed in this EA
Value for money	15
Any conflict of interest in obtaining planning approval	5
Environmental monitoring of proposed development	22

### 6.5.1 Future Consultation

Council would ensure that ongoing dialogue with local landholders continues to effectively monitor the social and environmental impacts of the development over time.

This may include initiatives such as:

- consultation with landholders in proximity to the site during key phases of project development i.e. pre-construction, construction and operation; and
- ongoing consultation with local landholders and key community groups to inform them of development progress. Such consultation could be undertaken 6 monthly or annually to identify and respond to any issues raised by stakeholders relating to the plant's operation.

## 7.1 Introduction

This Chapter outlines the land use and ownership in and around the Woy Woy Waste Management Facility (WMF), and assesses any potential conflicts between the proposed development and these land uses. The Woy Woy WMF is surrounded by conservation land (Brisbane Water National Park) to the east, west and south and to the north is the Woy Woy Sewerage Treatment Works, forming part of the Gosford local government area.

## 7.2 Historic Ownership and Use

The allotments that constitute the waste disposal area and the proposed development area were owned by three owners since the land was first granted in 1890. The land had minimal usage, and there are no records of any houses on the property. The land was leased to a quarry in 1927. It is believed that the quarry was mostly used for exploratory work as the operating company was on the property for less than a year. The previous owner of the land died in 1930. The land remained in the control of solicitors until Council resumed control of the site in 1933 and used part of the site as a sanitary depot for the disposal of nightsoil. The balance of the site was acquired by Council in 1939 and used as a quarry for road making purposes. It was zoned in 1968 in Gosford Planning Scheme Ordinance zones land 1 (b) – Extractive Industry. In 1974 16.56ha of the site was approved for use as a Waste Depot. The site was rezoned as 7(a) – Conservation in 1977, and in 1979 the site was rezoned again as Special Uses - Sanitary Disposal. The site is currently zoned as 5 (a) Special Use – Garbage Disposal.

The site has been in Council control for the duration of its use as a landfill and is currently under Council control.

## 7.3 Existing Site Use

The Woy Woy WMF is currently licensed (Licence no. 6053) under Section 55 of the *Protection of the Environment Operations Act 1997 (POEO Act)* as a Solid Waste Class 1 Landfill able to receive upto 100,000 tonnes per annum of waste. The Woy Woy WMF currently receives approximately 32,000 tonne per annum of putrescible waste, 24,500 tonnes per annum of construction / demolition (C&D), and mixed inert waste and 19,000 tonnes per annum of greenwaste. All waste entering the site is weighed at the sites weighbridge located on the northern section of the site. From the weighbridge vehicles proceed along the entrance road towards the landfill areas currently located to the east and west of the access road as shown on **Figure 4.1**. A resource recovery area is located off the access road as shown on **Figure 4.1**. This area has been designed to increase recovery of reusable items such as timber, scrap metal, concrete rubble and domestic recyclables. A greenwaste collection area is located on the east section of the site, in the area proposed as for the greenwaste maturation area of the proposed Composting Facility.

## 7.4 Surrounding Land Uses

The Woy Woy WMF is bordered to the west, east and south by the Brisbane Water National Park. The Woy Woy Sewerage Treatment works are located to the north of the Woy Woy WMF. The closest residence to the Woy Woy WMF is approximately 600m to the east, however the nearest residence to the proposed AWT and Composting Facilities, is located approximately 750m to the east of the site within the suburb of Umina Beach.

## Chapter 7

## Land Use

### 7.5 Zoning and Property Descriptions

The Woy Woy WMF consists of Lot 110 DP 755251, Lot 1 DP 126813 and Lot 1 DP 654885 and is wholly within Gosford Local Government Area. The Woy Woy WMF is zoned 5(a) Special Uses under the Gosford Planning Scheme Ordinance. This Planning Scheme Ordinance allows a waste management centre and disposal and recycling activities. The proposed AWT and Composting Facilities would be located within Lot 110 DP 755251.

As shown on **Figure 7.1** the surrounding land consists primarily of the following zones:

- 6(a) Open Space Recreational for the Brisbane Water National Park,
- 9(c) Restricted Development (steep land) on sections of the Umina Beach residential area to the east of the site
- 6(d) Open Space (Regional) and 6(e) Open Space (Proposed) to the north east
- 2(a) Residential to the north east of the site within the Woy Woy Residential area
- 7(a) Conservation and Scenic Protection area to the east of the Woy Woy Sewerage Treatment Works

### 7.6 Site Topography

The Woy Woy WMF is situated within a gully, with a site elevation ranging between approximately 60-170m AHD.

The Woy Woy WMF is elongated in the north-south orientation, with two parallel ridges forming the eastern and western boundaries. The general gully direction is from south to north, however local relief varies and is characterised by steep filled slopes and rock outcrops. A saddle occurs in the southern portion of the site.

Surface water follows the surface topography, and is diverted by surface drains running along the eastern edge of the Woy Woy WMF. Surface water flows to stormwater ponds to the north of the site or south depending on which side of the saddle it falls. Surface flow from the proposed development site flows south towards Patonga Creek. The topography of the Woy Woy WMF is shown in **Figure 7.2**.

### 7.7 Land Use Impacts

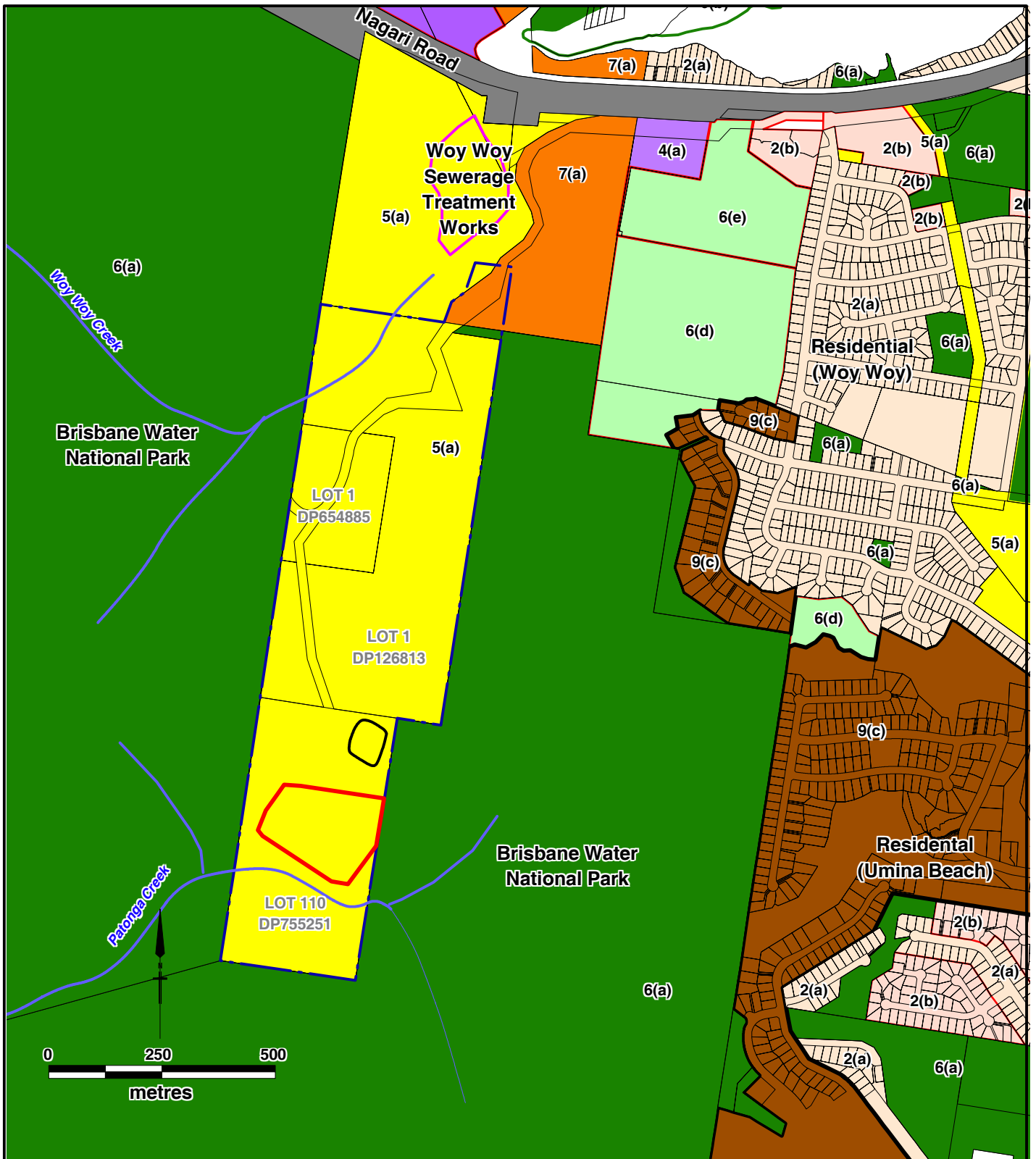
The proposed site for the AWT and Composting Facilities is within the Woy Woy WMF and the intended use is consistent with Council's zoning for the site as 5 (a) Special Use- Garbage Disposal, and therefore no rezoning amendment is required. The proposed area for the AWT and Composting Facilities, as shown on **Figure 7.1**, is considered a good location for the following key reasons:

- The site has little heritage value as the area is heavily disturbed due to past quarry operations and the construction of a dam as described in Chapter 14;
- The site is approximately 650m from the nearest residence to the east;
- Due to the surrounding land topography the site is not visible from any residences as described in Chapter 10;

- The proposed development does not require any property acquisitions by Council; and
- As the AWT and Composting Facilities are located within the Woy Woy WMF any residual material can be disposed in the adjoining Class 1 landfill.

## 7.8 Mitigation Measures

Any impacts on surrounding landuse in particular, Patonga Creek, which flows through the Woy Woy WMF site, would be minimised through the preparation and implementation of detailed Construction and Operational Environmental Management Plans for the proposed development. An outline of the mitigation measures contained within these plans is given in Chapter 22.

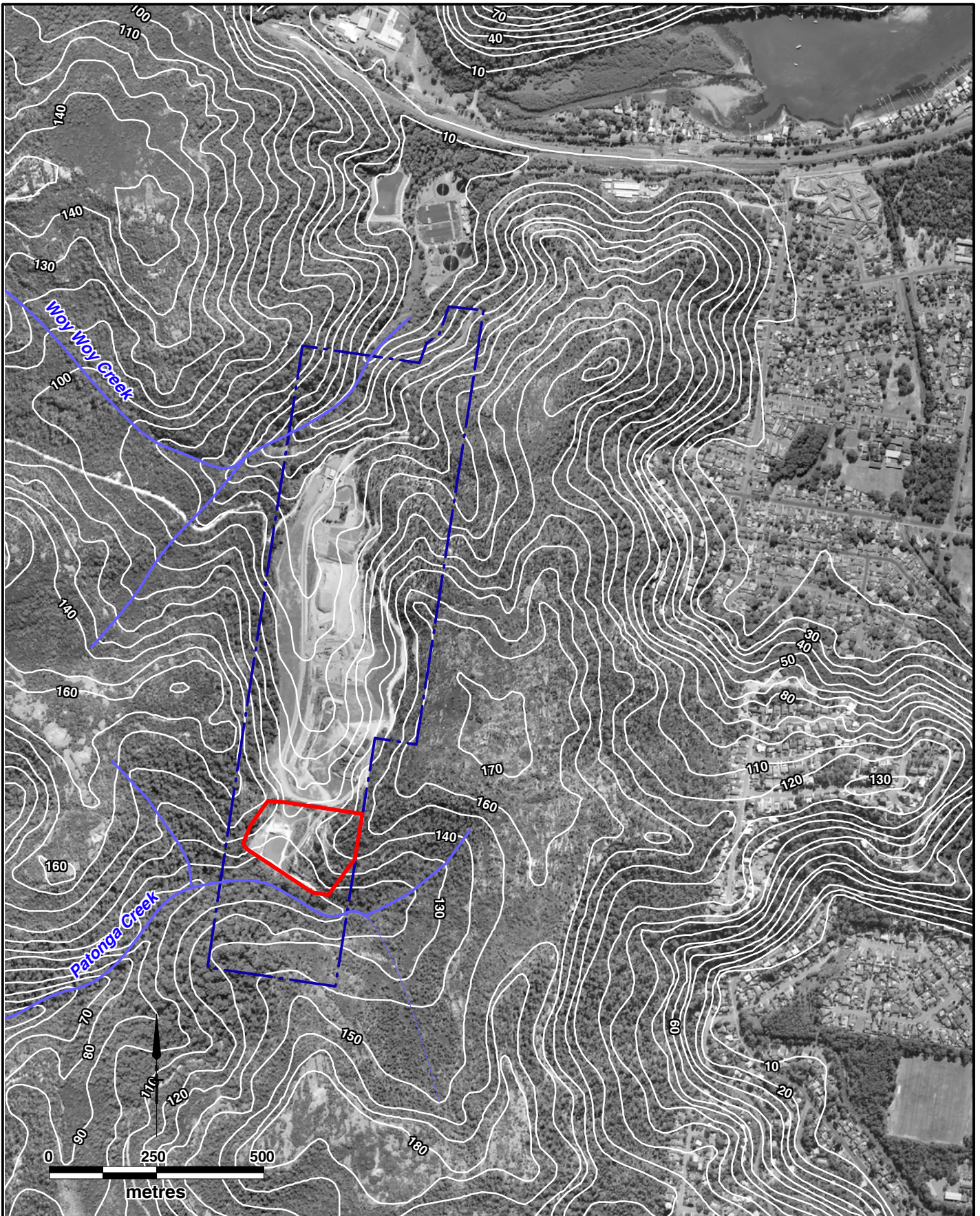


**Legend**

Property Boundary	4(a) Industrial (General)	6(a) Open Space (Recreational)	6(e) Open Space (Proposed)
Project Boundary	4(d) Industrial (Offensive or Hazardous)	6(b) Open Space (Special Purposes)	7(a) Conservation and Scenic Protection (Conservation)
2(a) Residential	5(a) Special Uses	6(c) Open Space (Private Recreation)	9(c) Restricted development (Steep Land)
2(b) Residential	5(b) Special Uses (Railways)	6(d) Open Space (Regional)	

Client <b>GOSFORD CITY COUNCIL</b>	Project Environmental Assessment of Proposed Alternative Waste Technology and Composting Facilities at Woy Woy WMF	Title <b>LANDUSE AND ZONING</b>
	Drawn: AJW   Approved: FINAL   Date: 13/02/2007	Figure: <b>7.1</b>
	Job No: <b>43177409</b>   File No: 43177409-018.wor	

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**Legend**

- Property Boundary
- Project Boundary

Client <b>GOSFORD CITY COUNCIL</b>	Project Environmental Assessment of Proposed Alternative Waste Technology and Composting Facilities at Woy Woy WMF	Title <b>SITE TOPOGRAPHY</b>
	Drawn: AJW    Approved: FINAL    Date: 13/02/2007 Job No: <b>43177409</b> File No: 43177409-016.wor	Figure: <b>7.2</b>

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