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#### 1.0 INTRODUCTION

#### Site Significance

In May 2007, Warner Business Park Pty Ltd lodged a Preliminary Environmental Assessment for Warner Business and Industrial Park. On 20 September 2007, the Minister for Planning advised that he agreed that the development proposal is of State or regional environmental planning significance and that Part 3A of the Environmental Planning and Assessment Act 1979 applies. The Minister also authorised the submission of a Concept Plan for the proposal. This report outlines the proposal for Concept Plan approval. The Concept Plan is attached in Appendix 1.

This Concept Plan Approval involves the development and subdivision of land to create an industrial park. The project forms part of the proposed Warnervale Employment Zone (WEZ) which is located in the northern part of Wyong Shire (Figure 1).

# • The Changing Nature of Industry

The proposal reflects the changing nature of industrial employment which is also acknowledged by the State Government. The Economy and Employment Strategy for Sydney prepared by the NSW Government as part of the Sydney Metropolitan Strategy notes changes in business operations are impacting on the way employment land is used. Many firms are consolidating operations into single sites combining head office, back office, manufacturing and distribution activities.

The Strategy identifies that the types of premises sort by business are increasingly diverse, and include:

- Buildings with floorspace of 2,000 10,000 square metres for manufacturing and assembly with a small office area;
- Distribution centres with at least 10,000 square metres floorspace and high internal clearance (eight metres or more) on sites typically over five hectares, some as large as 40 100 hectares:
- Combined office/warehouse buildings for high-tech enterprises with 50 per cent or more office space for research and development/laboratory area; and
- Factory units and other small low cost premises for small and start-up businesses.

Creation of new employment opportunities in this part of the Central Coast has been a major objective of State, regional and local planning for a number of years. This objective is echoed in the major initiatives in the State Plan and the Draft Central Coast Regional Strategy. The proposed Warner Industrial Park fully supports this objective and will act as the much needed initial catalyst for the ongoing development of the remainder of the WEZ. The total cost of the completed development will be over \$260 million and will result in the creation of approximately 3,300 full time jobs on the site and 8,000 in the wider economy.

Warner Business Park Pty Ltd is a position to proceed immediately planning approvals are obtained. The subject land is relatively free of development constraints in comparison to other parts of the WEZ land and can be viably and sustainably developed as a stand alone undertaking in the short term.

#### Planning Context

The site and its surrounds have been subject to extensive, independent investigations by Wyong Shire Council with funding by the Proponent and other land owners. Warner Business Park Pty Ltd has carried out additional investigations and detailed design and impact assessment in relation to the proposal. This body of work provides a detailed examination of constraints, impacts and mitigating measures in relation to the proposed development.

In accordance with the advice of the Department of Planning, the Concept Plan encompasses land owned by Warner Business Park Pty Ltd and two adjoining parcels being Lot 5 in D.P. 259531 and Lot 9 in D.P. 239704. The adjoining Lots 5 and 9 together with the land owned by Warner Business Park Pty Ltd were identified as Employment Lands in Precinct 14 in Wyong Council's Draft LEP for the Wyong Employment Zone. The owners of Lots 5 and 9 have previously given consent to lodging the proposal as part of the Preliminary Environmental Assessment submitted to Department of Planning in May 2007.

#### 2.0 SITE DESCRIPTION

# Ownerships and legal descriptions

The Site that is the subject of this application forms part of Precinct 14 of the WEZ (refer Figure 2). The total area of the site is 104.2 hectares. It is bounded by the Sydney Newcastle Freeway, Sparks Road, Hue Hue Road and Kiar Ridge Road. The Main Northern Railway is located to the east of the F3 Freeway. The land is held in three ownerships. Warner Business Park Pty Ltd is the major landholder. Its landholdings are referred to as the Warner Industrial Park. Existing land ownerships are shown in Table 1 and Figures 3 and 4.

Table 1 – Existing Land Ownership

Owner	Lot	Area
Warner Business Park Pty Ltd	Lots 4 and 6 - 8 in DP239704 Lots 15 - 19 and Lots 25-26 in DP 259530	86.55ha
Delcare Constructions Pty Limited	Lot 9 in D.P. 239704	10.12ha
Laurence Gerard Delahunty	Lot 5 in D.P. 259531	7.54ha
TOTAL AREA		104.2ha

#### Zoning

The majority of the site is currently zoned 10a Investigation and a small portion is zoned 7g Wetlands under the Wyong LEP (Figure 5).

#### Existing land uses

The land is primarily used for rural residential purposes. A helicopter maintenance workshop is located in the South East corner at the intersection of Sparks Road and the F3 Freeway.

#### Topography

The topography of the site is variable from flat within the valley floor to gentle sloping at the north eastern boundary of the site. The construction of the F3 Freeway has modified historic drainage patterns creating low lying areas. These low lying areas are subject to flooding and will require remedial works to provide suitable building platforms.

### Hydrology

Buttonderry Creek enters the site at the western boundary of the study site via culverts under Hue Hue Road as a well a defined waterway draining a 615ha catchment. It meanders through Precinct 14 in a south easterly direction combining with a number of smaller tributaries and subcatchments before discharging under the F3 Freeway via large box culverts.

#### • Immediate surrounding land uses

Surrounding existing land uses of the subject site include small hobby farms, rural residential, land subject to mining leases by Kores and the Buttonderry Waste Management site. Industrial land uses occur to the east of the Freeway.

### Regional Context

Strategically located abutting the Sydney-Newcastle Freeway, the site forms part of the Warnervale growth corridor including the WEZ and the Warnervale Town Centre. The area has been earmarked for significant population and employment growth for over 30 years.

#### 3.0 BACKGROUND TO WEZ REZONING

On 24 November 2004, Wyong Shire Council, in considering a report on the WEZ, resolved to prepare a Draft Local Environmental Plan ("DLEP") to commence rezoning the WEZ. The proposed rezoning would create an additional 300 hectares of developable employment land within the broader WEZ area which is over 600 hectares in size. The remaining parts of the WEZ are flood prone or contain environmentally significant vegetation which is to be protected. Over the past two and half years Council has undertaken extensive studies over the entire WEZ area. In 2006, Wyong Shire Council exhibited its DLEP for the WEZ.

Council's proposal for the WEZ is now under consideration by the Minister for Planning as a State Significant Site. Whilst it is understood that the overall planning for the WEZ has been generally resolved, there are still some outstanding issues with respect to development contributions and its potential impact on project feasibility.

It is understood that the Department of Environment and Climate Change has agreed in principle to establishing a biodiversity strategy for the WEZ to enable individual projects to proceed with increased certainty. The environmental characteristics in relation to the land subject of this Concept Approval were addressed by Council in part of its negotiations with DECC. This is reflected in Council's DLEP and its Draft Contributions Plan.

The Concept Plan for the development of Warner Industrial Park and Lots 5 and 9 enables this land to be developed independently of the remaining areas within the WEZ. In particular, investigations undertaken by Warner Business Park Pty Ltd indicate that external servicing arrangements and management and reuse of stormwater can occur independent of Council's strategies. The Concept Plan also acknowledges environmental lands identified in Council's DLEP.

#### 4.0 PROJECT DESCRIPTION

Warner Industrial Park comprises a total site area of approximately 86.5 hectares. Lots 5 and 9 comprise a total site area of approximately 17.66 hectares. The Concept Plan encompasses a total area of 104.2 hectares. The net development area of employment lands (including roads) is approximately 82 hectares. The net site area of employment lands (excluding roads) is approximately 70 hectares. The proposed development includes:

- Bulk earthworks:
- Roads and Services:
- Water quality ponds and drainage detention basins;
- Landscape works and site rehabilitation of riparian zones and drainage corridors;
- External road works and intersections on Sparks Road and Hue Hue Road;
- External water and sewerage connections:
- Construction of a recycled stormwater line along Hue Hue Road to the weir at Wyong River:
- Subdivision of 82 hectares (NDA) of employment lands into a variety of lot sizes to meet anticipated demand;
- Creation of a residual lot(s) of environmental lands incorporating riparian zones and drainage corridors; and
- Creation of a management regime for the ongoing maintenance of the public domain and residual environmental lands.

# 4.1 Subdivision Layout and Planning Principles

The Concept Plan proposes approximately 90 lots for industrial and ancillary uses. Lot sizes range from 0.45ha to 2ha. It should be noted that the subdivision has been designed to allow for future amalgamation or more intensive subdivision depending on market needs.

The subdivision design reflects the topography of the site and incorporates Buttonderry Creek riparian zone and a landscaped drainage corridor for the northern catchment, separating the two major landholdings (Warner Industrial Park and Lots 5 and 9). The southern extent of employment lands on Lots 5 and 9 has been extended compared to the boundaries shown on Council's DLEP. This is based on more detailed field survey carried out on behalf of the owners of Lots 5 and 9 which revealed that parts of the land identified in Council's DLEP as proposed conservation areas are in fact filled land which is devoid of any vegetation.

Principles for siting various uses are described in section 4.2. These principles acknowledge the different attributes of the site in relation to the proposed land uses, particularly with respect to presentation to Sparks Road, Hue Hue Road, the Estate Entries, and areas of high amenity within the site.

Larger lots are proposed along Sparks Road and Hue Hue Road frontages to enable increased landscape buffers. An environmental/drainage corridor is proposed along the F3 Freeway boundary which will provide a landscape and acoustic buffer to the Freeway.

The development costs are significant, particularly in achieving environmental objectives in relation to Porters Creek Catchment, traffic improvements to the external road network, and creating a quality development. Funding of these objectives relies on creating an attractive location for investment, and in this respect an appropriate balance of uses, environmental and design controls is essential to the success of Warner Industrial Park and the adjoining employment lands.

The major elements of the proposed works include:

#### Bulk Earthworks

Site levels will be reshaped to obtain suitable grades for industrial buildings and to raise flood affected land on the site above the 1% flood level using a combination of fill material won from scraping the sloping areas and spoil from excavating the low lying areas of the site. The excavation is required to create additional flood storage volume on-site to minimise displacement flooding following development. Detailed flood modeling has been carried out to support this.

#### • Stormwater Management and Reuse

Best practice, environmentally sustainable stormwater management and WSUD proposals include:

- Retention of Buttonderry Creek riparian corridor with rehabilitation through supplementary landscaping works;
- Creation of a drainage corridor to contain sheet flows within the northern catchment;
   and
- Construction of the water quality ponds, artificial wetlands and detention basins.

Overall objectives are to:

- Improve flood management;
- Maintain/ Improve water quality to protect the downstream receiving environment and achieve water quality standards proposed under Council's Integrated Water Cycle Management Strategy;
- Improve recreational and visual amenity;
- Provide a sustainable aquatic environment that preserves the potential for creating habitat for locally indigenous flora and fauna; and
- Establish appropriate management regime to minimise ongoing maintenance requirements.

Council's proposed Integrated Water Cycle Management Scheme (IWCMS) for the WEZ presents significant difficulties in relation to staging and financial viability. An alternative strategy is proposed to overcome some of these constraints in relation to the subject land. This Strategy is based on providing a pipeline within Hue Hue Road connecting upstream of the weir in Wyong River to direct excess stormwater flows into Wyong River upstream of the existing weir. This scheme enables the development to proceed immediately approval is obtained, and independently of Council's IWCMS.

Consistent with the objectives of Council's proposed IWMCS, the additional volume of freshwater provided by this alternative scheme will still benefit the residents of Gosford and Wyong that are connected to the potable water supply.

#### Conservation Areas and Rehabilitation Works

Part of the site is proposed to be retained for environmental purposes to conserve and enhance the natural vegetation and habitats, protect Buttonderry Creek and maintain a buffer area between the site and the Sydney Newcastle Freeway. This land will also be used for water management for the site and passive recreation. Water quality ponds have been located outside the main creekline. Preservation of peak flows along Buttonderry Creek is to be achieved by providing retardation storage as part of the stormwater design. The Concept Plan is generally consistent with Council's overall Environmental Strategy for the WEZ.

#### Management of Public Domain

Warner Business Park Pty Ltd will establish an ongoing management and funding structure to ensure lands within the public domain are managed. This will include environmental lands, water quality ponds and drainage corridors, maintenance of landscape within roadside verges including estate entries.

#### Access, Roads and Transport

Public transport is provided to the site by "Coastal Liner" buses which run a service along Sparks Road and Hue Hue Road. This bus service currently operates during the week and its route includes stops such as the Lake Haven Shops, Warnervale Station, Wyong Station and Tuggerah Westfield which all provide access to transport to further destinations. The proponent will engage in further discussions with the bus company with a view to expanding the frequency of service as the Industrial Park is developed. In addition, the Sparks Road Corridor will eventually become a major bus route feeding the new Warnervale Town Centre and associated transport interchange with extended services throughout the remaining part of the WEZ as it develops. This will ensure that the land subject to this Application achieves Government objectives in relation to increased public transport use and reduction in greenhouse emissions.

The Concept Plan provides for pedestrian and cycleway pathways in the Industrial Park. There is potential to expand this network into a more comprehensive regional network subject to Council's intentions for the Sparks Road Corridor.

Access to the site will be provided by new intersections constructed on Sparks Road and Hue Hue Road. These intersections have been agreed with Wyong Shire Council and the NSW RTA and the cost of construction of these intersections have been included in Council's Draft Section 94 Plan. Upgrading of Hue Hue and Sparks Road intersection will also be required. Internal roads of the subdivision have been designed to accommodate b-double vehicles.

#### Landscape Works

Proposed Landscape works include:

- Rehabilitation and enhancement of Buttonderry Creek.
- Landscape works associated with water quality and detention basins.
- Street tree and median planting
- Estate entries to Sparks Road and Hue Hue Road including roundabout embellishment.
- Screen planting along the buffer zone to the F3 Freeway drainage corridor.
- Appropriate use of indigenous species

### • External Infrastructure

Works will include:

- External water and sewer connections to Council's mains.
- Upgrading Intersections and associated roadworks at Hue Hue Road, Sparks Road including new roundabout at Sparks Road.
- Provision for pipeline link to Wyong River to divert surplus stormwater flows.

#### Landscape and Built Form

Warner business Park Pty Lt will establish a set of site specific building and landscape design guidelines to ensure a high quality sustainable development. A draft of these design guidelines was included as part of the Preliminary Environmental Assessment.

#### • Employment Generation

A Study by Pitney Bowes (Warner Industrial Park and Adjoining Lands, Assessment of Need for Proposed Uses - 22 October 2007) indicated that a job density of 40 persons per hectare was reasonable for a project of this nature given the additional ancillary support services and the potential to incorporate non traditional business uses which would not locate in CBD areas. This will provide approximately 3,300 jobs. Using a multiplier of 2.5 and this will generate approximately 8,000 jobs throughout the economy.

The construction cost of the completed development is estimated to be in excess of \$260 million. This will generate a further 1,820 jobs during construction and an additional 7,540 jobs in the wider economy throughout the construction period.

#### • Development contributions

The Proponent acknowledges that the proposal will be required to assist in funding local and regional infrastructure. Council has prepared a Draft Section 94 Contributions Plan and it is considered that most of the funding under Council's section 94 Contributions Plan can be met as offsets of works in kind. The extent of any regional infrastructure contributions is a matter which needs to be negotiated with State Government once these works have been identified. We note that the Minister's Department is in the process of reviewing Regional Infrastructure levies and that some of these levies will be applicable to the project.

#### 4.2 Proposed Landuses

Wyong Shire Council's exhibited DLEP proposed that the land owned by Warner Business Park Pty Ltd be zoned 4(c) Business Park (refer Figure 6). The Preliminary Environmental Assessment lodged by Warner Business Park Pty Ltd in May 2007 reflected Council's proposed zoning. In authorising the preparation of the Concept Plan the Minister raised concerns over the standalone office component and its inconsistency with the Centres Hierarchy in the Draft Central Coast Regional Strategy. The Concept Plan now proposed for the site addresses the Minister's concern by proposing a range of permissible uses which are generally consistent with objectives and uses under zones IN1 General Industrial and IN2 Light Industrial under the Standard LEP template. Figure 7 shows the areas to be developed for employment lands.

Because of the size and location of Precinct 14, it is also proposed to incorporate ancillary support uses to reduce the need for workers to travel outside of the site for day to day convenience uses and services. In addition, it is proposed to allow uses which would not viably locate within the existing and proposed business centres under the Draft Regional Strategy and therefore are not inconsistent with the Government objectives. These uses include high tech, research and development industries requiring larger building footprints and potentially requiring associated laboratory space and the like. In addition, it is proposed to allow some professional and business services which would not locate into a conventional business centre and that by their nature rely on having field staff requiring vehicles and generally do not have high levels of visitors and hence are not significantly reliant on public transport.

# 4.3 Proposed Land Use Objectives

The proposed objectives are generally in accordance with the Standard LEP template for the IN1 Industrial, incorporating an additional objective for support facilities and services. The proposed objectives are:

- To provide a wide range of industrial and warehouse land uses;
- To encourage employment opportunities;
- To minimise any adverse effect of industry on other land uses;
- To enable the establishment of research and development, and high tech industrial uses to including uses to support the local coal industry and other major natural resource and industrial activities in the region; and
- To enable other land uses that provides facilities or services to meet the day to day needs of workers in the area.

#### 4.4 Proposed Permissible Land Use

The proposed range of uses which will be permissible with consent will include:

- Industries which are not offensive industries
- Depots
- Freight and Transport Facility
- High Tech and Research and Development industries
- Conference facilities
- Hardware and building supplies
- Landscape and garden supplies
- Manufacturing
- Office premises
- Places of public worship
- Recreation facilities (Indoor)
- Vehicle showrooms
- Warehousing and Distribution Centres
- Ancillary support uses, such as child care centres, food and drink premises, neighbourhood shops, educational establishments, service stations and recreation facilities such as a gymnasium.

#### 4.5 Principles for Location and Design

Principles for location and design of ancillary support facilities or services:

- Preferably adjacent to industrial park entries and in visually prominent locations such as corners or prominent intersections;
- Safe and convenient access for pedestrian and vehicles;
- High quality presentation of built form and landscape;
- Consideration should also be given to locating these uses near areas of high amenity,
   e.g. Buttonderry Creek Corridor.

Principles for location and design of research and development and high tech industries:

- Generally located in the southern part of Warner Industrial park, preference should also be given to locating these uses near areas of high amenity, e.g. along the Buttonderry Creek corridor
- Adjacent to industrial park entries and in visually prominent locations such as corners or intersections:
- Along frontages to Sparks Road to create a high quality presentation to announce the entry to the estate;
- High quality presentation of built form and landscape;

Principles for locating warehousing, distribution centres and general industrial uses:

- Generally located in the northern part of Warner Industrial Park and lots 5 and 9.
- Along frontages to Hue Hue Road on larger lots with appropriate landscape buffers.
- High quality presentation of built form and landscape:

#### 5.0 CONSULTATION

Consultation with Government agencies has been undertaken by Wyong Council under Section 34A and Section 62, when Council prepared its Draft LEP for the WEZ. The project has been the subject of extensive public reports to Council. This included discussion and detailed examination of the constraints and development potential of Precinct 14.

Wyong Council consulted the following authorities and organisations in the preparation of the DLEP for the WEZ:

Catchment Management Authority

Central Coast Aero Club Limited

Civil Aviation Safety Authority

Energy Australia – Newcastle

Department of Energy, Utilities and Sustainability

Department of Environment and Conservation (DEC)

Gosford City Council

**Hunter Regional Development Committee** 

Blake Dawson Waldron Lawyers on behalf of Kores Australia

Lake Macquarie Council

Mines Subsidence Board / DARZL

Department of Natural Resources (DNR)

Department of Primary Industries

Roads and Traffic Authority (RTA)

**NSW Rural Fire Service** 

Department of State and Regional Development

The Department of Planning

The Proponent has been in consultation with Council and some State agencies throughout the exhibition process and subsequent consideration of submissions. Council worked in conjunction with the Premiers Department to resolve matters between departments. These included:

 Mine Subsidence Board and Director-General of Department Primary Industries in relation to the impact of rezoning on future coal mining and exploration licenses. It is understood that these agencies have withdrawn any objection to the proposed development of Precinct 14.

- RTA in relation to traffic studies for WEZ, including intersections on Sparks Road and Hue Hue Road which provide access to Warner Business and Industrial Park. Detailed intersection designs for Sparks Road still need to be resolved with the RTA.
- DEC regarding the environmental strategy for WEZ including Warner Business and Industrial Park.
- DNR it is also understood that Council has had discussions with DNR regarding the Buttonderry Creek Riparian Corridor to reach agreement to the zone boundaries in Council's Draft LEP.
- The Proponent has received verbal advice from Council that DEC has agreed to the Environmental Strategy included in the WEZ proposal. The proposed Project is consistent with this Strategy in respect of the Warner Business and Industrial Park site.

### 6.0 TECHNICAL STUDIES SUPPORTING THE PROPOSED CONCEPT PLAN

Warner Business Park Pty Ltd assisted in funding studies commissioned by Wyong Shire Council as part of the overall WEZ investigations. These studies together with additional studies commissioned by Warner Business Park Pty Ltd form the technical basis for the Concept Plan. Studies commissioned by Council include:

- Wyong Employment Zone Additional Flooding Assessment Final Report prepared by DHI Water & Environment dated November 2006.
- Buttonderry Creek Flood Study Precincts, 11, 13 and 14 by Matrix + Consulting Pty Limited dated November 2005.
- Integrated Water Cycle Management Strategy Wyong Employment Zone (WEZ) prepared by Ecological Engineering dated November 2006.
- Ecological Assessment undertaken for the WEZ prepared by Forest Fauna Surveys Pty Ltd and East Coast Flora Survey (May, 2006)
- Sparks Road Intersection Analysis prepared by Arup dated November 2005.
- Wyong Employment Zone Sparks Road Traffic Study prepared by Wyong Shire Council dated November 2005.
- The Archaeological Investigations for sites of Indigenous cultural sensitivity in Precincts 11, 13 and 14, and Industrial Land, Sparks Road Wyong Employment Zone by Archaeological Surveys & Reports Pty Ltd dated April 2005
- Wyong Employment Zone Precincts 11, 13 and 14, and Airport Supplier Park Halloran Updated Preliminary Contaminated Land Assessment and Acid Sulfate Soil Assessment prepared by Coffey Geosciences Pty Ltd dated 15 May 2006

Additional studies commissioned separately by Warner Business Park Pty Ltd include:

- Engineering Drawings prepared by Trehy Ingold & Neate dated May 2007
- Landscape Masterplan and Cross Sections prepared by Andrews Neil dated May 2007
- Warner Business and Industrial Park Draft Development Control Plan prepared by Andrews Neil dated May 2007
- Floodplain Development Strategy Precinct 14 Warnervale (Part of Wyong Employment Zone) prepared by Buzz Engineering & Environmental Solutions dated 26 September 2006 and supplementary modelling in September 2007.
- Warner Business Park Stormwater Strategy Review prepared by J Wyndham Prince Pty Ltd dated 4 January 2007
- Warner Business Park Stormwater Strategy Review Addendum prepared by J Wyndham Prince Pty Ltd dated 8 March 2007

The Preliminary Environmental Assessment lodged in May 2007 provides extensive supporting documentation including most of the above reports in part or in full.

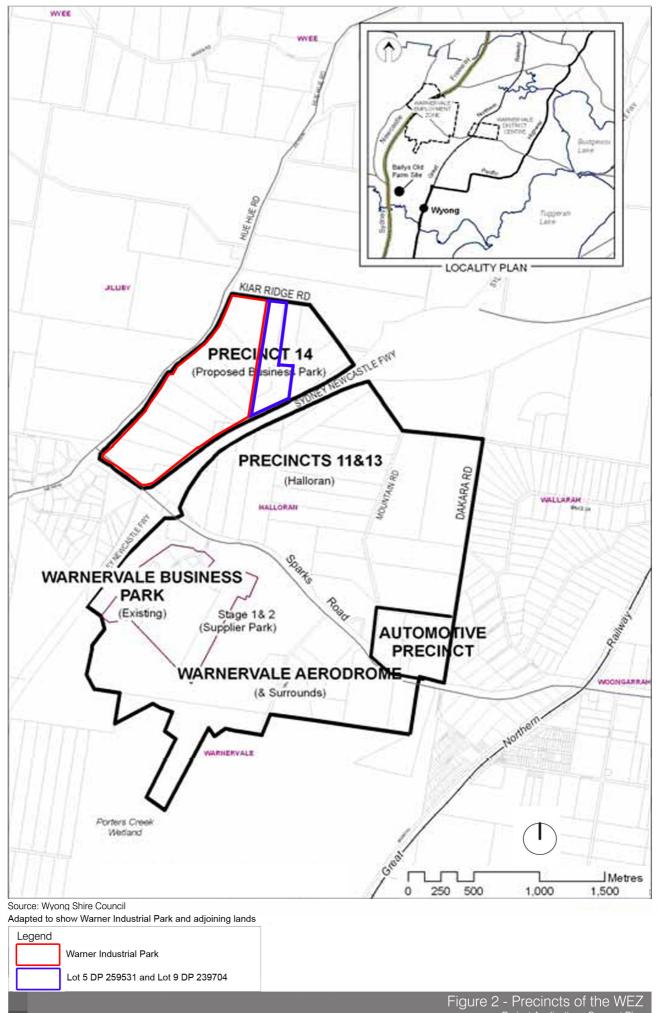
#### 7.0 CONCLUSION

The supporting documentation provided with the Preliminary Environmental Assessment indicates that the project can proceed with appropriate controls to meet environmental and infrastructure requirements. In particular, the supporting documentation and proposed alternative strategy for meeting water reuse requirement objectives will allow the project to proceed in advance of the remaining parts of the WEZ.

The project can proceed at an early date which will assist the Government in meeting its Regional employment objectives in a timely manner and provide a catalyst for the development of other areas within the WEZ.

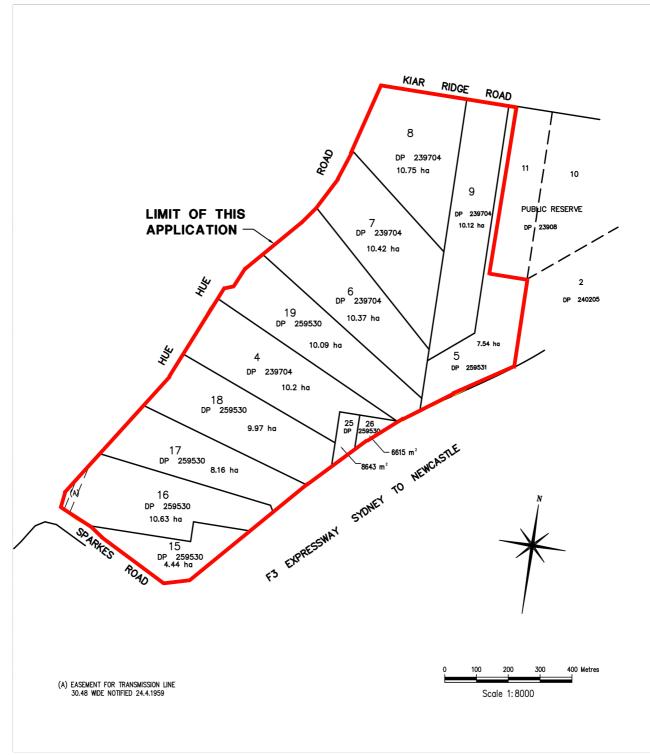


Legend
Warner Industrial Park and
Lot 5 DP 259531 and Lot 9 DP 239704
Wyong Employment Zone

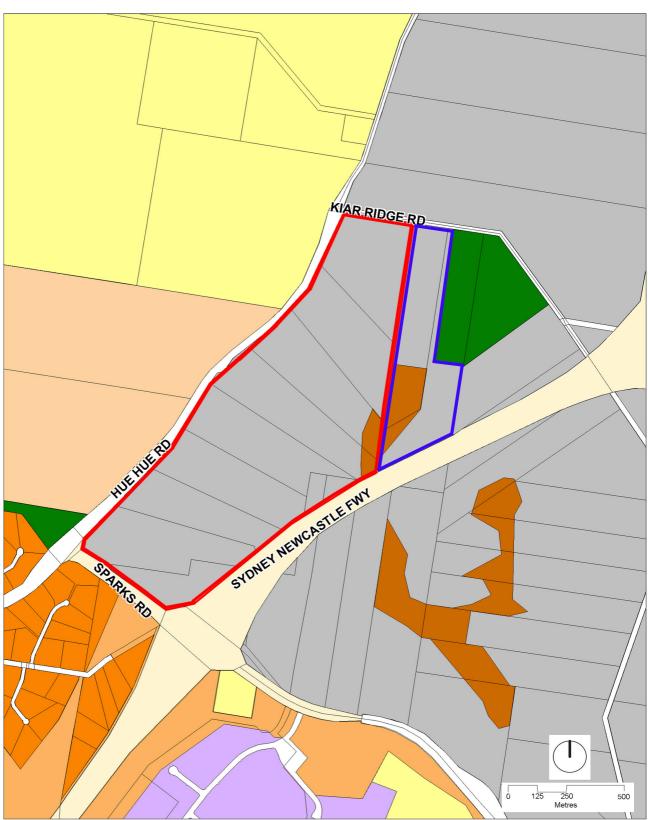


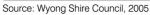




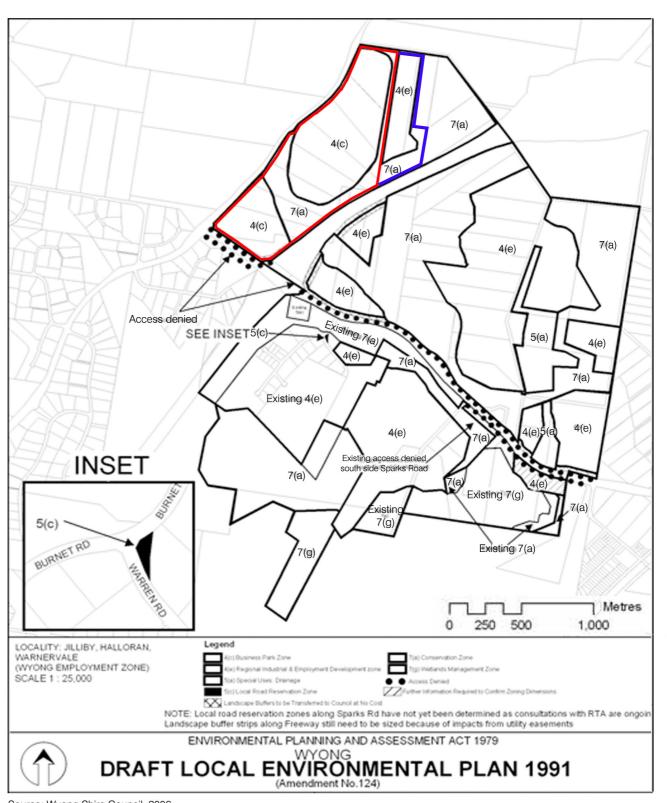


Source: Trehy Ingold Neate 2007

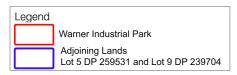


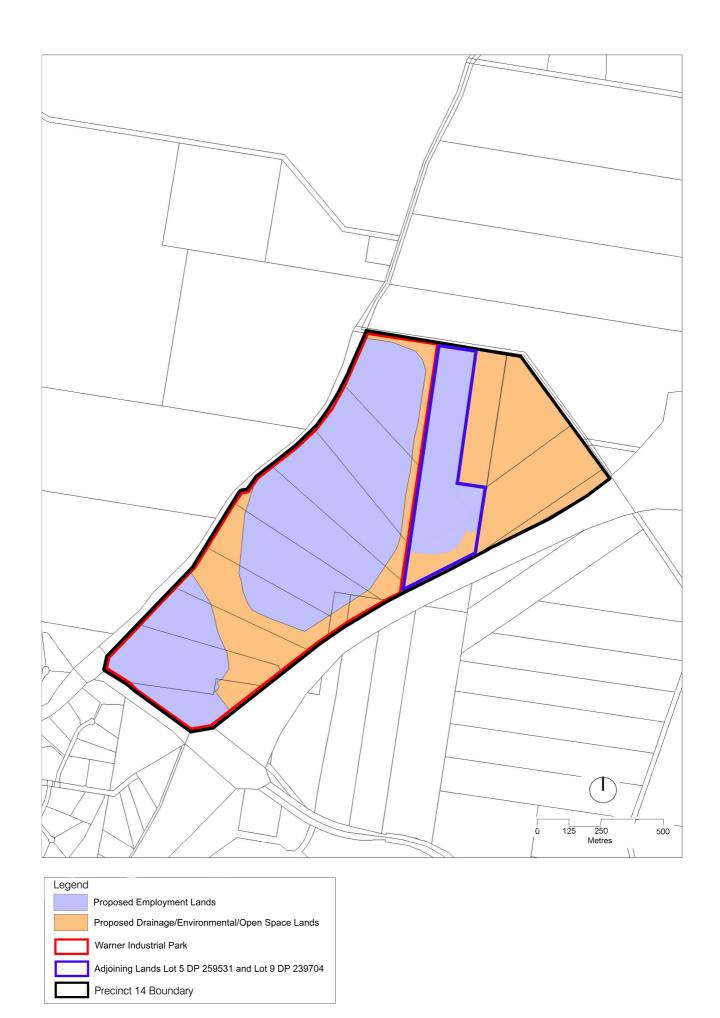






Source: Wyong Shire Council, 2006 Adapted to show employment lands







# Appendix 1 Concept Plan Warner Industrial Park and Adjoining Lands

Sparks Rd and Hue Hue Rd Warnervale October 2007



Warner Business Park Pty Ltd Part of the Terrace Tower Group

