



WARNERVALE TOWN CENTRE

STATE SIGNIFICANT SITE STUDY



NSW GOVERNMENT
Department of Planning

Director-General's
State Significant Site Study
Clause 8 of
State Environmental Planning Policy (Major Projects) 2005

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Warnervale Town Centre
State Significant Site Study
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Front Cover & Coloured Drawings
By Tim Throsby

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ABBREVIATIONS

DCP	Development Control Plan
DECC	Department of Environment and Climate Change (NSW)
DEWHA	Department of the Environment, Water, Heritage and the Arts (Commonwealth)
DWE (formerly DNR)	Department of Water and Energy (formerly Department of Natural Resources)
DoP	Department of Planning
DPI	Department of Primary Industries
Draft WTC DCP	Draft Warnervale Town Centre Development Control Plan
EEC	Ecologically endangered community
EP&A Act 1979	Environmental Planning and Assessment Act 1979 (NSW)
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)
MoT	Ministry of Transport
MSB	Mine Subsidence Board
PW	Parks and Wildlife Division (of DECC)
RFS	NSW Rural Fire Service
RTA	Roads and Traffic Authority
SIS	Species Impact Statement
SEPP	State Environmental Planning Policy
SSS	State Significant Site
SSS study	State Significant Site study
TSC Act	Threatened Species Conservation Act 1995 (NSW)
WSC	Wyong Shire Council
WTC	Warnervale Town Centre
CCRS	Central Coast Regional Strategy: 2006-2031 (Department of Planning, 2006)
SSFCF	Swamp Sclerophyll Forest on Coastal Floodplains
SIS	State Infrastructure Strategy

LIST OF REFERENCE DOCUMENTS

Document
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Environ, <i>Site Audit Report: Proposed Warnervale Town Centre</i> , Mar 2006
<i>Warnervale Town Centre, Development Control Plan Chapter 10 – Water Sensitive Urban Design</i>
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ANEF/OLS Report, <i>Noise Exposure Forecast, Obstacle Limitation Surfaces</i> , Mar 2006

1 EXECUTIVE SUMMARY

This is a State Significant Study prepared by the Director-General of the Department Planning, pursuant to clause 8 of the *State Environmental Planning Policy (Major Projects) 2005* (Major Projects SEPP). This Study has been prepared to inform the process for the proposed listing of the Warnervale Town Centre Site (the Site) in Schedule 3 of the Major Projects SEPP to establish a new planning regime to facilitate a new town centre development.

The Site is approximately 119 hectares (ha) in area and is located within the northern portion of Wyong Shire Council on the New South Wales Central Coast. The NSW Government has identified the Site as the location for a new town centre since the late 1970's.

The Government's vision for the Site is to provide:

- A new town centre focused on **public transport, providing local employment opportunities, and community activities**;
- A mixed use development of **commercial, retail, residential, and civic and community facilities**, servicing over 40,000 people **in the broader Warnervale area**;
- Residential development to **house between 4, 000 and 5,000 people and provide a variety of housing types to cater for different household types and demographics**;
- Public open space, **comprising approximately 13 ha or 11% of the site** and conservation land, **comprising approximately 14ha or 12% of the site**;
- Public domain, **including parks, streets and pedestrian connections**; and
- **Community facilities including an aquatic centre and a library.**

On 26 June 2006, the Minister for Planning agreed to consider listing the Site as a State Significant Sites (SSS) in Schedule 3 of the Major Projects SEPP. A number of background studies have investigated the site constraints and have informed this Study's recommendations.

This Study recommends that the Site be listed as a SSS, for the following reasons:

- its strategic location adjacent to the proposed Warnervale train station;
- proximity to the proposed Wyong Employment Zone;
- ability to deliver the capacity targets of the draft *Central Coast Regional Strategy* for new dwelling and employment land supply;
- capacity for efficient use of land and public infrastructure;
- ecological constraints, including flora and fauna and riparian corridors; and
- potential for conflict in the roles of Wyong Council as landowner and consent authority; and
- potential disagreement amongst landholders about development of the Site.

This report recommends the Site's listing as an SSS to facilitate the town centre development and the establishment of a new planning regime, across the site. The recommended regime proposes new zoning consistent with the standard instrument in the *Standard Instrument (Local Environmental Plan) Order 2006* (as amended), the assessment regime for development types, and the introduction of development controls.

It is concluded that the Warnervale Town Centre proposal is important in achieving regional and state economic and social objectives. These objectives will need to be balanced with the environmental sensitivities and constraints of the Site. It is considered that this can be facilitated through the proposed zoning and development controls, detailed DCP controls, long term management and mitigation

measures, and additional requirements at the development stage. On balance, it is recommended that the Site be rezoned and listed as an SSS.

2 BACKGROUND

2.1 Site Location and Description

The Site is located in the northern portion of WSC and the east of the F3 freeway. It is approximately 4.5km north east of Wyong. The Site straddles the main north-south rail corridor, and incorporates the land bound by Sparks, Hiawatha and Hakone Roads and an area of land to the west of the railway line. A location map of the Site is provided at Figure 1.

The Site has an area of approximately 119 ha. It is densely vegetated in parts (57.6% being vegetated), and cleared and/or degraded in the remainder.

The site has been used for rural residential uses, plant nurseries, quarrying and landfill. Some of the rural residential uses still exist. A school and a medical centre are located on lots fronting Sparks Road. An aerial photo showing the Site and surrounding area is at Figure 2.

2.2 Ownership

The Site comprises 21 lots. Figure 3 and Table 1 show the land ownership details.

Owner	Area Within Site (ha)	% of Study Area
Wyong Shire Council	24.31	20%
Stannic Securities Pty Ltd (Yeramba Estates)	19.41	16%
Minister for Planning (Department of Planning)	18.20	15%
Individual/Private Landowners	16.94	14%
Landcom	13.82	12%
Fabcot Pty Ltd (Woolworths)	9.05	8%
Trustees Roman Catholic Church	7.76	7%
Rail Corporation of NSW	5.76	5%
Roman Catholic Church	4.05	3%
Total:	119.30 ha	100%

Table 1: Land Ownership Details



LOCALITY PLAN

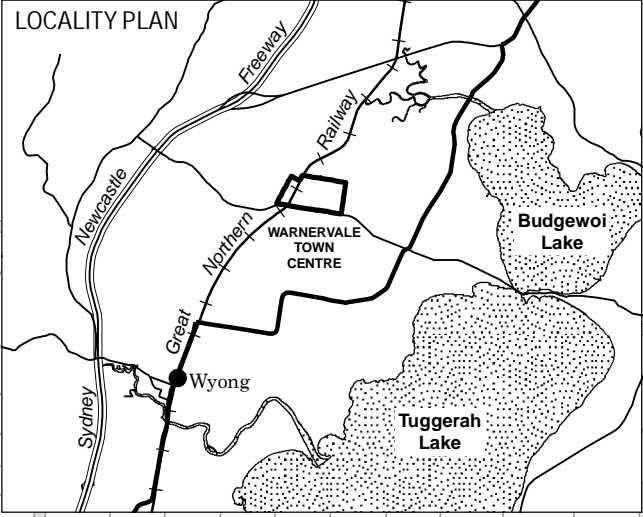
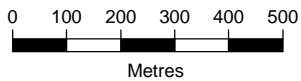


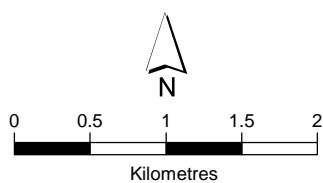
FIGURE 1: LOCALITY MAP



- Warnervale Town Centre
- Parcel Boundary
- Roadways
- Railway

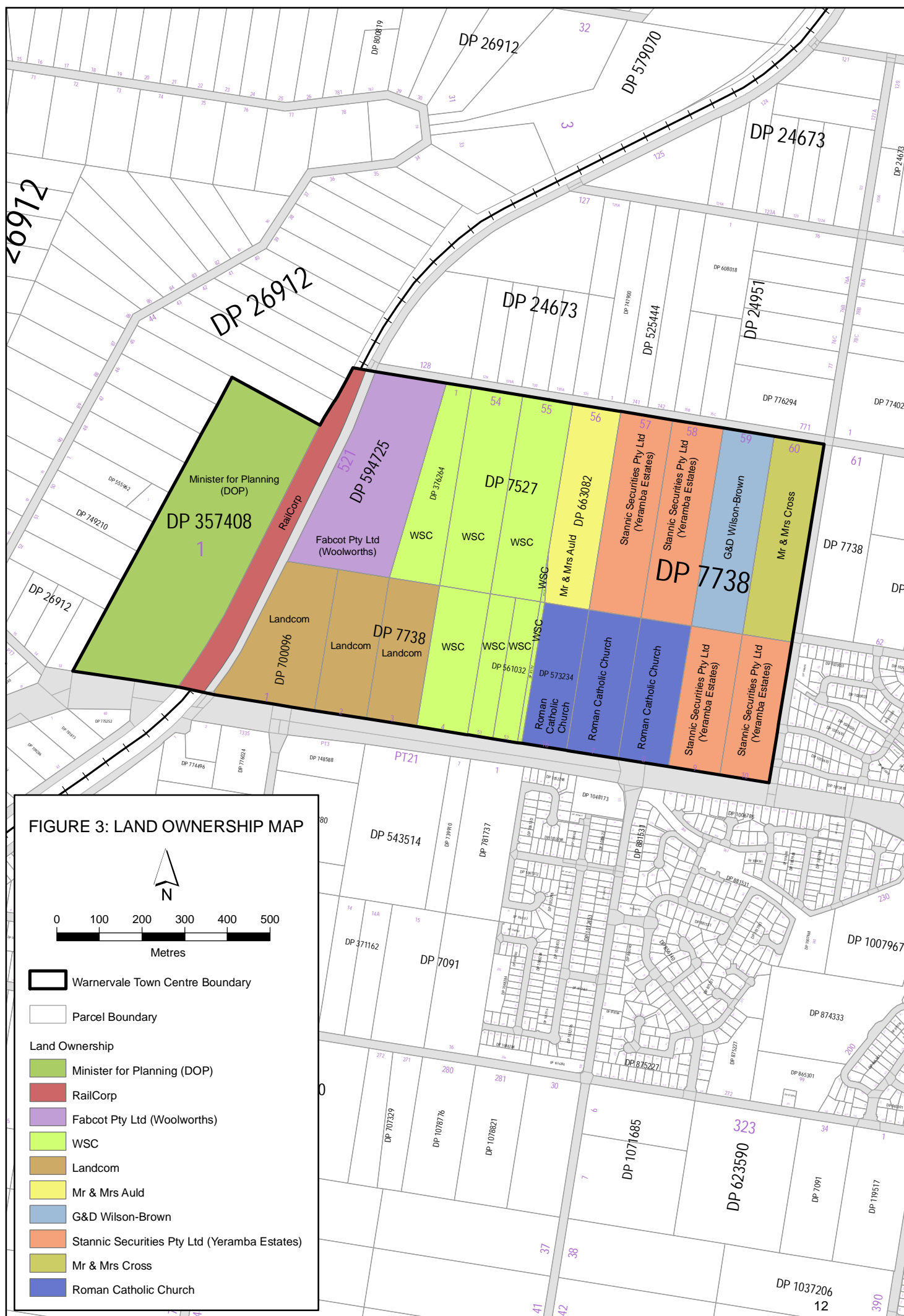


FIGURE 2: AERIAL PHOTO SHOWING SITE CONTEXT



 Warnervale Town Centre

Source: Department of Lands, 2005



2.3 Existing Land Use

The site is predominantly vacant with some of the rural residential uses still existing. The site contains areas that remain uncleared as well as lots that have been used for plant nurseries and rural residential uses (some of which are still occupied). The Site also contains vegetated areas with high ecological values and a number of drainage lines as discussed in Section 3.2. Much of the site is currently vacant but the school and a community medical centre are located on the Sparks Road frontage of the Site.

Land uses in surrounding areas comprise rural residential to the north, west and south west. To the east and south east are residential subdivisions and associated uses including schools. Further to the west is the proposed Wyong Employment Zone, which is currently a mix of rural residential and industrial uses.

2.4 Proposed North Warnervale Train Station

A new railway station, transport interchange and commuter car park (the station proposal) are proposed within the railway corridor adjacent to the proposed retail and commercial core of the town centre. This is approximately 440 metres from Sparks Road.

The station proposal is designed to accommodate long distance commuter trips to Sydney, and shorter trips to Newcastle, Wyong and Gosford. It will be designed to allow for two additional tracks in the future. The forecast is for the station to cater for 1,600 customers daily and up to 6 trains per hour.

The station, by providing an important transport link, would provide an “anchor” for development of the Site. It is also a key project to achieve the NSW Government’s Central Coast regional strategic planning objectives. The station will service the Site, the Warnervale district and the wider Warnervale/Wadalba area. It will also integrate with the metropolitan network, including the Rail Clearways Project and the Epping-Chatswood Rail Link. The commuter car park will also eventually cater for up to 8 terminating or through bus services serving the Site as well as the Wyong and Lake Haven areas.

Development of the station will be staged in two parts.

Stage 1, is for the train station and will comprise twin side platforms up to 9m wide, station buildings, and an overhead pedestrian concourse that connects with the at-grade bus interchange, on the eastern side of the railway cutting.

Stage 2, would comprise the transport interchange and commuter car park

2.5 History of Warnervale Town Centre Proposal

In 1977, the then, NSW Planning and Environment Commission, released the Gosford Wyong Structure Plan. It provided a framework for development in the region and identified Warnervale as the site for a new town centre.

In 1999, the then Department of Urban Affairs and Planning released the draft *Shaping the Central Coast* strategic document. It identified Warnervale for a town centre location, and new regional transport interchange and railway station.

In 2001 and 2002, a Joint Issues Paper and a District Planning Strategy were released by Woods Bagot (for WSC). The documents provided the first town concept plan for the Site.

In February 2006, WSC prepared a Draft Background Report and commenced the process of rezoning the Site under Part 3 of the EP&A Act (see proposed zoning map at Figure 19) to encourage the following development:

- A multiple dwelling residential zone for the eastern half of the Site;

- A mixed use zone for the western half of the Site (to the railway line); and
- A high density residential zone for the northern portion of the west of the rail line part of the Site.

In 2006, the draft CCRS was published as part of the NSW Government's Sydney Metropolitan Strategy. The draft CCRS provides a framework for ongoing growth and prosperity on the Central Coast. It sets capacity targets for new dwelling and employment land supply to the year 2031.

The dwelling targets provided in the draft CCRS and the NSW Government's Metropolitan Development Program (January 2007) include:

- up to 1,800 dwellings to house 4,000 to 5,000 people (including two additional areas to the east and west of the Site); and
- an employment capacity target of 2,000 jobs (employment lands for Wyong LGA include the Site).

On 26 June 2006, the Minister agreed to consider the Site as a potential SSS and instructed the Director General to prepare a state significant site study pursuant to clause 8 of the Major Projects SEPP.

In September 2006, the Department of Planning engaged an independent consultant to review the town centre location and consult with WSC, landowners and agencies. The review recommended a "top of the hill" location for the town centre.

In December 2006, the landholders commissioned a DCP incorporating the town centre core at the "top of the hill". A review of the draft DCP was undertaken by the DoP and landholders for the purposes of determining the suitability of the DCP for public exhibition.

The review highlighted a number of matters that needed to be resolved prior to the DCP being public exhibited. DoP has prepared a revised version of the DCP in consultation with the landholders and WSC.



3 STATE SIGNIFICANT SITE LISTING

In order to deliver the town centre proposal described above, it is necessary to amend the underlying land use controls. It is proposed to both list the Site, as identified in Figure 1, and establish new planning provisions in Schedule 3 of the Major Projects SEPP.

The listing of the Warnervale Town Centre in Schedule 3 of the Major Projects SEPP is a matter of significance for environmental planning for the State, for the following reasons:

- The Warnervale Town Centre is strategically located adjacent to the proposed Warnervale train station; and near to the proposed Wyong Employment Zone (another proposed State significant site).
- Listing the site will allow the establishment of planning parameters for future land use, type and scale of development, consistent with state and regional objectives and the local planning context.
- The NSW Government's Metropolitan Strategy through the Department's Metropolitan Development Program (MDP), nominates the site as part of a coordinated and staged release of land supply to support regional planning objectives.
- The site is listed as a priority for land release on the Central Coast in both the Draft Central Coast Regional Strategy 2006-2031 and the MDP.
- The site will assist in delivering the employment and residential targets of the Employment Lands for Sydney Action Plan and the draft regional strategy.
- The site will provide up to 1,700 dwellings for 4,000 – 5,000 residents, and will service over 40,000 people from the broader Warnervale area.
- The site contains an ecologically endangered community, threatened flora and fauna, one of which is listed as vulnerable by state and commonwealth legislation; and locally and regionally significant vegetation.
- The site will provide significant conservation outcomes for threatened flora and fauna, which will ensure the maintenance and improvement of the site's biodiversity values.

The proposal includes an amendment to the *Wyong Local Environmental Plan 1991* to exclude it from applying to the Site.

Within the context of the proposal and the site analysis, any proposed amendment would need to adopt the *Standard Instrument (Local Environmental Plans) Order 2007*, identify certain land at Warnervale as a State significant site, establish zoning and other development controls for that land, and to identify certain development as development to which Part 3A of the EP&A Act applies. The proposed amendment would also need to:

- facilitate the development of a town centre that integrates with the proposed Warnervale train station,
- encourage development on that land for community facilities, residential uses and open space to address the housing, employment and service needs of the region around Warnervale,
- ensure that development on that land satisfies the principles of ecologically sustainable development,
- set aside part of that land for environmental protection and conservation purposes,

- ensure that development on that land minimises impacts on the environment through energy efficiency and water conservation,
- set aside part of that land for integrated water cycle management purposes so as to address the effects of any future development on that land.

3.1 Significance of the Warnervale Town Centre Site

This report is the study undertaken by the Director-General to justify inclusion of the Warnervale Town Centre Site as a State significant site in Schedule 3 of the Major Projects SEPP. Each of the matters listed above is addressed in this section and throughout the Study in more detail.

3.1.1 State or Regional Planning Significance

A State Significant Site (SSS) must be of a State or regional planning significance because of its social, economic or environmental characteristics.

The Warnervale Town Centre site is of significance for environmental planning for the State in regards to the social, economic and environmental benefit it will provide to the State. These benefits arise from:

- providing a contribution towards the employment capacity target of 5,400 new jobs in the Wyong LGA to be accommodated by centres over the next 25 years;
- creating local job opportunities in the Region's key economic sectors such as retail, construction and service industries (health, community services and property and business services, cultural and recreational services, etc) by increasing the provision of self contained employment opportunities;
- provision of up to 1,700 dwellings to contribute to the housing stock required for the annual population growth of approximately 2,570 people per year over the next 25 years the population;
- provision of civic and community facilities such as an aquatic centre and a library;
- providing housing choice within close proximity to services and facilities, that reflect changing demographics and associated reductions in household size;
- concentrating employment and housing in areas that allows for efficient public transport servicing;
- provision of sustainable transport options (public transport, walking and cycling), healthier communities; and enabling people to carry out a number of activities in one location;
- providing access to a variety of open space and recreation opportunities and natural features in a manner that is consistent with the maintenance of ecological values; and
- providing a balance between future development and important conservation values.

4 SITE ANALYSIS

4.1 Visual Analysis

The Site is dominated by a ridge that extends from west to east with hill top slightly to the north west of the Site's centre. The railway corridor with its steep embankments is a major visual feature of the Site. The highest point of the Site is visible from a number of key, local and regional areas due to its elevation and vegetated ridgeline. The treed ridgeline is an asset, providing a vegetated backdrop to surrounding development and to future development on the Site. It is also a visible, local landmark. Figure 5 identifies the major visual characteristics of the site.



4.2 Environmental Analysis

4.2.1 Ecologically Sustainable Development

In the National Strategy for Ecologically Sustainable Development (Commonwealth of Australia, 1992), ecologically sustainable development (ESD) is defined as “using, conserving and enhancing the community’s resources so that the ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased”.

A primary object of the Environmental Planning and Assessment Act 1979 (NSW) is to promote and encourage ESD: section 5. This requires the effective integration of social, economic and environmental considerations in decision-making processes. To achieve ESD the NSW government requires the implementation of the following principles as set out in section 6(2) of the Protection of the Environment Administration Act 1991 (NSW):

1. The Precautionary Principle

The precautionary principle states that “if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent degradation”.

Key development impacts associated with the proposal are documented in this SSS Study. Impacts have been predicted based on background studies that consider flora and fauna, flooding, integrated water cycle management, contaminated lands assessment and assessed to the best of the Department’s capabilities. The proposed WTC development concept has been based on a thorough appreciation of land capability and suitability considerations.

2. Intra-generational and Inter-generational Equity

Intra-generational and inter-generational equity refers to the principle that “the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of both present and future generations”.

The WTC has the potential to bring many economic, social and environmental benefits to the local area which will benefit current and future generations.

The WTC has the potential to provide up to 1,200 operational jobs and 1,700 dwellings for between 4,000 and 5,000 residents. It also has the potential to service over 40,000 people from the broader Warnervale area.

For many the WTC will mean more choice of local jobs, less time spent getting to and from work, which means more people will be able to spend more time with their families and getting involved in community activities. The creation of the town centre within close proximity to a new train station, and new residential development within the site and other new urban release areas, means that more people will have the ability to live closer to their place of employment, which means that less time and money need to be expended on transport. This will help minimise potential impacts on climate change as it will result in an urban landscape that requires less fossil fuel usage than other urban landscapes where residential and employment districts are separated by greater distances.

The WTC also has the potential to provide public open space, conservation areas and community facilities including an aquatic centre and a library which will have a social benefit to the WTC as well as the wider community.

3. Conservation of Biological Diversity and Ecological Integrity

The POEA Act states that “the conservation of biological diversity and ecological integrity should be a fundamental consideration”.

Biodiversity conservation is an important component of sustainability. The WTC proposal has protected significant vegetation as far as possible through the protection of the Heath Wrinklewort Daisy Reserve in a conservation zone, the retention of ridgeline vegetation, and the protection of a number of watercourses and riparian vegetation.

An important biodiversity issue in the WTC is the loss of native vegetation due to habitat removal. Whilst these impacts have been avoided where possible, they still involve a nett loss of native vegetation within the study area. It is proposed to offset any loss through the purchase of appropriate lands.

4. Improved Valuation, Pricing and Incentive Mechanisms

Improved valuation, pricing and incentive mechanisms refers to the principle that “environmental factors should be included in the valuation of assets and services, such as polluter pays, user pays and other market mechanisms”.

The principle of polluter/impact generator pays should remain. The WTC meets this principle through incentives such as the proposal to collect funds for the purchase of offset lands, which will be largely developer funded.

4.2.2 Ecological Values

The Site has a number of ecological values, which are discussed in further detail below. Figure 6 identifies the Site’s ecological values including habitat trees, the extent of the Heath Wrinklewort daisy population, the location of watercourses, the extent of riparian corridors, Sydney Coastal Estuary Swamp Forest EEC, and regionally/locally significant vegetation (canopy and regrowth).

In addition to the ecological values of the Site, a number of identified threatened flora and fauna species, potentially occurring threatened species (10 species), the Sydney Coastal Estuary Swamp Forest EEC and locally significant vegetation communities hold high conservation value.

4.2.3 Flora and Fauna

The Site is known to contain 10 threatened flora and fauna species. This includes:

- a population of Heath Wrinklewort daisy (*Rutidosia heterogama*),
- the Sydney Coastal Estuary Swamp Forest EEC, and
- fauna and/or their habitat of the Powerful Owl, Masked Owl, Squirrel Glider, Eastern Freetail Bat and the Greater Broad-nosed Bat, and Wallum Froglet.

The Site contains the following threatened species listed as vulnerable by the NSW TSC Act and the Commonwealth’s *EPBC Act*:

- The Heath Wrinklewort daisy (*Rutidosia heterogama*) – recorded;
- Black-eyed Susan; Biconvex Paperbark; and Small-flower Grevillea - identified as likely to occur on the Site.

The Heath Wrinklewort is highly significant and its population numbers approximately 4,980 plants. Figure 7 illustrates daisy locations on the Site. The highest concentration occurs on land west of the railway line that is owned by DoP.

The Site’s daisy population is recognised as having high conservation value. because:

- there are no other confirmed populations known to exist in the WSC;
- it is located at the southernmost extent of the geographical range for the species; and
- it is separated from other populations of the species .

There are ten fauna species recorded or considered likely to occur within the local vegetation communities in the proposed daisy reserve. The threatened fauna species found or likely to occur on the Site species are listed in Table A.2 in Appendix A.

One other species of significance recorded on site is *Macrozamia flexuosa* (cycad). Its distribution is restricted to less than 100km and it is a poorly known species. Ecological investigations do not recommend the need for any specific actions because the extent of loss from the proposed rezoning is estimated to be low and one additional threatened plant species (*Tetratheca juncea*) may potentially occur on site. The investigations justify this on the basis that outcomes sought can be targeted to ecological values of greater significance for the Site.

Table A.1 in Appendix A sets out a summary of the significant flora found or likely to occur on the Site and the potential impacts of the proposal.

The Site's threatened fauna values comprise the:

- Squirrel Glider,
- Eastern Freetail Bat,
- Greater Broad-nosed Bat,
- Masked Owl,
- Powerful Owl, and
- Wallum Froglet.

Three of the above species are listed as vulnerable under the TSC Act, namely the Wallum Froglet, Powerful Owl, and Squirrel Glider.

An additional 8 threatened fauna species have been identified as potentially occurring on the Site:

- Green and golden bell frog;
- Glossy black cockatoo;
- Eastern bent wing bat;
- Eastern false pipistreele;
- Grey headed flying fox;
- Large footed Myotis;
- Little bent wing bat; and
- Koala (listed as vulnerable under the TSC Act).

Table A.2 lists the threatened fauna recorded or highly likely to occur on the Site and Table A.3 lists the threatened fauna moderately likely to occur on the Site. Both tables summarise the potential implications of the WTC proposal. These tables are located in Appendix A.

4.2.4 Vegetation communities

The Site provides habitat for threatened flora and fauna, with approximately 67 ha (56%) of the site being vegetated. Approximately 0.09 ha of the vegetated area (1 vegetation community) is listed as an EEC (TSC Act) and approximately 45 ha is regionally or (3) locally significant vegetation communities.

Figure 8 illustrates the location of the vegetation communities within the Site. Table A.4 in Appendix A lists the vegetation communities, and describes the potential implications of the WTC proposal.

Ecological investigations describe the SSFCF EEC as being in poor condition. The ecological investigations consider that its loss or degradation would not result in a significant impact. The investigations recommend that protection measures be part of other ecological outcomes (within riparian corridors and around stormwater lakes and wetlands). An appropriate offset strategy to protect ecological values outside of the Site is appropriate to address the impacts the WTC proposal. This woodland vegetation is the most significant habitat for the identified threatened species.

Ecological investigations recommend that locally significant vegetation be retained where it achieves multiple objectives, for example, protection of the daisy. It notes that protection of the remainder of communities is unlikely to be achievable. It recommends that protected areas be designed for long term management and that offsetting be considered.

As shown in Figure 9, the proposed rezoning will have an impact on native vegetation. The areas that are likely to be affected by future development on site are summarised below.

Value	Status	Area (ha)	Value	Status	Area (ha)
EEC	Preserved	0.09	EEC	Developable	0.00
Regional	Preserved	3.47	Regional	Developable	3.42
Local	Preserved	11.21	Local	Developable	26.56
Canopy Only	Preserved	3.07	Canopy Only	Developable	17.72
Regrowth	Preserved	0.12	Regrowth	Developable	1.87
Dam	Preserved	0.22	Dam	Developable	0.28
		18.18			49.86

Table 2. Areas of proposal on native vegetation

The recommendations made by Ecological Australia have been incorporated where possible through the retention of hill top vegetation, the provision of the daisy reserve, riparian corridors and public open spaces. In addition, an offset strategy to accommodate the loss of vegetation communities on a "like for like" basis has been negotiated with DECC.

