

3. Flooding

Issue	Council Response
a The crossing at Buttonderry Creek is shown on the plan as a culvert or a bridge. It is noted elsewhere within report documentation that this crossing is a 30 metre clear-span.	- Should a culvert be utilised for this crossing, backwater effects will need to be assessed. - Consent conditions have been recommended which require additional modelling to be undertaken to ensure that such effects will be addressed appropriately.
b An exemption for 25% of each allotment for irrigation purposes is allowable however elsewhere in the applicants documentation it is stated rain tank water is to be included for allowance of irrigation.	Should the rain tank water not be irrigated (as it would be assumed that this 25% would be developed) then this associated tank volume will not be available for future 'airspace' and retention.
c It is noted that storages will be designed in accordance with <i>Ecological Engineering's</i> calculation shown in Table 5.2 and 5.7.	- There is no mention of additional channel retardation forming storage that is required as shown in <i>Ecological Engineering's</i> table 5.10 – Retardation storage Design for WEZ Catchments. - The proponent will need to clearly identify which parts of the development (within public and private areas within the industrial estate) are providing compensatory flood storage in order to ensure that all uses are flood compatible.
d B2 Stormwater Management	Management of stormwater in B2 channel is deemed to be not appropriate as overland flow is likely to affect proposed Lot 1 and potentially other lots adjacent to the road/overland flow path. The DHI letter (May 2007) indicates that this has been investigated however details of these investigations and outcomes/solutions have not been provided.
e Storage Modelling	The documentation doesn't indicate how flood storage areas have been modelled – inconsistencies exist between the two reports submitted within the documentation.
f Flood reports within the provided documentation are ambiguous and have identified that the 1% AEP has been reduced by 500mm.	- If this level is incorrect, this could pose serious risks to landowners and access to and from the site. - Consent conditions have been recommended which require a revised flood model and analysis of the flood stormwater drainage for the total development site for all watercourses. - It is recommended that the RTA be consulted about the impact of increased flooding behind the F3 – Freeway embankment.



4. Environment

Issue	Council Response
a The proximity of the development site to Buttonderry Waste Centre.	▪ Council is concerned that odour issues may be of a nature which results in unsuitable working conditions. It is recommended that an odour study is undertaken for the site.
b Biocertification and Environmental Offsets	▪ A biocertification application has been developed for the entire WEZ (which includes the current proposal). The Department of Environment and Climate Change (DECC) has still not signed off on this. It is not only unclear but is a matter of great concern to Council that this proposal might not make a contribution towards the broader biodiversity offsetting strategy for the WEZ. Council staff have met with the proponent and have indicated that they will need to pay a proportional share for the entire WEZ (as would have been required by the WEZ Section 94 Contribution Plan). Council staff have indicated that an equivalent payment could be made through the Planning Agreement which is in the process of being negotiated with the proponent to ensure that no funding shortfall arises.
c Vegetation Management Plan needs to be consistent with WEZ Plan of Management. Additional requirements might also need to be introduced to satisfy any conditions for biocertification from DECC.	▪ A draft Vegetation Management Plan has been prepared. There are a number of inconsistencies with Council's own WEZ Plan of Management for future conservation areas. Additional requirements may be required by DECC. A development consent condition has been recommended to ensure that Council has a sign off on this before construction commences.
d The Urban Interface Area (UIA) and Edge Treatment requirements outlined in draft Wyong Shire DCP 2005 Chapter 66 – Subdivision are to be applied to all industrial zones adjoining conservation zones.	▪ Appropriate consent conditions have been recommended to ensure that this policy is applied.
e Minimise impacts arising from IWCM facilities and infrastructure provision.	▪ A number of consent conditions have been recommended to address these issues: - Placement and construction of drainage, constructed wetlands and other IWCM infrastructure is to be sensitively located, designed and landscaped to enhance habitat values for threatened amphibians and mitigate identified Key Threatening Processes (e.g. <i>Gambusia</i> and frog chytrid). - Services such as water, sewer, power and telecommunications that are unavoidably required to be within the wildlife corridor are to be sensitively placed so as to avoid, protect or retain known habitat features (e.g. hollow bearing trees, dams, drainage lines etc). - All road crossings that traverse conservation land



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	are to be designed by a suitably qualified Ecologist with features to assist with fauna movement and to reduce mortality (e.g. underpasses, landscaping, lighting issues, speed suppression, glide poles – as appropriate). - All necessary fire protection measures (asset protection zones, fuel free and fuel reduced zones) are to be contained within industrial zoned land. - Perimeter road access has been reduced from the earlier proposals. Greater effort should be made to increase the use of perimeter roads where development adjoins environmentally significant lands.

5. Traffic and Transport

Issue	Council Response
General	
a Details of proposed road ownership have not been provided within the exhibition material, nor who will be approving the construction of these roads.	▪ There is concern that if Council is not the Certifying Authority for the development, roads will be constructed in a manner which is inconsistent with Council's standard requirements. In addition, unusual site conditions or inappropriate fill materials may result in a change of requirements for pavement design and construction.
b Access is not prohibited to those lots fronting Hue Hue Road and Sparks Road	▪ Council may use its powers under the Roads Act to deny the developer access from the existing local roads (i.e. Hue Hue Road and Sparks Road) if it is not involved with the approval process for the design and construction of the roads and intersections.
c The roads indicated on the concept plan are approximately 13m wide (excluding the road reserve).	▪ Given the location of these roads, there will be development pressure for convenience related business such as petrol stations etc. This creates traffic issues associated with left in left out traffic congestion. A consent condition has been recommended to prohibit direct access onto Sparks Road and Hue Hue Road. ▪ Council does not consider that the width of these roads will enable access for B-Doubles.
Public Transport	
a Public Transport has not been provided within the proposed development area and is restricted to Hue Hue Road and Sparks Road. This is particularly important given the proximity of the site to the site to the Warnervale Town Centre.	▪ Bus servicing needs to be provided in accordance with the local bus company and Ministry of Transport (MOT) requirements. The applicant needs to provide a letter from the MOT and local bus company stating that it will agree to extend the current bus service to include the proposed development. ▪ Bus shelters need to be developed at the proponent's expense. A consent condition has been recommended



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	for the provision of these shelters.
Management of External Traffic Impacts	
a Intersection locations, design and construction	▪ Council has additional requirements for the design, location and construction of the proposed intersections of Hue Hue Road and Sparks Road. Consent conditions have been recommended to address this issue. ▪ Consultation will also be required to be undertaken with the RTA in relation to these issues.
Management of Internal Traffic Impacts	
a Internal road widths, accesses, footpaths, speed control, intersections, uncoupling areas. b Lot sizes for access and aggress c Access to adjoining properties d No footpaths and cycleways have been shown (both internal/external to the precinct).	▪ Council has identified that all pavements within the development must be capable of supporting B-doubles and B-Triples. The current proposal does not adequately address this issue. ▪ Access to adjoining properties has not been addressed as part of the proposal ▪ The proposed minimum lot size of 2,000m² raises concerns that they may not be large enough to accommodate access and egress in a forward direction, particularly by heavy vehicles. ▪ Consent conditions have been recommended to address these issues.

6. Visual and Landscape Management

Issue	Council Response
a The Visual Analysis does not identify controls for reducing visual impact of the site from the F3 Freeway. b Landscape strategy	▪ The proponent will need to demonstrate that the landscaping strategy will effectively screen future industrial buildings at some locations. The vista of main concern is the F3 - Expressway. At this point the freeway is elevated above the natural ground level. Additional landscape screening may be required on Lots 47, 65-69, 101 and 120-121 to properly screen industrial buildings from being viewed along this major visual corridor. ▪ Additional controls should be identified within the DCP which identify requirement for development consent for large scale advertising and visually unappealing buildings (e.g. tin sheds) from being constructed where this will be visually significant.
c Visual Impact, Setbacks and Landscape Design	▪ The character and perception of Wyong by visitors and locals will be impacted on by the clearing of vegetation for the development and visual character of the development. ▪ The WEZ DCP proposes the establishment of a 20 metre visual landscape buffer which must be embellished and transferred to Council to screen the industrial estate. The proponent is only providing a setback screen of 15 metres in width. ▪ 20 metre setbacks would be more appropriate and also



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	align with the controls contained in the draft DCP for the WEZ. A condition has been recommended that the landscaping setback remains at 20 metres, this shall be required to be landscaped at an appropriate density to the satisfaction of Council. ▪ The ownership of the setbacks has not been identified within the exhibition documentation. This requires clarification. It is recommended that these areas be embellished and transferred to Council at no cost. ▪ Note that a number of lots back onto the main roads with their attendant storage, parking and poor building presentation. ▪ To ensure that this development does not have a negative impact on the character and perception of Wyong, additional controls should be stipulated within the relevant DCP.
d Open Space	▪ There is concern that the open space provided within the development does not provide enough social cohesion or support. ▪ The proposal for the public reserve at the rear of an unbroken line of industrial lots suggests dumping and misuse of the reserve will occur. The proponent needs to demonstrate how the edge of this reserve will be treated to protect its natural values.
e Movement	▪ Safe movement to other areas and within the development area is critical to the take up of alternative transport access to the area from adjacent residential areas
f Signage	▪ An integrated signage strategy should be developed to control obtrusive visual material within the proposed industrial estate. Compliance with Council's DCP Chapter 50 – Advertising Signs will also be required.
g IWCM Structures	▪ IWCM structures and ponds need to be integrated with landscape treatment strategies over future public lands and parks.

7. Lot Sizes and Land Use Mix

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a A minimum allotment size of 2,000m ² has been provided for within the draft DCP.	▪ If this minimum lot size is endorsed, this should only be applicable to a proportion of the lots (e.g. 5% of the total number of allotments). Large numbers of small lot sizes will encourage non-industrial uses – such as office premises – and strata subdivision which will detract from the original intent of the area. This condition should be reflected in the planning agreement and amended relevant DCP.
a The proposed land uses within	▪ Any inclusion of additional land uses within these



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the IN1 and E2 zones are broader than those currently proposed by the Standard Instrument.	zones will also be required to be adopted throughout Wyong Shire if this zone is utilised when Council prepares its Comprehensive LEP. As Council has just commenced work on this project, the implications of including these land uses within these zones are unknown at present. ▪ Land uses adopted should be consistent at least with those proposed for the remainder of the WEZ. ▪ Council has previously raised concerns about the wide range of permissible land uses allowable in the IN1 – Industrial zone. Particular concern was raised with the permissibility of neighbourhood shops, and Council requested its removal from the land use table. ▪ It is not clear whether these concerns will be addressed (see Council's letter dated 18 March 2008 for further information).
b The proposal needs to provide a mix of industrial lot sizes to cater for a mix of industries	▪ Lots 1 and Lots 10 – 13 must not be used for services stations or fast food outlets. This is because there is a need for high quality buildings and landscape controls in the southern part of the estate which fronts Sparks Road. ▪ The size and scale of the 'ancillary support uses to reduce the need for workers to travel outside of the site for day to day convenience uses and services' needs to be clarified. 'Neighbourhood shops are identified as a proposed use. In terms of Council's Retail Strategy, this would not include and supermarkets and only small convenience shops plus food and drink. They should not compete with any other centres in the Shire, especially Warnervale Town Centre.

8. Water, Sewer and Other Infrastructure

Issue	Council Response
a Energy Australia identified that a 132kV/11kV substation is required for the development. This was prior to the addition of that land owned by LG Delahunty and Delcare Constructions Pty Ltd.	▪ The concept plan does not identify the location of this substation. It is also recommended that the size of this substation is upgraded to accommodate for those additional lots, if required by Energy Australia.
b Provision of water and sewer to the development	▪ Council will need to provide water supply and sewerage services to this development. All works shall be completed in accordance with the draft Development Servicing Plan (DSP) for the WEZ. ▪ Council will be responsible for the construction of the 300 mm water main along Sparks Rd and the 200 mm water main along Hue Hue Rd and terminate it at Kiar Ridge Rd. ▪ The developer will be required to connect to the 300 mm main in Sparks Rd and another connection to 200 mm main in Hue Hue Rd ▪ Council will also provide sewerage infrastructure on the

