



Wyong Shire Council
Planning Proposal
44W, 50W & 60 Parraweena Road
Gwandalan

RZ/2/2015;
September 15



Planning Proposal
44W, 50W & 60 Parraweena Rd
Gwandalan

RZ/2/2015
September 15
Consultation Version

© Wyong Shire Council
Wyong Shire Council
2 Hely Street Wyong
PO Box 20 Wyong NSW 2259
P 02 4350 5555 **F** 02 4351 2098
E wsc@wyong.nsw.gov.au
W www.wyong.nsw.gov.au
Opening Hours 8.30am - 5.00pm

Introduction & Locality Context	2
Part 1 Objectives or Intended Outcomes	3
Part 2 Explanation of Provisions	3
Part 3 Justification	4
<i>Section A – Need for the Planning Proposal</i>	4
<i>Section B – Relationship to strategic planning framework</i>	4
<i>Section C – Environmental, Social and Economic Impact</i>	10
<i>Section D – State and Commonwealth Interests</i>	12
Part 4 Mapping	14
Part 5 Community Consultation	14
Part 6 Project Timeline	15
Supporting Documentation	16

Introduction & Locality Context

The site is located on the north-eastern corner of the intersection of Kanangra Drive and Summerland Road Gwandalan. All traffic entering Gwandalan and Summerland Point is distributed from this intersection. The site is approximately 1 km from the existing Gwandalan neighbourhood centre and approximately 2 km from the Summerland Point neighbourhood centre.

The site is currently vacant and contains remnant native vegetation. The site slopes at approximately 10-15% from west to east with the head of a drainage line apparent to the south-east. The site consists of mainly open woodland with scattered trees and a generally cleared understorey. The vegetation on the site is generally degraded due to previous industrial use and unauthorised recreational use.

The proposal predominately relates to Lot 20 DP 1089946 which is approximately 4.7 Ha in size. The proposal also includes two pieces of Council owned land being a 4715 m² section of Lot 1 DP 1043151 currently zoned RE1 Public Recreation and a 2250m² section of Lot 3 DP 740701 currently zoned E2 Environmental Conservation.

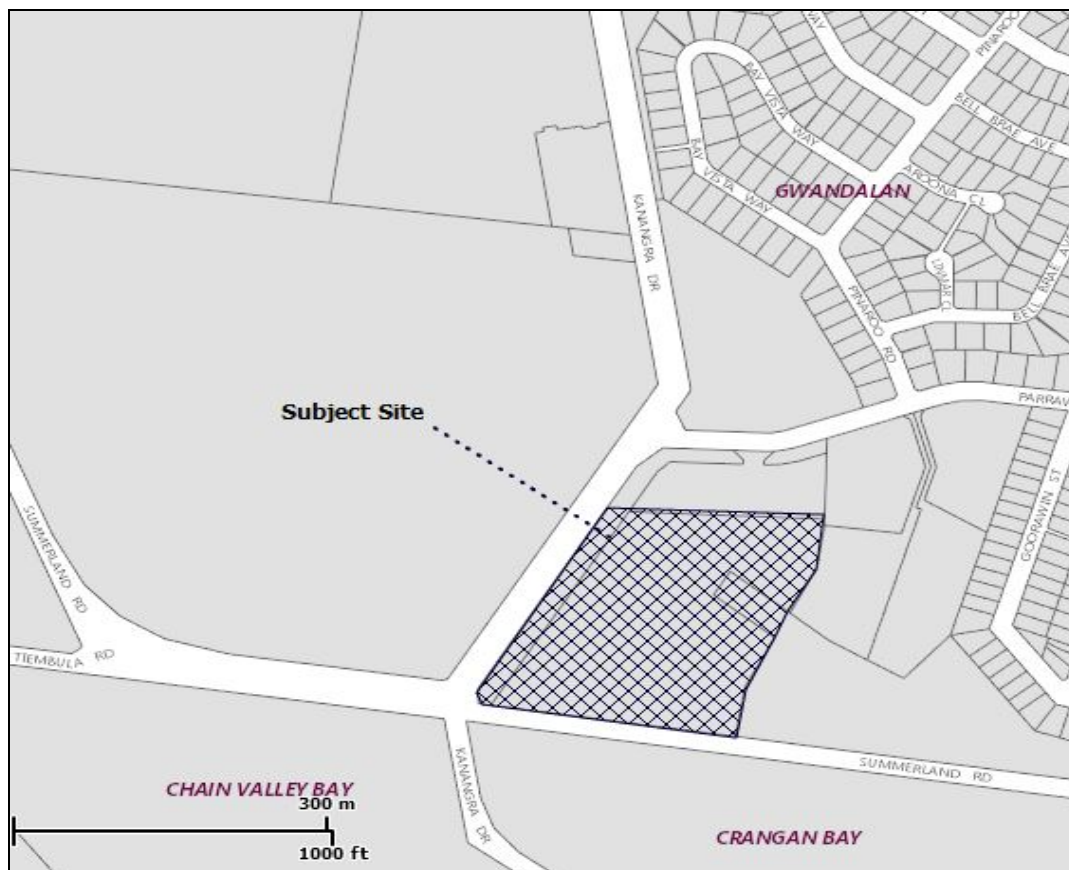


Figure 1 Locality Plan

Part 1 Objectives or Intended Outcomes

To enable the development of vacant land at 44W, 50W and 60 Parraweena Rd Gwandalan for a mix of commercial and residential development by:

- rezoning part Lot 1 DP 1043151 from RE1 Public Recreation to B2 Local Centre
- rezoning Lot 20 DP 1089946 from IN2 Light Industrial to R2 Low Density Residential R1 General Residential
- rezoning part Lot 3 DP 740701 from E2 Environmental Conservation to part R2 Low Density Residential R1 General Residential
- reclassification of part Lot 3 DP 740701 from Community Land to Operational Land

Part 2 Explanation of Provisions

The outcome will be facilitated by an amendment to Wyong Local Environmental Plan (LEP) 2013.

The following table identifies the proposed amendments:

Existing Provision				Proposed Amendment			
Land	Zoning	Map	8550_COM_LZN_017_020_20150216	Land Zoning Map	8550_COM_LZN_017_020_20150901		
Lot	Size	Map	8550_COM_LSZ_017_020_20131219	Lot	Size	Map	8550_COM_LSZ_017_020_20150901
Land Reclassification (Part Lots) Map Nil				RPL 8550_COM_RPL_017_020_20150901			
Schedule 4 - Classification and reclassification of public land Part 1 - Land classified, or reclassified, as operational land—no interests changed				The addition of "Gwandalan - part Lot 3 DP 740701"			

Table 1 – Explanation of Map and Instrument Amendments

Part 3 Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any Strategic Study or report?

Wyong Shire Retail Centres Strategy (2013 Section 3.8 Demand Assessment p. 8) (Annexure 01 D) states the following with regard to the Gwandalan/Summerland Point area:

The draft North Wyong Shire Structure Plan includes the provision of a new centre at Gwandalan. It is likely that a neighbourhood centre to supplement the existing centres in Gwandalan and Summerland Point and the new centre at Lake Munmorah may be supportable in the future.

The site is identified as a “potential new centre” under the *North Wyong Shire Structure Plan 2012 (NWSSP) (Annexure 01 C)*, further discussed under Section B below.

The *Gwandalan Residential Development, Concept Plan MP10_0084 Director-General’s Environmental Assessment Report May (2012 p. 17) (Annexure 01E)* supported the rezoning of land to permit residential development directly to the south of the site. The Department omitted a proposed commercial centre on this adjoining site considering it “inconsistent with the draft North Wyong Shire Structure Plan” which identifies “the potential new centre, to the north of the subject site”,

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The majority of the subject site is currently zoned for industrial use. A change to the zoning is the appropriate way to permit the proposed development of the site for commercial and residential use.

The reclassification of part Lot 3 DP 740701 from Community Land to Operational Land is to be made by a local environmental plan.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The site is identified as a “potential new centre” under the *North Wyong Shire Structure Plan 2012 (NWSSP)* (see figure 2).

The *NWSSP (2012 p.13)* identifies a new Centre at Gwandalan as providing employment opportunities and the potential for a variety of housing near this centre,

The NWSSP (2012 p.16, 18 and 19) identifies significant potential residential land releases in the area in the medium and long term.

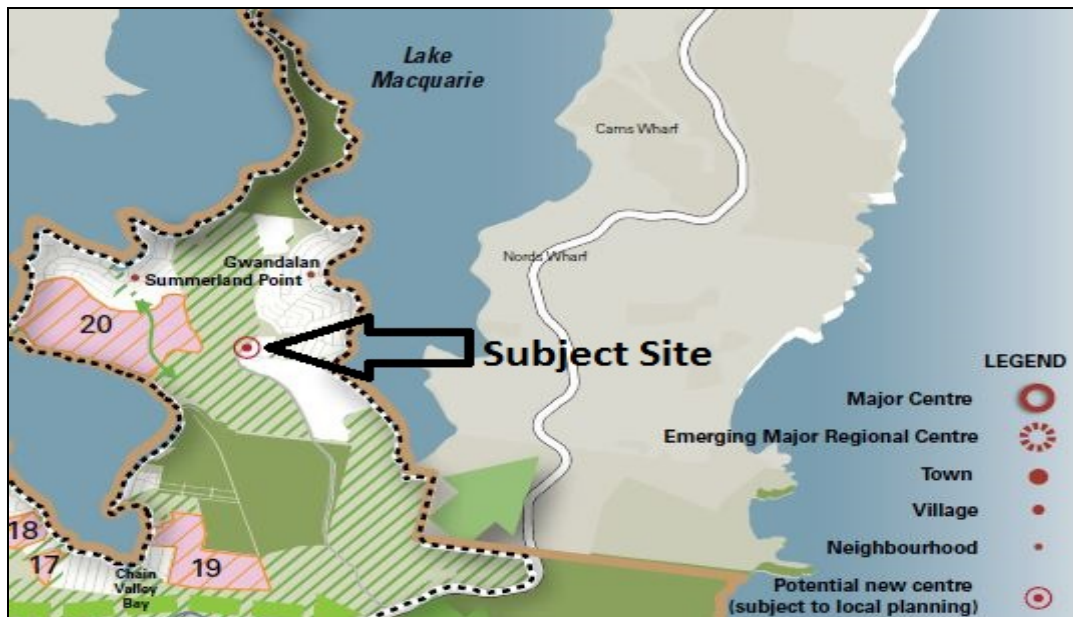


Figure 2 - Extract from the NWSSP

The Central Coast Regional Strategy (2008 p.12) identifies two significant urban release areas providing potential demand for additional services in the area being:

- the recently approved 405 lot residential subdivision directly to the south of the site,
- the recently commenced subdivision to the north of the site for 200 residential lots.

4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

The Wyong Shire Community Strategic Plan 2013 (CSP) identifies the Shire Strategic Vision, how the vision was created and how the Shire Strategic Vision integrates with Council's Asset Management Strategy and long-term Financial Strategy. The CSP priority objectives are each supported by a range of actions. The proposal is considered to be consistent with the objectives of the CSP in particular the objective that indicates that, "there will be a strong sustainable business sector and increased local employment".

The Wyong Shire Council Settlement Strategy (2013 p30) requires the undertaking of the following action

Identify an appropriate location for the development or expansion of a Town Centre within the NWSSP Area. Potential locations include the expansion of Summerland Point or Gwandalan Neighbourhood Centres.

Initial assessment has identified that the existing centres are physically constrained and unlikely to be appropriate for further expansion. The possibility of the expansion of existing centres and the impact of a new centre will need to be further investigated through a Net Community Benefit Test to be completed prior to public exhibition.

5. Is the planning proposal consistent with applicable state environmental planning policies?

The proposal has been considered against the relevant *State Environmental Planning Policies (SEPPs)* as detailed below.

State Environmental Planning Policy	Comment
SEPP No. 44 – Koala Habitat	
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: (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and (b) by encouraging the identification of areas of core koala habitat, and (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones	The site is sparsely vegetated and the majority of the site is degraded. An ecological study to be provided prior to any public exhibition process will address whether the site provides koala habitat.
SEPP 55 – Remediation of Land	
Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment (a) by specifying when consent is required, and when it is not required, for a remediation work, and (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and (c) by requiring that a remediation work meet certain standards and notification requirements.	The site has previously been used for industrial purposes and there are signs that the site has been used for illegal dumping in the past. A Preliminary Contamination Assessment will be undertaken as required by any Gateway Determination.
SEPP 71 – Coastal Protection	
Aims: (a) to protect and manage the natural, cultural,	The site is located within the SEPP 71 Coastal Protection Zone. The proposal is consistent with the provisions of SEPP 71. The matters outlined

State Environmental Planning Policy	Comment
recreational and economic attributes of the New South Wales coast, and (b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and (c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and (d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and (e) to ensure that the visual amenity of the coast is protected, and (f) to protect and preserve beach environments and beach amenity, and (g) to protect and preserve native coastal vegetation, and (h) to protect and preserve the marine environment of New South Wales, and (i) to protect and preserve rock platforms, and (j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and (k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and (l) to encourage a strategic approach to coastal management.	in Clause 8 of the SEPP have been considered: • The proposal does not affect access to and along coastal foreshores, • The site is not affected by coastal processes. • Further assessment of aboriginal cultural heritage will be required prior to public exhibition. • Development will not be visible from the lake or coastal foreshore areas – likely to be restricted in scale due to mine subsidence issues • Vegetation quality and potential retention is to be further investigated through an ecological report prior to public exhibition. • The site contains a drainage line that flows to Lake Macquarie. Water quality (runoff) issues will need to be addressed through appropriate development controls.
Mining, Petroleum & Extractive Industries	
Aims:	The site is located in a Mines Subsidence District and referral to the Mines Subsidence

State Environmental Planning Policy	Comment
(a) to provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and (b) to facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and (b1) to promote the development of significant mineral resources, and (c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources, and (d) to establish a gateway assessment process for certain mining and petroleum (oil and gas) development: (i) to recognise the importance of agricultural resources, and (ii) to ensure protection of strategic agricultural land and water resources, and (iii) to ensure a balanced use of land by potentially competing industries, and (iv) to provide for the sustainable growth of mining, petroleum and agricultural industries.	Board and NSW Trade and Investment - Minerals and Petroleum are likely to be required as a condition of a Gateway Determination.

Table 2 – SEPP Assessment

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposal has been considered against the *Ministerial Section 117 Directions* as summarised below. The full assessment of these Directions is contained within the Attachments of this proposal (Annexure 01 B).

No.	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	Y	N
1.2	Rural Zones	N	N/A
1.3	Mining, Petroleum Production and Extractive Industries	Y	TBD
1.4	Oyster Aquaculture	N	N/A
1.5	Rural Lands	N	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	Y	N
2.2	Coastal Protection	Y	Y
2.3	Heritage Conservation	Y	TBD
2.4	Recreation Vehicle Areas	Y	Y
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	Y	Y
3.2	Caravan Parks and Manufactured Home Estates	Y	Y
3.3	Home Occupations	Y	Y
3.4	Integrating Land Use & Transport	Y	Y
3.5	Development Near Licensed Aerodromes	Y	N/A
3.6	Shooting Ranges	N	N/A
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	TBD
4.2	Mine Subsidence and Unstable Land	Y	TBD
4.3	Flood Prone Land	N	N/A
4.4	Planning for Bushfire Protection	Y	TBD

No.	Direction	Applicable	Consistent
Regional Planning			
5.1	Implementation of Regional Strategies	Y	Y
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	N	N/A
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	Y	TBD
6.3	Site Specific Provisions	Y	Y
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A

Table 3 – S117 Ministerial Direction Compliance

Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Flora and Fauna

The site is vacant and contains remnant native vegetation. The vegetation on the site is generally quite degraded due to previous industrial uses and use of the site for unauthorised recreational use.

The proposal involves a section of land zoned E2-Environmental Conservation. The north-eastern half of the E2 land is severely disturbed. The south-eastern half is a much steeper drop off and is fully vegetated.

Initial investigations have indicated that the current environmental mapping for this land is coarse and the E2 zoning established under Wyong LEP 2013 may not be appropriate and needs further investigation.

The proponent has agreed to undertake an appropriate environmental study prior to any public exhibition of this proposal and will include targeted survey work over a 12 month period for relevant threatened species.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Bushfire

Council's Bushfire Prone Land mapping indicates that the entire site is bushfire prone. Development will be subject to appropriate controls. Comments of the NSW Rural Fire Service will need to be considered during the assessment process.

Natural Resources - Mineral Resources - Extraction & Subsidence

The site is located in a Mines Subsidence District and referral to the Mines Subsidence Board and NSW Trade and Investment - Minerals and Petroleum are likely to be required.

Aboriginal and European Cultural Heritage Items

Several aboriginal heritage sites have previously been identified within a kilometre of the site. Further investigation of the subject site will be required prior to the exhibition of any planning proposal.

Contaminated Land and Acid Sulfate Soils

The site has previously been used for industrial purposes and there are signs that the site has been used for illegal dumping in the past.

The eastern section of the site identified under Council's Acid Sulfate Soils Map.

A Preliminary Contamination Assessment will be undertaken as required by any Gateway Determination.

Flooding and Drainage

The site is not subject to potential flooding however the head of a vegetated creek line to the south-east. This land will be the focus of the required environmental study. Future development proposals will need to address water quality issues.

9. Has the planning proposal adequately addressed any social and economic impacts?

Social Issues

The proposal will potentially provide additional community facilities for a growing area however it is noted that there is the potential for the additional commercial land zoning and subsequent development to impact upon surrounding centres.

In accordance with *Wyong Shire Retail Centres Strategy (2013 p.61)*, as the proposal relates to the development of an "out of centre" retail centre, the proponent will be required to prepare a *Net Community Benefit Test* to support the planning proposal. The *Net Community Benefit Test* is to include a retail demand assessment and an economic impact assessment and will be required to demonstrate:

- potential timing and staging of development,
- that alternatives within existing centres and in edge of centre locations are not suitable or available for the proposal,

- whether the proposal will impact on the availability of retail and commercial services in the area and
- any changes in population, market conditions and industry trends.

Impact & Amenity

Acoustic Privacy – the residential component of the proposal will provide a suitable transition from the commercial area and the existing rural residential land to the east subject to suitable design provisions.

Odour - the Odour Constraint Mapping for Gwandalan Sewerage Treatment Plant impacts upon a small section of the western side of the site and may restrict some potential land uses. This can be addressed through the appropriate arrangement specified under site specific development controls.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

Traffic and Transport

The site is located on the main entry road to the Gwandalan, Summerland Point area. Initial concept plans provided by the proponent indicate multiple access locations to the site and require the construction of Summerland Road to the south of the site. Provision for access public transport will need to be addressed.

A *Road Safety Audit and Traffic Impact Assessment & Transport Plan* based on the likely demand of the completed development is to be provided by the proponent prior to public exhibition.

Services (Water, Sewer, Gas & Electricity)

Appropriate services are available in the immediate area of the proposal but are likely to require upgrading to facilitate the site development at the cost of the proponent and may require amendment to the Section 94 Contribution Plan for the area.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the following agencies is proposed, based on the identified triggers and site constraints:

Agency	Trigger/Constraint
Ausgrid	- TBA
Commonwealth Department of	TBA

Agency	Trigger/Constraint
Environment	
Darkinjung Local Aboriginal Land Council	- TBA
Department of Primary Industries - Office of Water	- Blue line (creek) indicated over the property
Environment Protection Authority	TBA
Guringai Tribal Link	- TBA
Jemena	- TBA
Mine Subsidence Board	- Located within a mines subsidence district
NSW Rural Fire Service	- Bushfire prone land
NSW Trade and Investment - Minerals and Petroleum	- Potential coal resource
Office of Environment & Heritage (Planning)*	- Proposed rezoning of E2 land and the existing site contains native vegetation
Roads and Maritime Services	- TBA
Transgrid	- TBA
Transport for NSW	- TBA

Table 4 – Proposed Agency Consultation List

* NOTE: Section 34A of the EP&A Act requires the RPA to consult with the Director-General (Secretary) of the Department of Environment, Climate Change and Water (OEHS) if, in the opinion of the RPA, critical habitat or threatened species, populations or ecological communities, or their habitats may be adversely affected by the proposed instrument.

- The consultation is to commence after a Gateway Determination is issued unless the Regulations specify otherwise.
- The period for consultation is 21 days unless agreed differently between the RPA & the DG or by the Regulations.

Part 4 Mapping

Map	Map Title
A.	Locality Plan
Existing Provision	
B.	Land Zoning Map (8550_COM_LZN_ 017_020_20150216)
C.	Lot Size Map (8550_COM_LSZ_ 017_020_20131219)
Proposed Provisions	
A.	Land Zoning Map (8550_COM_LZN_ 017_020_20150901)
B.	Lot Size Map (8550_COM_LSZ_ 017_020_20150901)
C.	Land Reclassification (Part Lots) Map (8550_COM_RPL_ 017_020_20150901)

Table 5 – Existing and Proposed Provisions

Part 5 Community Consultation

Community/agency consultation will be undertaken in accordance with any determinations made by the Gateway.

It is expected that the proposal will be made available at the following locations:

- Wyong Shire Administration Building, 2 Hely Street, Wyong
- Library; and
- Council's website (On Exhibition page and Consultation Hub page) www.wyong.nsw.gov.au.

Additionally, notification of the exhibition of the proposal has been provided to adjoining landholders prior to its commencement.

Part 6 Project Timeline

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	TBA	4/9/15	2/10/15
Anticipated timeframe for the completion of required technical information	12 months	21/8/15	21/8/16
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	21 days	9/10/15	6/11/15
Commencement and completion dates for public exhibition	28 days	24/8/16	21/9/16
Dates for public hearing (if required)	21 days or more after exhibition	28/10/16	28/10/16
Timeframe for consideration of submissions	14 days	29/10/16	13/11/16
Timeframe for consideration of a proposal post exhibition	30 days	13/11/16	12/12/16
Date of submission to the Department to finalise LEP	40 days	21/12/16	31/1/17
Anticipated date RPA will make the plan (if delegated)	7 days	1/2/17	7/2/17
Anticipated date RPA will forward to the Department for notification	1 day	7/2/17	-

Table 6 – Key Project Timeframes

Supporting Documentation

No.	Document
01 Assessment and Endorsement	
A.	Council Report and Minutes – 12 August 2015
B.	Section 117 Ministerial Direction Assessment
C.	North Wyong Shire Structure Plan
D.	Wyong Shire Retail Centres Strategy
E.	The Gwandalan Residential Development, Concept Plan MP10_0084 Director-General's Environmental Assessment Report (2012)
02 Land Use Provisions	
A.	Land Use Tables - Wyong LEP 2013
03 Agency Responses	
A.	TBD
04 Mapping	
A.	Site Identification Map
Existing Provisions	
B.	Land Zoning Map (8550_COM_LZN_ 017_020_20150216)
C.	Lot Size Map (8550_COM_LSZ_ 017_020_20131219)
Proposed Provisions	
D.	Land Zoning Map (8550_COM_LZN_ 017_020_20150901)
E.	Lot Size Map (8550_COM_LSZ_ 017_020_20150901)
F.	Land Reclassification (Part Lots) Map (8550_COM_RPL_ 017_020_20150901)
05 Supporting Studies	
A.	TBD

Table 7 – Supporting Documentation to the Planning Proposal

01

Assessment & Endorsement



Wyong
Shire
Council

2.1 RZ/2/2015 - Planning Proposal - Commercial and Residential Development - Cnr Kanangra Drive and Summerland Road Gwandalan - RZ/2/2015

TRIM REFERENCE: RZ/2/2015 - D11979939

MANAGER: Tanya O'Brien, Manager

AUTHOR: Rodney Mergan; Senior Planner

SUMMARY

Council has received an application requesting an amendment to *Wyong Local Environmental Plan (LEP) 2013*, to rezone land at Gwandalan from IN2 Light Industrial, RE1 Public Recreation and E2 Environmental Conservation to a mixture of B2 Local Centre and part R3 Medium Density Residential. A preliminary assessment of the information submitted indicates that the proposed local centre and same residential use of the land has merit.

This report recommends that a planning proposal be prepared and forwarded to the Department of Planning and Environment (DP&E) for a gateway determination.

Applicant:	QMC Property Group Pty Ltd
Owners:	QMC Property Group Pty Ltd
Proposal No.:	RZ/2/2015
Description of Land:	44W, 50W & 60 Parraweena Road Gwandalan, Lot 20 DP 1089946, Part Lot 1 DP 1043151, Part Lot 3 DP 740701
Existing Zoning:	IN2 Light Industrial, RE1 Public Recreation, E2 Environmental Conservation
Zoning proposed by applicant:	B2 Local Centre and R3-Medium Density Residential
Existing Use:	Vacant
Employment Generation:	Approximately 100 combined construction and ongoing jobs
Estimated Value:	\$8.5 Million

RECOMMENDATION

- 1 That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the land to a combination of B2 Local Centre, R1 General Residential and R2 Low Density Residential.**
- 2 That Council forward the planning proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.**
- 3 That Council request the General Manager to apply to accept plan making delegations for the rezoning.**

- 4 *The Council request the General Manager commence negotiations for the potential sale if required of part of Lot 1 DP1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946, noting that any decision to sell that land will require a specific resolution of the Council.*
- 5 *That Council request the General Manager to negotiate and publically exhibit a draft Voluntary Planning Agreement to facilitate the sale of part of Lot 1 DP 1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946 (if required).*
- 6 *That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination. The consultation process is to include a public hearing for the reclassification of part Lot 3 DP 740701 from Community Land to Operational Land as required under the Local Government Act 1993.*
- 7 *That Council prepare appropriate Development Control Plan provisions and amend Section 94 Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.*
- 8 *That Council consider a further report on results of the community consultation.*

BACKGROUND

The site is located on the north-eastern corner of the intersection of Kanangra Drive and Summerland Road Gwandalan. All traffic entering Gwandalan and Summerland Point is distributed from this intersection. The site is approximately 1 km from the existing Gwandalan neighbourhood centre and approximately 2 km from the Summerland Point neighbourhood centre.

The site is currently vacant of development and contains remnant native vegetation. The site slopes at approximately 10-15% from west to east with the head of a drainage line apparent to the south-east. The site consists of mainly open woodland with scattered trees and a generally cleared understorey. The vegetation on the site is generally degraded due to previous industrial use for manufactured home production and use of the site for recreational trail bike riding.



Figure 1 - Aerial photo featuring the subject site and surrounding development

The proposal predominately relates to Lot 20 DP 1089946 which is approximately 4.7 Ha in size and owned by the applicant. The zoning of this land for industrial use preceded the introduction of Wyong LEP 1991. In 1987 the subject site (edged in red above) was identified as part of a larger industrial subdivision. Industrial development was approved and constructed on the land to the north of the subject site (Labeled existing industrial land above).

In December 2005, Lot 20 DP 1089946 was approved for subdivision to create industrial lots under DA/583/2005. This subdivision has not been pursued. Part of the site was approved and occupied for the production of manufactured homes under DA/599/2005. This land use has since ceased with only a storage shed and hardstand area still visible on the site. The application asserts that over the past decade there has been little or no demand for further industrial development within the Gwandalan/Summerland Point catchment beyond that already constructed.

The planning proposal also affects two pieces of Council owned land being a 4715 m² section of Lot 1 DP 1043151 currently zoned RE1 – Public Recreation and a 2250m² section of Lot 3 DP 740701 currently zoned E2 Environmental Conservation, these parcels are discussed further below.

THE PROPOSAL

An application has been received which proposes the rezoning of the site from IN2 Light Industrial, RE1 Public Recreation, E2 Environmental Conservation to part B2 Local Centre and part R3 Medium Density Residential.

The proponent has provided a draft zoning plan (see figure 3) which proposes an approximate 60/40 split between commercial and residential development. The proposed centre could potentially accommodate a supermarket, retail shops, medical centre, child care centre and other community commercial uses. It is also proposed to allow residential development on the remaining area of the site.

To maximise the efficiency of the proposed future development area, the applicant has included two parcels of Council land being part of Lot 1 DP 1043151 currently zoned RE1 Public Recreation and part of Lot 3 DP 740701 currently zoned E2 Environmental Conservation (see figure 2). The inclusion of these lots provides for a more regular road and development pattern and provides opportunity for the development to front and gain access to Kanangra Drive. The applicant has also identified an interest in purchasing these two parcels of Council owned land, which is discussed further in the report.



Figure 2 – Extract from Wyong LEP 2013 land use zoning map. The site subject of the proposed rezoning is shown hatched. Two small sections of Council land of interest to the proponent for purchase are shown edged heavy black.



Figure 3 – The applicant's proposed zoning map

ASSESSMENT

Proposed new B2- Local Centre

The application proposes rezoning approximately 3.2ha of land adjacent to Kanangra Drive to the B2 Local Centre zone. The site is identified as a “potential new centre” under the *North Wyong Shire Structure Plan 2012* (NWSSP) (see figure 4). The NWSSP mentions the potential for “new village centres at Wadalba East, Lake Munmorah and Gwandalan”. The Lake Munmorah site and the recently expanded Wadalba centre are both zoned B2 Local Centre under Wyong LEP 2013 and it is considered appropriate to apply the same B2 zone to this proposed future centre.

The potential for a future neighbourhood centre in the Gwandalan/Summerland Point area is also mentioned in the *Wyong Shire Retail Centres Strategy 2013*.

The proposal therefore is consistent with the broader planning framework for centres in this locality.

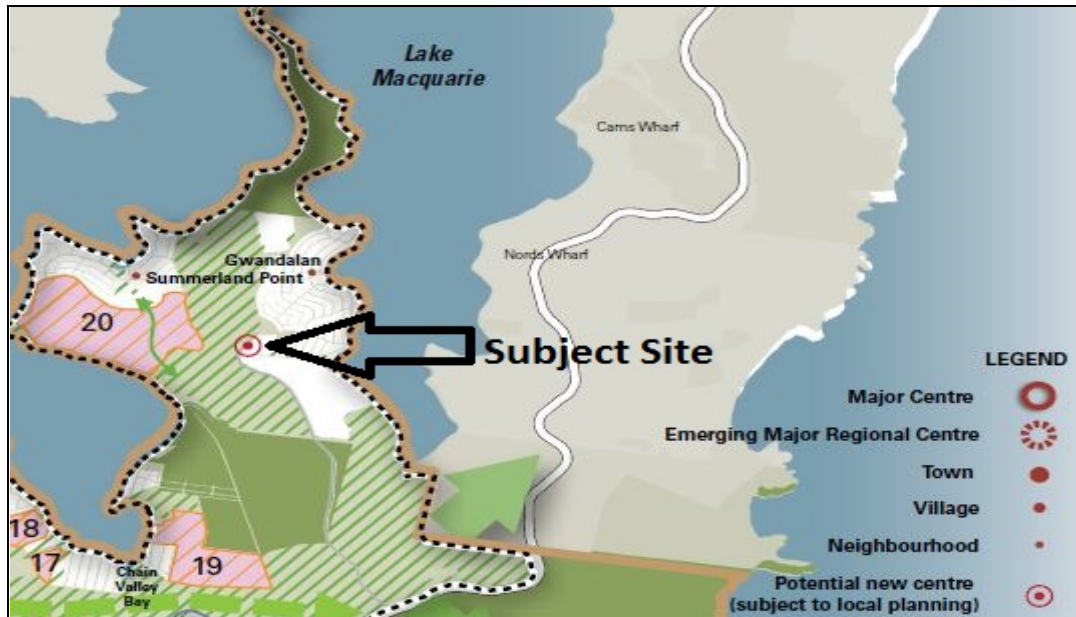


Figure 4 - Extract from the NWSSP – subject site shown as a potential new centre

Being located at the entry point of both Gwandalan and Summerland Point, the site is well located to serve the retail, social and convenience needs of both communities. The population of the area is set to grow with:

- the recently approved 405 lot residential subdivision directly to the south of the site,
- the recently commenced subdivision at the northern end of Kanangra Drive for approximately 200 residential lots,
- the potential development of land identified in the NWSSP as “long-term” residential land in the Summerland Point area. In accordance with the NWSSP (2012) long-term is defined as “land that will not be zoned before 15 years, the timing of which will be impacted by future coal extraction potential, future use of the power station sites and access to services and employment opportunities”. This could potentially be accelerated subject to demand, and
- increased activity in the northern part of the shire through the implementation of the NWSSP.

The *Retail Centres Review* and *Retail Centres Strategy* by Don Fox Planning, endorsed by Council in 2013, advocates a more flexible approach than previous retail strategies with respect to any increase in floor space within zoned centres in line with the principles of the NSW State Government's *draft Centres Policy*.

With regard to new centres the *Retail Centres Strategy* includes a ‘toolbox’ for the purposes of preparing and assessing planning proposals which consider additional retail floor space based on the net community benefit test principles detailed in the *draft Centres Policy*.

Council's *Retail Centres Strategy (2013)* identifies a new neighbourhood centre in the Gwandalan area by 2031 though the development of a centre and the eventual capacity of the centre will be dependent on population growth and other factors of demand such as tourism and consumer behaviour. The Retail Centres Strategy does not specifically classify centres based on floor space but rather classifies centres on the following criteria:

- the size and the quantum of retail and commercial floor space within the centre;
- the mix of uses within the centre;
- the catchment or geographic area of influence;
- the role and function of the centre; and
- the centre's relationship to other centres.

A neighbourhood centre generally serves the needs of a local catchment, while a local centre provides a greater range of shops and services.

In accordance with the *Retail Centres Strategy*, as the proposal relates to the development of an out of centre retail centre, the proponent will be required to prepare a *Net Community Benefit Test* to support the planning proposal. The *Net Community Benefit Test* will be required to demonstrate:

- potential timing and staging of development,
- that alternatives within existing centres and in edge of centre locations are not suitable or available for the proposal,
- whether the proposal will impact on the availability of retail and commercial services in the area and
- any changes in population, market conditions and industry trends.

It is likely that the development of a centre will need to be staged through the provisions of appropriate development controls based on economic forecasts and population growth to be considered as part of the *Net Community Benefit Test*. It is proposed that site specific provisions be developed for inclusion in *DCP 2013* to direct appropriate staging of development and address other development issues such as site access and drainage similar to the process used to stage the development of the centre at Lake Munmorah.

The *Wyong Shire Community Strategic Plan (CSP)* identifies the Shire Strategic Vision, how the vision was created and how the Shire Strategic Vision integrates with *Council's Asset Management Strategy* and long-term Financial Strategy. The *CSP* priority objectives are each supported by a range of actions. The proposal is considered to be consistent with the objectives of the *CSP* in particular the objective that indicates that, "there will be a strong sustainable business sector and increased local employment".

Proposed residential component

The application proposes rezoning approximately 2.2ha of land to the R3 Medium Density Residential Zone. Based on the indicative draft concept plan (attachment 1), the residential portion could accommodate approximately 33 dwellings. The proponent has indicated that the portion of the site proposed for residential housing would “include a mix of villa and townhouse development”, to address potential mines subsidence concerns and maintain a similar scale to current development in the area.

Given consideration of the existing development and limited services for higher densities in the locality and the desired future character, the R2 Low Density and R1 General Residential zones are recommended as being more appropriate. The proposed residential zoning forms a natural expansion of existing and recently approved residential areas and will be well located near to the new centre. This form of housing would provide additional housing choice in the Gwandalan area and take advantage of the existing and future services. The residential use is also in accordance with the NWSSP (figure 4 - shown white meaning urban land) and the Wyong Settlement Strategy.

It is considered that the provisions of the R1 General Residential zone and R2 Low Density Residential zone are more appropriate for this locality than the R3 Medium Density zone suggested in the application.

It is noted, however, that the R1 and R2 zones generally accommodate development at the scale as proposed by the applicant. The R3 zone is generally only applied to areas which are directly adjacent to major centres and to promote larger scale residential development.

The R1 zone proposed for land that directly adjoins the proposed B2- Local Centre land, with the R2 zone proposed further from the centre.

It is considered that the R1 zone is appropriate for land that directly adjoins the proposed centre as the zoning provides for a greater range of land uses than the R2 zone including multi-dwelling housing and tourism related accommodation and other uses that can provide greater variety of services as well as being a transition between the B2 Local Centre and R2 Low Density Residential zones. One of the objectives of the R1 zone is to “promote walkable neighborhoods” and is therefore an appropriate zoning for land located so close to facilities and services to meet the day to day needs of residents.

The R2 zone provides for less intense development of the land though under the provisions of Wyong LEP 2013 still permit a variety of development opportunities such as dual occupancy development and small lot housing.

It is considered that the B2, R1 and R2 zones proposed across the site provides for a suitable transition for the centre to integrate with existing development in the locality including the adjoining E4 – Environmental Living zoned land to the east of the subject site.

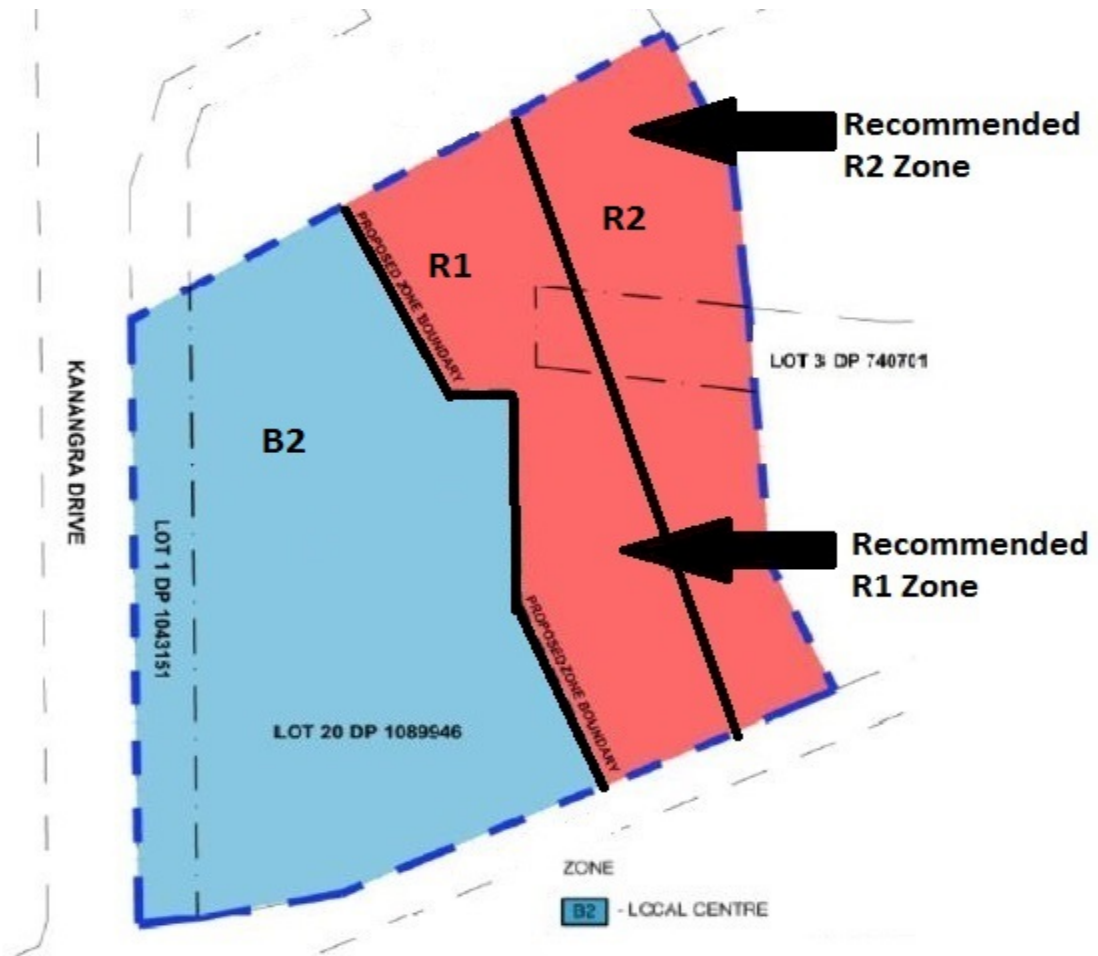


Figure 5– Recommended zoning – indicative only

Council owned land

The proposal seeks to include two parcels of Council owned land into the development area to create a more orderly development outcome with a more regular lot and street layout and providing opportunity for the development to access and front Kanangra Drive. The relevant asset owners of this land being Council's Roads & Drainage, Open Space & Recreation and Property and Economic Departments have been consulted and have indicated that the lands are surplus to current needs. It is noted that the land zoned E2 is categorised as Community Land and will need to be reclassified as well as rezoned through the rezoning process to facilitate any sale. While the incorporation of this Council land will provide an optimal development footprint, the proposal is not reliant on the additional land.

Lot 1 DP 1043151 is currently zoned RE1 Public Recreation and was originally put in place to provide a landscape buffer from the industrial land that will no longer be required for commercial development.

Lot 3 DP 740701 (the E2 land) contains the head of a drainage line and it is recommended that if the zoning is changed the drainage line and any significant vegetation be retained (see Figure 6). Initial investigations by Council's Ecologist have indicated that the current environmental mapping for this land is coarse and the E2 zoning established under Wyong LEP 2013 may not be appropriate.

The majority of the site is cleared or contains highly disturbed vegetation. An ecological report will be required for the review of Council and the Office of Environment and Heritage (OEH) to support the planning proposal. The study will need to map native vegetation and will involve targeted survey work over a 12 month period for relevant threatened species. Appropriate controls relating to this can be added to DCP 2013, the E2 zone be retained or another appropriate zoning be put in place if considered appropriate.

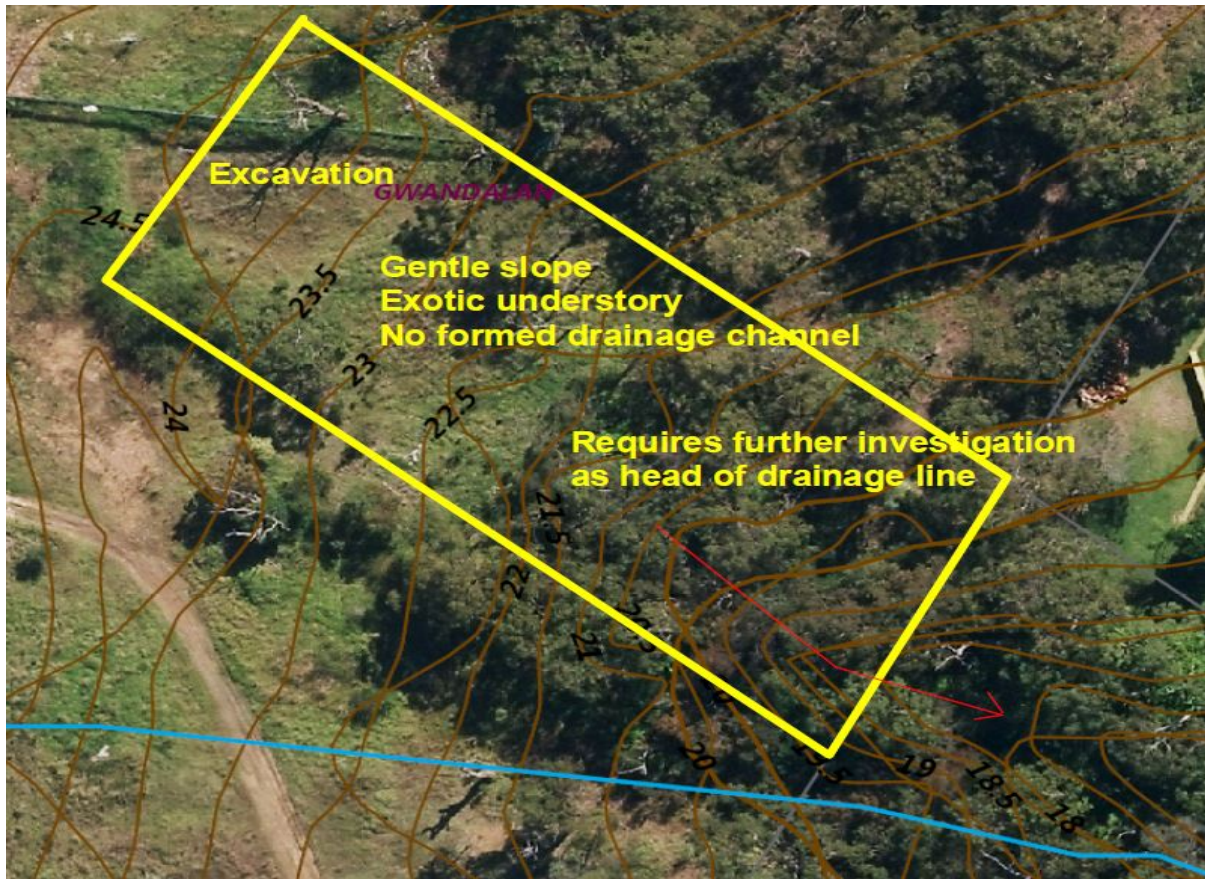


Figure 6 – Council E2 zoned land

Design Issues

A concept design has been provided with an indicative frame work for future development. There are a number of matters (attachment 1) that will need to be dealt with either during the assessment of the planning proposal and DCP or at development application stage:

- Access – the concept plan shows 7 access locations to the site. These will need to be consolidated and access addressed via a *Road Safety Audit and Traffic Impact Assessment & Transport Plan*.
- Acoustic Privacy - location of residential development in relation to existing industrial development and adjacent rural residential development.
- Odour - the Odour Constraint Mapping for Gwandalan Sewerage Treatment Plant impacts upon a small section of the western side of the site and may restrict some potential land uses. This can potentially be addressed through the rearrangement of the car parking area and commercial development and DCP restrictions.

- Drainage - the site naturally drains to a creek line to the east of the site. Water quality and quantity issues will need to be adequately addressed and detailed within the DCP.
- Bushfire – the entire site is potentially bushfire prone. Design will need to consider bushfire management and the comments of the NSW Rural Fire Services (RFS).

Planning Proposal Considerations

The *Guide to Preparing Planning Proposals* (Department of Planning and Infrastructure 2012) provides the guidelines for the information that is to be provided by Council to the DP&E when seeking a gateway determination. Section 2.3(a) of the guide provides a list of “questions to consider when demonstrating the justification”, which should be considered prior to Council’s endorsement of any proposal for gateway determination. This requires that the relevant State and local planning strategies, relevant State Environmental Planning Policies (SEPP’s) and *Ministerial Section 117 Directions* be considered.

Accordingly issues with regard to potential mines subsidence, bushfire and potential site contamination are amongst those that will need to be addressed in the planning proposal. The proposal is considered to be consistent with the relevant SEPP’s and *117 Directions* and consistent with the *North Wyong Shire Structure Plan*, *Council’s Strategic Plan* and *Retail Centres Strategy*.

Impact on the availability of industrial land

Ministerial Section 117 Direction 1.1 – Business and Industrial Zones requires that any reduction in industrial land must be justified.

The NWSSP identifies the subject site as the potential location for a new commercial centre and also identifies significant areas of industrial land to be released in the Lake Munmorah area.

There has been little or no interest in the development of the site for industrial purposes. Since the industrial subdivision was approved in 2005 the only industrial use approved for the site was mobile home manufacturing which has since vacated. Attempts have been made to promote the industrial subdivision but local demand has been absorbed by the existing industrial development to the north of the site. In addition the land owner has sought to develop the site for various purposes. A development application was lodged in June 2009 for a hotel, bottle shop, function room and manager’s residence and was withdrawn in February 2010. An alternate preliminary development meeting was held where a stand alone aged care facility was discussed but was not supported due to the inconsistency with the industrial zoning of the land.

The NWSSP also identifies approximately 94 Ha of employment land in Precinct 16 (approximately 7km away) which are better located with direct access to the Pacific Highway (see Figure 7). The industrial development of Precinct 16 is currently under consideration as part of a Master Plan being developed by Council’s Property and Economic Development Department for the Lake Munmorah area. The future rezoning of these areas can be expected to easily offset the loss of the 4.7 Ha of industrial land on this site.

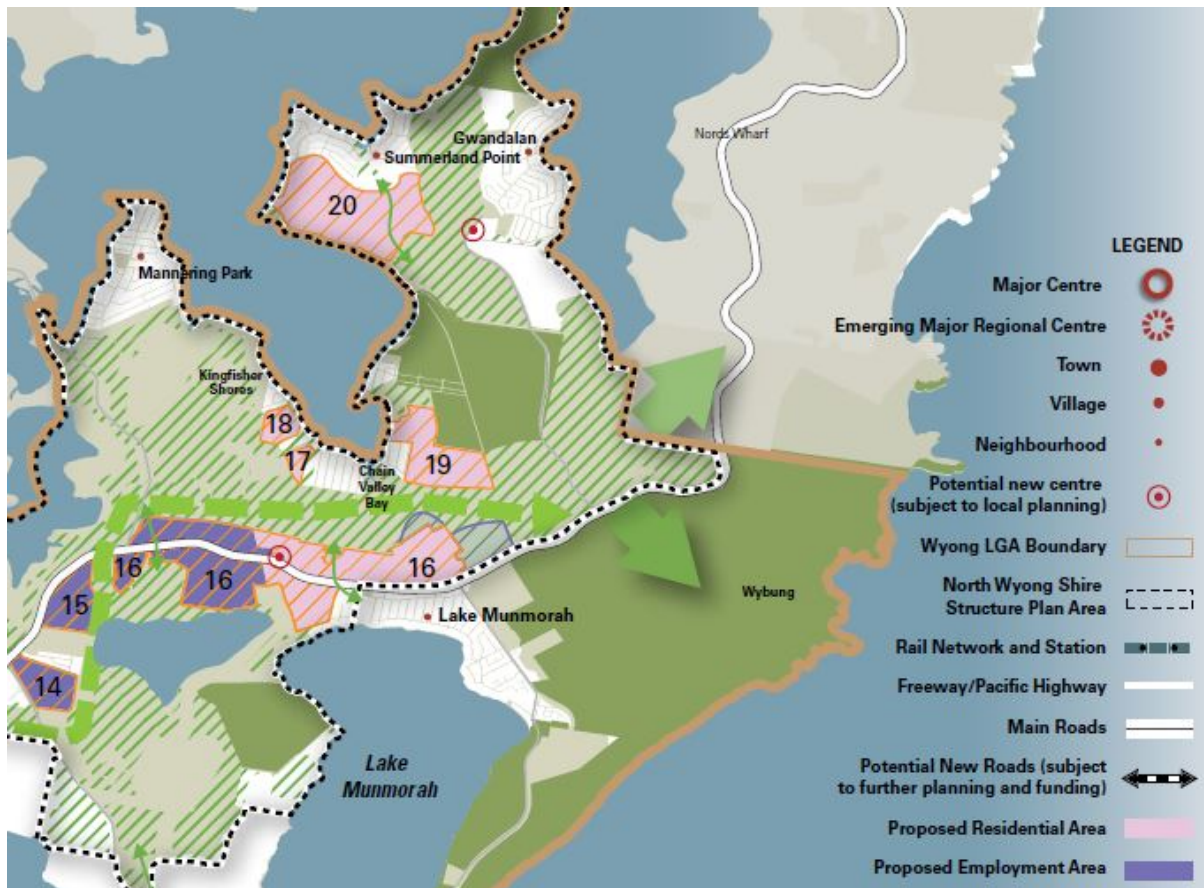


Figure 7 – NWSSP – location of nearby employment lands (precincts 14-16)

CONSULTATION

External Referrals

This report recommends seeking gateway determination from the Department of Planning and Environment. The gateway determination will provide the requirements for external consultation and public exhibition. It is likely that the gateway determination will require that authorities such as Roads and Maritime Services (RMS) and the Mines Subsidence Board (MSB), the Office of Environment and Heritage (OEH) and Rural Fire Service (RFS) be consulted either prior to or during the public exhibition process with appropriate studies to be prepared by the applicant for both the referral and public exhibition process. The results of the consultation process will be reported to Council.

Engineering Assessment

An internal engineering assessment has indicated that the redevelopment of the site is generally supported with services such as water, sewer and electricity is available and can be suitably upgraded as required. The proposal will provide for a similar level of demand for services as per the approved industrial subdivision.

The most significant issue will be the resolution of traffic and vehicular manoeuvring issues. It is likely that traffic issues can be resolved through consultation with the RMS and appropriate controls provided within the DCP.

GOVERNANCE AND POLICY IMPLICATIONS

The processing of the planning proposal is proposed to be undertaken in accordance with Council's adopted planning proposal procedure.

Rezoning of the land is undertaken by preparing an amendment to the Wyong Local Environmental Plan (WLEP) through progressing of a planning proposal under sections 55-59 of the *Environmental Planning & Assessment Act 1979*.

Section 55 requires Council to prepare a planning proposal that explains the intended effect of the amendment to the WLEP and sets out the justification for the amendment. Section 55 specifies matters to be included in the planning proposal.

Section 56 provides that Council submit the planning proposal to the Minister for a gateway determination who will advise whether or not the matter should proceed (with or without variation), and may specify further studies or modifications to the proposal, community and government agency consultation requirements and other matters.

Council may request delegation from the Minister for Planning for the determination of locally significant planning proposals. Given the relatively minor nature of this proposal it is recommended that in this instance delegation be sought.

The requirements for public exhibition would be set out under the gateway determination. In addition to the exhibition of a planning proposal, other associated material will require exhibition and Council endorsement including:

- a site specific DCP Chapter to guide the staging and design of the site development;
- a draft VPA to facilitate any potential sale of Council land; and explanatory note,
- a possible revision of the *Northern Districts Section 94 Contribution Plan* to address any unaccounted change in demand on services in the area.

It is noted that a further report will be prepared outlining the results of the State agency and public exhibition.

OPTIONS

While residential development of the eastern portion of the site is supported there is an opportunity to have this portion zoned either approximately half R1 General Industrial and half R2 Low Density Residential or to have the residential portion zoned entirely R2 Low Density.

It is recommended that the R1 and R2 zone option be pursued to provide an appropriate transition from the proposed local centre to the lower density residential.

CONCLUSION

The potential development of the vacant industrial land for future commercial and residential development is considered to have merit and is consistent with overarching regional policy. Preliminary assessment of the proposal indicates that the site has potential for further investigation of the R1 General Residential, R2 Low Density Residential and B2 Local Centre zones. It is likely that the commercial elements may need to be staged to ensure the ongoing viability of the centre and other existing centres. This is to be confirmed through a Net Community Benefit Test.

The two small sections of Council owned land are considered to be best utilised by inclusion within the rezoning as this maximises Council's options with regard to the land, they are therefore proposed to be rezoned and reclassified.

It is recommended that a planning proposal be prepared for the consideration of the DP&E requesting a gateway determination be issued. Further it is recommended that appropriate DCP, VPA and/or Section 94 Contribution Plan amendments are made and exhibited in conjunction with the planning proposal.

ATTACHMENTS

- 1 Concept Layout Plan D11980000

FOR ACTION

ORDINARY MEETING

12/08/2015

Subject: RZ/2/2015 - Planning Proposal - Commercial and Residential
Development - Cnr Kanangra Drive and Summerland Road Gwandalan -
RZ/2/2015

RESOLVED on the motion of Councillor EATON and seconded by Councillor TROY:

- 785/15 That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to rezone the land to a combination of B2 Local Centre, R1 General Residential and R2 Low Density Residential.
- 786/15 That Council forward the planning proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.
- 787/15 That Council request the General Manager to apply to accept plan making delegations for the rezoning.
- 788/15 The Council request the General Manager commence negotiations for the potential sale if required of part of Lot 1 DP1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946, noting that any decision to sell that land will require a specific resolution of the Council.
- 789/15 That Council request the General Manager to negotiate and publically exhibit a draft Voluntary Planning Agreement to facilitate the sale of part of Lot 1 DP 1043151 and part of Lot 3 DP 740701 to the owner of Lot 20 DP 1089946 (if required).
- 790/15 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination. The consultation process is to include a public hearing for the reclassification of part Lot 3 DP 740701 from Community Land to Operational Land as required under the Local Government Act 1993.
- 791/15 That Council prepare appropriate Development Control Plan provisions and amend Section 94 Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.
- 792/15 That Council consider a further report on results of the community consultation.

FOR: CRS GB BEST, DE EATON, B G GRAHAM, LT TAYLOR, AT TROY AND LW WEBSTER
AGAINST: CRS KG GREENWALD AND LM MATTHEWS

Ministerial Section 117 Directions

Direction	Comment
Employment & Resources	
1.1 Business & Industrial Zones	
Aims to: - encourage employment growth in suitable locations, - protect employment land in business and industrial zones and to - support the viability of identified strategic centres. Applies when a planning proposal affects land within an existing or proposed business or industrial zone.	Applicable – inconsistent with justification The proposal encourages employment growth in suitable locations through the implementation of actions that are consistent with a relevant strategy the <i>North Wyong Shire Structure Plan 2012 (NWSSP)</i>. The <i>NWSSP</i> identifies the subject site as the potential location for a new commercial centre and also identifies significant areas of industrial land to be released in the Lake Munmorah area. Since the industrial subdivision of the site was approved by Council in 2005 the only industrial use approved for the site was mobile home manufacturing which has since vacated. Attempts have been made to promote the industrial subdivision but local demand has been absorbed by the existing industrial development to the north of the site. The <i>NWSSP</i> also identifies approximately 94 Ha of employment land in Precinct 16 (approximately 7km away) which are better located with direct access to the Pacific Highway. The industrial development of Precinct 16 is currently under consideration as part of a Master Plan being developed by Council's Property and Economic Development Department for the Lake Munmorah area. The future rezoning of these areas can be expected to easily offset the loss of the 4.7 Ha of industrial land on this site. The protection of the existing business and industrial zones are dealt with through the implementation of Council's Retail Centres Strategy. In accordance with the Retail Centres Strategy, as the proposal relates to the development of an out of

Direction	Comment
	centre retail centre, the proponent will be required to prepare a Net Community Benefit Test and economic impact assessment to support the planning proposal. The Net Community Benefit Test will be required to demonstrate: • potential timing and staging of development, • that alternatives within existing centres and in edge of centre locations are not suitable or available for the proposal, • whether the proposal will impact on the availability of retail and commercial services in the area and • any changes in population, market conditions and industry trends. The proposal will not impact on the strategic centres identified in the Central Coast Regional Strategy.
1.2 Rural Zones	
Aims to protect the agricultural production value of rural land. Applies when a planning proposal affects land within an existing or proposed rural zone.	Not Applicable Not within a rural zone.
1.3 Mining, Petroleum Production and Extractive Industries	
Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. Applies when a planning proposal would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	Applicable and TBD The site is located in a Mines Subsidence District and referral to the Mines Subsidence Board and NSW Trade and Investment - Minerals and Petroleum are likely to be required as a condition of a Gateway Determination.
1.4 Oyster Aquaculture	
Aims to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside	Not Applicable There are no Priority Oyster Aquaculture Areas within the Wyong LGA

Direction	Comment
such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers. Applies when a planning proposal could result in adverse impacts on a Priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.	
1.5 Rural Lands	
Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes. Applies to local government areas to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a planning proposal that affects land within an existing or proposed rural or environment protection zone.	Not Applicable This Direction does not apply to the Wyong LGA
Environment & Heritage	
2.1 Environmental Protection Zones	
Aims to protect and conserve environmentally sensitive areas. Applies when the relevant planning authority prepares a planning proposal.	Applicable – TBD – further information required Lot 3 DP 740701 (the E2 land) contains the head of a drainage line and it is recommended that if the zoning is changed the drainage line and any significant vegetation be retained. Initial investigations have indicated that the current environmental mapping for this land is coarse and the E2 zoning established under Wyong LEP 2013 may not be appropriate. An ecological report will be required for the review of Council and the Office of Environment and Heritage (OEH) (if requested) to support the planning proposal. The study will need to map native vegetation and will involve targeted survey work over a 12 month period for relevant threatened species. Appropriate controls relating to this can be added to DCP 2013, the E2 zone be retained or another appropriate zoning be put in place if considered

Direction	Comment
	appropriate.
2.2 Coastal Protection	
Aims to implement the principles in the NSW Coastal Policy. Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>.	Applicable - consistent The <i>Coastal Policy and Coastal Design Guidelines</i> are implemented through <i>SEPP 71 – Coastal Protection</i>. Specifically the <i>Coastal Design Guidelines</i> state that, New development and subdivisions should be located and planned in the context of revised settlement strategies and consistent with provisions in SEPP 71. The site is located within the SEPP 71 Coastal Protection Zone. The assessment undertaken as part of this planning proposal indicates that the proposal is consistent with the provisions of SEPP 71. The matters outlined in Clause 8 of the SEPP have been considered and the proposal does not affect access to and along coastal foreshores, nor is the site affected by coastal processes such as erosion. The <i>NWSSP</i> identifies the subject site as the potential location for a new commercial centre.
2.3 Heritage Conservation	
Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. Applies when the relevant planning authority prepares a planning proposal.	Applicable – TBD Several aboriginal heritage sites have previously been identified within a kilometre of the site. Further investigation of the subject site will be required prior to the exhibition of any planning proposal.
2.4 Recreational Vehicle Areas	
Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles. Applies when the relevant planning authority prepares a planning proposal.	Applicable - consistent The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
Aims to encourage a variety and choice of housing types to provide for existing and future housing	Applicable - consistent The application proposes rezoning approximately

Direction	Comment
needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands. Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	2.2ha of land. The R2 Low Density and R1 General Residential zones are recommended as being appropriate. The proposed residential zoning forms a natural expansion of existing and recently approved residential areas and will be well located near to the new centre. This form of housing would provide additional housing choice in the Gwandalan area and take advantage of the existing and future services. The residential use is also in accordance with the NWSSP and the <i>Wyong Settlement Strategy</i>. The R1 zone proposed for land that directly adjoins the proposed B2- Local Centre land, with the R2 zone proposed further from the centre. It is considered that the R1 zone is appropriate for land that directly adjoins the proposed centre as the zoning provides for a greater range of land uses than the R2 zone including multi-dwelling housing, tourism related accommodation and other uses that can provide greater variety of services as well as being a transition between the B2 Local Centre and R2 Low Density Residential zones. One of the objectives of the R1 zone is to "promote walkable neighborhoods" and is therefore an appropriate zoning for land located so close to facilities and services to meet the day to day needs of residents. The R2 zone provides for less intense development of the land though under the provisions of Wyong LEP 2013 but still permit a variety of development opportunities beyond detached dwellings such as dual occupancy development and small lot housing. The site has previously been approved for industrial subdivision and it is considered that appropriate infrastructure is already available or can be upgraded without impacting the viability of the project.
3.2 Caravan Parks and Manufactured Home Estates	
Aims to provide for a variety of housing types and provide opportunities for caravan parks and	Applicable - consistent This Direction relates to the retention of zonings

Direction	Comment
manufactured home estates. Applies when the relevant planning authority prepares a planning proposal.	where caravan parks are permissible. Caravan parks are not permissible under the current land use zones that apply to the land under <i>Wyong LEP 2013</i>.
3.3 Home Occupations	
Aims to encourage the carrying out of low impact small business in dwelling houses. Applies when the relevant planning authority prepares a planning proposal.	Applicable - consistent To adopt the provisions of Wyong LEP 2013 and SEPP Exempt and Complying Development
3.4 Integrating Land Use & Transport	
Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight. Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Applicable - consistent The <i>NWSSP</i> identifies the subject site as the potential location for a new commercial centre and also identifies significant areas of industrial land to be released in the Lake Munmorah area. Being located at the entry point of both Gwandalan and Summerland Point, the site is well located to serve the retail, social and convenience needs of both communities. The population of the area is set to grow with: - the recently approved 405 lot residential subdivision directly to the south of the site, - the recently commenced subdivision at the northern end of Kanangra Drive for approximately 200 residential lots, - the potential development of land identified in the <i>NWSSP</i> as "long-term" residential land in the Summerland Point area. The site is likely to become a hub for public transport with many residents within walking distance of the site.
3.5 Development Near Licensed Aerodromes	
Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not	Not Applicable 35T

Direction	Comment
adversely affected by aircraft noise. Applies when a planning proposal creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.	
3.6 Shooting Ranges	
Aims to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, and to identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range. Applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.	Not Applicable There is a shooting range located approximately 3 km to the south of the site.
Hazard & Risk	
4.1 Acid Sulfate Soils	
Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.	Applicable - TBD The eastern section of the site identified under Council's Acid Sulfate Soils Map. Potential for Acid Sulfate Soils to be considered as part of the Contamination Report to be provided
4.2 Mine Subsidence & Unstable Land	
Aims to prevent damage to life, property and the environmental on land identified as unstable or potentially subject to mine subsidence. Applies when a planning proposal permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of the relevant planning authority or other public authority and provided to the relevant planning authority.	Applicable – TBD The site is located in a Mines Subsidence District and referral to the Mines Subsidence Board and NSW Trade and Investment - Minerals and Petroleum are likely to be required as a condition of a Gateway Determination.
4.3 Flood Prone Land	
Aims to ensure: development on flood prone land is consistent with NSW Government's Flood Prone Land	Not Applicable

Direction	Comment
Policy and principles of the Floodplain Development Manual 2005; and provisions of an LEP on flood prone land are commensurate with flood hazard and include consideration of the potential flood impacts both on and off the subject land. Applies when a planning proposal creates, removes or alters a zone or provision that affects flood prone land.	
4.4 Planning for Bushfire Protection	
Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas. Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.	Applicable - TBD Council's Bushfire Prone Land mapping indicates that the entire site is bushfire prone. Development will be subject to appropriate controls. Comments of the NSW Rural Fire Service will need to be considered during the assessment process.
Regional Planning	
5.1 Implementation of Regional Strategies	
Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies. Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy.	Applicable - Consistent <i>The Central Coast Regional Strategy (2008 p.11) (CCRS) identifies the NWSSP area "as the focus for new employment lands and new greenfield residential development and the key priority for release area planning".</i> This proposal is identified in the NWSSP. The proposal is considered to be consistent with the relevant Actions of the Strategy <i>The CCRS (2008 p.12) identifies two significant urban release areas providing potential demand for additional services.</i>
5.2 Sydney Drinking Water Catchments	
Aims to protect water quality in the hydrological catchment. Applies when a relevant planning authority prepares	Not Applicable.

Direction	Comment
a planning proposal that applies to Sydney's hydrological catchment.	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas. Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council.	Not Applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
Aims to manage commercial and retail development along the Pacific Highway, North Coast. Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.	Not Applicable.
5.8 Second Sydney Airport: Badgerys Creek	
Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek. Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.	Not Applicable.
Local Plan Making	
6.1 Approval and Referral Requirements	
Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Applies when the relevant planning authority prepares a planning proposal.	Applicable - consistent The proposal does not propose to include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority following the completion of the planning proposal process.
6.2 Reserving Land for Public Purposes	
Aims to facilitate the provision of public services and	Applicable - TBA

Direction	Comment
facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. Applies when the relevant planning authority prepares a planning proposal.	The proposal will result in the reduction of public land through the transfer and potential sale of public land to accommodate a retail and residential development. It is noted that the alteration of the existing zoning of land for public purposes requires the approval of the Department of Planning and Environment.
6.3 Site Specific Provisions	
Aims to discourage unnecessarily restrictive site specific planning controls. Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.	Applicable - consistent No additional development standards beyond those under Wyong LEP 2013 are proposed. Any local provisions would be introduced by a site specific development control plan if required.
Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	
Aims to give legal effect to the planning principles, directions and priorities for sub regions, strategic centres and transport gateways contained in A Plan for Growing Sydney	Not Applicable.



NORTH WYONG SHIRE STRUCTURE PLAN

October 2012

TABLE OF CONTENTS

1. Introduction.....3

1.1 Objectives of the Structure Plan.....3

1.2 Structure Plan process4

2. The Structure Plan area today and into the future5

2.1 The Structure Plan area5

2.2 Flooding5

2.3 Biodiversity5

2.4 Mineral resources6

2.4.1 Coal6

2.4.2 Clay and Gravel6

2.5 Housing and employment7

2.5.1 Housing.....7

2.5.2 Economy and employment.....7

2.6 Infrastructure and Services10

3. The Structure Plan development strategy12

3.1 The development precincts12

3.1.1 Employment13

3.1.2 Residential.....13

3.2 Development area staging18

3.3 Biodiversity planning for the Structure Plan area19

3.4 Strategic land subject to further investigation.....20

4. Implementation21

4.1 Coordination of land release21

4.2 Wyong Local Environmental Plan 2012.....21

4.3 Development Control Plan22

4.4 Ongoing land release via the precinct planning process22

APPENDIX 123

© State of New South Wales through the Department of Planning & Infrastructure, October 2012

ISBN 978-0-7313-3591-6

You may copy, distribute, display, download and otherwise freely deal with this work for any purpose provided that you attribute the department as the owner. However, you must obtain permission if you wish to: charge others for access to the work (other than at cost), include the work in advertising or a product for sale, modify the work, or publish the work to a website.

Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of printing, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

1. Introduction

The 2008 Central Coast Regional Strategy identifies that the majority of the Central Coast's new greenfield residential development and all of the region's greenfield employment development to 2031 will locate in the northern part of Wyong LGA. This area will have the capacity for almost 17,000 new dwellings and between 12,150 and 17,100 new jobs to 2031.

The Regional Strategy also identified the need for a high level landuse strategy to guide ongoing development and planning for infrastructure and services for the North Wyong Shire area, which is identified on Maps 1-3. The Structure Plan identifies where and when development is planned to occur and ensures that sufficient land exists to meet regional housing and employment targets, as a minimum.

New Local Environmental Plans (LEPs) will be one of the key tools to implement this plan and these will need to be consistent with both the Regional Strategy and the Structure Plan.

The Regional Strategy also identifies that a Central Coast Regional Conservation Plan should be prepared. The intent of the Conservation Plan is to ensure that, where development occurs on the edge of the existing urban areas occurs, the area's rich natural resources and diversity of ecosystems are maintained. The Conservation Plan is currently being prepared by the Office of Environment and Heritage (OEH) which has also been closely involved in the preparation of the Structure Plan.

It is intended that the Structure Plan will be incorporated into the Regional Strategy when it is next reviewed, which is planned for 2013. This will ensure that the Regional Strategy continues to provide an integrated approach to the planning and delivery of land for residential and employment development.

1.1 Objectives of the Structure Plan

The Structure Plan project objectives were developed from the Regional Strategy and are to:

- Identify sufficient land for regional greenfield housing and employment targets to be met, as a minimum;
- Identify and protect important environmental assets, landscape values and natural resources;
- Provide greater certainty for the community, local government, industry groups and commerce on the location of future development and conservation areas; and
- Consider key infrastructure requirements to support new precincts and ensure that new urban land release contributes to infrastructure costs.

Other aims and objectives for the Structure Plan are to:

- Focus initial development on areas that support the development of Warnervale Town Centre and the Wyong Employment Zone (WEZ);
- Provide a staging and sequencing plan to inform planning, and infrastructure investment;
- Ensure developable areas are serviced by a hierarchy of centres which can support a range of services and medium density residential development;
- Identify opportunities for new and expanded employment nodes which support existing employment area and/or which have good access to transport infrastructure;
- Concentrate new development in areas that allow for efficient infrastructure servicing;

- Ensure that future development takes account of current and potential future mining and quarrying issues;
- Ensure future development takes account of cultural heritage and values; and
- Ensure future development takes into account regional planning for the adjoining Lower Hunter Region.

Wyong Council's *Community Strategic Plan* (2011) identifies eight priority objectives which have also been considered in the development of the Structure Plan. These objectives are:

- Communities will be vibrant, caring and connected;
- There will be ease of travel;
- Communities will have a range of facilities and services;
- Areas of natural value will be enhanced and maintained;
- There will be a sense of community ownership of the natural environment;
- There will be a strong sustainable business sector;
- Information and communication technology will be world's best; and
- The community will be educated, innovative and creative.

1.2 Structure Plan process

The project has been led by the Department of Planning and Infrastructure, with the support and guidance of consultant Worley Parsons. Development of the Structure Plan has involved:

1. Gathering, collating and analysing information on the study area from Council, government agencies and other sources;
2. Conducting meetings with community and business groups, landowners and potential developers to determine the key characteristics of the study area and the key issues that the Structure Plan should address;
3. Preparing and testing several possible growth scenarios, based on the characteristics of the study area, in consultation with Government agencies, the consultants and Council;
4. Preparing and exhibiting a draft Structure Plan. The draft Structure Plan was exhibited for a period of six weeks in late 2010 and consultation included meetings with a wide range of stakeholders including Council, Government agencies, community groups, landowners, business groups and developers;
5. Reviewing submissions received on the draft plan and discussing possible changes to the draft plan with Government agencies and Council; and
6. Preparation and release of a final Structure Plan.

The community has had several opportunities to be involved in the Structure Plan process and further opportunities will be provided as the Structure Plan is implemented into the future. Future consultation opportunities will arise through the preparation of local planning strategies and planning proposals within the Structure Plan area. A range of more detailed investigations will be required to support future detailed local planning and future LEPs will be required to be consistent with the Structure Plan.

2. The Structure Plan area today and into the future

This section provides a brief description of the key characteristics which have guided the preparation of the Structure Plan. The key natural features that have guided the Structure Plan development strategy are flooding, biodiversity values and mineral resources, including coal, clay and gravel.

2.1 The Structure Plan area

The Structure Plan area covers approximately 11,500 hectares across the northern and north eastern areas of Wyong LGA. To the south the Structure Plan area extends to the Wyong River floodplain and southern boundary of the Porters Creek wetland. The western boundary extends west of the F3 Freeway, along Hue Hue Road and the eastern boundary adjoins the existing urban areas of Kanwal, Tuggerawong and Watanobbi in the south, Lake Haven, Charmhaven and San Remo, and Lake Munmorah in the north-east.

Existing residential areas within the study area are predominantly single dwellings while the most dominant employment development is industrial development. The study area also includes areas that have already been identified for future urban development, including Warnervale Town Centre, the WEZ, and parts of Hamlyn Terrace and Wadalba.

2.2 Flooding

Parts of the Structure Plan area are affected by flooding, including the Warnervale floodplain, foreshore areas of Lake Macquarie in the north and the Wyong River floodplain in the south. Council's flood mapping was updated in 2009 for key catchments in the Structure Plan area, including the Porters Creek catchment, and this has been used to identify which areas in the study area are not suitable for development.

A key principle applied to the Structure Plan has been to not intensify land use in areas that could be at risk from increased flooding. Detailed flooding investigations will need to be undertaken as part of local planning and will need to consider a range of additional factors including proposed landuse and the potential for mining-related subsidence.

2.3 Biodiversity

The Structure Plan area falls within coastal lowlands and associated floodplain communities. The historic landuse pattern within this area has resulted in a fragmented natural landscape. Future development within the identified development precincts will also require additional clearing.

To achieve a sustainable biodiversity outcome for the study area it is necessary to connect landscapes, which include smaller and larger patches, core protected areas, stepping stones as well as linear corridors. Developing a system of corridors and habitat networks is important in the context of past landscape fragmentation and a future need to allow species to adapt to climate change. The objectives of landscape connectivity are to¹:

1. Provide habitat for resident species and supplementary habitat for wide-ranging species;
2. Assist movement of dispersing or migratory species;
3. Maintain genetic interchange between populations; and
4. Support ecosystem processes.

¹ Scotts D (2003) Key Habitats and Corridors for Forest Fauna: a Landscape Framework for Conservation in North-East New South Wales. Occasional Paper 32. New South Wales National Parks and Wildlife Service, Sydney

Following on from the Structure Plan, further detailed environmental and landuse planning will be required to determine more precisely the amount of vegetation that may be lost by land development, and the areas that may need to be set aside as offsets, to compensate for that vegetation loss. These investigations will need to occur as part of the preparation of future planning proposals and could occur on several different levels e.g. LGA-wide, for the Structure Plan area or for a specific site, precinct or precincts. The identification of potential offset land could extend beyond the boundaries of the Structure Plan area, and possibly outside of Wyong LGA.

It is expected that the majority of the land within the proposed corridor and habitat networks (the 'green corridor') will remain in private ownership, with appropriate zoning and land use controls. The highest quality sites, that meet acquisition criteria, may be considered for acquisition or transferral into public ownership. A Regional Conservation Plan is also expected to identify which areas could be targeted for future conservation offsets and the range of planning and conservation tools which could be applied to these areas.

2.4 Mineral resources

Much of the Structure Plan area is underlain by coal resources. There are also significant clay and gravel deposits within the study area. Key resource developments are shown on Map 1 – Resource Development.

2.4.1 Coal

The impact of underground mining activities on surface development can be managed by applying building controls and staging surface development so that it occurs after coal has been extracted and surface subsidence is largely complete. The potential for future coal extraction and subsidence has been a key consideration in the development of the staging plan.

Large parts of the Structure Plan area are within Mine Subsidence Districts (MSDs) which are areas that could be subject to future land subsidence. Most substantial building works in MSDs requires approval from the Mine Subsidence Board (MSB) and must be designed according to the MSB's design requirements.

The MSB and the Office of Resources and Energy will need to be consulted as part of future planning proposal processes to determine the most appropriate surface controls which will apply to new development. As the existing surface controls allow 2-storey masonry construction across most MSDs in Wyong, they may only need to be reviewed where a development precinct:

- Has viable coal underneath it but it is not currently in a MSD (e.g. Precinct 4 falls in this category);
- No longer has a known economically viable coal resource underneath it; and
- Has areas which are suitable for development forms that are not permitted under the current surface controls (e.g. medium density residential development in and around centres).

2.4.2 Clay and Gravel

Both clay and gravel resource areas are identified by State planning policy and directions, to ensure their existence is considered in future local planning. Both resources could continue to be extracted over the long-term and provide important construction materials for the Central Coast and surrounding regions. The clay resource has State significance due to the quality of the clay, the existence of a roof tile manufacturing plant and its proximity to the Sydney

Metropolitan market and major transport infrastructure. The gravel resource has regional significance. Planning for these areas and the surrounding areas needs to ensure that:

- Mining and quarrying remains a permissible use, with development consent, in the resource areas;
- Appropriate landuse buffers are provided between these areas and future development; and
- These areas contribute to the longer-term formation of a green corridor, both during extraction (e.g. by maintaining existing vegetation links and/or restoration on areas not being quarried or mined) and on completion of resource extraction.

2.5 Housing and employment

The housing and employment capacity targets for the Structure Plan area are established under the Central Coast Regional Strategy.

2.5.1 Housing

The Regional Strategy identifies several key factors likely to influence the Central Coast housing market:

- Young families moving to the region and contributing to high birth rates;
- Influx of retirees who have an increasing life expectancy;
- Increasing life expectancy and birth rates in the current population; and
- Increasing number of single person households in traditional retirement areas.

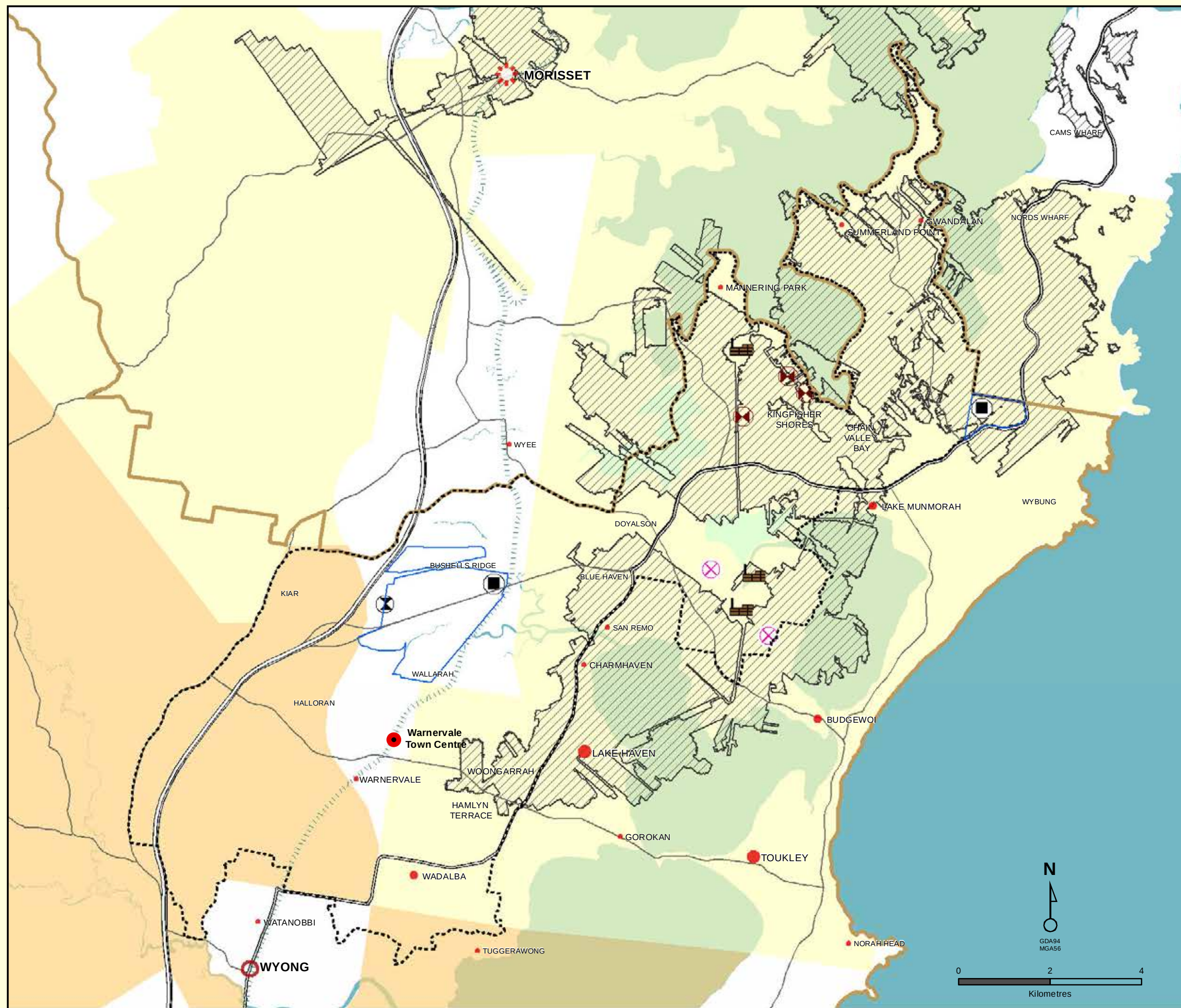
The adjusted Regional Strategy housing capacity target for the Structure Plan area was 17,400 new dwellings from 2006 to 2031 (e.g. 700 per year over that period). This figure includes sites now zoned for residential development but not yet developed, and the Warnervale Town Centre.

The Structure Plan adopts a minimum density target of 15 dwellings per hectare of developable land for new residential areas. It is expected that there will be a variety of dwelling types including detached dwellings at lower densities through to apartments, town houses and villas. Any potential shortfall in achieving the targeted residential densities due to localised development constraints (e.g. surface subsidence controls, biodiversity and flooding) is expected to be offset by medium density development opportunities in and immediately around centres, minor infill development in existing urban areas and development within areas identified for further investigation.

2.5.2 Economy and employment

Almost half the employed people who live in Wyong LGA work outside of the LGA. The Regional Strategy aims to increase local employment and establishes a minimum employment capacity target for the Structure Plan of 12,000 additional jobs by 2031. Included in this target are 1,200 jobs in and around Warnervale Town Centre and 6,000 in the WEZ. New jobs are expected to be located in:

1. Industrial lands with job densities that range between 10 and 20 jobs per hectare;
2. New centres and specialised employment nodes that form around major employment nodes such as Wyong Hospital, schools and the power stations; and
3. Home businesses, either distributed throughout the urban area or in purpose-built housing and employment estates.



Legend

- Major Centre
- Emerging Major Regional Centre
- Town
- Village
- Neighbourhood
- Wyong LGA Boundary
- North Wyong Shire Structure Plan Area
- Railway Lines
- Freeway
- Highway
- Main Road
- Rivers
- Power Stations
- Quarry
- Operating Mine
- Decommissioned Mine
- Proposed Mine
- Extractive Resource Areas (Clay and Gravel)
- Colliery Holdings
- Coal Exploration Licence
- Known Historic Coal Mine Workings (Approximate)

Coal Resource

- Colliery Holdings
- Coal Exploration Licence
- Known Historic Coal Mine Workings (Approximate)



North Wyong Shire Structure Plan

MAP 1 - RESOURCE DEVELOPMENT

Crown Copyright Feb 2006 NSW Government.
This map is not guaranteed to be free from error or omission. Therefore the State of NSW and its employees disclaim liability for any act done or omission made on the information in the map and any consequences of such acts or omissions.
Date: Mar 2012 Author: Sina Mavaddati - Planning Operations Coordination

It is anticipated that within the Structure Plan employment precincts, Wyong Council's more detailed strategic planning may identify opportunities for more intensive employment activities than traditional industrial development. For example, opportunities may arise for more traditional centre support activities to be located close to the proposed Lake Munmorah centre and a specialised, health-based employment node could be developed to complement Wyong Hospital.

Given the high number of workers who travel outside of the Region for work each day, the Structure Plan has identified additional employment land beyond that required to meet the minimum Regional Strategy targets. It is expected that due to its location, the nature of the land available, and market position, the Structure Plan area will continue to attract a range of employment activities including warehousing and storage activities, with lower job densities. The Structure Plan identifies employment land that is:

- Close to both existing and future residential areas and services; and
- Close to key transport nodes and transport corridors which would be suitable for large-scale employment development that services a broader market.

2.6 Infrastructure and Services

The provision of infrastructure is critical to the quality of people's lives, the efficient functioning of places and to the State's economic competitiveness. Without sound infrastructure planning, the delivery of roads, schools, hospitals and other key services by all levels of government risks being inefficient, delayed and/or more costly.

As the Structure Plan area accommodates the majority of the Central Coast region's future greenfield housing and employment growth over the next 20 years, a key challenge will be providing adequate infrastructure to meet the needs of people living and working in the North Wyong area.

The NSW Government has put in place new governance arrangements for the management of the State's infrastructure. This allows planning, prioritising, funding and delivery of infrastructure in a coordinated, efficient manner across government for all levels of infrastructure leading to better economic and social results across the State.

New governance arrangements for infrastructure planning in NSW

The New South Wales Government has established new structures and processes to better plan, prioritise, fund and deliver infrastructure across NSW. Infrastructure NSW has been established to improve the identification, prioritisation and delivery of critical infrastructure in the State.

Specific functions and activities to be undertaken by Infrastructure NSW include:

- preparation of a 20 year State Infrastructure Strategy
- preparation of 5 year infrastructure plans
- sector State Infrastructure Strategy statements (for example, water)
- coordination of major infrastructure projects (exceeding \$100 million)

To complement Infrastructure NSW, the Department of Planning and Infrastructure (DP&I) ensures that there are better linkages between land use planning, infrastructure delivery and development. DP&I will coordinate planning for the provision of infrastructure by identifying where infrastructure needs to be augmented to support growth and preparing Growth Infrastructure Plans. The aim of this process will be to ensure that, as far as possible, the necessary infrastructure is provided to enable the timely development of an area.

The North Wyong area already has substantial investment in infrastructure, including:

- The F3 Sydney to Newcastle Freeway, the Pacific Highway, and regional roads such as the Motorway Link, Sparks Road and Central Coast Highway/Elizabeth Bay Drive.
- The Sydney to Newcastle rail line provides a key link between the North Wyong area and Sydney and Newcastle for both freight and passenger movements and Gosford and Tuggerah-Wyong for passenger movements.

- Additionally, there is already a significant local road network and Wyong Council upgrades to the road network within the Warnervale and Wadalba release areas, including Warnervale Link Road, will ultimately connect Watanobbi with Sparks Road through to Warnervale Town Centre.
- The Structure Plan area is serviced by both Wyong Hospital and Gosford Hospital, the principal referral hospital for the region.
- Higher education opportunities include University of Newcastle – Central Coast's Ourimbah Campus and TAFE NSW campuses at Wyong and Ourimbah.

As parts of the Structure Plan area transition to urban areas, the residential and employment growth will result in the need for new infrastructure or upgrades to existing infrastructure such as:

- Transport (roads, rail and public transport, pedestrian and cycle ways)
- Water
- Sewerage
- Drainage
- Community buildings
- Open Space
- Health facilities
- Education buildings
- Energy infrastructure

This infrastructure can be provided in a number of ways as the planning and delivery of infrastructure is shared between many parties such as State Government agencies, Local Government, Commonwealth Government, as well as developers through development contributions and private sector investors.

As the area develops, infrastructure will be delivered by private developers and/or programmed into the State and local council capital works programs in stages with a view to keeping pace with the new urban development that is occurring. The State Government's new infrastructure governance processes outlined above will help ensure that the right State infrastructure is delivered in a timely way.

To facilitate the early stages of development in the area, major new infrastructure investments are already underway such as the:

- Recently opened \$120M Mardi - Mangrove Creek dam link which is a key step to implementing the Gosford - Wyong Council's 'WaterPlan 2050' and securing the region's future water supply needs;
- Funding the construction of the new intersection between Sparks Road and the new Warnervale Town Centre access road under the Government's \$181 million Housing Acceleration Fund;
- Construction of water and sewer infrastructure for the Warnervale Town Centre by Council and with the assistance of \$4.5 million in Federal funding, and
- Warnervale GP super clinic which is currently under construction.

The long term planning vision provided by the Structure Plan will assist all levels of government to identify, plan for and prioritise the future needs of the northern areas of the Wyong LGA. To ensure that planning for infrastructure, services and land use is integrated, the Government will continue to work co-operatively with Wyong Shire Council.

3. The Structure Plan development strategy

The Structure Plan future development areas, and the corridor and habitat networks (the ‘green corridor’) are identified on Map 2. The proposed precincts to accommodate residential and employment uses have an area of approximately 1,900 hectares.

The Structure Plan identifies more employment land than may be required to meet the Regional Strategy targets. Identifying additional potential development areas will:

- Allow additional land to be brought on line if there is a higher than expected demand;
- Provide a future land reserve if detailed local planning processes show that expected employment or residential capacity targets cannot be achieved, for example, due to environmental or extractive resource constraints; and
- Provide capacity for more local jobs and growth past 2031.

Development in the Structure Plan area will support development in the southern part of the Lake Macquarie LGA, including the Wyee Strategy area which is also planned for additional development.

There are some areas within the study area for which the Structure Plan does not make any additional recommendations. These areas include existing urban areas and other areas which are not suitable for future urban development or inclusion in the green corridor network. A decision on the future landuses in these areas will be considered in the context of Council’s proposed Settlement Strategy and new LEP (refer section 4.2).

The Structure Plan does not identify any areas within the study area, as being suitable for additional rural-residential development. Wyong Council may consider whether there are any other areas suitable for rural-residential development, outside of the Structure Plan area, as part of their Settlement Strategy and Comprehensive LEP process.

The Structure Plan is a high level strategy that has been prepared on the basis of sub-regional data. More detailed investigation may conclude that parts of the currently proposed development areas or proposed landuses are not appropriate. For example, detailed flooding or flora and fauna investigations, undertaken to support a future planning proposal that seeks to rezone some of the development precincts for urban development, may identify areas on the fringe of a development precinct which are not suitable for development but should more appropriately be included in the green corridor. Equally, the development precinct boundaries may need to be amended slightly if an area on the fringe is, by its features, not suitable for inclusion in the green corridor. Any future planning proposal within the Structure Plan area will need to demonstrate that it meets the overall objectives of the Structure Plan.

3.1 The development precincts

The initial focus for development in the Structure Plan area will be around the broader Warnervale/ Wadalba release area in the southern half of the study area. These areas will support continued development of these areas and the establishment of Warnervale Town Centre and the WEZ and can be more efficiently serviced by new or upgraded infrastructure than areas to the north. In the longer term, development is expected to occur around the Doyalson and Lake Munmorah corridor and areas on the southern shores of Lake Macquarie. The list of Precincts, their size and potential housing and employment yield is outlined in table 2 (Appendix 1).

The housing and employment capacity estimates are based on a broad assessment of the Net Developable Area (NDA) which could be achieved in each of the identified development

precincts. The actual development potential for each area will be determined as the land is more closely investigated and rezoned for urban development. Future reviews of the Regional Strategy and Structure Plan will assess whether the expected yields within the study area have been achieved and, if necessary, how any shortfall in development capacity could be made up, either in the Structure Plan area or elsewhere in the region.

3.1.1 Employment

The Structure Plan area has a total employment capacity of between 12,150 and 17,100 new jobs, including areas with an existing employment zoning at Warnervale Town Centre (1,200 jobs) and the WEZ (6,000 jobs).

Initiatives in the Structure Plan area which will improve local employment opportunities include:

- Expanding existing employment nodes at Charmhaven and Doyalson;
- Developing new employment areas in the WEZ, Doyalson North and Bushells Ridge;
- Developing new employment areas at Lake Munmorah to service new urban areas and provide landuse buffers around the power stations;
- Developing a specialised employment node in proximity to Wyong Hospital and exploring similar opportunities for other major infrastructure (e.g. schools and the power stations); and
- Developing new centres at Warnervale, Wadalba East, Lake Munmorah and Gwandalan.

Wyong Council will undertake more detailed investigation to determine the appropriate role of these centres and scale of development, the relationship between centres and the appropriate surrounding landuses to support these centres.

3.1.2 Residential

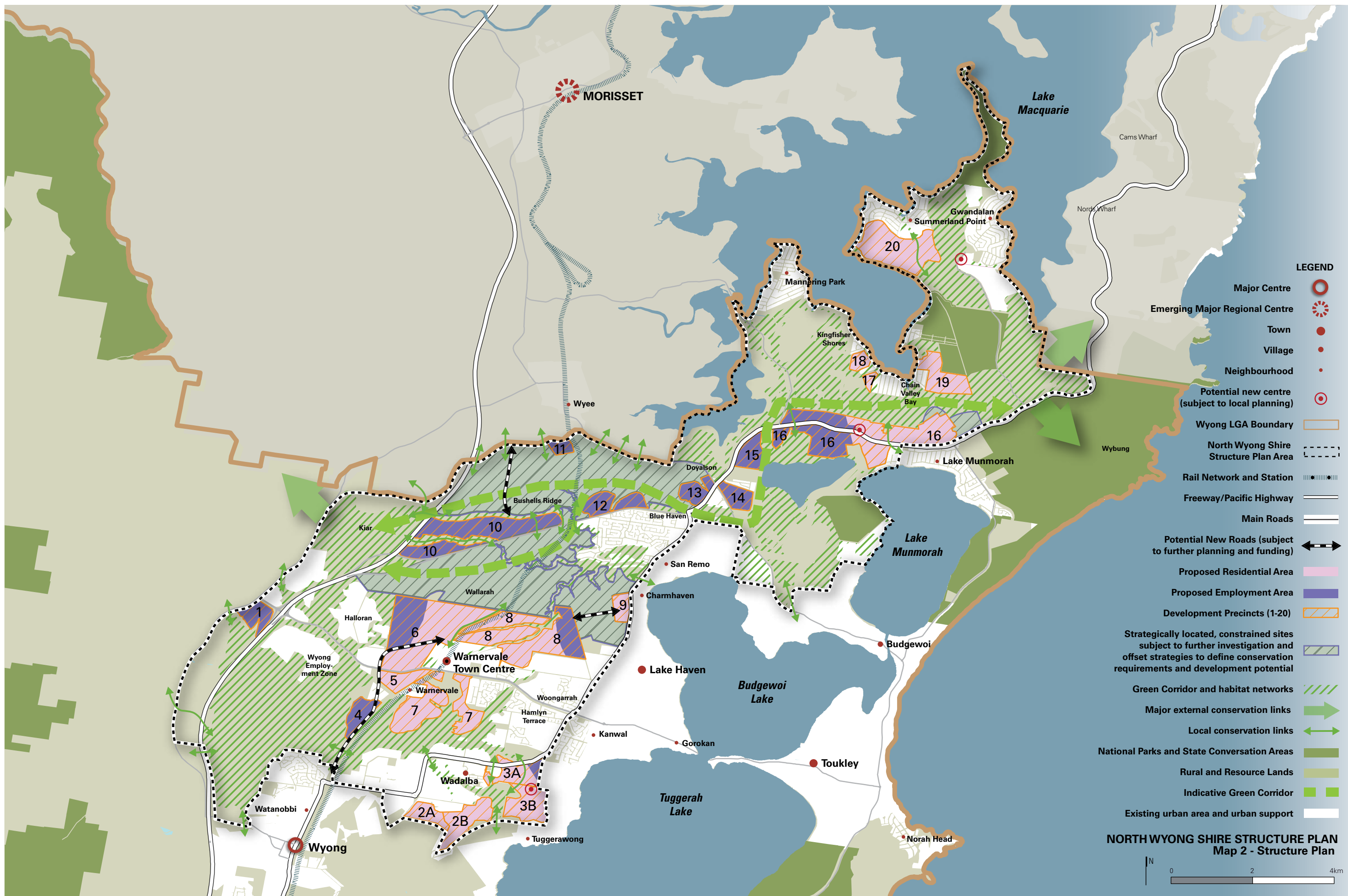
The future residential development areas and the potential dwelling yield are listed in Appendix 1. The Structure Plan area has capacity for almost 17,000 new dwellings to 2031. This development is expected to occur in the Warnervale Town Centre (1,650 dwellings), other areas already zoned for urban development but not yet developed and future release areas. These dwellings could accommodate an additional population of almost 37,400 persons over the long term, should all of these dwellings be developed and occupied.

The final residential development capacity estimate differs from the figures in the draft Structure Plan as a result of development occurring in the study area since the draft plan was prepared and the capacity targets for the Warnervale Town Centre being revised as part of the 2012 review of the planning provisions that apply to that site.

Residential development in the Structure Plan area is expected to occur within the walking catchments of planned and existing centres and public transport routes. In and immediately around centres, housing is expected to be in a variety of forms of medium density housing, depending on the centres hierarchy, for example:

- Warnervale Town Centre - within 800m distance of the centre;
- Proposed new village centres at Wadalba East, Lake Munmorah and Gwandalan – within 400m-600m of the centre; and
- Neighbourhood centres (e.g. the existing Warnervale village and development near Charmhaven shops, etc) – within 150m of the centre.

For areas which are further away from centres, a minimum density of 15 dwellings per gross hectare of development land should be achieved.



3.2 Development area staging

The staging of development within the Structure Plan area has been developed with input from Wyong Council and the Office of Resources and Energy. The staging plan is shown in Map 3 and Table 1. The staging plan has been determined by:

- The ability of State and local government to provide key infrastructure services in an orderly and cost-efficient manner, especially water and sewerage, which are a responsibility of Council;
- The potential timing of extraction of important mineral/ coal resources; and
- Whether development will support the establishment of the WEZ and Warnervale Town Centre.

Table 1 sets out the preferred Staging Plan for the Structure Plan. The actual timing of development will depend on a range of factors, including the economic conditions and the market, and the demand for additional housing and employment land. Close monitoring will be required to ensure that an adequate supply of land is maintained.

Table 1: Preferred staging and estimated development yield

Order of Development	Description	Location	Residential	Employment
			15 Dwellings/ hectare	10 -20 Jobs/ hectare
Short	Land already zoned and serviced which is expected to begin to develop in the coming years	Warnervale Town Centre, WEZ and parts of Wadalba, Woongarra, Hamlyn Terrace and Bushells Ridge	4,600	8,460 – 9,720
Medium	Land that is expected to be zoned in the next 15 years	Parts of the Warnervale, Wadalba, Charmhaven and Gwandalan areas	7,970	680 – 1,360
Long	Land that will not be zoned before 15 years, the timing of which will be impacted by future coal extraction potential, future use of the power station sites and access to services and employment opportunities	The final stages of the WEZ, Warnervale and Bushells Ridge areas. Also areas to the north at Doyalson, Lake Munmorah, Summerland Point and Chain Valley Bay	4,130	3,010 – 6,020
Total			16,700	12,150 - 17,100

Staging plans must maintain enough flexibility to allow additional land to be released, when required but to also ensure that there is not an over or under supply of land. The Government and Wyong Council may decide to accelerate the release of land if satisfactory arrangements

are in place to forward fund the appropriate infrastructure and other factors, such as the supply or demand for additional land, support an earlier release. The Structure Plan and the Staging Plan will be reviewed as part of future reviews of the Central Coast Regional Strategy.

Sites which are rezoned for urban development will be identified as short-term release precincts in future reviews of the Structure Plan. Examples of where this is likely to occur include the area around Warnervale Village station (Precincts, 4, 5 and 7) which are in the process of being rezoned.

The staging of development of any future urban land within the ‘strategically located’ sites is expected to be generally consistent with the staging identified for the adjoining land.

3.3 Biodiversity planning for the Structure Plan area

The Structure Plan process has identified the opportunity to provide a system of corridor and habitat networks in the Structure Plan area, known as the ‘green corridor’. The green corridor includes valuable vegetated areas that contain endangered ecological communities, threatened species and habitats, riparian environments and wetlands. The green corridor also includes areas that have been disturbed and degraded as a result of past landuse, however are also strategically located in terms of conservation connectivity and which can potentially be revegetated in the future.

Many of the properties within the proposed green corridor have physical attributes which would impact on their ability to be developed and are less well suited for development than the nominated development precincts. For example, much of the existing vegetation in this area is already protected under State and/or Federal legislation. Without the Structure Plan providing a strategic framework for decision making, decisions would be made on a site by site basis which is likely to lead to poor development and biodiversity outcomes.

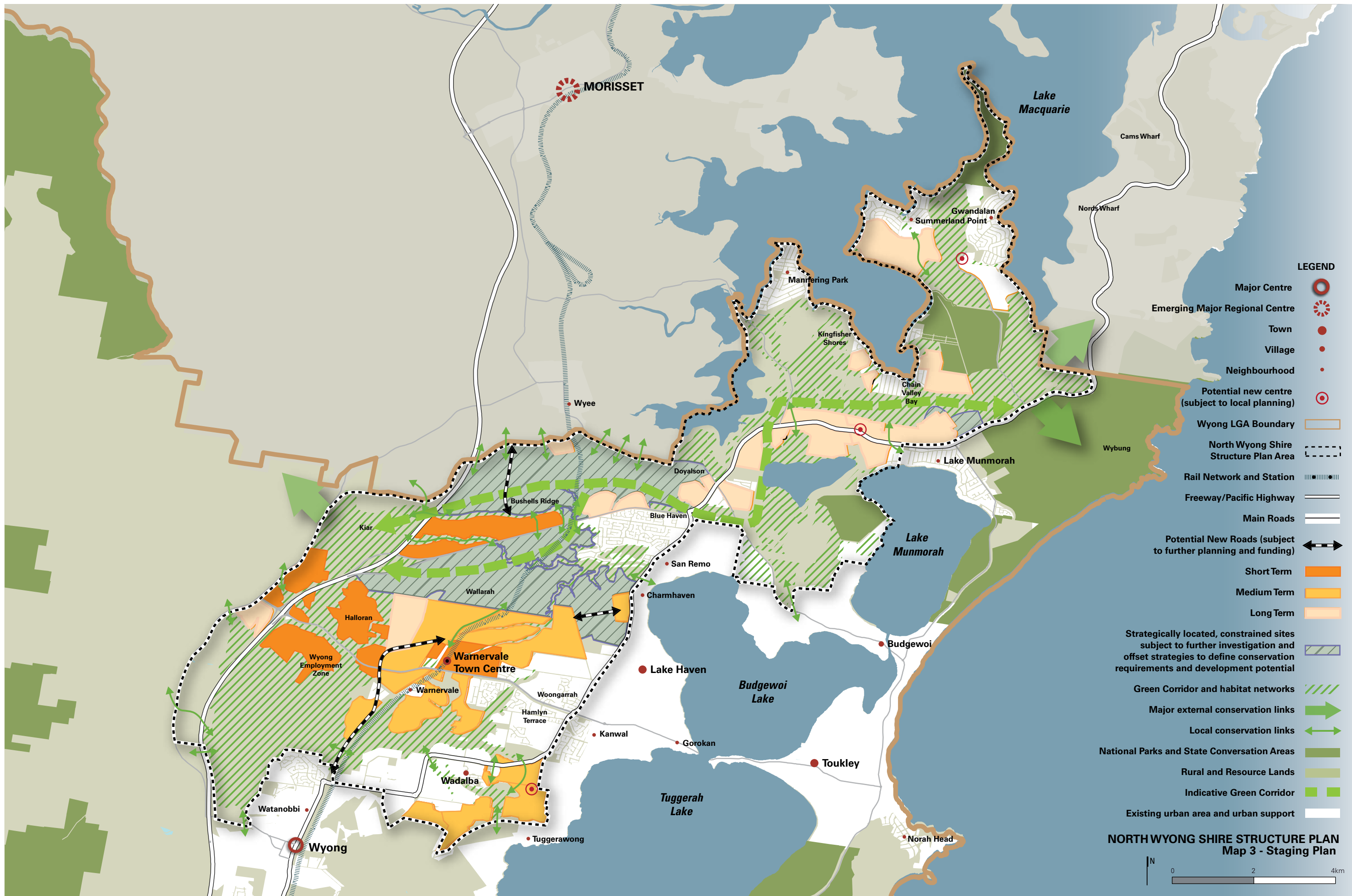
Although preferable, corridors are not necessarily continuous, but contribute to the retention and/or restoration of natural connectivity. Within and adjoining the corridor and habitat network areas, there are a range of areas where future improvements in biodiversity connectivity can provide a significant benefit to wildlife movement.

The green corridor aims to link the mountain areas in the west of the region to the ocean foreshore in the east. The corridor will also link through to the proposed Watagan-Stockton and Wallarah green corridors in the adjoining Lower Hunter region.

The Structure Plan Map (Map 2) illustrates the green corridor, the preferred east-west route for the corridor and several desirable corridor linkages within and adjoining the study area.

The green corridor will also reinforce the landscape and visual setting for urban development within Wyong LGA. This area can also provide opportunities for low impact, passive recreation activities including pedestrian and cycle paths which link to nearby urban development. The biodiversity and landscape planning objectives behind the establishment of the green corridor are:

- To improve the extent and condition of biodiversity in the region;
- To ensure connectivity for organisms at a landscape and regional scale;
- To provide landscape permeability to improve long-term ecological resilience;
- To facilitate adaptation to climate change through the protection and conservation of areas which enable fauna migration and dispersal, and the dispersal of plants;
- To maintain and enhance water flows, water quality, aquatic environments and groundwater dependent ecosystems;
- To protect and conserve Aboriginal cultural heritage;



- To improve the visual amenity of the region, and provide an attractive landscape setting for future development;
- To provide opportunities for public and private conservation;
- To provide for a range of land uses, where appropriate that do not adversely affect the overall function of the corridor, including dwellings, passive recreation and infrastructure; and
- To improve the health and well-being of the population.

3.4 Strategic land subject to further investigation

The Structure Plan identifies land in the north-west and north-east of the study area which is strategically located in relation to existing and proposed infrastructure (e.g. major roads, water and sewer) but will also contribute to the formation of the green corridor. Parts of Bushells Ridge and Wallarah also have significant clay resources underneath them. These areas warrant more detailed local investigation particularly in respect of ecology and stormwater management to more clearly determine their conservation and development potential (see Map 2). The scope of these assessments is outside the capacity of a Structure Plan, however it is important to identify that these areas are strategically located, and will be considered for further investigation.

It is acknowledged that some proposals for strategically located land may progress independently of other sites. The Structure Plan provides a framework and context for identifying and assessing future development opportunities in these areas, and for planning proposals to be prepared and progressed. The key planning issues that need to be addressed for these areas include:

- More detailed understanding of the environmental features of the land and opportunities to contribute to the proposed corridor and habitat networks;
- Resource extraction potential related to proposed coal mining and clay extraction (where these localised impacts occur);
- Opportunities to offset vegetation losses within future development areas;
- How the proposed development will relate to future development and the green corridor; and
- The need for additional residential or employment uses to meet future demand.

The key objective for these sites will be to achieve a balance between development and biodiversity conservation, within the broader context of the green corridor. Detailed ecological investigations will need to focus on:

- The location, nature and conservation value of the vegetated land including any threatened species listed under State and Federal legislation;
- The role of this land, or parts of the land, in complementing the green corridor;
- The location of local corridors, including riparian areas, and links to planned corridors outside the Structure Plan area; and
- The extent of potential biodiversity losses from development and the need for and extent of offsets.

4. Implementation

Implementation of the Structure Plan will occur over many years. Future planning proposals and local strategies will need to demonstrate consistency with the Structure Plan as a key landuse strategy of the Regional Strategy and under s.117 No. 5.1 – Implementation of Regional Strategies.

4.1 Coordination of land release

The NSW Government and Council will coordinate and monitor residential and employment land release through use of tools such as the Metropolitan Development Program and the Employment Lands Development Program. Decisions on the release of land will be coordinated to assist the efficient provision of infrastructure and the timely availability of land for development.

4.2 Wyong Local Environmental Plan 2012

Wyong Council is currently preparing a new Local Environmental Plan (LEP) which will replace Wyong LEP 1991. The new LEP will be based on a Standard Instrument which is being progressively implemented throughout NSW. The Standard Instrument introduces a suite of zones and planning provisions for use by local councils. Councils may modify and add to the LEP in some circumstances to reflect local conditions.

Many of the existing zones in Wyong LEP 1991 will readily translate into broadly equivalent zones in the Standard Instrument LEP. For example the residential zones in the Wyong LEP 1991 (e.g. 2(a) and 2(b)) are expected to become 'R' (residential) zones in the new LEP. Existing business zones (e.g. 3(a) and 3(b)) will become 'B' business zones in the new LEP. In some cases translation of zones in the Structure Plan area will be more complex and may be supported by additional mapping to reflect site characteristics.

Some particular situations of interest within the Structure Plan area are listed below. Most of these issues will need to be resolved by Council as part of the preparation of their new LEP:

- Power station holdings – should be zoned to reflect their dominant use but may be supported by overlays and/or an environmental zone that reflects the environmental values of undeveloped land. It is recommended that operational areas within the power station sites be given an SP Infrastructure zone to reflect their use as key pieces of infrastructure and that Council, the Office of Environment and Heritage and Delta Electricity work together to determine the best approach for the buffer areas;
- Scenic protection land developed as manufactured home estates – should be zoned to allow that use to continue on the site. Council will also need to determine whether manufactured home estates should continue to be permitted to occur in areas where they are currently permitted, but not yet developed. Council will need to consider the proximity to future development areas, infrastructure and services in making this decision;
- Investigation zone – as there is no equivalent for the existing 10(a) Investigation zone in the Standard Instrument, there may be other zones that are appropriate depending on the land's characteristics and its designation on the Structure Plan map (Map 2);
- Land identified on the Structure Plan for future development can also be progressively included on a Land Release Map in the new LEP and an associated local clause will apply. Among other things, this will allow future potential land use to be taken into consideration as part of the development assessment process, as currently occurs in

areas that are zoned 10(a). Further consideration will need to be given to the appropriate time when this should occur;

- Land identified on the Structure Plan for biodiversity corridors and linkages should be progressively zoned to reflect the intended environmental outcome for the land. Council will need to ensure that approved land uses can continue to operate and that land appropriate land use and development controls apply to these areas. Mapping overlays supported by local clauses to be used during development assessment can be used to reflect the specific environmental attributes of the land and to support a more detailed layer of development controls that could apply to the land; and
- Land identified as being strategically located, constrained and requiring further investigation is dependent on resolution of key planning issues as outlined in section 3.4. In the interim this land will need to be given a zone in the new Wyong LEP based on a combination of its current development potential, its environmental characteristics and its designation on the Structure Plan map (Map 2).

The Standard Instrument LEP allows different development standards, such as building heights, floor space ratios and minimum lot sizes, to be applied to different land within the same zone. This allows councils to fine tune the future development that may occur on land within a zone.

While the overarching aim of the Standard Instrument is to provide a standardised and modernised set of planning controls across the State, there is some capacity for Council LEPs to include specific local clauses.

4.3 Development Control Plan

Council will prepare an updated Development Control Plan (DCP) for release with the new LEP. The DCP could also include controls to support development in the Structure Plan area. It is likely that, in the first instance, the controls for the Structure Plan will be quite broad with more detail added as local planning takes place.

4.4 Ongoing land release via the precinct planning process

Once the Wyong comprehensive LEP is finalised there will be a need for ongoing release of the precincts identified in the Structure Plan. This will include detailed investigation of precincts to identify the location of infrastructure, roads and schools, parks, local biodiversity conservation areas and riparian corridors.

An example of this detailed assessment is the rezoning investigations that Council is undertaking for the area around the existing Warnervale train station (Structure Plan precincts 4, 5 and 7). This area is expected to be zoned for urban development in 2012/13.

Changing the zone and land use controls to enable a precinct to develop can be done through a Planning Proposal that amends Wyong LEP 2012. Alternative mechanisms include the potential for key sites covered by the Structure Plan area to be identified via a State Environmental Planning Policy (or equivalent), as has occurred for the Warnervale Town Centre and the WEZ.

Council's current land release process involves negotiating a cost-sharing arrangement with major landowners within land release precincts. The Structure Plan will be used by infrastructure and service providers, including Government agencies and Council in accordance with the adopted land release strategy. The Warnervale/Wadalba Human Services Planning Strategy is a good example of agency coordination improving the planning for and delivery of infrastructure and services in line with development. This model could be replicated for the planning of other infrastructure and services elsewhere in the Structure Plan area.

APPENDIX 1

Table 2: Proposed development precincts & estimated development yield of Structure Plan area*

Precinct No.	Area name	Land Use	Gross Area	Estimated Net Developable Area (ha)**	Dwellings	Jobs	
					15 /ha	10 /ha	20 /ha
1	Hue Hue Road	Employment	36	25	-	252	504
2A	Wadalba South	Residential	32	22	336	-	-
2B	Wadalba South	Residential	67	47	704	-	-
3A	Wadalba East	Residential	57	40	551	32	63
3B	Wadalba East	Residential	69	48	725	-	-
4	Warnervale South West	Employment	39	27	-	273	546
5	Warnervale South West	Residential	36	25	378	-	-
6	Warnervale North West	Residential & Employment	254	178	1,764	602	1,204
7	Warnervale South East	Residential	140	98	1,470	-	-
8	Warnervale North East	Residential & Employment	221	155	1,764	371	742
9	Charmhaven West	Residential	26	18	273	-	-
10	Bushells Ridge South	Employment	180	126	-	1,260	2,520
11	Bushells Ridge North East	Employment	16	11	-	112	224
12	Doyalson South West	Employment	52	36	-	364	728
13	Doyalson West	Employment	34	24	-	238	476
14	Doyalson East	Employment	34	24	-	238	476
15	Doyalson North East	Employment	37	26	-	259	518
16	Lake Munmorah	Residential & Employment	293	205	1,670	945	1,890
17	Chain Valley Bay West	Residential	8	6	84	-	-
18	Chain Valley Bay North West	Residential	16	11	168	-	-
19	Chain Valley Bay East	Residential	68	48	714	-	-
20	Summerland Point South	Residential	142	99	1,491	-	-
	Wyong Employment Zone***	Employment				6,000	6,000
	Warnervale Town Centre****	Residential, Retail and Commercial			1,650	1,200	1,200
	Other existing zoned areas*****	Residential			2,940		
ESTIMATED TOTAL DEVELOPMENT YIELD			1,857	1,299	16,682	12,146	17,091

* Some of the figures in this table have been rounded up or down in the body of the Structure Plan document

** Net Developable Area calculation is based on an estimate that 70% of each development precinct will be available for development following the detailed precinct planning and investigation process

*** The Wyong Employment Zone has been zoned for a total employment capacity of 6,000 jobs

**** The Warnervale Town Centre has been zoned for a range of landuses, including both residential and retail/commercial development

***** These areas include release areas that are zoned for residential development but are not yet developed (e.g. parts of Gwandalan, Wadalba and Hamlyn Terrace etc.).

Further information

Department of Planning & Infrastructure

Gosford Office

Level 3, 107 Mann Street (via Donnison Street), Gosford NSW 2250

Ph: 02 4348 5000

Fax: 02 4323 6573

Email: centralcoast@planning.nsw.gov.au

Web: www.planning.nsw.gov.au/central-coast-region

A translating and interpreting service is available. Please telephone 131 450, ask for an interpreter in your language and request to be connected to the Department of Planning & Infrastructure's Information Centre on ph: (02) 9228 6333. Local call cost from fixed phones. Calls from mobiles at applicable rates.



planning consultants

Wyong Shire

Retail Centres Strategy



Prepared for: Wyong Shire Council
Project No: 8047A
Date: October 2013



Retail Centres Strategy
Wyong Shire Council

Printed: 1 November 2013
File Name: \\SVR-SYD-SBS\RedirectedFolders\ellen.robertshaw\Desktop\8047A Retail Centres Strategy.docx
Project Manager: Ellen Robertshaw
Client: Wyong Shire Council
Project Number: 8047A

Document history and status

Version	Issued To	Qty	Date	Reviewed
Rev_1, Draft	DFP Director	1	11/09/2013	David Kettle
Rev_1, Draft	Council	1	11/09/2013	
Rev_2, Draft	Council	1	18/09/2013	
Rev_3 Final	Council	1	30/10/2013	
Final	Council	1-e, 3	1/11/2013	



11 Dartford Road
Thornleigh NSW 2120

ABN 24 551 441 566

PO Box 230
Pennant Hills NSW 1715

DX 4721 Pennant Hills NSW

t: 02 9980 6933
f: 02 9980 6217

e: dfp@donfoxplanning.com.au

www.donfoxplanning.com.au

Table of Contents

Executive Summary	vii
Abbreviations	xiv
1 Introduction	1
2 Purpose of the Strategy	4
3 2011/12 Retail Centres Review	5
3.1 Strategic Policy Context	5
3.2 Best Practice Considerations	6
3.3 Industry Trends	6
3.4 Wyong Retail Hierarchy	6
3.5 Population	7
3.6 Stakeholder Consultation	7
3.7 Retail Demand Assessment	7
3.8 Demand Assessment	8
3.9 Specialist Precincts	9
3.9.1 Bulky Goods Retail Precincts	9
3.9.2 Specialist Precincts	10
3.10 Draft Wyong LEP 2013	10
3.11 Net Community Benefit Test	11
3.12 Wyong DCP 2013	11
4 Strategic Policy Context	13
4.1 Introduction	13
4.2 Regional Development Australia (RDA) Strategic Studies	13
4.2.1 Central Coast Regional Priorities Plan	13
4.2.2 Central Coast Regional Plan 2011 – 2015	13
4.2.3 Regional Economic Development and Employment Strategy	14
4.3 Central Coast Regional Strategy (CCRS)	14
4.4 North Wyong Shire Structure Plan (NWSSP)	15
4.5 Draft Centres Policy	16
4.6 Promoting Economic Growth and Competition through the Planning System – Review Report, April 2010	17

4.7	Draft Competition SEPP	17
4.8	Council Policies and Master Plans	18
4.8.1	Key Iconic Sites draft DCP	18
4.8.2	The Entrance Town Centre Master Plan	18
4.8.3	Toukley Planning Strategy	18
4.8.4	Toukley Town Centre Master Plan	19
4.8.5	Wyong Tuggerah Planning Strategy	19
4.8.6	Wyong Civic and Cultural Precinct Master Plan	20

5	Industry Trends	21
----------	------------------------	-----------

5.1	Retail Trends	21
5.2	Trends in office demand	22

6	Wyong's Population	23
----------	---------------------------	-----------

6.1	Introduction	23
6.2	Population Characteristics	23
6.3	Population Projections	26
6.4	Wyong Social Planning Districts	28

7	Stakeholder Consultation	29
----------	---------------------------------	-----------

7.1.1	Westfield	29
7.1.2	Woolworths	29
7.1.3	Lake Haven Mega Centre	29
7.1.4	Lake Haven shopping centre	29
7.1.5	Coles Group	29
7.1.6	The Entrance Revitalisation Group	30
7.1.7	Meeting with Councillors Eaton and Best	30

8	The Planning Approach for a Retail Network	31
----------	---	-----------

8.1	The White Paper – A new planning system for NSW	33
-----	---	----

9	The Wyong Retail Network	35
----------	---------------------------------	-----------

9.1	Tuggerah Major Centre	39
9.2	Town Centres	40
9.3	Local Centres	46
9.3.1	The Local Centre Network	46

9.3.2	Opportunities in Local Centres	48
9.3.2.1	North Wyong	48
9.3.2.2	South Wyong	49
9.3.2.3	Local Centres Conclusion	49
9.4	Neighbourhood Centres	50
9.5	Summary of Retail Floorspace Provision within the Wyong Retail Network	51
10	Non Retail Floorspace	54
11	Actions for Centres	55
12	Specialised Precincts	57
12.1	Bulky Goods Retailing in Wyong	57
12.2	Land near Wyong Hospital	58
13	Matters for Consideration for Rezoning Proposals for new retail facilities and centres	60
14	Recommended Actions	63
APPENDIX A – LOCATION PLAN, WYONG RETAIL CENTRES		64
APPENDIX B – WYONG RETAIL CENTRES		65
Appendix B1 – Tuggerah Major Centre		65
Appendix B2 – Town Centres		69
Wyong Town Centre		69
Bateau Bay Town Centre		73
The Entrance Town Centre		75
Lake Haven Town Centre		79
Toukley Town Centre		82
Warnervale Town Centre		86
Appendix B3 – Local Centres		88

San Remo	88
Budgewoi	88
Lake Munmorah	89
Ourimbah	90
Long Jetty	90
Wadalba	92
East Toukley	93
Killarney Vale	93
Chittaway Point	94

Figures

- 1. Location of Retail Centre in Wyong Shire
- B1.1 Aerial photograph of Westfield Tuggerah development
- B2.1 Wyong town centre floorspace breakdown
- B2.2 Extract from Wyong Civic & Cultural Centre Master Plan, October 2011
- B2.3 Breakdown of retail floorspace usage in The Entrance
- B2.4 Aerial photograph of Toukley Town Centre
- B2.5 Main Street, Toukley

Tables

- 1. Extract from 2006 Basic Community Profile
 - 2. Wyong Shire Population Projections 2006 – 2031
 - 3. Wyong SPD Population Projections 2006 – 2031
 - 4. Tuggerah Major Centre
 - 5. Town Centres:
 - 5.1 Wyong Town Centre
 - 5.2 Bateau Bay Town Centre
 - 5.3 The Entrance Town Centre
 - 5.4 Lake Haven Town Centre
 - 5.5 Toukley Town Centre
 - 5.6 Warnervale Town Centre
 - 6. Local Centres
 - 7. Summary of Floor Space – Neighbourhood Centres
-
- B1 Estimated Annual Retail Expenditure per Wyong LGA Household and in Total 2013-2021

Executive Summary

Introduction

In September 2011, Don Fox Planning (DFP) was commissioned by Wyong Shire Council to undertake a review of the Wyong Retail Centres Strategy 2007 having particular regard to recent strategic documents and policies and population forecasts undertaken by Forecast id.

The purpose of the review was to inform the preparation of the Wyong Settlement Strategy as well as draft Wyong Local Environmental Plan 2013 (WLEP 2013) and draft Wyong Development Control Plan 2013 (DCP 2013).

The review has been considered by Council and, in accordance with the recommendations of the review, and having regard to the imminent changes to the planning system as outlined in the Department of Planning and Infrastructure's White Paper, it has been decided that updating DCP 81 (being the current Retail Centres Development Control Plan) is not the most appropriate approach with respect to guiding the development of and within Wyong's retail centres.

Whilst the design provisions of the DCP are considered appropriate, it is considered that the prescriptive nature of some of the provisions, particularly in relation to the timing of expansion of some centres and the amount of floorspace by which they can expand, are unnecessarily rigid and do not take into consideration changes of circumstance and condition.

The 2011/12 Retail Centres Review advocated a more flexible approach with respect to any increase in floorspace within zoned centres in line with the principles of the draft Centres Policy.

In this regard it is considered that provisions regarding the retail hierarchy and procedures for the maintenance of that hierarchy, and objectives and functions for each of the different levels of centres within the retail hierarchy, should not be encompassed within a DCP.

Instead a policy framework such as Retail Centres Strategy which includes provisions relating to the retail network, the role and function of centres within that network and how best to encourage investment while maintaining the viability of existing centres in Wyong would be more appropriate.

Such a Strategy would build on the foundations established in the 2011/12 Retail Centres Review and include a 'toolbox' for the purposes of preparing and assessing planning proposals which consider additional retail floorspace based on the net community test principles detailed in the draft Centres Policy. The Strategy would also include principles or directions for activity centres in Wyong.

Following consideration of the 2011/12 Retail Centres Review, it was determined that a Retail Centres Strategy be prepared to provide a strategic framework for the centres and network which will allow for:

- Centres to grow and respond to the ever changing retail environment.
- Centres that have the capacity to meet the growth in demand generated by population growth.
- Centres that provide residents with the widest possible range of shopping opportunities and commercial services.
- Conveniently located and accessible centres.
- Protection of the integrity of the existing centres network and viability of existing centres to ensure that they continue to provide for the needs of the community.
- Protection and creation of employment opportunities in centres.
- Sustainable centres in terms of infrastructure provision particularly transport infrastructure.

It is important to recognise that a number of the identified issues associated with retail centres within Wyong are the result of fragmented ownership patterns, lack of investment by property owners and lack of ownership by the community. This Strategy is not a panacea to solve all issues associated with the centres. It is however part of the solution to ensuring that the centres that constitute the

Wyong retail network are viable and have the opportunities to flourish and develop as the population of the area grows.

The key to ensuring a viable centre network and encouraging investment is to have an integrated approach to centre's planning. The basis for that planning is this Strategy. Detailed centre planning through the preparation of centre specific master plans is encouraged to ensure a targeted approach to centre improvement can be implemented. Such plans would identify a desired future character for the centre and provide detailed guidance with respect to specific urban design considerations such as landscaping, signage, sustainability provisions, waste management, residential development within centres and CPTED considerations, as well as streetscape, architectural character, built form, public amenity, car parking and servicing.

Purpose of Strategy

The main purpose of this Strategy is to consider opportunities for the redevelopment and renewal of existing centres in Wyong and establish broad planning requirements for the planning and development of new centres. This Strategy will also consider the distribution, function, broad land use and urban design criteria of centres.

The Strategy will give Council, the community and the development industry direction in terms of the future planning of retail centres within Wyong. It will provide for sustainable retail and commercial centres that meet the community's needs. The Strategy will also respond to the envisaged changes to planning legislation and assist Council in drafting appropriate planning controls and guidelines.

The primary objective of the Strategy is to ensure a viable centre network is provided so that the community has equitable access to goods and services.

The secondary objectives of the Strategy are:

- To establish a hierarchy for the Wyong centres.
- To consider the scale and mix of uses within a centre and opportunities to promote activity through uses such as higher-density housing, offices and employment-generating land uses in centres.
- To identify where demand for additional retail floorspace may be required in response to population growth.
- To provide a basis for an integrated approach to centre planning throughout Wyong.

Strategic Policy Context

Since the 2007 Retail Centres Review was undertaken a number of policies have been released. Firstly, NSW Department of Planning released its draft Centres Policy in 2009 which draws on best practice approaches to planning for centres.

In addition, the Central Coast Regional Strategy (CCRS) was released in 2008. The CCRS applies to both the Gosford and Wyong LGAs, with the bulk of development occurring in Wyong. The CCRS outlines how and where future development should occur to appropriately accommodate this growth and to provide sufficient capacity to cater for more than 45,000 new jobs, reducing the need for local residents to commute outside of the region for work.

The draft Centres Policy and CCRS have been investigated in more detail as part of this Strategy.

Industry Trends

The nature of retailing is such that it must continually change to respond to the needs and wants of the customer, particularly in relation to environment, operation, convenience, and presentation.

Changes to population profiles, the way in which households spend their retail dollar, increased disposable incomes, and increases in workforce participation have led to a more dynamic retail industry which is constantly changing to respond to the needs of consumers.

One of the most influential forms of retailing in recent years has been the advent and popularity of 'on line' shopping. It is anticipated that by 2015, 10% of all retail sales in Australia will be via the internet.

This form of retailing could have a significant impact on the retail industry in the form of decreased sales in 'bricks and mortar' stores and decreased casual employment opportunities. Traditional retailers will be required to develop ways to meet the challenge of the Internet.

Population

The Wyong Shire is likely to experience a significant increase in population in the next twenty years.

According to the Central Coast Regional Strategy (CCRS) and Draft North Wyong Shire Structure Plan, in the period 2006 – 2031 the population of Wyong will increase by an additional 70,000 people who will be housed in existing urban areas and green field areas. 17,500 of the new 39,500 dwellings to be constructed in the Wyong LGA will be located within the North Wyong Structure Plan area.

This increase in population is equivalent to 4,000 persons (or just over 1% growth) per annum.

For the purposes of this Strategy, population projections up to 2031 in line with these strategic policies will be used.

Stakeholder Consultation

Retail and community stakeholders were contacted during the preparation of the initial draft of 2011/12 Retail Centres Review in order to ascertain their opinion of the state of retailing in Wyong in general, any difficulties they may have experienced operating under the current planning regime and what they would like the review to achieve.

In addition, discussions have been had with Councillors Eaton and Best and Council's Manager Economic and Property Development.

The feedback from stakeholders was mostly constructive, with the majority commending Council for undertaking the review. The feedback received from stakeholders has been useful for the purposes of designing a strategic framework in relation to planning for Wyong centres.

The Wyong Retail Network

Although the CCRS provides a centres hierarchy for the Central Coast ranging from villages up to a regional city (Gosford), it is considered that this hierarchy of centres is not necessarily reflective of the network of centres within the Wyong LGA. The CCRS classification of centres is suitable in a broader regional context, however, for the purpose of the local network, a hierarchy which is appropriate to Wyong Shire is proposed to be adopted.

The purpose of establishing a hierarchy of centres is to identify how each centre contributes to the retail network. By defining the nature and role of the various centres that make up the network, it is possible to assess the capacity of the network to absorb new or additional floorspace and ensure that the expansion of one centre (or the introduction of a new centre) does not undermine the hierarchy.

For this reason, this Strategy adopts a more refined retail centres hierarchy to that provided in the CCRS. The hierarchy was informed by the research undertaken as part of the Retail Centres Review and has had regard to the centres hierarchy as set out in the CCRS.

The Wyong retail network operates within an established hierarchy of centres which provides for the classification of centres based on:

- its size and the quantum of retail and commercial floorspace within the centre;
- the mix of uses within the centre;
- the catchment or geographic area of influence;
- the role and function of the centre; and

- its relationship to other centres.

Therefore, for the purposes of this review the Wyong retail network will comprise:

- The Tuggerah major centre.
- Town Centres at Bateau Bay, Lake Haven, The Entrance, Toukley, Wyong and the proposed centre at Warnervale.
- Local Centres at Budgewoi, Chittaway Point, Killarney Vale, San Remo, Lake Munmorah, Long Jetty, Ourimbah, East Toukley and Wadalba.
- The remainder of centres (apart from specialised centres) will be classified as neighbourhood centres.

Retail Demand Assessment

An assessment of the current situation in terms of retail floorspace supply was undertaken as part of the 2011/12 Retail Centres Review. The findings of that assessment, together with population changes and the potential development of new centres have also been factored in. The results of these investigations have assisted in determining whether the supply of retail floorspace within the Wyong LGA is currently satisfying demand and whether that quantum of floorspace could continue to satisfy demand in the future.

Centres that have been investigated are the town centres and local centres, because they are likely to best satisfy local demand (beyond Tuggerah).

The Tuggerah major centre will be considered in so much as a proportion of expenditure from Wyong households is directed to that centre.

The neighbourhood centres within the Wyong retail network fulfil a vital role for their surrounding locality. The majority of these centres are located within established neighbourhoods that are unlikely to experience significant changes to their catchment population. In addition, the potential for physical expansion of these centres is generally restricted due to the surrounding development.

A catchment area for each centre investigated has been estimated based on the role and function of the centre and services provided, together with an estimate as to the expenditure (from catchment households and other from other sources) that could be directed to the centre both now and in the future. An estimate as to the retail sales potential of the outlets within the centre (including any known/approved developments for additional retail floorspace) has also been considered for the purposes of estimating supply/demand scenarios for each of the centres investigated.

Non Retail Floorspace Provision

In order to operate effectively, most centres will contain a mixture of retail and non-retail floorspace together with some community uses. Generally, we would expect uses that would occupy non-retail floorspace would include local and regional servicing businesses such as banks, medical service providers, real estate agencies, solicitors, accountants and the like.

The quantum of non retail floorspace within a centre can vary based on a variety of circumstances including the catchment of the centre and its role and function.

Generally, we would expect around 15% of the floorspace within a neighbourhood centre would be occupied for non retail uses, however this may not always be feasible in which case flexibility of use is the preferred approach. It is important that centres do provide a variety of uses however it is considered that this is best managed by the market place.

A rule of thumb for assessing the provision of non retail/local serving commercial floorspace within a local centre and town centres (excluding Wyong town centre) would be 0.2 – 0.4m² of commercial/non retail floorspace per person (based on the estimated catchment of the centre).

Specialist Precincts

There are currently only two **bulky goods retail precincts** in Wyong – the Tuggerah Supa Centa and Tuggerah Straight area in Tuggerah and the Lake Haven Mega Centre adjacent to the Lake Haven shopping centre, in Lake Haven.

There are clear benefits of there being at least two bulky goods retail precincts within the LGA to service the northern and southern sectors of the shire, however opportunities to provide bulky goods precincts as part of other town centres, including Warnervale also need to be considered.

It is imperative that a balance in the provision of any additional floorspace is achieved to ensure that the opportunity for equitable access to such facilities is maintained.

In this regard, the option of a bulky goods precinct in the eastern part of the Wyong Shire also has merit. This area is underserved in terms of such a precinct with the potential for a significant amount of expenditure in this retail category being directed to facilities at Erina. There is currently land available to the south of (and immediately adjoining) the Bateau Bay Square shopping centre for the development of bulky goods floorspace. This land is zoned B5 under the draft LEP but is vacant with no short to medium plans for development.

In addition, the option of formalising the bulky goods retail provision within the Long Jetty centre is available.

Any bulky goods precinct at Bateau Bay may impact on the amount of bulky goods floorspace that might be developed in the other two precincts.

Increasing the quantum of floorspace and the range of goods and products available in these precincts could have the effect of attracting expenditure from areas beyond the Wyong LGA and in particular from the western areas of Lake Macquarie (which are also likely to experience significant population growth in the short to medium term). This expenditure will supplement that available from Wyong households and could result in the amount of floorspace that might be supportable being more than if the precincts were only relying on expenditure from Wyong households.

The option of developing these facilities within each of these precincts in stages is available and is contemplated in relation to the Lake Haven expansion proposition.

At present, it is estimated that there is a shortfall in bulky goods floorspace provision in the order of 21,000m². This imbalance will only increase as the population of Wyong increases.

Clearly there is an undersupply of bulky goods retail floorspace within the Wyong LGA at present. The provision of additional floorspace within the existing precincts at Tuggerah and Lake Haven, together with the potential for some bulky goods floorspace to be developed in Bateau Bay, can assist in addressing this imbalance however it will be necessary to ensure that any expansion of floorspace is distributed between and within these precincts.

Opportunities to create a **specialist medical precinct** which provides for the development of new facilities to meet the clinical needs of the Wyong population proximate to the existing health services available at Wyong Hospital have been explored. The land generally bound by Pacific Highway, Wiowera Road/Pearce Road and the William Cape Gardens retirement village is considered to be appropriately located for the establishment of such a precinct.

The clustering of such services into one precinct is considered to be beneficial for fostering healthcare, education, research, and residential accommodation for hospital workers. Selected commercial activities could also be provided within this precinct.

Improving Centres

Centres are evolving from simply being places to shop or work to becoming a destination which provide a varied mix of uses and functions. They are effectively becoming activity centre where people live, work and play.

The Strategy provides the framework for achieving centres that are vibrant, active places that also provide for the retail needs of the community.

The surveys of the various centres throughout the LGA identified that apart from the services provided, the presentation of the centre can affect how the centre operates and ultimately its success. Physical elements such as neglected buildings and run down landscaping and poor access can affect the perception of a whether a centre is unattractive or unsafe, which may in turn contribute to a pattern of declining patronage.

Addressing and rectifying the observed issues within centres can assist in improving the overall functioning and servicing of a centre.

The Hills Shire Council introduced a Local Commercial Centres Streetscape Audit in 2003 for revitalising local shopping centres. The assessment was based against a set of criteria including visual appeal, public safety, accessibility, lighting and landscape design. The centre audit highlighted a number of common issues that needed to be addressed, including disabled access - provision of accessible car parking spaces, ramps, tactile indicators, street lighting and shop awning lighting. The purpose of the audit was to reduce opportunities for vandalism, graffiti and pollution, improve safety in and around centres and foster community ownership of centres. The audit led to the development of a priority list of actions and upgrade requirements, and undertaking rectification works.

It is considered that a number of centres within Wyong would benefit from the positive actions that could result as a consequence of undertaking an audit of the centres.

Net Community Benefit Test

A framework for the consideration and assessment of planning proposals which involve expansion of and/or creation of new centres has been designed.

This framework is based on the draft Centres Policy net community benefit test which requires proponents to demonstrate that alternatives within existing centres and in edge of centre locations were not suitable or available for the proposal.

This Strategy sets out the criteria to carry out a net community benefit test.

This test is part of the process in demonstrating the need for more land to be zoned for retail and commercial purposes. It will also be necessary to demonstrate a demand for additional facilities based on a retail demand assessment and an economic impact assessment to consider whether the proposal is likely to have any impact on the existing retail network.

Although not specifically identified as matters for consideration as part of a net community benefit test within the draft Centres Policy, it is recommended that any planning proposal which considers additional retail floorspace over and above that already provided for within a centre or any new centre (other than a proposed centre already identified in the NWSSP), consider the economic impact of that proposal with the objectives of ensuring that the retail network is respected, planned growth can occur and a viable network of centres is maintained.

Where an extension of a centre is proposed, it will be necessary to consider other issues such as design, connections, transport service, public domain and pedestrian circulation to ensure that the additional development integrates with the existing centre.

Recommended Actions

As a result of this Strategy it is recommended that Council implement the following actions:

- Prepare a Commercial Centres Audit to assess the physical aspects of centres with the view to preparing action plans to address identified problems.
- Amend draft Wyong DCP to delete/modify Chapter 5.1 of the DCP to reflect the findings and conclusions of this Strategy.

- Implement a requirement for planning proposals which include new retail/commercial floorspace to undertake a net community benefit test as part of the request for the preparation of a planning proposal.

Abbreviations

The following is a summary of abbreviations which have been used throughout this report.

ABS	Australian Bureau of Statistics
ACCC	Australian Competition and Consumer Commission
ANZIC	Australia and New Zealand Industry Code
CCRS	Central Coast Regional Strategy
CCRPP	Central Coast Regional Priorities Plan
DCP	Development Control Plan
DDS	Discount Department Store
GFA	Gross Floor Area
GLA	Gross Lettable Area
HES	Household Expenditure Survey
JRPP	Joint Regional Planning Panel
LEP	Local Environmental Plan
LGA	Local Government Area
NWSSP	North Wyong Shire Structure Plan
PTA	Primary Trade Area
RDA	Regional Development Australia
RFDES	Regional Economic Development and Employment Strategy
SPD	Social Planning District
STA	Secondary Trade Area
TTA	Tertiary Trade Area
RDA	Regional Development Australia
WDCP 2013	Draft Wyong Development Control Plan 2013
WEZ	Wyong Employment Zone
WLEP 2013	Draft Wyong Local Environmental Plan 2013

1 Introduction

In September 2011, Don Fox Planning (DFP) was commissioned by Wyong Shire Council to undertake a review of the Wyong Retail Centres Strategy 2007 having particular regard to recent strategic documents and policies and population forecasts undertaken by Forecast id.

The purpose of the review was to inform the preparation of the Wyong Settlement Strategy as well as draft Wyong Local Environmental Plan 2013 (WLEP 2013) and draft Wyong Development Control Plan 2013 (DCP 2013).

The review has been considered by Council and, in accordance with the recommendations of the review, and having regard to the imminent changes to the planning system as outlined in the Department of Planning and Infrastructure's White Paper, it has been decided that updating DCP 81 (being the current Retail Centres Development Control Plan) is not the most appropriate approach with respect to guiding the development of and within Wyong's retail centres.

Whilst the design provisions of the DCP are considered appropriate, it is considered that the prescriptive nature of some of the provisions, particularly in relation to the timing of expansion of some centres and the amount of floorspace by which they can expand, are unnecessarily rigid and do not take into consideration changes of circumstance and condition.

The 2011/12 Retail Centres Review advocated a more flexible approach with respect to any increase in floorspace within zoned centres in line with the principles of the draft Centres Policy.

In this regard it is considered that provisions regarding the retail hierarchy and procedures for the maintenance of that hierarchy, and objectives and functions for each of the different levels of centres within the retail hierarchy, should not be encompassed within a DCP.

Instead a policy framework such as Retail Centres Strategy which includes provisions relating to the retail network, the role and function of centres within that network and how best to encourage investment while maintaining the viability of existing centres in Wyong would be more appropriate.

Such a Strategy would build on the foundations established in the 2011/12 Retail Centres Review and include a 'toolbox' for the purposes of preparing and assessing planning proposals which consider additional retail floorspace based on the net community test principles detailed in the draft Centres Policy. The Strategy would also include principles or directions for activity centres in Wyong.

Since the 2011/12 Retail Centres Review, the White Paper into the new planning system for NSW has been released. This envisages a new hierarchy of plans and policies comprising:

- **NSW Planning Policies** – which will present the government's broad planning objectives, priorities and policy directions for a range of land use and development sectors
- **Regional Growth Plans** – These will provide a high level vision for each region of the state and establish objectives and policies relating to housing, employment, the environment and infrastructure.
- **Subregional Delivery Plans** – These will provide the delivery framework for the Regional Growth Plans in appropriate locations. The subregional delivery plans will outline key policies, actions and delivery outcomes (e.g. – housing targets) for a subregion. These plans will also specify and/or rezone areas of major planning significance such as significant precincts, corridors and sites.
- **Local Plans** – Local plans will provide the mechanisms for the on ground delivery of the higher order plans. All statutory planning controls will be contained in the one local plan for an LGA. Part 3 of the Local Plan will be the development guides which will provide detailed standards for development such as the standards and controls currently found within LEPs and DCPs.

The White Paper advocates a major shift to evidence based, whole of government strategic planning and identifies that there will be a clear line of sight between each successive layer of planning.

It is considered that the provisions relating to centres that could be included within a DCP/design guidelines could include design principles such as building envelope controls, landscaping, signage, sustainability provisions, waste management, residential development within centres and CPTED considerations, as well as streetscape, architectural character, public amenity, car parking and servicing. Such provisions could be simply transferred to the development guides contained within Part 3 of the Local Plan when prepared.

It will be necessary, particularly if provisions to encourage mixed use developments within centres are supported, that residential amenity provisions are included. Such provisions would include solar access, acoustic amenity, visual amenity, privacy, open space, setbacks and bulk and scale and be drafted having regard to the design principles of SEPP 65 and the Residential Flat Design Code. The principles described above would be best developed by an Urban Designer, in consultation with Council's development assessment section to ensure a workable set of principles to guide proposals are developed.

The Retail Centres Strategy will inform the Subregional Delivery Plans in terms of the hierarchy of centres and the role and functions of the various centres within the Wyong LGA area of the sub region.

Following consideration of the 2011/12 Retail Centres Review, it was determined that a Retail Centres Strategy be prepared to provide a strategic framework for the centres and network which will allow for:

- Centres to grow and respond to the ever changing retail environment.
- Centres that have the capacity to meet the growth in demand generated by population growth.
- Centres that provide residents with the widest possible range of shopping opportunities and commercial services.
- Conveniently located and accessible centres.
- Protection of the integrity of the existing centres network and viability of existing centres to ensure that they continue to provide for the needs of the community.
- Protection and creation of employment opportunities in centres.
- Sustainable centres in terms of infrastructure provision particularly transport infrastructure.

It is important to recognise that a number of the identified issues associated with retail centres within Wyong are the result of fragmented ownership patterns, lack of investment by property owners and lack of ownership by the community. This Strategy is not a panacea to solve all issues associated with the centres. It is however part of the solution to ensuring that the centres that constitute the Wyong retail network are viable and have the opportunities to flourish and develop as the population of the area grows.

In addition to the issues addressed in this Strategy, it is recommended that the following elements also be considered in terms of addressing the function and presentation of retail centres in Wyong:

- Addressing public domain improvements including landscaping such as street tree planting, street furniture, upgraded paving, and removal of graffiti.
- Updating the Section 94 contributions plan as it relates to developer contributions towards town centre improvements and car parking to ensure the works programs are achievable and the contributions are reasonable.
- Consideration of planning agreements to encourage investment in centres where there is a mutual benefit to both the developer and Council.
- Transport planning – to ensure centres are accessible.

The key to ensuring a viable centre network and encouraging investment is to have an integrated approach to centre's planning. The basis for that planning is this Strategy. Detailed centre planning

through the preparation of centre specific master plans is encouraged to ensure a targeted approach to centre improvement can be implemented. Such plans would identify a desired future character for the centre and provide detailed guidance with respect to specific urban design considerations such as landscaping, signage, sustainability provisions, waste management, residential development within centres and CPTED considerations, as well as streetscape, architectural character, built form, public amenity, car parking and servicing.

2 Purpose of the Strategy

The main purpose of this Strategy is to consider opportunities for the redevelopment and renewal of existing centres in Wyong and establish broad planning requirements for the planning and development of new centres. This Strategy will also consider the distribution, function, broad land use and urban design criteria of centres.

The Strategy will give Council, the community and the development industry direction in terms of the future planning of retail centres within Wyong. It will provide for sustainable retail and commercial centres that meet the community's needs. The Strategy will also respond to the envisaged changes to planning legislation and assist Council in drafting appropriate planning controls and guidelines.

There are a number of challenges facing retail and commercial centres in Wyong including:

- Ensuring there is sufficient retail floorspace available to meet future demand.
- Ensuring centres are provided in the right location at the right time to meet the needs of the community.
- Creating centres that are multifunctional activity centres.
- Revitalising ageing centres.
- Improving connectivity between and within centres and reducing reliance on private transport.
- Providing for centres which have the capacity to respond to the ever changing nature of retailing.

This Strategy will provide Council with the one of necessary tools to create attractive and sustainable centres that respond to the needs of the economy, community, and environment.

The primary objective of the Strategy is to ensure a viable centre network is provided so that the community has equitable access to goods and services.

The secondary objectives of the Strategy are:

- To establish a hierarchy for the Wyong centres.
- To consider the scale and mix of uses within a centre and opportunities to promote activity through uses such as higher-density housing, offices and employment-generating land uses in centres.
- To identify where demand for additional retail floorspace may be required in response to population growth.
- To provide a basis for an integrated approach to centre planning throughout Wyong.

The Strategy considers the role and function of centres as community focal points. They include activities such as commercial, retail, higher density housing, entertainment, tourism, civic/community, higher education, and medical services. Maintenance of a variety of functions within the centres that comprise the network is essential to ensure the community have access to a range of services and promote the vitality of centres.

Opportunities to encourage land uses that generate activity outside normal business hours (e.g. hospitality and entertainment uses and residential development to locate in centres in order to generate additional evening and weekend activity are also considered.

3 2011/12 Retail Centres Review

Wyong Shire Council commissioned Don Fox Planning Pty Ltd (DFP) to undertake a review of the Wyong Retail Centres Strategy 2007 having regard to recent strategic documents and policies and population forecasts undertaken by Forecast id.

The objectives of the review were to:

- Consider of the role and function of centres within Wyong having regard to population growth and opportunities for new development;
- Review the retail network within the Wyong shire to ensure the centres provide for the needs of the resident and tourist population;
- Consider options to limit commercial activities outside of centres where those activities could impact on the role and function of the established centres;
- Ensure that provision is made to accommodate retail growth in anticipation of an increase in resident population.
- Identify centres at risk of decline and consider development incentive options to revitalise these centres.

The aspects considered as part of the review of the 2007 Retail Centres Strategy and how those findings have informed the preparation of this Strategy are summarised below.

3.1 Strategic Policy Context

The 2011/12 Retail Centres Review considered what strategies and policies had been released since the 2007 Retail Centres Review had been undertaken.

The policies that were reviewed included:

- The 2009 draft Centres Policy by NSW Department of Planning which draws on best practice approaches to planning for centres; and
- The Central Coast Regional Strategy (CCRS) which was released in 2008. The Strategy applies to both the Gosford and Wyong LGAs, however the bulk of new development will occur in Wyong. The strategy outlines how and where future development should occur to appropriately accommodate this growth and to provide sufficient capacity to cater for more than 45,000 new jobs, reducing the need for local residents to commute outside of the region for work.

In addition to the strategic policies, other relevant studies that have been prepared by and on behalf of Council were reviewed. These included:

- The Toukley town centre study
- The Entrance Peninsula planning strategy
- Wyong-Tuggerah planning strategy
- Draft Iconic Sites DCP

Since the preparation of the 2011/12 Retail Centres Review:

- The Long Jetty streetscape improvements program has been implemented.
- Preparation of master plans for the Bateau Bay and Lake Haven town centres and Budgewoi village has commenced.

These master plans will provide direction for the future development of the centres with a view to providing centres which:

- Are attractive, accessible and active spaces.

- Promote community, sporting and recreation facilities and identify linkages between these areas and the centres.
- Identify special precincts that complement the role and function of the centres, encourage activity and connectivity and which improve the viability of the centres.
- Enhance social interaction.
- Consider the road hierarchy and traffic flow within and around the centres, including the location and operation of car parking areas, transport interchange, and vehicle loading and unloading areas.

The implementation of these master plans will be fundamental to ensuring the centres are functional, thriving, active centres that provide residents, workers and visitors to the centres with a pleasant and enjoyable experience.

3.2 Best Practice Considerations

As part of the 2011/12 Retail Centres Review, the experience of other planning jurisdictions and areas with respect to centres planning was considered.

In most instances the objectives of the reviews/studies which ultimately led to the implementation of the policies discussed in the 2011/12 Retail Centres Review were not dissimilar to those identified by Wyong Council.

Policies and strategies implemented in West Australia, Melbourne The Hills Shire, Holroyd, Shellharbour and Wagga Wagga were investigated. It is considered that implementation of components of these policies (modified as necessary to ensure relevance) are appropriate for the purposes of setting the direction for the centres network in Wyong. This Strategy has incorporated a number of policy recommendations of the plans that were reviewed.

3.3 Industry Trends

Changes in the nature of retailing and the influence those changes can have on the role, function and design of centres was also investigated as part of the 2011/12 Retail Centres Review. The nature of retailing is such that it must continually change to respond to the needs and wants of the customer, particularly in relation to environment, operation, convenience, and presentation.

Changes to population profiles, the way in which households spend their retail dollar, changes to disposable incomes, and increases in workforce participation have led to a more dynamic retail industry which is constantly changing to respond to the needs of consumers.

One of the most influential forms of retailing in recent years has been the advent and popularity of 'on line' shopping. It is anticipated that by 2015, 10% of all retail sales in Australia will be via the internet.

Although this form of retailing will have an impact on the retail industry particularly in relation to the way 'bricks and mortar' stores operate, traditional retailers are already implementing changes to respond to the challenge of the Internet.

It is anticipated that on line sales will not increase to the extent in the foreseeable future to place at risk the operation and role provided by traditional retail centres.

3.4 Wyong Retail Hierarchy

The Central Coast Regional Strategy (CCRS) considered a centres hierarchy for the Central Coast ranging from villages up to a regional city (Gosford), however it is considered that this hierarchy of centres is not necessarily reflective of the network of centres within the Wyong LGA. Whilst the CCRS classification of centres is suitable in a broader regional context, for the purpose of the local network, a hierarchy which is appropriate to Wyong Shire is proposed to be adopted.

This Strategy has been based on a retail network comprising:

- The Tuggerah major centre.
- Town Centres at Bateau Bay, Lake Haven, The Entrance, Toukley, Wyong and the proposed centre at Warnervale.
- Local Centres at Budgewoi, Chittaway Point, Killarney Vale, San Remo, Lake Munmorah, Long Jetty, Ourimbah, East Toukley and Wadalba.
- The remainder of centres (apart from specialised centres) being classified as neighbourhood centres.

A full description of the centres hierarchy is included in Section 9 of this Strategy.

3.5 Population

The Wyong Shire is likely to experience a significant increase in population in the next twenty years.

According to the CCRS and Draft North Wyong Shire Structure Plan, in the period 2006 – 2031 the population of Wyong will increase by an additional 70,000 people who will be housed in existing urban areas and green field areas. 17,500 of the new 39,500 dwellings to be constructed in the Wyong LGA will be located within the North Wyong Structure Plan area.

This increase in population is equivalent to 4,000 persons (or just over 1% growth) per annum.

The 2011/12 Retail Centres Review considered population projections up to 2031 in line with these strategic policies.

3.6 Stakeholder Consultation

Retail and community stakeholders, including Councillors and relevant officers, were consulted during the preparation of the 2011/12 Retail Centres Review in order to ascertain their opinion of the state of retailing in Wyong in general, any difficulties that they may have experienced operating under the current planning regime and what they would like the review to achieve.

The feedback from stakeholders was mostly constructive, with the majority commending Council for undertaking the review. The feedback received from stakeholders has been useful for the purposes of designing a strategic framework in relation to planning for Wyong centres.

3.7 Retail Demand Assessment

An assessment of the current situation in terms of retail demand and supply was undertaken as part of the 2011/12 Retail Centres Review. The findings of this assessment, together with population changes and the potential development of new centres have been factored into this Strategy. The results of these investigations have assisted in determining whether the supply of retail floorspace within the Wyong LGA is currently satisfying demand and whether that quantum of floorspace could continue to satisfy demand in the future.

Although the Tuggerah major centre and neighbourhood centres are important components of the Wyong retail network, the 2011/12 Retail Centres Review investigated town centres and local centres in detail, because they are the centres likely to best satisfy local demand (beyond Tuggerah).

A catchment area for each centre being investigated was estimated based on the role and function of the centre and services provided, together with an estimate as to the expenditure (from catchment households and other from other sources) that could be directed to the centre both now and in the future. An estimate as to the retail sales potential of the outlets within the centre (including any known/approved developments for additional retail floorspace) was also considered for the purposes of estimating supply/demand scenarios for each of the centres investigated.

3.8 Demand Assessment

The 2011/12 Retail Centres Review was based on an applied demand assessment as this was considered to be an appropriate technique to use at a subregional and local level in planning strategically for retail facilities. Such a technique is relevant in the local context as it is based on calculations of actual expenditure potential from local households derived from published and observed data and trends. A bland estimation of 'retail floorspace per head of population' was not adopted as that approach is not considered to be of lasting benefit, as such is unlikely to incorporate the local 'subtleties' in population, households, markets, and expenditure which are necessary to inform any demand analysis.

For these reasons, the 2011/12 Retail Centres Review adopted the above analytical approach for the purposes of calculating local and subregional household expenditure potential and 'balancing' that against the surveyed floorspace estimates in the local and subregional centres in order to establish supportable floorspace levels. As a result, the Strategy is better informed as to what network of centres might optimise net community benefit in the long term. And, that will also reflect many of the elements of 'best practice' previously investigated.

Based on those investigations, it was concluded that there are opportunities to expand the supply of retail floorspace within the Wyong retail network, particularly within the major centre at Tuggerah and the northern areas of the LGA.

At the town centre and local centre level, the 2011/12 Retail Centres Review found that the bulk of new opportunities will be available within the northern part of the LGA. The 2011/12 Retail Centres Review concluded that the provision of 21,000m² of retail floorspace within the Warnervale town centre, the opening of the new local centre at San Remo in late 2008 (which provides for 4,000m² of retail floorspace) and the approval of the Lake Munmorah local centre¹ (which provides over 5,000m² of retail floorspace) will assist in addressing the shortfall of retail floorspace (not including bulky goods floorspace) for residents in the North Wyong area.

As the population within the North Wyong area grows, the 2011/12 Retail Centres Review recommended that opportunities to expand the role and functions of the Warnervale town centre be investigated as this centre will be a major focus of activity for the incoming population.

The 2011/12 Retail Centres Review also considered the potential for the Wadalba centre to be expanded to include another supermarket of around 2,000m² together with some specialty retail floorspace and concluded that this could be warranted by 2016.

This centre could be supported by a new neighbourhood centre within the East Wadalba area post 2016, to provide additional retail opportunities in this growth area.

The draft North Wyong Shire Structure Plan includes the provision of a new centre at Gwandalan. It is likely that a neighbourhood centre to supplement the existing centres in Gwandalan and Summerland Point and the new centre at Lake Munmorah may be supportable in the future.

In the southern parts of Wyong, apart from expansion of the Tuggerah major centre, the 2011/12 Retail Centres Review found that demand for additional retail floorspace will generally be met by increasing retail floorspace provision in the Wyong and The Entrance town centres, although the potential expansion of the Ourimbah centre to include some supermarket floorspace was also considered appropriate.

The 2011/12 Retail Centres Review concluded that the existing neighbourhood centres throughout the southern part of the LGA service their immediate surrounding community and are a vital part of the network. In this regard therefore their capacity to provide these services should be maintained. The additional floorspace provision envisaged in The Entrance and Wyong is unlikely to impact on the functioning of the smaller centres as the expenditure distribution estimates did not rely on attracting that proportion of expenditure which would generally be directed to such centres.

¹ The Lake Munmorah local centre commenced operation in May 2013

In order to revitalise The Entrance, the review concluded that the provision of a hub to the centre is considered critical. This will give the centre a focal point to which its various precincts (as noted in The Entrance master plan) can relate. Opportunities to increase the residential population within the centre are also considered to be important to the functioning of this centre as a comprehensive activity centre. This aspect will be considered as part of this Strategy.

Similarly, the Wyong town centre will also benefit from the in centre population being increased. The CCRS envisages that of the 39,500 additional dwellings to be provided in the Wyong LGA, 4,000 will be located within the Tuggerah-Wyong major centre. Whilst the bulk of these are likely to be accommodated within the Tuggerah town centre as described in Section 0 of this Strategy, there are opportunities to provide residential development within the Wyong town centre.

The retail mix available within the Wyong town centres is somewhat limited and would benefit from an additional attractor such as a supermarket. The 2011/12 Retail Centres Review demonstrated that there is sufficient expenditure which is currently directed to Wyong from its catchment population to support an additional medium sized supermarket facility. The potential additional local population will also provide support from this facility. The provision of such a facility could have a synergistic effect in terms of revitalising the mix of retail services provided in this centre.

The 2011/12 Retail Centres Review concluded that with the provision of new centres at Warnervale and East Wadalba (and potentially Gwandalan) within the northern parts of the LGA together with opportunities to rationalise and redevelop parts of existing centres throughout other areas, the supply of retail floorspace within the Wyong LGA will meet demand for the period up to 2021.

The 2011/12 Retail Centres Review recommended that any additional floorspace that might be required to meet demand post 2021 should, wherever possible be provided within the existing centres. This can be achieved through more efficient use of land within existing zoned areas. Any expansion of zoned areas apart from those identified in the 2011/12 Retail Centres Review will need to be considered having regard to the net community benefit test. The same test should be rigorously applied to any out of centre rezoning proposals for new retail floorspace.

This Strategy sets up the framework for the assessment and consideration of new and/or expanded centres.

3.9 Specialist Precincts

3.9.1 Bulky Goods Retail Precincts

The 2011/12 Retail Centres Review investigated the two bulky goods retail precincts currently provided within the Wyong LGA – the Tuggerah Supa Centa and Tuggerah Straight area in Tuggerah and the Lake Haven Mega Centre adjacent to the Lake Haven shopping centre, in Lake Haven.

There are clear benefits in there being at least two bulky goods retail precincts within the LGA to service the northern and southern sectors of the shire, however the 2011/12 Retail Centres Review also considered opportunities to provide bulky goods precincts as part of other town centres, including Warnervale and Bateau Bay.

It is imperative that a balance in the provision of any additional floorspace is achieved to ensure that the opportunity for equitable access to such facilities is maintained.

In this regard, the review concluded that the option of making provision for a bulky goods precinct in the eastern part of the Wyong Shire also has merit. This area is underserved in terms of bulky goods floorspace and the provision of such a precinct has the potential to capture a significant amount of expenditure in this retail category which is currently being directed to facilities at Erina. There is currently land available to the south of (and immediately adjoining) the Bay Village shopping centre for the development of bulky goods floorspace. This land is currently zoned 3(b) Centre Support (proposed to be zoned B5 Business Development under draft Wyong Local Environmental Plan 2013 draft WLEP 2013)) but is vacant with no known short to medium plans for development.

In addition, the option of formalising the bulky goods retail provision within the Long Jetty centre is available. The proposed zoning of land within the southern part of the Long Jetty centre to B6 Enterprise Corridor will also allow for the provision of bulky goods retail premises in this area to be formalised.

Any bulky goods precinct at Bateau Bay may impact on the amount of bulky goods floorspace that might be developed in the other two precincts as there is a finite amount of such floorspace that is supportable.

The 2011/12 Retail Centres Review found that increasing the quantum of floorspace and the range of goods and products available in the established bulky goods retail precincts at Tuggerah and Lake Haven could have the effect of attracting expenditure from areas beyond the Wyong LGA and in particular from the western areas of Lake Macquarie (which are also likely to experience significant population growth in the short to medium term). This expenditure will supplement that available from Wyong households and could result in the amount of floorspace that might be supportable being more than if the precincts were only relying on expenditure from Wyong households.

The option of developing these facilities within each of these precincts in stages is available and is being contemplated in relation to the proposed expansion of the Lake Haven precinct.

The 2011/12 Retail Centres Review estimated that at present, there is a shortfall in bulky goods floorspace provision the Wyong shire in the order of 21,000m². This imbalance will only increase as the population of Wyong increases.

Clearly there is an undersupply of bulky goods retail floorspace within the Wyong LGA at present. The provision of additional floorspace within the existing precincts at Tuggerah and Lake Haven, together with the potential for some bulky goods floorspace to be developed in Bateau Bay, can assist in addressing this imbalance however it will be necessary to ensure that any expansion of floorspace is distributed between and within these precincts.

3.9.2 Specialist Precincts

Opportunities to create **a specialist medical precinct** which provides for the development of new facilities to meet the medical and clinical needs of the Wyong population proximate to the existing health services available at Wyong Hospital were explored as part of the 2011/12 Retail Centres Review. The land generally bound by Pacific Highway, Wiowera Road/Pearce Road and the William Cape Gardens retirement village is considered to be appropriately located for the establishment of such a precinct.

The 2011/12 Retail Centres Review concluded that the clustering of such services into one precinct would be beneficial for fostering healthcare, education, research, and residential accommodation for hospital and health workers. Selected commercial activities could also be provided within this precinct.

3.10 Draft Wyong LEP 2013

One of the objectives of the 2011/12 Retail Centres Review was to inform any changes with respect to Wyong centres that could be incorporated as part of the draft comprehensive WLEP 2013. The draft LEP, prepared in accordance with the Standard Template LEP, has been exhibited for public comment and the draft LEP has now forwarded to the Department of Planning and Infrastructure with a request that the plan be made.

As part of the preparation of draft WLEP 2013, Council reviewed the zoning provisions as they relate to the existing centres. Zonings appropriate to the role and function of those centres have been applied.

The 2011/12 Retail Centres Review made a number of recommendations regarding where and how additional retail floorspace might be accommodated. Recommendations regarding zonings for particular centres were made including the expansion of some zoned areas to encompass existing 'fringe' uses and sites and down-zoning of some sites.

The 2011/12 Retail Centres Review also recommended that zonings which allow for a range of uses within centres, including residential uses be implemented as a way of stimulating investment in all centres including underperforming centres. Zonings which encourage a greater diversity of uses within centres, including shop top housing, will promote the concept of these centres being more than retail/commercial centres; they will become activity centres. Furthermore, additional residents within the centres will generate additional demand for retail services which translates into greater activity.

It is evident that centres are not a stagnant entity. Development controls to be incorporated in a new local plan will need to be sufficiently flexible to accommodate changes and advances in the retail industry. However, this must be tempered so that a situation which allows the market to 'reign free' in terms of locating retail activities does not occur. The challenge is to maintain the balance of a viable network whilst still providing this flexibility. This Strategy will consider principles to ensure these targets are achieved.

3.11 Net Community Benefit Test

As part of the 2011/12 Retail Centres Review, a framework for the consideration and assessment of planning proposals which involve expansion of and/or creation of new centres was considered.

The framework suggested in the review was based on the draft Centres Policy net community benefit test which requires proponents to consider alternatives within existing centres and in edge of centre locations and provide justification as to why such locations were not considered suitable for the proposal.

This Strategy builds on the 2011/12 Retail Centres Review by providing a strategic framework for the consideration of planning proposals for new commercial/retail developments in out of centre or fringe of centre locations.

3.12 Wyong DCP 2013

At present development within retail centres in Wyong is subject to the provisions of DCP 81 – Retail Centres Development Control Plan.

The provisions of DCP 81 were considered as part of the 2011/12 Retail Centres Review.

The review found that, whilst the design provisions of the DCP are considered appropriate, the prescriptive nature of some of the provisions, particularly in relation to the timing of expansion of some centres and the amount of floorspace by which they can expand, are too restrictive and do not take into consideration changes of circumstance and condition.

The 2011/12 Retail Centres Review advocated a more flexible approach with respect to any increase in floorspace within zoned centres in line with the principles of the draft Centres Policy.

The draft Wyong DCP 2013 includes a section in relation to Retail Centres (Chapter 5.1). Chapter 5.1 of draft DCP 2013 is very similar to DCP 81 in structure and content.

Many of the provisions of Chapter 5.1 of the draft DCP are strategic directions which are more appropriately considered as part of this Retail Centres Strategy. This Strategy includes provisions relating to the retail network, the role and function of centres within that network and how best to encourage investment while maintaining the viability of existing centres in Wyong.

Should this Retail Centres Strategy be adopted by Council, it is recommended that Chapter 5.1 of draft Wyong DCP 2013 be amended to include detailed design provisions only.

This Strategy builds on the foundations established in the 2011/12 Retail Centres Review and includes a 'toolbox' for the purposes of preparing and assessing planning proposals which propose new and/or additional retail floorspace based on the net community test principles detailed in the draft Centres Policy.

It is considered that the provisions relating to centres that could be appropriately included within a DCP would include design principles such as building envelope controls, landscaping, signage, sustainability provisions, waste management, residential development within centres and CPTED

considerations, as well as streetscape, architectural character, public amenity, car parking and servicing – being the design issues controlled in Section 11 of the draft DCP. It will be necessary, particularly if provisions to encourage mixed use developments within centres are supported, that residential amenity provisions are included. Such provisions would include solar access, acoustic amenity, visual amenity, privacy, open space, setbacks and bulk and scale and be drafted having regard to the design principles of SEPP 65 and the Residential Flat Design Code. The principles described above would be best developed by an Urban Designer, in consultation with Council's development assessment section to ensure a workable set of principles to guide proposals are developed. Detailed provisions for each centre could be developed as part of any centre specific master plan.

4 Strategic Policy Context

4.1 Introduction

Since the 2007 Retail Centres Review was undertaken a number of policies have been released. Firstly, NSW Department of Planning released its draft Centres Policy in 2009 which draws on best practice approaches to planning for centres.

In addition, the Central Coast Regional Strategy (CCRS) was released in 2008. The CCRS applies to both the Gosford and Wyong LGAs, with the bulk of development occurring in Wyong. The CCRS outlines how and where future development should occur to appropriately accommodate this growth and to provide sufficient capacity to cater for more than 45,000 new jobs, reducing the need for local residents to commute outside of the region for work.

The draft Centres policy and CCRS have been investigated in more detail as part of this Strategy. There are also a number of other policies and strategies which are relevant to this Strategy and these are discussed below.

4.2 Regional Development Australia (RDA) Strategic Studies

4.2.1 Central Coast Regional Priorities Plan

The Central Coast Regional Priorities Plan (CCRPP) was prepared by Regional Development Australia (RDA) in 2010.

The CCRPP brings together the strategies, plans and actions of various stakeholders from economic, social, cultural, and environmental sectors.

The CCRPP considers a number of challenges facing the Central Coast region. Among these is the challenge to create local job opportunities to match the anticipated labour force growth. The Region needs to increase employment self-containment in order to reduce the need for “out-commuting”. Retailing is one of the key economic sectors in the region and one which is expected to experience growth over the next 25 years.

The increasing, and ageing, population of the region is also seen as another challenge. One of the key considerations in addressing the needs of the population will be the *implementation of a centres hierarchy that clearly identifies the roles and relationships of centres*. Developing Tuggerah – Wyong as the Region’s major centre and revitalising other town centres to attract both residential and business investment are also identified as ways of addressing the demands of the growing population.

This Strategy recommends an appropriate centre hierarchy for the Wyong Shire and identifies the relationship between centres and describe how they function with each other and within the broader regional context.

4.2.2 Central Coast Regional Plan 2011 – 2015

The Central Coast Regional Plan was developed by RDA *to present a co-ordinated representation of the Central Coast’s aspirations and priorities to partners and funders, ensuring the region’s needs are heard and addressed by way of investment and local action*.

One of the major aims of the plan is to create local job opportunities and boost the employment and economic profile of the region by:

- Improving transport connectivity.
- Encouraging early rollout of the National Broadband Network in the area.
- Creating more opportunities to address the significant youth unemployment.
- Encouraging investment in infrastructure and town centre development.

These priorities are relevant to this Strategy and form the basis of the objectives of this Strategy.

4.2.3 Regional Economic Development and Employment Strategy

One of the region's most important strategies is the Regional Economic Development and Employment Strategy (REDES).

The REDES focuses on:

- Strengthening the regional economy
- Developing future skills
- Increasing knowledge and innovation
- Infrastructure to support economic growth

Strategies identified in the REDES include:

- Attracting new businesses and supporting existing businesses
- Improving the training and skills development opportunities
- Increasing research, knowledge and innovation
- Ensuring appropriate planning processes and land supplies
- Planning for regional economic centres
- Providing new infrastructure
- Marketing the region as an attractive business location.

The strategies identified in the REDES have been considered in the preparation of this Strategy

4.3 Central Coast Regional Strategy (CCRS)

The Central Coast region of NSW comprises the local government areas of Gosford and Wyong. It occupies a strategic position between Sydney and the regional city of Newcastle.

The population of the Central Coast region is forecast to grow by 4,000 persons per year. The purpose of the CCRS is to ensure that this population growth is accommodated in a manner that preserves and enhances quality of life whilst protecting the natural environment and providing improved opportunities for employment self-containment by creating more local jobs closer to home.

Relevant to this Strategy, the following key challenges facing the region have been identified in the CCRS:

- The proportion of the population aged over 65 years is projected to increase to around 24% over the next 25 years.
- Implementing measures to stem the out-migration of 20 -29 year olds.
- Implementing a centres hierarchy that clearly identifies the roles and relationships of centres.
- Development of Tuggerah-Wyong as the Region's major centre, and revitalising other town centres to attract both residential and business investment.

The CCRS provides a strategic framework that will guide growth within the Region over the next 25 years. By 2031 the Central Coast region will have:

- A population of over 400,000 people.
- 70% of the additional 56,000 dwellings forecast for the region will be provided within the Wyong Shire.
- Of the 39,500 additional dwellings to be provided in the Wyong LGA:
 - o 4,000 will be located within the Tuggerah-Wyong major centre;
 - o 14,500 will be located within other centres, including the Warnervale town centre;

- o 5,000 will be provided as in-fill development; and
 - o 16,000 will be located within greenfield developments.
- The Warnervale town centre will house up to 4,200 residents, along with retail, commercial and community facilities.

The CCRS provides for a revised hierarchy of centres consistent with the hierarchy which has been adopted for the various sub regions of Sydney.

The hierarchy as set out in the CCRS is only intended to be a broad classification of centres, having regard to their size and function. The vision of this hierarchy does not always correspond to the existing or envisaged role and function of a centre. Therefore, although the CCRS treats Tuggerah-Wyong as one major centre, for the purposes of this Strategy each precinct within this 'major centre' will be considered as a separate entity. This matter is discussed in greater detail in section 10 of this review.

The 2011/12 Retail Centres Review considered when and where residential development is likely to occur having regard to the CCRS and the quantum of floorspace within existing centres (and mooted centres) to meet the retail and employment demands of the growing population. This Strategy provides a policy framework for the provision of any new retail floorspace.

4.4 North Wyong Shire Structure Plan (NWSSP)

The North Wyong Shire Structure Plan was released by the NSW Department of Planning and Infrastructure on 18 October 2012.. The Structure Plan builds on the principles set down in the CCRS which identified the North Wyong Structure Plan area as the focus for greenfield development within the region, and will inform Council's LGA-wide Settlement Strategy which is currently under preparation.

The Structure Plan area comprises more than 11,500 hectares. The existing settlement pattern of the area comprises predominantly detached one and two storey homes in a suburban setting with several smaller retail and commercial centres.

The Regional Strategy sets a housing target of 17,500 new dwellings in the Structure Plan area to 2031 (e.g. 700 new dwellings per year over that period) based on a yield of 15 dwellings per net development hectare.

In order to improve opportunities for employment closer to home for the growing population, the draft Structure Plan has considered the following initiatives:

- Strengthening existing employment at Charmhaven and Doyalson;
- Supporting new employment opportunities in the Wyong Employment Zone (WEZ), Spring Creek, Doyalson and Bushells Ridge;
- Developing new employment areas at Lake Munmorah to service new urban areas and to provide land-use buffers around the power station sites;
- Strengthening employment focus of existing magnet employment infrastructure, for example, the hospital and, over the longer term, the power station sites; and
- Supporting establishment of new centres at Warnervale, Wadalba East, Lake Munmorah, and in the longer term, at Gwandalan.

With respect to the last mentioned matter, the draft Structure Plan identified the following planned centres and recent additions to the centres network which will impact on the Structure Plan area:

- Warnervale town centre. The town centre is planned to provide for mixed use development of commercial, district level retail, residential, civic, and community activities;
- Council is currently considering the future of the existing Wadalba centre given its proximity to the proposed Warnervale and Wadalba East centres;

- Provision for a new centre at Wadalba East;
- The possible provision of a new centre at Gwandalan;
- The recent completion of a new centre in San Remo which will also service Blue Haven and Doyalson; and
- Commencement of the operation of a new retail centre at Lake Munmorah comprising a 3,800m² supermarket, 1,250m² of specialty retail floorspace and 500m² of medical centre.

As the majority of new population growth will occur within the North Wyong area, it is anticipated that the bulk of new and additional retail floorspace will be located in this part of the LGA.

Notwithstanding because the Tuggerah major centre services the whole of the LGA, the opportunity for that centre to expand was also considered as part of the 2011/12 Retail Centres Review.

4.5 Draft Centres Policy

The draft Centres Policy was released by the Department of Planning in April 2009.

The policy seeks to provide a planning framework for the development of new and existing retail commercial centres in NSW.

The aim of the Centres Policy is *'to create a network of vital and vibrant centres that cater for the needs of business, and are places where individuals and families want to live, work and shop.'*

As part of the policy, the Department of Planning has identified six key planning principles to guide future retail and commercial development.

Principle 1 – Retail and commercial activity should be located in centres to ensure the most efficient use of transport and other infrastructure, proximity to labour markets, and to improve the amenity and liveability of those centres.

Principle 2 – The planning system should be flexible enough to enable all centres to grow and new centres to form.

Principle 3 – The market is best placed to determine the need for retail and commercial development. The role of the planning system is to regulate the location and scale of development to accommodate market demand.

Principle 4 – The planning system should ensure that the supply of available floorspace always accommodates the market demand, to help facilitate new entrants into the market and to promote competition.

Principle 5 – The planning system should support a wide range of retail and commercial premises in all centres and should contribute to ensuring a competitive retail and commercial market.

Principle 6 – Retail and commercial development should be well designed to ensure that it contributes to the amenity, accessibility, urban context and sustainability of centres.

Having regard to these principles, the draft policy provides for a policy framework which will be used as a guide for the purposes of this Strategy.

Relevantly, the draft policy recommends the following:

- *Floorspace supply and demand assessments.*

This Strategy will provide a detailed 'snapshot' of the nature and state of the retail floorspace supply within the Wyong LGA and will undertake an assessment of demand.

- *Consider minimum floorspace targets. The supply of available floorspace should always accommodate demand.*

This Strategy will assess the available supply of floorspace and land available for development to accommodate additional floorspace to meet demand.

- A **net community benefit test** should be applied as part of any new 'Gateway' process for commercial rezoning proposals.
- *Monitoring and Review.* Council's should monitor the supply of retail and commercial floorspace on a regular basis to ensure it accommodates market demand.

This Strategy has had regard to the key principles of the draft Centres Policy. Should this Strategy be adopted by Council, the draft DCP (and in particular Chapter 5.1) will be need to be reviewed to ensure the draft DCP is consistent with the objectives of the draft Centres Policy and this Strategy.

4.6 Promoting Economic Growth and Competition through the Planning System – Review Report, April 2010

This review followed from the draft Centres Policy. The aim of the review is *to identify measures which could increase benefits for consumers across NSW by ensuring that the planning system provides a straightforward and consistent framework for new operators to enter markets, and to ensure emerging sectors are not unnecessarily inhibited by the planning system.*

The review arose as a result of the recommendations of the Australian Competition and Consumer Commission (ACCC) and the Productivity Commission in relation to the suggestions of these organisations that State and Territory Governments should assess planning and zoning laws to consider how they impact on competition and restrict retail activity.

The review recognises that land use planning is best placed to provide for a balance between social, environmental and economic considerations (including an efficient supply of public infrastructure and services) whilst still providing for the efficient operation of markets.

The review considers that, in general, the NSW planning system delivers on these objectives and that this will be further improved upon implementation of reforms under consideration. However the perception of some stakeholders consulted during the preparation of the 2011/12 Retail Centres Review is that the current system restricts competition, to the detriment of investors and consumers.

Practices and strategies which strengthen competition by ensuring that the planning process does not create barriers to entry or discourage innovative forms of development need to be developed with a view to increasing investor confidence.

Whilst the sentiments expressed in the Review Report have merit, the role of planning in ensuring a viable centre network is maintained also needs to be recognised. The balance between the two is therefore critical in ensuring these objectives are achieved. This Strategy provides the framework for guiding centres planning throughout Wyong which respects this balance. This Strategy will also be useful in informing the proposition of the sub-regional delivery plan and local plans as mooted in the White Paper dealing with the changes to the planning system.

4.7 Draft Competition SEPP

The draft Competition SEPP was prepared by the Department of Planning and exhibited for public comment from 27 July 2010 to 26 August 2010. It has not yet been published.

The draft SEPP proposes that:

- The commercial viability of a proposed development may not be taken into consideration by a consent authority, usually the local council, when determining development applications;
- The likely impact of a proposed development on the commercial viability of other individual businesses may also not be considered; except if the proposed development is likely to have an overall adverse impact on the extent and adequacy of local community services and facilities, taking into account those to be provided by the proposed development itself; and
- Any restrictions in local planning instruments on the number of a particular type of retail store in an area, or the distance between stores of the same type, will have no effect.

This Strategy considers the provisions of the draft SEPP having regard to its objectives which are:

- to promote economic growth and competition, and
- to remove anti-competitive barriers in environmental planning and assessment.

4.8 Council Policies and Master Plans

Council has been mindful of the need to stimulate development and encourage investment within the range of retail centres throughout the Shire for some time. A variety of centre specific plans and policies have been developed to guide development of various centres.

These plans and policies are useful and practical planning tools and this Strategy does not seek to counter these documents. Rather the Strategy will provide an overarching policy framework within which the network of centres can operate.

4.8.1 Key Iconic Sites draft DCP

In November 2010, Wyong Council endorsed the Iconic Development Sites concept. The identified sites have the potential to stimulate activity within centres and contribute to the economy by generating employment and/or facilitating population growth within Wyong.

Council has identified sites at The Entrance, Wyong, Long Jetty, Toukley, Kanwal, Lake Haven, and Warnervale as having potential to be a catalyst for economic growth and revitalise its town centres. The sites have been chosen on their ability to provide a significant economic benefit to the community, stimulate further development and provide a significant public domain benefit. The chosen sites have been incorporated in the draft WLEP 2013.

4.8.2 The Entrance Town Centre Master Plan

In December 2011, Council adopted The Entrance Town Centre Master Plan. The Entrance Master Plan is closely aligned to the Iconic Development Sites Project.

The Entrance Town Centre Master Plan considers the value of a permanent resident population to balance the visitors. Implementation of the recommendations of the master plan including interacting and connected precincts and the creation of a town square which will provide a 'heart for the centre (something that is lacking at present) will assist in energizing The Entrance.

4.8.3 Toukley Planning Strategy

The Toukley Planning Strategy was adopted by Council on 27 October 2010. The Strategy sets the direction for the Toukley town centre for the next 20 years. The Strategy was developed to address some of the issues facing the Toukley area including the limited range of services and at times has high vacancy rates within the town centre, the limited housing choices proximate to the town centre and the shortage of tourist oriented services.

The overall purpose of the Toukley Strategy is to:

- Establish planning principles and objectives to underpin the longer term Strategy for the Toukley Peninsula.
- Recommend a long term direction to accommodate growth while protecting the unique sensitive environmental setting of the Toukley Peninsula.

The draft WLEP 2013 includes planning controls which address the findings and recommendations of the Strategy. However, it is considered that locality-specific master plans for the various precincts will be useful in providing more detailed planning guidance. In this regard a master plan for the Toukley Town Centre is currently being prepared.

4.8.4 Toukley Town Centre Master Plan

Council is currently preparing a master plan for the Toukley town centre, building on the principles of the planning strategy as they relate to the town centre.

The plan identifies a series of high priority projects to be implemented over the short to medium term within the framework of a longer term holistic plan for the Toukley Town Centre. Outlined are a clear set of principles, strategies and recommendations which can respond and support a variety of future development scenarios and outcomes without compromising the over-arching vision identified to promote Toukley's character and identity.²

As discussed in Appendix B2 of this Strategy, there is the opportunity to increase the quantum of retail floorspace within the Toukley Town Centre and this could assist in funding improvements to the public domain areas of the Town Centre.

4.8.5 Wyong Tuggerah Planning Strategy

The Strategy was adopted by Council in October 2007. The Strategy outlines Council's and the community's visions for the Wyong/Tuggerah area and recommends a range of actions to achieve these visions.

The Strategy identifies the Wyong Tuggerah area as comprising Wyong, Tuggerah Straight and Tuggerah and the fact that these are separate entities but that each component offers a distinct function which complements the services provided in the other precincts. These complementary functions contribute to the overall performance of the area.

The NSW Department of Planning is also considering a request to declare parts of the Tuggerah centre a State Significant Site under the Major Projects SEPP.

The vision for the Wyong Tuggerah area as noted in the Strategy is for the area to:

- *Function as the capital of Wyong Shire and the northern half of the Central Coast.*
- *Provide an important and attractive gateway for the Central Coast and the Shire.*
- *Provide a variety of housing, accommodation and lifestyle choices.*
- *Make a strong statement as to the community identity through its people, built form and natural topography.*
- *Perform a strong business and employment function with the following economic roles for each precinct:*
 - o *Wyong as the Shire's central administrative and town-based commercial area;*
 - o *Tuggerah and Tuggerah Straight as the Shire's central focus for light industrial development, centre support and bulky goods activities; and*
 - o *Tuggerah Town Centre as the Shire's major retail area.*
- *Integrate a range of recreation, sporting, cultural, leisure and social activities within high quality spaces and places.*
- *Provide a focus for cultural activity in the Shire.*
- *Supply a regional transport node that integrates all transport functions.*
- *Enhance pedestrian and bicycle linkages to and within the Wyong/Tuggerah area.*

More detailed vision statements for each precinct of the Wyong Tuggerah area are also provided.

The importance of the Tuggerah precinct as a major part of the Wyong retail network is recognised in this Strategy. Opportunities to reduce the level of expenditure leakage from Wyong households to other major centres such as Erina have also been investigated.

² Extract from first draft Toukley Public Domain Master Plan dated November 2012 prepared for Wyong Council by TDEP & Roberts Day

4.8.6 Wyong Civic and Cultural Precinct Master Plan

The Wyong Civic and Cultural Precinct Master Plan is a long term plan intended to be implemented over the next 10 to 15 years with the intent of reinforcing the role of Wyong as a major centre.

The aims of the master plan are:

- To demonstrate the importance of Wyong as the administrative and cultural hub of Wyong Shire and the Central Coast.
- To provide guidance to Council, the community and developers seeking to develop sites within the focus area of the plan, and identify future studies and steps that should follow.

5 Industry Trends

5.1 Retail Trends

The nature of retailing is such that it must continually change to respond to the needs and wants of the customer, particularly in relation to environment, operation, convenience, and presentation. The need to respond is driven by:

- Demographics – The combination of an aging population and smaller household sizes have reduced the amount of available expenditure. This reduction in 'per household' expenditure has to a certain degree been balanced by increases in population and growth in real spending.
- The disproportionate gap between rich and poor has resulted in some households with high disposable incomes but no time to spend their money or households with very little money to spend but plenty of time. These households are generally described as cash rich/time poor and cash poor/time rich. The retail industry needs to vary its approach to meet the needs of all sectors of society.
- The increase in workforce participation, particularly part time employment and an increase in working hours have resulted in people having less time to shop. The retail industry response has been to introduce extended and more flexible trading hours to accommodate the needs of these consumers and convenience retailing.
- Distribution of the retail dollar has varied over time. Over the past 15 years, the proportion of spending in traditional retail categories such as clothing has reduced at the expense of increased spending on services like restaurants, entertainment, personal services and travel.
- Discretionary purchases v non-discretionary spending. Commitments such as housing rental payments and mortgage repayments, together the rising cost of utilities has significantly limited the discretionary spending capacity of some households.

Changes to population profiles, the way in which households spend their retail dollar, the increase in disposable incomes for some households, and increases in workforce participation have led to a more dynamic retail industry which is constantly changing to respond to the needs of consumers. Some of these changes include:

- **Extended and more flexible trading hours** to meet the needs of the "time poor" consumers;
- **Larger footprint supermarkets** which have resulted in better choice and lower prices.
- **More reliance on convenience retailing**, whether this is in the form of a convenience store (generally attached to a service station) or a small local centre;
- **A change in focus in larger centres** to incorporate entertainment within the centre as a means of attracting different demographics. For example, many large regional centres offer food courts and cinemas in addition to traditional retail services.

In addition to the population influenced trends, retailing has been influenced by distinct and separate industry related trends. These trends have resulted in changes to the way in which retailing occurs, and they continue to impact on the sector.

Over the last twenty years retailing has undergone a number of changes which have affected the role and function of the traditional shopping centre. New forms of retailing and changes in retailing include:

- internet based shopping;
- warehouse retail outlets/'big box' retailing;
- bulky goods precincts/out of centre retailing; and
- extended trading hours.

These changes have forced traditional shopping centres to evolve to keep pace with the increasingly discerning shopping habits and needs of the population. Shopping centres have been required to identify key customer groups and incorporate themes within their centres to service these groups.

This Strategy has been designed to allow flexibility in the way in which centres operate to ensure they can continue to evolve to respond to the challenges of the retail industry.

5.2 Trends in office demand

Commercial offices (as non-retail floorspace) generally comprise:

- Local-serving office space accommodating uses that provide services to the local population. This would include solicitors, engineers, medical practitioners, real estate agents, insurance agents, banks, and the like. It would also include businesses serving other local businesses.
- Offices with a regional focus, including State and Federal government offices, offices of national and multinational companies and regional headquarters of other institutions.

Industry standards suggest that the current ratio is one employee per 20 square metres of commercial floorspace, however it is likely that this will reduce to 17 square metres of floorspace in the medium-term future.

The ratio of local-serving office floorspace to population is difficult to quantify. Previous research suggests that ratios of between 0.2 and 0.4 square metres per capita is a reasonable rate of provision and this has been applied for the purposes of assessing the provision of local service office space within centres. The exception to this is the Wyong town centre as a significant proportion of floorspace in that centre is used to provide civic and government oriented services.

Although there has been a growing trend for companies, particularly those involved in 'knowledge based' industries, to locate out of traditional commercial areas, into office park environments such floorspace would be in addition to the local serving office floorspace.

6 Wyong's Population

6.1 Introduction

The Wyong Shire is likely to experience a significant increase in population in the next twenty years.

According to the Central Coast Regional Strategy (CCRS) and North Wyong Shire Structure Plan, in the period 2006 – 2031 the population of Wyong will increase by an additional 70,000 people who will be housed in existing urban areas and green field areas. 17,500 of the new 39,500 dwellings to be constructed in the Wyong LGA will be located within the North Wyong Structure Plan area.

This increase in population is equivalent to 4,000 persons (or just over 1% growth) per annum.

Forecast id. has undertaken population projections up to 2031 in line with the existing strategic policies. These will be used for the purposes of this Strategy.

6.2 Population Characteristics

The population statistics collated as part of the 2006 Census of Population and Housing³. A summary profile of the population characteristics for the Wyong Shire from the 2006 Census was undertaken as part of the 2011/12 Retail Centres Review and is presented in **Table 1**. The characteristics of the resident population of Wyong in 2006 have been compared to those of the Sydney metropolitan area.

Table 1: Extract from 2006 Basic Community Profile				
	Wyong LGA		Sydney Metro	
	Persons	%	Persons	%
Total Persons	139,801		4,119,191	
Australian born	114,269	82%	2,486,711	60%
Overseas born: ESC	10,395	7%	294,146	7%
Overseas born: NESC	6,264	4%	1,013,270	25%
<i>Total Overseas born</i>	<i>16,659</i>	<i>12%</i>	<i>1,307,416</i>	<i>32%</i>
Aged 15 or more	109,966	79%	3,314,159	80%
Labour force/Total Pers.	58,662	53.3%	2010008	60.6%
Different address 5 years ago (5+yo)	52,751	37.7%	1,436,460	34.9%
Age Groups in the Population	Persons	Percent	Persons	Percent
0-14	29,834	21.3%	805,032	19.5%
15-24	16,667	11.9%	569,894	13.8%
25-54	52,269	37.4%	1,816,107	44.1%
55+	41,030	29.3%	928,159	22.5%
<i>Total</i>	<i>139,800</i>	<i>100.0%</i>	<i>4,119,192</i>	<i>100.0%</i>
Usual Place of Residence	Persons	Percent	Persons	Percent
Counted at home	133,560	95.54%	3981389	96.65%
Same statistical local area	1280	0.92%	26153	0.63%
Different SLA	2639	1.89%	94509	2.29%
Structure of (Occupied Private) Dwellings	Total	Percent	Total	Percent

³ Data from the 2011 Census was not available for the purposes of undertaking the 2011/12 Retail Centres Review.

Table 1: Extract from 2006 Basic Community Profile

	Wyong LGA		Sydney Metro	
Separate House	45,801	85.1%	905,635	63.6%
Semi/Row/Town/etc	4,422	8.1%	168,433	11.8%
Flat/Unit/Apartment	2,783	4.9%	339,782	23.9%
Other Dwellings	1,069	1.9%	8,646	0.6%
Not stated	20	0.0%	1,039	0.1%
Total OPD	54,095	100%	1,423,535	100%
Average Occupancy (Persons/dwelling)	2.51		2.67	
Unoccupied Private Dwellings	8,340		122,210	
Total Private Dwellings	62,435		1,643,675	
Persons usually present per household	Households	%	Households	%
1 person	13,535	25.87%	328,515	23.08%
2 persons	18,092	34.58%	444,103	31.20%
3 persons	7,876	15.05%	240,315	16.88%
4 persons	7,680	14.68%	245,033	17.21%
5 persons	3,562	6.81%	110,342	7.75%
6 or more persons	1,571	3.00%	55,227	3.88%
Total households	52,316		1,423,535	
Nature of Occupancy	Number	Percent	Number	Percent
Owned	19,103	36.5%	454,596	31.9%
Being Purchased	17,072	32.6%	471,084	33.1%
Rented:				
Real Estate Agent	8,353	16.0%	276,139	19.4%
State Housing Auth.	1,651	3.2%	68,664	4.8%
Other rented	3,546	6.8%	91,430	6.4%
Not stated	339	0.6%	9,458	0.7%
Total Rented	13,889	26.5%	445,691	31.3%
Other tenure	561	1.1%	10,484	0.7%
Not Stated	1,689	3.2%	41,684	2.9%
Total	52,314	100.0%	1,423,539	100.0%
Household Composition				
Couple with Children	15,653	41%	523,813	49%
Couple without Children	14,508	38%	352,715	33%
Single Parent	7,466	20%	166,198	16%
Other Families	408	1%	20,657	2%

Table 1: Extract from 2006 Basic Community Profile

	Wyong LGA		Sydney Metro	
<i>Total Families</i>	38,035		1,063,383	
Lone Person Households	13535	26%	328515	23%
Group Households	1462	3%	59613	4%
Medians	Value		Value	
Weekly Rent	\$200		\$249	
Monthly Mortgage	\$1,458		\$1,833	
Annual Household Income	\$40,040		\$60,060	
Weekly Income per Household	No. of H'holds	Percent	No. of H'holds	Percent
\$0 - \$649	20,513	39.2%	356,880	25.1%
\$650 - \$1999	21,191	40.5%	578,156	40.6%
\$2000 +	4,796	9.2%	327,384	23.0%
Other, including not stated		11.1%		11.3%
Motor Vehicles		% of H'holds		% of H'holds
Zero		10%		13%
One		42%		39%
Two		32%		32%
Three or more		17%		17%
No. of vehicles not stated		4%		4%
<i>Average</i>	1.5		1.5	
Source: ABS 2006 Census				
Note: "Households" may exceed "dwellings" in this table, but only because of Census definitions.				

The 2006 population of the Wyong shire displayed the following characteristics:

- Almost 140,000 persons living in 54,000 occupied dwellings.
- A significant proportion (over 13%) all dwellings were unoccupied private dwellings compared to only 7.4% of all dwellings in Sydney being unoccupied private dwellings. It is likely that a reasonable proportion of the unoccupied private homes in Wyong were holiday homes.
- A low proportion of persons born overseas.
- A lower workforce participation rate compared to Sydney.
- A high representation of persons aged 55+ years and (compared to Sydney) a much low proportion of persons in the 25 – 54 year age group.
- In terms of dwelling structures, 85% of dwellings were detached dwellings, with only 8.1% being medium density dwellings and 4.9% being residential flats and apartments. This compares to Sydney where the split was 63.6%, 11.8% and 23.9% respectively.
- The occupancy rate of dwellings in Wyong was only 2.5 persons per dwelling, compared to an average of 2.67 persons per Sydney household.
- The lower occupancy rate is reflected in the significantly lower median annual household income of only \$40,040 (in 2006) compared to the median for Sydney households of \$60,060.

- Outgoings in the form of rental payments and mortgage repayments were lower at \$200 per week (for rent) and \$1,458 (mortgages).
- 26.5% of households were rented in 2006 and 32.6% were being purchased. A reasonably high proportion of dwellings were owned outright – 36.5%.
- Household composition in Wyong is also different to that of the Sydney metropolitan area. Only 41% of households in Wyong comprised a couple with children (compared to 49% in Sydney) and 26% of Wyong households were lone person households (compared to 23% in Sydney). Single parent households accounted for 20% of all Wyong households. Couples without children accounted for 38% of Wyong households.
- Car ownership in Wyong was similar to that the average Sydney household – 1.5 vehicles per household.

The above characteristics suggest that, on average, the population of Wyong is older with only limited spending capacity.

The Forecast id Wyong Shire Population and Household forecast (25/02/2010) notes that:

The importance of Wyong Shire as a destination for families and retirees from areas further south is expected to continue over the forecast period. As a result of this there is significant pressure for residential expansion within the Shire from both existing residents and from people moving to the area.

It is assumed that this pattern will continue into the future, driving development in the new development fronts in the Warnervale area.

Whilst the significance of the people representing these demographics is acknowledged, in order to meet the employment targets set out in the CCRS, a key objective of the population growth will be retaining and attracting younger persons (in the 15-24 year old age group).

6.3 Population Projections

Forecast id has undertaken population projections for the Wyong Shire taking into account the strategic policies which will impact on the growth rate and ultimate composition of the Wyong population. The projections have been undertaken for the period 2006 – 2031 which coincides with the CCRS.

The Forecast id population projections envisages

There are also significant differences in the supply of residential property within the LGA which will also have a major influence in structuring different population and household futures within the Shire over the next five to ten years.

Significant new 'greenfield' opportunities have been identified in Woongarra, Hamlyn Terrace, Wadalba and Warnervale while The Entrance, Wyong and Toukley are expected to have growth in dwellings in their town centres. This will generally take the form of medium and high-rise development.

The increase in supply in medium and high density residential development could translate to an increase in affordable housing which will be an attractor as the cost of housing within Sydney rises.

Although Forecast id has reviewed its projections, the revised projections were not included as part of the 2011/12 Retail Centres Review. The revised projections resulted in only minor differences in population growth which are inconsequential for the purposes of the review and this Strategy.

Table 2 is an extract from Forecast id's population projections for the Wyong Shire for the period 2006 – 2031 indicating that the annual rate of change will be in the order of 1.4%.

Table 2: Wyong Shire Population Projections 2006 - 2031

Area	Forecast Year							Average Annual % change
	2006	2011	2016	2021	2026	2031	Number	
Wyong LGA								
Persons	142,686	150,338	162,856	175,264	187,624	200,015	57,329	1.4
Households	56,378	60,502	66,513	72,359	78,265	84,267	27,889	
Occupancy Rate	2.5	2.46	2.42	2.4	2.37	2.35		

Source: Forecast id Wyong Shire Population and Housing Forecasts 2006 – 2031, 25/2/2010

There are differences between some of the Forecast id base data for 2006 and the 2006 Census data as noted in **Table 1**. **Table 1** is a Census count of population however, Forecast id population numbers are derived using Estimated Resident Population (EPRs) from the Australian Bureau of Statistics.

According to Forecast id:

These (EPRs) differ from (and are usually higher than) Census counts as they factor in population missed by the Census, and population overseas on Census night. They are generally considered a more accurate measure of population size than Census counts

There is also a difference in the number of households in Wyong in 2006 between **Table 1** and the Forecast id estimates in **Table 2**.

The Census counts both households and dwelling numbers. The different definitions is such that the number of households will be less than the total number of dwellings in an area as the number of households will not include unoccupied private dwellings and non private dwellings.

Notwithstanding the differences between **Tables 1** and **2**, **Table 1** provides a useful 'snapshot' of the characteristics of the 2006 population in terms of household composition and income.

For the purposes of assessing the growth potential of the population, the projections undertaken by Forecast id have been used together with an allowance for some irregular use of unoccupied private dwellings.

According to the census data, there were a total of 62,435 private dwellings in the Wyong LGA in 2006. This number comprises 54,095 occupied private dwellings and 8,340 unoccupied private dwellings.

A proportion of these unoccupied private dwellings would comprise 'weekenders' and holiday accommodation. Even the intermittent use of these dwellings would make a contribution towards retail spending in the LGA and therefore an allowance for the unoccupied private dwellings in Wyong will be included.

6.4 Wyong Social Planning Districts

The Wyong Shire has been divided into 10 social planning districts (SPDs) – refer map at **Appendix A** to this Strategy. The Planning Districts vary in size and population, however, the boundaries of the SPDs relate to broad catchment boundaries for community access to services, the location of community facilities and the identification of local community relationships.

Forecast id has undertaken population projections for each of the 10 SPDs for the period 2006 – 2031. A summary of these projections is provided in **Table 3** below

TABLE 3 Wyong SPD Population Projections 2006 - 2031

Area Name	FORECAST YEAR							Ave. annual % change
	2006	2011	2016	2021	2026	2031	Number	
Wyong Shire	142,686	150,338	162,856	175,264	187,624	200,015	57,329	1.36
Gorokan SPD	19,049	19,765	20,629	21,809	22,875	23,422	4,373	0.83
Northern Lakes SPD	14,687	14,672	15,271	16,153	16,660	17,459	2,772	0.69
Ourimbah-Rural South SPD	4,413	4,418	4,473	4,637	4,811	4,933	520	0.45
Rural West SPD	1,796	1,801	1,827	1,883	1,942	2,010	214	0.45
San Remo-Budgewoi SPD	19,699	20,305	20,899	21,040	22,116	22,959	3,260	0.61
Southern Lakes SPD	24,980	25,237	25,307	25,566	25,916	26,313	1,333	0.21
The Entrance SPD	23,771	26,069	28,291	30,149	32,170	34,228	10,457	1.47
Toukley SPD	9,113	9,388	9,656	10,234	11,406	12,721	3,608	1.34
Warnervale-Wadalba SPD	10,910	13,620	20,783	27,164	31,517	34,627	23,717	4.73
Wyong SPD	14,268	15,063	15,720	16,629	18,211	21,343	7,075	1.62

Population numbers in forecaste.id for the 2006 base year are derived on Estimated Resident Population from the Australian Bureau of Statistics. These differ from (and are usually higher than) Census counts as they factor in population missed by the Census, and population overseas on Census night. They are generally considered a more accurate measure of population size than Census counts.

Source: Forecast id population projections derived from Estimated Resident Population figures produced by ABS

The projections in **Table 3** indicate that whilst the greatest population growth is forecast to occur in the Warnervale Wadalba SPD (being the SPD in which Precincts 2A, 2B, 3A, 3B, 5, 7 and 8 in the area subject to the draft North Wyong Shire Structure Plan), all districts in Wyong are likely to experience growth in varying degrees over the next 25 years.

This growth in population may translate to an increased demand for retail services. A retail demand assessment based on these SPDs is provided in Section 9 of this Strategy.

7 Stakeholder Consultation

Details of developer, community and Council stakeholders contacted during the preparation of the 2011/12 Retail Centres Review have been discussed in the Retail Centres Review report. Not all stakeholders contacted chose to contribute to the review.

The following is a summary of the major issues raised by each of the stakeholders who responded to the initial consultation.

7.1.1 Westfield

As a result of consultation with Westfield, and as a result of the 2011/12 Retail Centres Review, it has been concluded that the floorspace cap controls in DCP 81 appear to have restricted development and investment within the Tuggerah town centre generally and within the Westfield Tuggerah retail centre specifically. The floorspace 'cap' for the Erina Fair shopping centre is in the vicinity of 275,000m² which would allow for that centre to effectively double its current floorspace. Because of the restrictions in the current DCP on when and by how much the Westfield centre can expand, Westfield feel they are losing their competitive edge.

There are many issues to be considered in relation to the expansion of retail activities within the regional centre including upgrading of road infrastructure (and how this should be funded), public transport, together with management of impacts on the natural and built environments. However it appears that significant expenditure could be escaping Wyong to other major centres such as Erina and expansion of the Tuggerah regional centre may assist in addressing this. In addition, expansion of the regional centre will result in the creation of jobs which will assist in addressing the significant unemployment in the area. This Strategy recommends removal of the current restrictions with respect to the quantum and timing of additional floorspace within this major centre.

7.1.2 Woolworths

Many of the issues identified by Woolworths reflected similar feedback from other stakeholders.

Whilst the principle of flexibility in planning controls appears attractive and reasonable on the surface, it has the potential to be exploited and manipulated if there is no basic framework or objectives to give structure to the network.

The objects of the Environmental Planning and Assessment Act 1979 include the provision to *encourage the promotion and co-ordination of the orderly and economic use and development of land*. This is a basic principle of land use planning and development control.

The principles of the draft Centres Policy recognise the importance of maintaining a structured and organised approach to retail planning without necessarily placing numerical limitations on centres.

These principles have been included in this Strategy. Regular review of the adopted Strategy, including an assessment as to its effectiveness in stimulating investment, preserving the network of centres and revitalising underperforming centres is considered imperative.

7.1.3 Lake Haven Mega Centre

Options regarding the most appropriate zoning provisions for centres were investigated as part of the 2011/12 Retail Centres Review and recommendations regarding that centre have been incorporated in this Strategy.

7.1.4 Lake Haven shopping centre

The issues raised by the owners of the Lake Haven shopping centre are similar to those raised by both Woolworths and Westfield, particularly with respect to flexibility of planning controls. It is considered that this Strategy responds positively to the issues raised by these stakeholders.

7.1.5 Coles Group

Discussions were held with Coles Supermarkets Retail Leasing Manager who advised that Coles major consideration was that the existing centre network be maintained. Out of centre or development on the fringes of centres should be considered having regard to the established network and the principles of the draft Centres Policy.

There was recognition that growth areas will require new centres to be established but this needs to be done having regard to demand and the existing centre network.

This Strategy recommends that the existing centre network be preserved and this is reflected in the objectives for the B5 Business Development zone which requires that development within that zone supports the viability of existing centres.

7.1.6 The Entrance Revitalisation Group

The major outcome of consultation with this group was to demonstrate that whilst visitors are very important to the local economy, a greater proportion of permanent residents could assist in activating the centre and providing for a more varied mix of businesses.

The importance of a permanent resident population to balance the visitors is recognised in The Entrance Town Centre Master Plan. Implementation of the recommendations of the master plan including interacting and connecting precincts and the creation of a town square which will provide a hub for the centre (something that is lacking at present) will assist in energizing The Entrance.

7.1.7 Meeting with Councillors Eaton and Best

The lack of interest by developers in investing in the Wyong Shire is a major concern to the Councillors.

Whilst the principle of flexibility in considering new out of centre development proposals has merit, a 'free for all' approach which ignores the objectives of orderly and economic development is not considered responsible.

Existing operators within appropriately zoned centres have made an investment in their business based on the legitimate expectation that the retail hierarchy and principles of land use planning would be maintained.

It is envisaged that implementation of this Strategy will provide some impetus to assist in addressing the current lack of new investment whilst protecting the investment made by operators who have located in established centres.

8 The Planning Approach for a Retail Network

There has been much discussion over recent years, at both state and national levels, of the relationship between the retail sector and government planning. This would seem to have arisen from the confluence of a number of factors, including:

- restructuring in retail;
- increased competition;
- new retail operators;
- globalisation of manufacturing and supply;
- changing retail models;
- maturing and changing consumer expectations;
- some consolidation of retail control;
- increasing economies of scale;
- available land supplies in centres;
- access to land and sites; and
- changes in local populations and retail spending habits.

The principal focus continues to be on the planning of and for Centres, in terms of accommodating retail (primarily) and commercial activities. However, the problem is, and always has been, that a centre is one of the prime expressions of the operation of a free market, and planning has sometimes struggled to appreciate its place in that market.

As Guy Gibson, a Queensland planner and developer, has been quoted as saying: *"Most planners have little understanding of the complex dynamics of urban development: urban development is essentially an organic and spontaneous process (in a market economy) and many situations lie outside the reach of any planning tool."*

Best practice approaches to planning for retail and centres are therefore not of the same style as approaches to traffic and noise impacts, or critiques of heritage or visual qualities. In the USA, the approach has generally been to allow the market a fairly free reign in terms of locating retail activities. By way of contrast, the UK, has sought to protect traditional centres by requiring new activities to 'prove' their economic credentials.

Retail centres planning in Australia has been traditionally influenced by the UK approach – and this has led to authorities being generally as protective of existing centres as are the (vested) property interests who control them.

However, there has been a recent move towards re-emphasising the importance of competition – promoted nationally at first by the ACCC and latterly by the Productivity Commission.

The Productivity Commission's April 2011 report on Performance Benchmarking of Australian Business Regulation: Planning, Zoning, and Development Assessments, summarises the principal issues in the following key points:

- *Planning systems vary greatly across the states and territories — but all suffer from 'objectives overload' which has been increasing.*
- *The success of local councils in delivering timely, consistent decisions depends on their resources as well as their processes. It is also influenced by the regulatory environment created by state governments — in particular the clarity of strategic city plans, the coherence of planning laws and regulations, and how well these guide the creation of local level plans and the assessment of development applications.*
- *Significant differences in state and territory planning systems include the degree of integration between planning and infrastructure plans, and how capably the states manage their relationships with and guidance for their local councils.*

- *Significant differences between jurisdictions are evident for:*
 - o *business costs — such as the median time taken to assess development applications and the extent of developer charges for infrastructure*
 - o *the amount of land released for urban uses*
 - o *the provision made for appeals and alternative assessment mechanisms*
 - o *community involvement in influencing state and city plans, in development assessment and in planning scheme amendments (such as rezoning).*
- *Competition restrictions in retail markets are evident in all states and territories. They arise: from excessive and complex zoning; through taking inappropriate account of impacts on established businesses when considering new competitor proposals; and by enabling incumbent objectors to delay the operations of new developments.*
- *Leading practices to improve planning, zoning and assessment include:*
 - o *providing clear guidance and targets in strategic plans while allowing flexibility to adjust to changing circumstances and innovation (so long as good engagement, transparency and probity provisions are in place)*
 - o *strong commitment to engage the community in planning city outcomes*
 - o *broad and simple land use controls to: reduce red tape, enhance competition, help free up urban land for a range of uses and give a greater role to the market in determining what these uses should be*
 - o *rational and transparent rules for charging infrastructure costs to businesses*
 - o *risk-based and electronic development assessment*
 - o *timeframes for referrals, structure planning and rezoning*
 - o *transparency and accountability, including for alternative rezoning and development assessment processes as well as having limited appeal provisions for rezoning decisions*
 - o *limiting anti-competitive objections and appeals, with controls on their abuse*
 - o *collecting and publishing data on land supply, development assessment and appeals.*

The Productivity Commission's November 2011 report on the Economic Structure and Performance of the Australian Retail Industry, it concludes:

- *Retailers operate under several regulatory regimes that restrict their competitiveness and ability to innovate. Major restrictions which need to be addressed (include): planning and zoning regulations which are complex, excessively prescriptive, and often anticompetitive*
- *While all the leading practices (from April 2011 report) should be implemented to improve the competitiveness of the retail market, two are of particular importance – governments should broaden and simplify business zonings ... and governments should not consider the viability of existing businesses ...*
- *Strategic planning should actively seek to forecast and make provision for future commercial land use development. Regular and timely review of strategic plans will remove the need for governments to consider the impact of individual development applications on activity centre viability*
- *Providing sufficient land at the strategic planning stage, with sufficiently broad uses, should enable retailers to locate in areas where they judge they can best compete – planning should be able to accommodate even the newest of current business models requiring substantial floorspace.*

In NSW, there are currently two relevant draft planning documents – the draft Competition SEPP and the draft Centres Policy. The draft SEPP generally reinforces the situation which has existed in planning law for some time – that individual competition is not a planning matter. The Centres Policy extends such considerations to promote a planning system which respects the free market economy and that market's assessment of demand for retail and commercial development.

There are a number of approaches to strategic planning for retail centres. One such technique is a demand assessment model. This is considered to be a defensible and appropriate technique to use when planning strategically for retail facilities at a subregional and local level as is based on calculations of actual local retail expenditure and household expenditure potential derived from published and observed data and trends. An alternative technique which estimates 'retail floorspace per head of population' is not considered to be of lasting benefit, as it fails to apply the local 'subtleties' in population, households, markets, and expenditure which are necessary to inform any demand analysis.

The demand assessment analytical approach which calculates local and subregional household expenditure potential and 'balances' that against local and subregional retail quantities as shown by supportable floorspace levels has been used in this assessment of the Wyong retail network.

This Strategy has been based on research which applies current best practice for local area (and subregional) retail and centre planning using this analytical approach and having a firm eye on the prescriptions listed in the draft Competition SEPP and the principles outlined in the draft Centres Policy. That has allowed the Strategy to be better informed as to what network of centres might be optimal in terms of serving the needs of the Wyong community in the long term.

Section 9 of this Strategy considers each of the major centres (including the Tuggerah major centre, town centres and local centres) that comprise the Wyong centres network and assesses where there may be capacity to provide additional retail floorspace within the network, including the most appropriate locations for the expansion of centres and/or additional floorspace. A detailed assessment of the centres in terms of their catchment, functions, available support expenditure and growth potential both now and in the future is provided in **Appendix B** to this Strategy.

8.1 The White Paper – A new planning system for NSW

The White Paper was released on 16 April 2013 and therefore was not considered as part of the 2011/12 Retail Centres Review.

The White Paper has built on the transformative changes proposed in the Green Paper, with a view to moving the planning system from an overly regulated and prescriptive system to a simpler and performance based approach.

The White Paper identifies that the main purpose of the planning system is

To promote economic growth and development in NSW for the benefit of the entire community, while protecting the environment and enhancing people's way of life. To do this, the planning system has to facilitate development that is sustainable. Sustainable development requires the integration of economic, environmental and social considerations in decision making, having regard for present and future needs.

The White Paper identifies the following transformative changes to the NSW Planning System:

- **Delivery Culture** – to promote cooperation and community participation, the delivery of positive outcomes and a commitment to ongoing education and innovation.
- **Community participation** in the preparation of plans and the vision for their local areas.
- **Strategic planning** – A shift to evidence based, whole of government strategic planning in the development of plans, community and stakeholder engagement and decision making. This will include a new hierarchy of plans:
 - o *NSW Planning Policies* - these will present the government's planning policy framework relating to land use and development for a range of sectors.

- o *Regional Growth Plans* - these will provide a high level vision and objectives and policies for each region of the state.
- o Subregional Delivery Plans - these will provide the delivery framework for Regional Growth Plans in appropriate locations, with a focus on integrating infrastructure and providing a framework for rezoning areas of significance.
- o Local Plans - are the principal legal documents that will deliver the strategic vision for a local government area through zoning, development guides and infrastructure.
- **Development assessment** will be transformed through a performance based system so that decisions are made faster and more transparent but with no less rigour.
- **Planning for infrastructure** that supports development will occur at the same time as planning for housing and jobs.

This Strategy will provide the strategic framework for sub regional delivery plans which will in turn inform the preparation of the Local Plan for Wyong.

The Strategy will assist Council and the Sub Regional Planning Board to guide the development and growth of centres in order to achieve a balanced planning outcome.

9 The Wyong Retail Network

The Wyong retail network operates within an established hierarchy of centres which provides for the classification of centres based on:

- its size and the quantum of retail and commercial floorspace within the centre;
- the mix of uses within the centre;
- the catchment or geographic area of influence;
- the role and function of the centre; and
- its relationship to other centres.

The Central Coast Regional Strategy nominates a hierarchy of centres. That hierarchy considered characteristics such as the role of the centre, scale, built form, employment type and employment numbers for the various centre types as well as the transport and services and connections available in these centres. According to the CCRS:

- Tuggerah-Wyong is the **major centre** in the Wyong LGA. It is the Shire's principal centre for retail, business and administration. This centre will perform vital economic, employment, civic, residential, social and cultural roles for the northern half of the Central Coast and support the Gosford Regional City.
- **Town centres** will generally have concentrations of retail, health and professional services mixed with medium density residential within the centre. Town centres will also serve surrounding residential areas. The CCRS identifies the following centres as town centres - Centres that will develop as town centres over the next 25 years are Bateau Bay, The Entrance, Lake Haven, Toukley, and Warnervale (proposed).
- **Village centres** will generally be small to medium-sized concentrations of retail, health and other services integrated with medium density (town house style) residential living. Local public transport will provide connections to town centres.

Villages will have 11 to 50 shops, a small supermarket, child care, primary school, access to small parks and access to a general practitioner plus ancillary (dentist, podiatrist) and local business services (accountant, lawyer).

Centres within Wyong which will operate as villages over the next 25 years include Budgewoi, Chittaway Bay, Killarney Vale, Lake Munmorah, Long Jetty, Ourimbah, and Wadalba.

- Neighbourhood centres generally have local shops combined with lower density residential development. Neighbourhoods will service the daily needs of residents with services being located within walking distance of the catchment population. They will have four to ten shops with access to small parks, a primary school and child care centre. Neighbourhood centres do not usually contain health services.

The purpose of establishing a hierarchy of centres is to identify how each centre contributes to the retail network. By defining the nature and role of the various centres that make up the network, it is possible to assess the capacity of the network to absorb new or additional floorspace and ensure that the expansion of one centre (or the introduction of a new centre) does not undermine the hierarchy.

For this reason, this Strategy adopts a more refined retail centres hierarchy to that provided in the CCRS. The hierarchy was informed by the research undertaken as part of the Retail Centres Review and has had regard to the centres hierarchy as set out in the CCRS.

When considering the function of the various retail centres throughout the Wyong LGA it is important to appreciate the range of supporting uses that are often accommodated within the fringe areas of the centres and ensure that the strategy recognises the role these uses perform in terms of supporting the centre and the users of the centres.

The hierarchy of centres within the Wyong retail network is as follows:

- The Tuggerah major centre – This centre serves the whole of the LGA in terms of higher order comparison shopping and provides for range of business, retail, cultural, entertainment and recreational activities. This centre is a major employment centre.
- **Town centres** are the main shopping and business destination for a sub region. Uses within a town centre would generally include a range of retail outlets including supermarkets and specialty shops, non retail services such as banks and community service providers, local serving office space, health and professional services and housing.

Based on this rationale, the centres within the Wyong LGA which are considered to suit classification as Town Centres are Bateau Bay, Lake Haven, The Entrance, Toukley, Wyong and the proposed centre at Warnervale.

The functions of the Wyong town centre also include a wide range of civic and community and government services which are accessed by the most of the population of the LGA including areas beyond the LGA.

- **Local Centres** function as a destination of convenience shopping for the surrounding local community. The centres which are considered to be local centres in Wyong are San Remo, Budgewoi, Chittaway, Killarney Vale, East Toukley, Lake Munmorah (Pacific Highway), Long Jetty, Ourimbah and Wadalba (subject to be expansion).
- The remainder of centres (apart from specialised centres) will be classified as **neighbourhood centres**. Neighbourhood centres service the daily needs of residents with services being generally located within walking distance of the catchment population. There are 32 neighbourhood centres in Wyong.

Neighbourhood centres in Wyong range in size from 100m² up to 2,450m² at Gorokan with an average size of 850m². The size of the centre, number of shops and range of retail services provided within these centres will vary depending on their proximity to other centres, including other neighbourhood centres and the size and characteristics of their catchment population.

The combined services provided by these centres comprise the Wyong retail network.

A plan showing the location of these centres is included at **Appendix A** to this Strategy and is also reproduced in **Figure 1** on the following page.

Appendix B to this Strategy is a detailed description of the centres which comprise the Wyong centres network (not including neighbourhood centres) including a detailed assessment of their catchment, functions, available support expenditure and growth potential both now and in the future.

This Strategy has considered whether the supply of retail floorspace within the Wyong LGA is currently satisfying demand and whether that quantum of floorspace could continue to satisfy demand in the future. In order to do this, an assessment of the current floorspace supply was undertaken as part of the 2011/12 Retail Centres Review and changes in terms of population and planned for centres were also factored in. The assumptions and methodology which informed the retail demand assessment are detailed in the 2011/12 Retail Centres Review.

The 2011/12 Retail Centres Review considered town centres and local centres in detail, because they are likely to best satisfy local demand (beyond Tuggerah). The Tuggerah major centre was considered in so much as a proportion of expenditure from Wyong households is directed to that centre.

The neighbourhood centres within the Wyong retail network fulfil a vital role for their surrounding locality. The majority of these centres are located within established neighbourhoods that are unlikely to experience significant changes to their catchment population. In addition, the potential for physical expansion of these centres is generally restricted due to the surrounding development. Therefore, these centres have not been investigated in detail. However, their position within the retail hierarchy and the contribution they make to the overall retail network is vital and the continued

provision of and support for these centres needs to be contemplated when considering the function, size and role of other centres in the hierarchy.

The provision of another neighbourhood centre at Gwandalan (which is being planned as part of a new residential development to provide convenience retail services to that new population), and the centre planned for the East Wadalba area have been considered and these are discussed below.

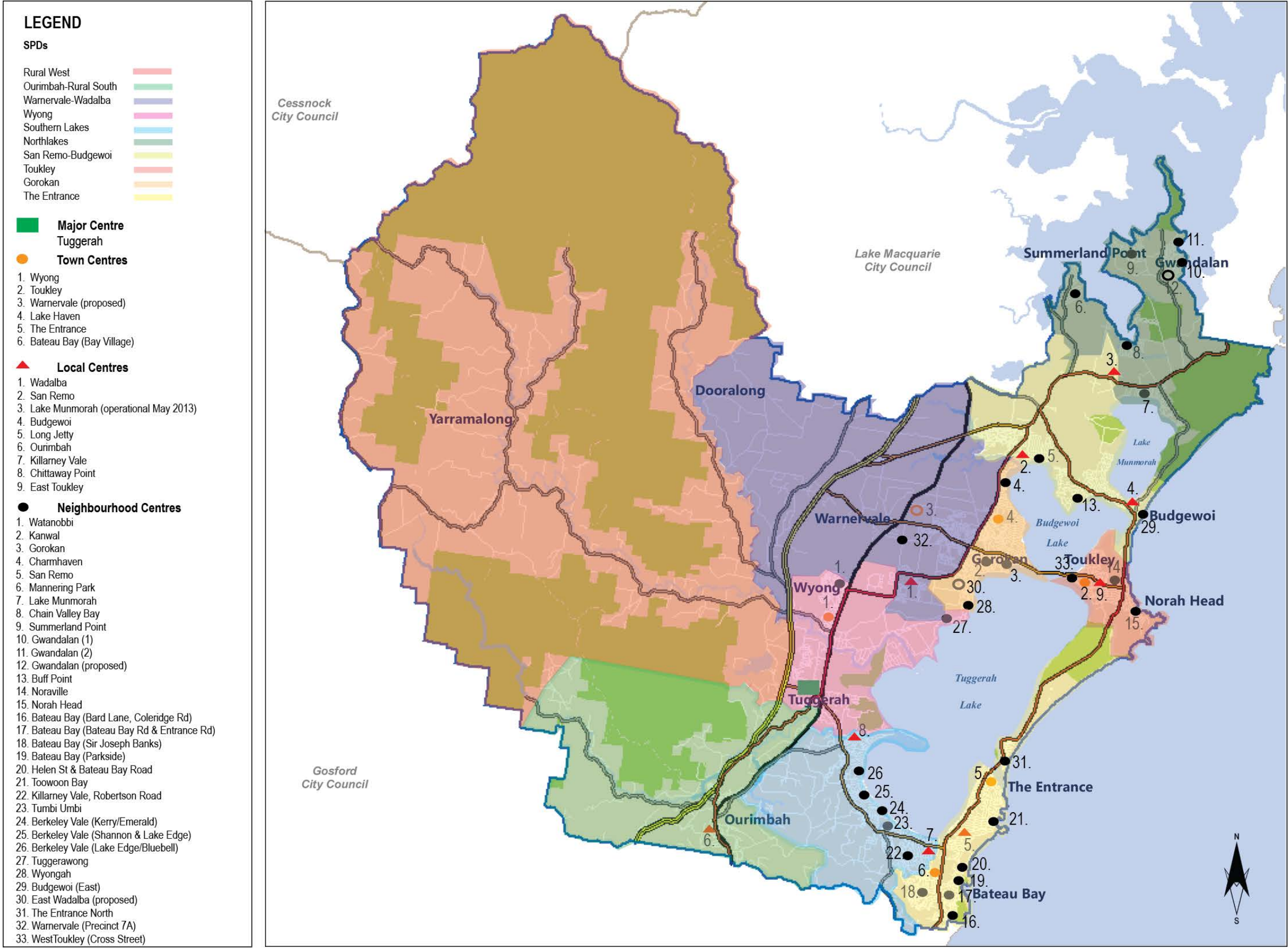


Figure 1 – The Wyong Retail Network

The following is a summary of each of the levels within the hierarchy based on the detailed considerations in **Appendix B**.

9.1 Tuggerah Major Centre

Table 4: TUGGERAH MAJOR CENTRE

Centre Description	- Includes the Westfield development and the bulky goods retail precincts along Tuggerah Straight and in the Tuggerah Supa Centa development. - Westfield development comprises the main retail component of the Tuggerah major centre and has been the focus of this section of the Strategy - Westfield centre comprises over 87,100m² of floorspace, almost 79,500m² of which is occupied by retail outlets.
Estimated Catchment Area	- The catchment of Westfield Tuggerah is constrained by the influence of the Erina Fair shopping centre in the Gosford LGA and Charlestown Square in Lake Macquarie. - The estimated catchment for Westfield Tuggerah includes primary, secondary and tertiary trade areas: - PTA includes the Wyong SPD and parts of the Southern Lakes, Ourimbah, Rural West, Warnervale Wadalba and Gorokan SPDs. - Lake Munmorah and those areas to the east of Tuggerah Lake are within secondary trade areas (STAs) - Those parts of the Wyong Shire north of Budgewoi and Blue Haven are considered to be within the tertiary trade area north (TTA north)
Expenditure Potential	It is estimated that Wyong Shire households could contribute \$400 million towards the general retail services provided within Westfield Tuggerah in 2013.
Other sources of expenditure income	From areas beyond the Wyong LGA + workers and visitors to the centre
Expansion Capacity	Up to 30,000m ² of additional convenience retail floorspace could be supported in the Tuggerah major centre by 2021.



Figure 2 - Aerial Photograph of Westfield Tuggerah development (Source: Six Maps, NSW LPI)

9.2 Town Centres

Table 5.1: WYONG TOWN CENTRE	
Centre Description	• Located to the north of Wyong River and west of the Pacific Highway. • Civic hub of the LGA • It is estimated that there is almost 8,000m² of retail floorspace and almost 7,500m² of non retail floorspace. The non retail floorspace does not include any of the floorspace occupied by Government organisations. In addition, there is an estimated 2,500m² of vacant floorspace within Wyong.
Estimated Catchment Area	• The extensive range of civic and community services provided within the Wyong town centre attracts residents from throughout the LGA. • Affected by its proximity to Westfield Tuggerah. • From a retail perspective, the catchment is likely to attract trade from - o PTA includes the Wyong SPD and parts of the Southern Lakes, Ourimbah, Rural West, Warnervale Wadalba and Gorokan SPDs. - o Lake Munmorah and those areas to the east of Tuggerah Lake are within secondary trade areas (STAs)
Expenditure Potential of Catchment Households	• \$74.2 million in 2013 from catchment households. • By 2016 this could increase to \$80.7 million and by 2021 there could be \$92.7 million of retail expenditure available to expend across the range of retail commodity items (excluding bulky goods)
Other sources of expenditure income	Excluding those residents who work in the town centre and also live in the catchment, non resident workers could contribute around \$1.25 million per annum towards retail sales in the town centre.
Sales Estimates	• \$50.1 million in 2013. • \$66 million in 2016 • \$69 million in 2021
Expansion Capacity	The estimated surplus of available expenditure in 2021 could be \$92.7m + \$1.25m = \$94 million, which is \$25 million more than the estimated turnover. This expenditure could support a reasonable increase in retail floorspace.

Table 5.2: BATEAU BAY TOWN CENTRE	
Centre Description	- Bateau Bay town centre comprises the Bateau Bay Square shopping centre (previously Stockland Bay Village). - This centre comprises a total floorspace of 31,300m², almost 29,000m² of which is occupied by retail outlets. - Operates as a 'stand alone' retail centre
Estimated Catchment Area	- Located on The Entrance Road at Bateau Bay, towards the southern part of the Wyong LGA. - The SPDs of The Entrance and parts of the Southern Lakes SPD comprise the primary trade area - it also has the capacity to attract residents from the north eastern areas of the Gosford LGA
Expenditure Potential of Catchment Households	\$157 million in 2013 from catchment households in the Wyong LGA. - By 2016 this could increase \$168 million of retail expenditure (excluding bulky goods expenditure)
Other sources of expenditure income	- Around \$30 million could be directed to the Bay Village centre from Gosford households in 2013. 5% of sales could originate from passing trade.
Sales Estimates	\$200 million in 2013. - By 2016, sales at the centre could be around \$207 million
Expansion Capacity	Sales at the centre are roughly equivalent to the estimated available expenditure. Therefore no increase in convenience retail floorspace is supportable in this centre unless the available expenditure increases. Any increase in retail floorspace of this centre would need to consider the impacts on other centres in the network.

Table 5.3: THE ENTRANCE TOWN CENTRE

Centre Description	• Currently lacks a centre or heart. • Comprises retail, residential, commercial and tourism development centred on a north-south axis around The Entrance Road • The Lakeside shopping centre in the south and the tourism/dining precinct in the north • Lakeside shopping centre is a medium sized retail development comprising a single major supermarket and a variety of small retail stores. The Lakeside shopping centre contains the only supermarket within The Entrance town centre • Significant proportion tourism oriented services. • Development of the iconic sites within and around the town centre could assist in revitalising The Entrance and assisting with it developing into a comprehensive activity centre. • The Entrance town centre functions differently to other centres within the Wyong LGA which are more conventional in terms of role and function. The Entrance includes a range of services which target the significant visitor and tourist role provided by the centre.
Estimated Catchment Area	The residential catchment serviced by The Entrance town centre includes The Entrance SPD and parts of the Southern Lakes and Toukley SPDs.
Expenditure Potential of Catchment Households	• \$95 million from catchment households in 2013 • \$102.6 million in 2016
Other sources of expenditure income	• The Entrance attracts a significant number of tourists – both day trippers and extended stay visitors. • High proportion of unoccupied dwellings suggesting a high proportion of non resident property owners with capacity for these dwellings to be used as 'weekenders' and holiday accommodation. • Assume \$7.7million per annum from visitors
Sales Estimates	• Estimated sales of \$96 million in 2013.
Expansion Capacity	• Approximately 1,000m² of additional retail floorspace is immediately supportable • Although the tourist functions of The Entrance are significant and important, it is considered that this may have been at the expense of encouraging development to attract a permanent resident population to the centre. • Need to encourage growth in a permanent resident population to supplement the expenditure directed to the centre and provide support to a broader spectrum of retail outlets. • Development of the iconic sites is vital to ensuring The Entrance functions as a 'model' activity centre and a focal point for the community. • Incentives, e.g. – floorspace ratio bonuses, for developers to provide permanent residential accommodation as part of any redevelopment/development of sites should be considered. • The provision of a 'centre' to the centre is considered to be fundamental to the revitalisation of The Entrance. • It is important that a reasonable range of retail services be provided within this centre including a full line supermarket and convenience retail services.

Table 5.4: LAKE HAVEN TOWN CENTRE

Centre Description	- Comprises a large shopping centre surrounded by various complementary services including the Lake Haven community health centre, library and Council services, and Gorokan leisure centre. - The Lake Haven Mega Centre (bulky goods) precinct is located adjacent to the Lake Haven shopping centre. - The Lake Haven shopping centre is anchored by two major supermarkets and a discount department store. A range of mini-major and specialty retail stores are also provided. - The town centre does not provide any significant commercial or office floor area. Government, legal, medical, specialist or other services required by the Lake Haven and surrounding communities are provided in the Toukley and Wyong town centres. - This section only considers the core retail element of the town centre. The bulky goods component is discussed in Section 12.
Estimated Catchment Area	- Operates as a core retail centre with a reasonably extensive catchment area. - Highly accessible to residents on the western shores of Tuggerah Lake and Budgewoi Lake and also services areas in the northern parts of the Wyong Shire. - The PTA of the Lake Haven shopping centre comprises the Warnervale Wadalba SPD, that part of the San Remo Budgewoi SPD to the west of and including the suburb of San Remo, and that part of the Gorokan SPD north of Wallahra Rd. - The remaining areas of the San Remo Budgewoi and Gorokan SPDs, together with the Northern Lakes SPD comprise a significant secondary trade area for this centre. This centre also has the potential to draw trade from parts of the Toukley SPD. - The trade area of this centre has been affected by the commencement of the new local centre at Lake Munmorah. Once the Warnervale town centre is operational, this will also impact on the trade area of Lake Haven.
Expenditure Potential of Catchment Households	- Estimated \$223 million of retail expenditure (not including bulky goods expenditure) available from households in the Lake Haven catchment area in 2013. - By 2016, due to the commencement of the Warnervale town centre, it is anticipated that the level of expenditure available could have reduced to \$204.6 million. - By 2021 this could have increased again to \$239.5 million.
Other sources of expenditure income	No allowance made as passing trade is also likely to be catchment area residents.
Sales Estimates	- Based on an estimated turnover \$7,960/m² in 2016 total sales of \$254 million could be expected. - Assumes 20% of sales are sourced from beyond the catchment area.
Expansion Capacity	The above suggests that in terms of general retail floorspace, the Lake Haven town centre has achieved market saturation and expansion of this centre in the short to medium term is not warranted as it may impact on the capacity of the Warnervale town centre to establish its position within the retail network.

Table 5.5: TOUKLEY TOWN CENTRE

Centre Description	• Extends from Yaralla Street in the west to Victoria Street in the east and also includes land up to Hargraves Street (to the south of and parallel to Main Road). • Anchored by a single, stand-alone major supermarket in the south-west and the retail strip along Main Road. • A range of support services are located around the town centre including Toukley health centre, Toukley community centre, Toukley Library. • High proportion of health services professionals and a range of local serving office services
Estimated Catchment Area	• Residential catchment population comprises the Toukley SPD and the eastern sections of the Gorokan SPD. • This centre also has the potential to draw from other areas within the Wyong LGA and in particular from the Budgewoi and Buff Point areas.
Expenditure Potential of Catchment Households	• An estimated \$84.1 million from catchment households in 2013. • It is estimated that by 2016 the level of retained expenditure might only be \$83.5 million due to pressure exerted by the commencement of the Warnervale town centre and Lake Munmorah and lack of significant population growth in the remainder of the catchment.
Other sources of expenditure income	An estimated \$3.1 million towards sales in the town centre is from visitors and workers.
Sales Estimates	• In 2013 the total turnover of all retail floorspace in the Toukley town centre could be \$63.2 million. • By 2016, the estimated turnover of retail floorspace within the Toukley town centre (based on its current composition) could be \$65.3 million.
Expansion Capacity	• Turnover estimates are less than the available expenditure. • The catchment of the Toukley town centre is reasonably well defined by the influence of Lake Haven to the west and The Entrance and Bateau Bay to the south. • The East Toukley local centre shares part of the catchment of the Toukley town centre and this will impact on the capacity of the town centre to support additional floorspace. • In order to function as an active centre, higher density residential development needs to be encouraged to be developed within and on the fringes of the centre. • The provision of a variety of housing opportunities within and close to the centre could activate the centre and provide an additional expenditure source to balance the potential redirection of catchment expenditure to other centres, including the proposed Warnervale town centre.

Table 5.6: WARNERVALE TOWN CENTRE (PROPOSED)

Centre Description	• A Part 3A application for a new retail development within the Warnervale town centre has been submitted and a recommendation to approve the development has been made. • The application will now be determined by the PAC. • The development the subject of the Part 3A application comprises 33,112m² of floorspace including: • 20,200 m² of retail floorspace (including a supermarket, discount department store and specialty retail floorspace). • ancillary commercial uses of 3,600m². • bulky goods uses of 1,900m², and • 3,740m² of entertainment/leisure uses.
Estimated Catchment Area	• A primary trade area of the Warnervale Wadalba SPD extending west into the Rural West SPD • The centre could also have influence over parts of Wyong, Gorokan, Toukley, Budgewoi and Doyalson.
Expenditure Potential of Catchment Households	• \$130.5 million in 2013 • \$150 million in 2016
Other sources of expenditure income	• Potential to attract some expenditure from workers and visitors to the WEZ.
Sales Estimates	• \$144 million in 2016
Expansion Capacity	Potential for the retail floorspace in the town centre to expand in the future as the population of the town centre and catchment area grows.

9.3 Local Centres

9.3.1 The Local Centre Network

The local centres within the Wyong LGA provide for the convenience retailing needs of their surrounding population and in some instances, due to their location, experience a reasonable level of passing trade.

There are 9 centres which are considered to be local centres both in size and function. The potential for Wadalba to function as a local centre in the future has also been considered.

A detailed description of each centre is provided at Appendix B3 to this Strategy. **Table 6** below is a summary of each centre:

Table 6: Local Centres	
Centre	Function and Expansion Potential
San Remo	- Developed in 2008 - Attracts trade from the San Remo Budgewoi and Northern Lakes SPDs - Possibly overtrading but since the opening of Lake Munmorah local centre this has stabilised. - Centre appears to be trading sustainably.
Budgewoi	- Comprises the west village and the east village. - Retail in the East village is mainly tourist oriented. - West village is anchored by a major supermarket retailer with a range of retail and commercial services located in independent buildings. - Catchment area has a reasonably stable population will only minimal growth potential. - By 2016 available expenditure will exceed sales potential of existing retail floorspace - Notwithstanding that a proportion of the surplus expenditure will be directed to the east village, there is capacity to support additional floorspace of around 1,500m². - Demand for additional supermarket floorspace is limited and such would be more appropriately located within the Toukley town centre. - Due to fragmentation of ownership of existing land parcels within the centre and a desire to activate the eastern portion of the centre, rezoning of land to the north of Tenth Avenue is warranted.
Lake Munmorah	- Commenced operation in May 2013 - Provides much needed convenience retail services to Lake Munmorah and surrounding localities including Gwandalan and Summerland Point. - Comprises a total of 5,500m² of floorspace, including a 3,800m² supermarket, 1,200m² of specialty retail floorspace and a 500m² medical centre. - Taking into account available expenditure from catchment households and the potential to attract some trade from beyond the catchment, it is estimated that the centre currently needs to attract around 35% of available retail expenditure from catchment households which is considered reasonable and unlikely impact on other existing centres in the Northern Lakes SPD. - Opportunities to expand will be restricted until there is significant population growth in the catchment.

Table 6: Local Centres

Centre	Function and Expansion Potential
Ourimbah	- The centre includes a reasonable variety of core and specialty retail services, however there appears to be a need for the village centre to expand the range of services provided. - Recommend a master plan for the centre be developed to guide development. - Serves the local Ourimbah community with potential to attract some passing trade. - There is opportunity to support additional retail floorspace within the centre. This is discussed below.
Long Jetty	- Long Jetty is characterised by its length, the variety of outlets represented, the relatively high proportion of vacant floorspace and the high percentage of non retail uses (including service industrial uses). Many of the facilities within the Long Jetty centre provide services to passing trade and to a wider area. - As of October 2011, approximately 7,200m² of the total estimated floorspace of 22,000m² was occupied by retail outlets and around 11,300m² was used for non retail activities. - Around 15% of floorspace was vacant as of the date of the survey. - suffers from a lack of a 'centre' within the centre - The presence of the service industry uses within the centre provides an alternative focus in terms of the function of the centre and its 'catchment' - It is estimated that there is surplus expenditure available to support additional convenience retail floorspace within the centre. - Opportunities to develop some residential accommodation within the centre should be explored.
Wadalba	- Supports the surrounding community of Wadalba, including future residential development. - Currently, the Wadalba village centre comprises only a single supermarket development of approximately 1,500m². - Currently functions as a neighbourhood centre. - Development of a medical centre and specialty retail floorspace has been approved. - A planning proposal for land adjoining the centre to accommodate another supermarket has recently been issued gateway approval. - Is located within a part of Wyong which is likely to experience significant and rapid population growth over the next 25 years. - Has the capacity to supplement the higher order centres at Warnervale and Lake Haven and provide convenience retail services to its local catchment population. - Support for another supermarket would depend on the timing of the development of the Warnervale town centre. If this is operational by 2016, there may not be sufficient expenditure available to support another supermarket at Wadalba until after 2016. - Expansion of Wadalba to include additional specialty retail floorspace and a second supermarket facility might be supportable after 2016. Should this occur, it is considered that classification of this centre as a local centre is justifiable.

Table 6: Local Centres

Centre	Function and Expansion Potential
East Toukley	- Located on Main Road, approximately 800 metres east of the Toukley town centre. Despite its relative proximity to the Toukley town centre - East Toukley appears to be trading well, probably due to the recent inclusion of an ALDI store as part of the centre - Shares part of the Toukley town centre catchment. - Retail sales would be roughly equivalent to the surplus expenditure available from the Toukley town centre.
Killarney Vale	- Provides for a variety of retail and non retail outlets including a Bi-Lo supermarket, pharmacy, medical practice and other uses. - Good connectivity within the centre. - Provides for the convenience retail needs of the Killarney Vale population and would also provide a service to the motorists using Wyong Road. - Needs to attract around 37% of 'uncommitted' expenditure (being expenditure other than that directed to the major centre, bulky goods outlets and town centres in the catchment) from Southern Lakes households. - The ability of this centre to attract more than 37% of available 'uncommitted' expenditure is limited, in which case any substantial increase in floorspace is not warranted. - Opportunities to provide for some minor increase by utilising underdeveloped land within the centre.
Chittaway Point	- Located at the intersection of Wyong Road and Chittaway Road, Chittaway Point. - Anchored by a Coles supermarket with 15 specialty shops (not including the hotel and service station). The total floorspace of the centre is 3,000m² - Located within the Southern Lakes SPD and provides for the day to day needs of the Chittaway Bay population and households in Chittaway Point. - By 2016, the retail outlets in this centre could have a total turnover of almost \$22 million, which is approximately 50% of the estimated expenditure available to local and neighbourhood centres from Southern Lakes households.

9.3.2 Opportunities in Local Centres

9.3.2.1 North Wyong

The development of two new local centres in the northern parts of the LGA – at **San Remo** and **Lake Munmorah** has assisted in addressing the identified shortfall of retail floorspace within the northern growth areas of the LGA. This could be supplemented by the proposed provision of a new neighbourhood centre as part of a new residential release in the **Gwandalan** area.

And these centres will in turn be supplemented by the development of the **Warnervale** town centre.

Some expansion of the centre to accommodate additional retail floorspace within the west village of **Budgewoi** would be warranted by 2016 however this would be realistically limited to around 1,000m² – 1,500m² of specialty retail floorspace to ensure that there was not conflict with the role and function of the Toukley town centre.

In the case of **East Toukley**, no expansion of this centre is warranted. This centre appears to be functioning appropriately as a local centre based on the current supply and floorspace and factoring in the level of expenditure available to support it.

Given the population growth likely to occur in the North Wyong area in particular, expansion of the **Wadalba** centre to include additional supermarket facilities and specialty retail floorspace appears warranted but not until after 2016 to ensure this does not stymie the development of the Warnervale town centre.

The **Wadalba** centre does not rely solely on expenditure from the Wyong SPD. This centre also has the ability to attract expenditure from households in the Warnervale Wadalba SPD and also from passing trade. The Warnervale Wadalba SPD is likely to experience significant and rapid population growth in the next 5 years. According to **Table 3**, the population will grow by 7,163 persons (or 2,600 households) in the period 2011-2016. Therefore, although there may be a redirection of some expenditure from households in the Wyong SPD from the Wadalba local centre to the Wyong town centre if the retail mix in Wyong is expanded, this is unlikely to impact on the capacity of Wadalba centre to continue to trade effectively and expand in the future.

In addition, it is considered that the provision of another local centre in the area identified as **East Wadalba** will be warranted but possibly not until post 2016 (particularly if expansion of the Wadalba centre occurs in the interim).

9.3.2.2 South Wyong

The southern areas of the Wyong LGA are well serviced by an extensive network of established neighbourhood and local centres. The population of this area is relatively stable and unlikely to experience the significant and rapid growth envisaged in the North Wyong area.

Notwithstanding, there are opportunities to expand the retail offering of centres in this part of the LGA.

In particular, by 2016 there could be sufficient expenditure available within the catchment of the **Ourimbah** centre to support a medium sized supermarket facility in this centre. This is a service which is lacking in this centre and results in a leaking of expenditure from the Wyong LGA to convenience retail centres in the Gosford LGA. The provision of additional retail services in the form of a supermarket will assist in addressing this anomaly.

The **Long Jetty** centre is a mixed use centre which may be improved by increasing the population density within the centre. Opportunities to take advantage of the lake frontage with the provision of additional tourist/visitor oriented services exist. The centre currently 'turns its back' on its relationship with the lake with all activity centred along the road spine through the centre. The provision of a small service area appropriately located but which still relates to the centre as a whole could be provided without impacting on the tourist facilities provided in The Entrance.

Options for the inclusion of other major sites within the centre as iconic sites e.g. – the old roller skating rink, could be explored as part of a centre specific master plan for the centre.

9.3.2.3 Local Centres Conclusion

With the exception of Wadalba, Budgewoi, Long Jetty and Ourimbah, the local centres within the Wyong LGA appear to be operating appropriately having regard to their role and function as local convenience retail centres.

There are expansion opportunities available within the zoned areas in some centres such as Lang Jetty, East Toukley and Killarney Vale however it is considered that there is unlikely to be a demand for additional retail floorspace within these centres in the short to medium term.

The potential for additional retail floorspace to be supported exists in the Wadalba centre and the Budgewoi and Ourimbah centres would benefit from the provision of limited additional floorspace.

9.4 Neighbourhood Centres

The retail network within the Wyong Shire is supported by 33 neighbourhood centres ranging in size from 100m² up to larger centres at Kanwal and Gorokan.

A 'snapshot' summary of the composition of these centres based on a survey undertaken by DFP in October/November 2011 as part of the 2011/12 Retail Centres Review. A summary of the findings of the surveys of these centres is provided in **Table 7** below:

Table 7: Summary of Floor Space - Neighbourhood Centres (m ²)				
Neighbourhood Centres	Retail Area	Non-Retail Area	Vacant Area	Total Floor Area
Bateau Bay (<i>Bard and Coleridge</i>)	77	77	153	306
Bateau Bay (<i>Bateau Bay and The Entrance Roads</i>)	234	276	0	509
Bateau Bay (<i>Parkside</i>)	290	180	0	470
Bateau Bay (<i>Sir Joseph Banks</i>)	1,726	0	0	1,726
Berkley Vale (<i>Kerry and Emerald</i>)	289	101	108	498
Bateau Bay (<i>Helen Street</i>)	100			100
Berkley Vale (<i>Lakedge and Bluebell</i>)	536	158	45	738
Berkley Vale (<i>Shannon and Lakedge</i>)	153	290	34	477
Buff Point	788	0	0	788
Chain Valley Bay	449	0	0	449
Charmhaven	687	176	0	863
<i>East Wadalba (proposed)</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Gorokan	860	1,423	169	2,451
Gwandalan (<i>Gamban</i>)	582	124	0	706
Gwandalan (<i>Orana</i>)	390	441	0	831
<i>Gwandalan (Proposed)</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>
Kanwal	2,202	122	54	2,378
Killarney Vale (<i>Robertson Road</i>)	164	132	116	412
Lake Munmorah	456	250	0	705
Mannering Park	581	209	51	841
Norah Head	542	591	176	1,308
Noraville East	86	0	23	108
San Remo	248	0	383	631
Summerland Point	825	209	39	1,074
The Entrance North	0	0	81	81
Toowoona Bay	1,232	68	183	1,483
Tuggerawong	152	0	101	253
Tumbi Umbi	479	435	27	942

Table 7: Summary of Floor Space - Neighbourhood Centres (m²)

Neighbourhood Centres	Retail Area	Non-Retail Area	Vacant Area	Total Floor Area
Warnervale (Precinct 7A)	120	0	0	120
Watanobbi	1,062	0	123	1,185
West Toukley	424	804	26	1,254
Wyongah	138	0	0	138
Total Floor Space	15,872	6363	1981	23,825

Source: DFP survey of centres, October/November 2011

Some of the smaller centres (less than 1,000m²) have a very high proportion of vacant premises. For example, at the date of the survey 7 out of a total of 12 tenancies (or approximately 60% of the total floorspace of 630m²) in the San Remo centre on Anita Avenue were vacant however it is understood that most of these vacant tenancies are now occupied.

When provided, it is likely that Wadalba East will also function as a neighbourhood centre.

As local populations become more mobile the demand for small, local convenience shopping facilities has reduced. However, these centres fulfil a vital role within the overall centre network, and in the majority of cases appear to be functioning well and should be supported and maintained.

9.5 Summary of Retail Floorspace Provision within the Wyong Retail Network

The 2011/12 Retail Centres Review demonstrated that there are significant opportunities to expand the supply of retail floorspace within the Wyong retail network, particularly within the major centre at Tuggerah and the northern areas of the LGA.

As the major centre within the Wyong LGA, it is anticipated that most new retail floorspace will be provided in or adjacent to the existing **Tuggerah** centre. It is anticipated that if the current retail centre expanded, it could result in a reasonable proportion of expenditure from Wyong households which is currently being directed to other regional centres such as Erina Fair, being retained within the Wyong LGA. This could have flow on effects to other lower order centres by reducing the number of trips beyond the LGA for retail purchases.

We estimate that there is capacity to expand the major centre at Tuggerah by up to 30,000m² in retail floorspace. The timing and staging of this additional floorspace will be determined, to a certain extent, by market conditions, however, it is considered that this level of floorspace is supportable and could assist in arresting the leakage of Wyong expenditure to regional centres in Gosford and (to a lesser extent) Lake Macquarie. The stemming of expenditure 'leaking' to other areas will result in greater job opportunities within the LGA, particularly for youth employment and will have a positive economic impact on the Wyong economy due to more expenditure being retained in the local area. This is known as the multiplier effect. The multiplier effect in this instance is the 'knock on' effect which an increase in spending produces such as job creation.

At the town centre and local centre level, the bulk of opportunities for new retail floorspace will be available within the northern part of the LGA. The provision of 21,000m² of retail floorspace within the **Warnervale** town centre, the opening of the new local centre at San Remo in late 2008 (which provides for 4,000m² of retail floorspace) and the Lake Munmorah local centre (which provides over 5,000m² of retail floorspace) have and will assist in addressing the shortfall of retail floorspace for residents in the North Wyong area.

As the population within the North Wyong area grows, it is recommended that opportunities to expand the role and functions of the Warnervale town centre be investigated as this centre will be a major focus of activity for the incoming population.

The potential for the **Wadalba** centre to be expanded has been investigated and additional retail floorspace including a supermarket of around 2,000m² together with some specialty retail floorspace could be warranted after 2016.

This centre could be supported by a neighbourhood centre within the **East Wadalba** area post 2016, to provide additional retail opportunities in this growth area.

The need for another centre in the Gwandalan/Summerland Point catchment is unlikely to be supportable until at least 2031. In the interim, the retail needs of these communities will be met by the new local centre at Lake Munmorah and the existing neighbourhood centres at Gwandalan and Summerland as there is some capacity for expansion within the zoned areas of these centres.

In the southern parts of Wyong, apart from expansion of the Tuggerah major centre, demand for additional retail floorspace will be met by increasing retail floorspace provision in the **Wyong** town centre. The potential for expansion of the **Ourimbah** centre to include some supermarket floorspace is also considered appropriate.

Wyong town centre will also benefit from the in-centre population being increased. The CCRS envisages that of the 39,500 additional dwellings to be provided in the Wyong LGA, 4,000 will be located within the Tuggerah-Wyong major centre. Whilst the bulk of these are likely to be accommodated within the areas identified as 'residential' on the draft concept plan for the Tuggerah town centre, there are opportunities to provide residential development within the Wyong town centre.

The retail mix available within Wyong is somewhat limited and would benefit from an additional attractor such as a supermarket. The additional local population will provide support from this facility however it has been demonstrated that there is sufficient expenditure which is currently directed to Wyong from its catchment population to support a medium sized supermarket facility. The provision of such a facility could have a synergistic effect in terms of revitalising the mix of retail services provided in the centre.

In this regard the draft LEP includes floor space ratio (FSR) incentives in certain areas of the Wyong and Toukley town centres to encourage development of iconic sites. This is considered to be a positive action by Council that will potentially translate into additional development within the centre.

In the eastern parts of the LGA, the need to consolidate and reinforce the roles of the **Toukley** and **The Entrance** town centres is vital. In order to revitalise The Entrance, the provision of a hub to the centre is considered critical. This will give the centre a focal point to which its various precincts (as noted in the master plan) can relate. Opportunities to increase the residential population within the centre are also considered to be important to the functioning of this centre as a comprehensive activity centre.

Draft Wyong LEP 2013 proposes to zone centres B1 Neighbourhood Centres and B2 Local Centre. Shop top housing is included as a permitted use within these zones. Shop top housing is defined as:

***shop top housing** means one or more dwellings located above ground floor retail premises or business premises.*

This will allow ground floor activation by the provision of shop fronts or offices with residential development above. In the case of The Entrance, the draft LEP allows for development up to 23m in height within the centre in certain circumstances. Therefore there will be significant incentive to provide mixed use commercial/residential developments within the centre which will assist in activating the centre.

Tourist and visitor accommodation is also a permissible use within the B1 and B2 zones under the draft LEP. In order to ensure that a reasonable quantum of residential floorspace is provided (rather than tourist and visitor accommodation), consideration could be given to limiting the amount of floorspace that can be occupied for tourist and visitor accommodation in the centres. For example, the maximum permissible floor space ratio (FSR) in much of The Entrance town centre is 3:1. In order to limit the amount of floorspace provided within new developments as tourist or visitor

accommodation, it may be appropriate to restrict the FSR for such uses to a maximum of 1:1. This will potentially encourage more permanent residential accommodation to be provided within the centre, whilst still providing for tourist accommodation.

The fringe areas of the Toukley town centre have been zoned R3 Medium Density Residential which is likely to encourage some residential development close to the centre.

Some minor increase in retail floorspace in the west village of the **Budgewoi** local centre would be warranted in order to provide an alternative focus away from the Scenic Drive frontage to the centre.

The neighbourhood centres throughout the southern part of the LGA service their immediate surrounding community and are a vital part of the network. In this regard therefore their capacity to provide these services should be maintained. The additional floorspace provision envisaged in The Entrance and Wyong is unlikely to impact on functioning of the smaller centres as the expenditure distribution estimates did not rely on attracting that proportion of expenditure which would generally be directed to such centres.

It is considered that the new centres within the northern parts of the LGA together with opportunities to rationalise and redevelop parts of existing centres throughout other areas will ensure that the supply of retail floorspace within this part of the Wyong LGA will meet demand for the period up to 2021.

Any additional floorspace that might be required to meet demand post 2021 should, wherever possible be provided within the existing centres by utilising underdeveloped zoned land and providing for increased residential populations within the centres.

10 Non Retail Floorspace

To operate effectively, most centres will contain a mixture of retail and non-retail floorspace together with some community uses. Generally, we would expect uses that would occupy non-retail floorspace would include local and regional servicing businesses such as banks, medical service providers, real estate agencies, solicitors, accountants and the like.

The quantum of non retail floorspace within a centre can vary based on a variety of circumstances including the catchment of the centre and its role and function. For example the role of the Wyong town centre is to provide for retail, commercial, cultural, social and civic services. As a result, a significant proportion of floorspace within the Wyong town centre is occupied by government agencies and service providers. In other town and local centres however, the proportion of non retail floorspace to retail floorspace varies from 8% (in retail focussed centres such as Bay Village) up to over 50% in mixed use centres such as Long Jetty. This includes service industrial uses which are a different use category to the traditional non-retail commercial land use.

In view of the above, the quantum of non retail floorspace to be provided within a centre should not be mandated. Generally, we would expect around 15% of the floorspace within a neighbourhood centre would be occupied for non retail uses, however this may not always be feasible in which case flexibility of use is the preferred approach. It is important that centres do provide a variety of uses however it is considered that this is best managed by the market place.

A rule of thumb for assessing the provision of non retail/local serving commercial floorspace within a local centre and town centres (excluding Wyong town centre) would be 0.2 – 0.4m² of commercial/non retail floorspace per person (based on the estimated catchment of the centre).

11 Actions for Centres

Centres are evolving from simply being places to shop or work to becoming a destination which provide a varied mix of uses and functions. They are effectively becoming activity centres where people live, work and play.

The Strategy provides the framework for achieving centres that are vibrant, active places that also provide for the retail needs of the community.

Encouraging development within centres has many benefits including reducing the number of trips and car usage, improving the viability of public transport, fostering innovation and healthy competition between businesses, and encouraging growth and investment in centres.

However, as is evident in a number of centres within the Wyong LGA, as centres become older, they show signs of deterioration. The maintenance of buildings and infrastructure increases and landscaping often requires replacement. If there is a lack of investment by property owners and Council, the general appearance of centres can be neglected and in need of updating.

The surveys of the various centres throughout the LGA identified that apart from the services provided, the presentation of the centre can affect how the centre operates and ultimately its success. Physical elements such as neglected buildings and run down landscaping and poor access can affect the perception of a whether a centre is unattractive or unsafe, which may in turn contribute to a pattern of declining patronage.

Other negative elements which were observed during the fieldwork included: -

- Poorly located loading/unloading facilities
- Lack of appropriately located waste storage areas.
- Proliferation of inappropriate signage.
- Poorly maintained landscaping.
- Lack of, or unmaintained street furniture
- Graffiti not being removed.

Addressing and rectifying the observed issues within centres can assist in improving the overall functioning and servicing of a centre.

Wyong Council has prepared master plans for the following centres:

- Long Jetty
- The Entrance
- Toukley
- Wyong
- Bateau Bay
- Lake Haven
- Budgewoi

A number of these master plans are the result of previous centre specific strategic planning. The master plans for the most part are aimed at public domain improvements and making the centres attractive, accessible and active spaces. There is a significant emphasis on improving linkages to and within the centres, together with encouraging activities which will improve the centre's viability. The master plans have also placed significant weight on investigating traffic flows within and around centres with a view to improving access.

Whilst these master plans will assist in addressing many of the negative aspects of the centres, consideration could also be given to undertaking an audit such as the Local Commercial Centres Streetscape Audit recently implemented by The Hills Shire Council.

The purpose of the audit is to revitalize local shopping centres. Each centre assessment was based against a set of criteria including visual appeal, public safety, accessibility, lighting and landscape design. The centre audit highlighted a number of common issues that needed to be addressed, including disabled access - provision of accessible car parking spaces, ramps, tactile indicators, street lighting and shop awning lighting. The purpose of the audit was to reduce opportunities for vandalism, graffiti and pollution, improve safety in and around centres and foster community ownership of centres. The audit led to the development of a priority list of actions and upgrade requirements, and undertaking rectification works.

It is considered that a number of centres within Wyong, including those for which master plans have been prepared, would benefit from the positive actions that could result as a consequence of undertaking an audit of the centres. For those centres for which a master plan has been prepared, the audit could supplement work already undertaken and identify if any additional works are necessary in order to address identified deficiencies.

As with any program which involves embellishment works, these works required significant investment. Opportunities to fund a proportion of the works through Section 94 contributions could be investigated. Given that the improvements to the public domain areas of the centres will benefit all users, any contribution could be levied on all forms of development. Sponsorship of various precincts and areas could also be investigated as a means of funding.

12 Specialised Precincts

12.1 Bulky Goods Retailing in Wyong

There are currently only two bulky goods retail precincts in Wyong – the Tuggerah Supa Centa and Tuggerah Straight area and the Lake Haven Mega Centre.

It is estimated there is approximately 50,000m² of bulky goods floorspace within these two precincts (not including that part of the Supa Centa used as a factory outlet centre). This estimate does include floorspace within existing centres (such as Long Jetty) in which bulky goods type outlets are located.

Based on the expenditure estimates in **Table B1**, there could be \$342.8 million in bulky goods expenditure available from all households in the Wyong LGA in 2013.

Sales at bulky goods retail outlets could be \$4,680/m² in 2013⁴. Based on the floorspace estimate of 50,000m², sales in bulky goods could total \$234 million in 2013. This suggests that (assuming the bulky goods facilities in Wyong do not attract expenditure from any other area), there is effectively \$99 million of expenditure escaping the Wyong LGA to other areas. Therefore, in terms of bulky goods floorspace supply, Wyong is considered to be significantly undersupplied.

This level of expenditure (i.e. - \$99 million) could support over 21,000m² of bulky goods floorspace.

By 2016, the quantum of bulky goods floorspace in Wyong could have increased by 1,600m² (assuming the bulky goods proposal as part of the Warnervale town centre proceeds). Factoring in this additional floorspace, sales in bulky goods could have increased to \$251 million but there is likely to be over \$373 million of bulky goods expenditure available from Wyong households. This difference could support an additional 25,000m² of bulky goods floorspace, or 4,000m² more than the additional floorspace supportable in 2013.

By 2021 the growth in population would be such that there could be \$427 million of bulky goods expenditure available from all households in Wyong which could (in theory) support a total of 84,000m² of bulky goods retail floorspace (or 34,000m² more than is currently provided).

These estimates are based solely on expenditure from Wyong households only and do not factor in the potential for bulky goods precincts in Wyong to attract expenditure from areas beyond the LGA.

The concept plan for Tuggerah considers the development of bulky goods floorspace within this centre. It is considered appropriate that this major centre be the focus of additional floorspace provision given the presence of the Tuggerah Supa Centa development and the other retail activities occurring in this centre.

There is sufficient space available within the Tuggerah major centre to accommodate a significant amount of bulky goods floorspace. Again, the market will dictate, to a certain extent how much bulky goods floorspace might be provided within the Tuggerah major centre, however there must be a balance in terms of the location of such floorspace.

There is an existing bulky goods retail precinct at Lake Haven, within the Lake Haven Mega Centre. Expansion of the Lake Haven Mega Centre development has been mooted. In the short term an additional 8,000m² of bulky goods floorspace has been identified as being supportable, with the potential for a further 15,000m² to be developed by 2031.

If the Lake Haven development proceeds as proposed, in the short term around 17,000m² of additional bulky goods floorspace could be supported within the Tuggerah major centre.

There are clear benefits of there being at least two bulky goods retail precincts within the LGA to service the northern and southern sectors of the Shire, however opportunities to provide bulky goods precincts as part of other town centres, such as Warnervale and Bateau Bay also need to be considered.

⁴ Estimates of bulky goods floorspace turnover from the 2011/12 Retail Centres Review

It is imperative that a balance in the provision of any additional floorspace is achieved to ensure that the opportunity for equitable access to such facilities is maintained.

Increasing the quantum of floorspace and the range of goods and products available in these precincts could have the effect of attracting expenditure from areas beyond the Wyong LGA and in particular from the western areas of Lake Macquarie (which are also likely to experience significant population growth in the short to medium term). This expenditure will supplement that available from Wyong households and could result in the amount of floorspace that might be supportable being more than if the precincts were only relying on expenditure from Wyong households.

The option of developing these facilities within each of these precincts in stages is available and is contemplated in relation to the Lake Haven expansion proposition.

Clearly there is an undersupply of bulky goods retail floorspace within the Wyong LGA at present. The provision of additional floorspace within the existing precincts at Tuggerah and Lake Haven can assist in addressing this imbalance however it will be necessary to ensure that any expansion of floorspace is distributed between and within these precincts to allow for equitable access to the precincts from all areas of the LGA.

12.2 Land near Wyong Hospital

The Wyong District Hospital is a major public hospital which provides inpatient, outpatient and emergency services for the northern sector of the Central Coast. It is part of the Northern Sydney Central Coast Area Health Service (NSCCHS).

According to data available from NSW Department of Health, in the 2003/04 financial year, Wyong Hospital dealt with:

- Almost 40,000 emergency department cases
- 22,150 hospital admissions
- 355 births

There was an average of 206 beds occupied at any one time, with the average length of stay being 6.2 days.

As the population of the Wyong area grows, the demand for health services will increase. The ageing population will also place pressure on the health services provided by NSCCHS.

Our observations of the centres have revealed a reasonable supply of general health services – general practitioners, dentists and other allied health service providers – physiotherapists, optometrists, podiatrists and the like, but a shortage of specialists.

There is an opportunity to create a specialist precinct which provides for the development of new facilities to meet the clinical needs of the Wyong population proximate to the existing health services available at the hospital. The clustering of such services into one precinct is considered to be beneficial for fostering healthcare, education and research opportunities, and the potential to provide residential accommodation for health workers should also be explored. Selected commercial activities could also be provided within this precinct.

The land generally bound by Pacific Highway, Wiowera Road/Pearce Road and the William Cape Gardens retirement village is considered to be appropriately located for the establishment of such a precinct.

The draft Wyong LEP 2013 proposes to zone the land investigated RU6 Transition Zone⁵ which is a prescribed zone for the purposes of considering the development of health service facilities on this land in accordance with Division 2 of Part 1 of the Infrastructure SEPP. A Health services facility is defined in the Standard Template LEP as follows:

Health Services Facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

Therefore a range of health related services could be provided on this land however the provision of any retail services would be restricted.

⁵ A Planning Proposal for this precinct has been lodged with Wyong Council. The Planning Proposal is seeking to zone the land B6 Enterprise Corridor. Mandated permissible uses in the B6 zone include Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Passenger transport facilities; Plant nurseries; Warehouse or distribution centres. The objectives of the B6 zone seek to maintain the economic strength of centres by limiting retailing activity. The B6 zone is a prescribed zone for the purposes of considering health services facilities. Therefore the rezoning of this precinct to B6 will not impact on nearby centres and will not impact on the centres hierarchy.

13 Matters for Consideration for Rezoning Proposals for new retail facilities and centres

Ensuring that planning instruments are flexible enough to accommodate innovation and new forms of retailing is one of the greatest challenges facing planning for retail centres. There is a significant variance between the Productivity Commission's "the market knows best" approach and current land use zoning controls. The Standard Instrument Local Environmental Plan business centre zones sought to address this disparity however the result has fallen short of initial expectations mainly due to the number of business zones. The authors of the White Paper were also of the opinion that there were more land use zones than required and sought to reduce this one business zone. Following consideration of submissions, the range of zones currently available under the Standard Instrument LEP has been retained.

Therefore, whilst the development industry advocates flexibility, there is a community expectation that development, including retail development, will be 'controlled'. On this basis, it is essential that a framework for addressing these competing objectives be developed.

Population growth is one of the key drivers for the provision of new retail centres and additional floorspace. Predicting the precise amount of retail floorspace that might be required in the future is difficult as this can be affected by a variety of factors including changes in the rate of population growth, changes in where population growth occurs and external influences such as the economic climate. Furthermore, the suggested location of additional floorspace, or new centres, may not be appropriate if population growth occurs differently to that forecast. It may also be that existing centres do not provide sufficient opportunities for expansion, particularly if the area serviced by that centre experiences significant, but unpredicted, population growth. The Productivity Commission approach of "let the market decide" has some merit. A similar principle is supported in the draft Centres Policy. Principle 3 of the draft Centres Policy states that:

Principle 3 – *The market is best placed to determine the need for retail and commercial development. The role of the planning system is to regulate the location and scale of development to accommodate market demand.*

However, there is a role for planning authorities to develop and administer robust policies to manage and regulate proposals for new centres and retail floorspace to ensure that access to a satisfactory range of services and facilities is maintained.

Should alternative locations for the provision of a new centre be put forward, it is recommended that the protocols established in the draft Centres Policy be adopted. The principles in relation to rezoning of land for commercial activities suggest that a net community benefit test be applied to consider any edge-of-centre or out-of-centre proposals.

The need for a rezoning would need to demonstrate that alternatives within existing centres and in edge of centre locations were not suitable or available for the proposal. Any proposal would also need to demonstrate that the provision of a new centre would not impact on the services and facilities currently available. This approach is not dissimilar to the 'sequential test' applied to new retail developments in the UK.

As demonstrated in the USA, the 'free for all' approach (which resulted in a number of satellite centres being developed), whilst initially embraced, has failed to deliver centres which provide the services and functions sought by the population for which the centres were developed and there has been a trend back towards a more traditional hierarchy of centres.

In this regard therefore, opportunities to provide for the expansion of existing centres by applying a mixed use zone to land on the fringe of some local or town centres could alleviate the pressure to consider proposals for out of centre developments and also provide a degree of flexibility of use.

However, in the first instance, where there is underutilised or underdeveloped zoned land within an existing centre which serves a similar catchment to an out-of-centre site, locating a new retail development within an existing centre should be investigated thoroughly and in consultation with

Council officers with a view to consideration of some flexibility in development standards to encourage this development.

Generally, an out-of-centre location would only be supported if it can be demonstrated that neither of the above options is suitable for the proposals and a robust assessment of impacts has been provided. That assessment would need to consider the range of services provided within the affected centre(s) and how the proposed development/centre would 'make good' any change in circumstances for the catchment population of the affected centre. Particular regard should be had for 'anchor' tenants/facilities within the affected centre(s) and the potential 'knock on' effect of any loss of trade for those major facilities that might affect their ability to continue to trade or function effectively. Anchor tenants or facilities could include supermarkets or grocery stores, government and non government services, community facilities and any major floorspace user. As part of this Strategy, a framework for the consideration and assessment of planning proposals which involve expansion of and/or creation of new centres has been designed.

This framework is based on the draft Centres Policy net community benefit test which requires proponents to demonstrate that alternatives within existing centres and in edge of centre locations are not suitable or available for the proposal.

A net community benefit test considers the sum of all the benefits of a development proposal against the sum of the costs of that development. Changes in population, market conditions and industry trends can mean that sometimes planning controls have not kept pace.

A net community benefit test should consider, inter alia:

- Whether the proposal is consistent/compatible with agreed State and regional strategic directions.
- Whether the proposal is likely to create a precedent.
- What the cumulative effects of the proposal might be.
- Whether it is likely to facilitate employment opportunities.
- Whether it will impact on the supply of residentially zoned land.
- Whether there is sufficient infrastructure in place or planned for to service the development.
- Whether it is sustainable.
- Whether it is in the public interest.
- Whether the proposal will impact on the availability of retail and commercial services in the area. If there is an impact, the extent of that impact and whether the proposed development will 'make good' any change of circumstance arising as a result of that impact. Specifically, the assessment of impact will need to consider any impacts on 'anchor' tenants/facilities within the affected centre(s) and the potential 'knock on' effect of any loss of trade for those major facilities which might affect their ability to continue to trade or function effectively. Anchor tenants or facilities could include supermarkets or grocery stores, government and non government services, community facilities and any major floorspace user.
- Whether the proposal (if a single entity commercial development) has the capacity to develop into a centre in the future and if so, what the impacts of that might be.

This test is part of the process in demonstrating the need for more land to be zoned for retail and commercial purposes. It will also be necessary to demonstrate a demand for additional facilities based on a retail demand assessment and an economic impact assessment to consider whether the proposal is likely to have any impact on the existing retail network.

Although not specifically identified as matters for consideration as part of a net community benefit test within the draft Centres Policy, it is recommended that any planning proposal which considers additional retail floorspace over and above that already provided for within a centre, consider the

economic impact of that proposal with the objectives of ensuring that the retail network is respected, planned growth can occur and a viable network of centres is maintained.

Where an extension of a centre is proposed, it will be necessary to consider other issues such as design, connections, transport service, public domain and pedestrian circulation to ensure that the additional development integrates with the existing centre.

14 Recommended Actions

Draft Wyong LEP 2013 includes a number of provisions to incentivise development within centres. These provisions formalise the incentive controls initially envisaged as part of the Iconic Sites DCP. The provisions include:

- Allowing shop top housing within the B1 and B2 zones which will apply to all centres (but making residential accommodation per se prohibited). This will ensure there is activation on the ground floor levels of the development whilst optimising residential accommodation above.
- Providing FSR bonuses in the Wyong and Toukley town centres in particular areas to encourage development. These areas are identified on the FSR maps accompanying the draft LEP.
- Allowing development up to 26m in certain circumstances in The Entrance town centre to encourage development. The areas in which the additional height provisions apply are identified on the Height of Building maps accompanying the draft LEP.

In addition to these provisions, consideration to restricting the FSR of tourist and visitor accommodation within The Entrance town centre might also be appropriate. In that way, only a proportion of a new development will be able to be used for that form of development with the remainder being developed as residential accommodation (assuming developers take up the FSR allowance permitted on the site).

In addition to the above, and as a result of this Strategy, it is recommended that Council implement the following actions:

- If it is considered that the centre specific master plans do not provide sufficient incentive to address the decline of some centres, prepare a Commercial Centres Audit to assess the physical aspects of centres.
- Continue preparation of centre specific master plans to identify plans of action for centres including addressing the relevant findings of the Commercial Centre Audit. Detailed centre planning through the preparation of centre specific master plans is encouraged to ensure a targeted approach to centre improvement can be implemented. The master plans could inform the preparation of the design guidelines to be incorporated into the DCP.
- Amend draft Wyong DCP to delete/modify Chapter 5.1 of the DCP to reflect the findings and conclusions of this Strategy.
- Consider applying a mixed use zoning to the fringe of some centres to allow for a degree of flexibility of use.

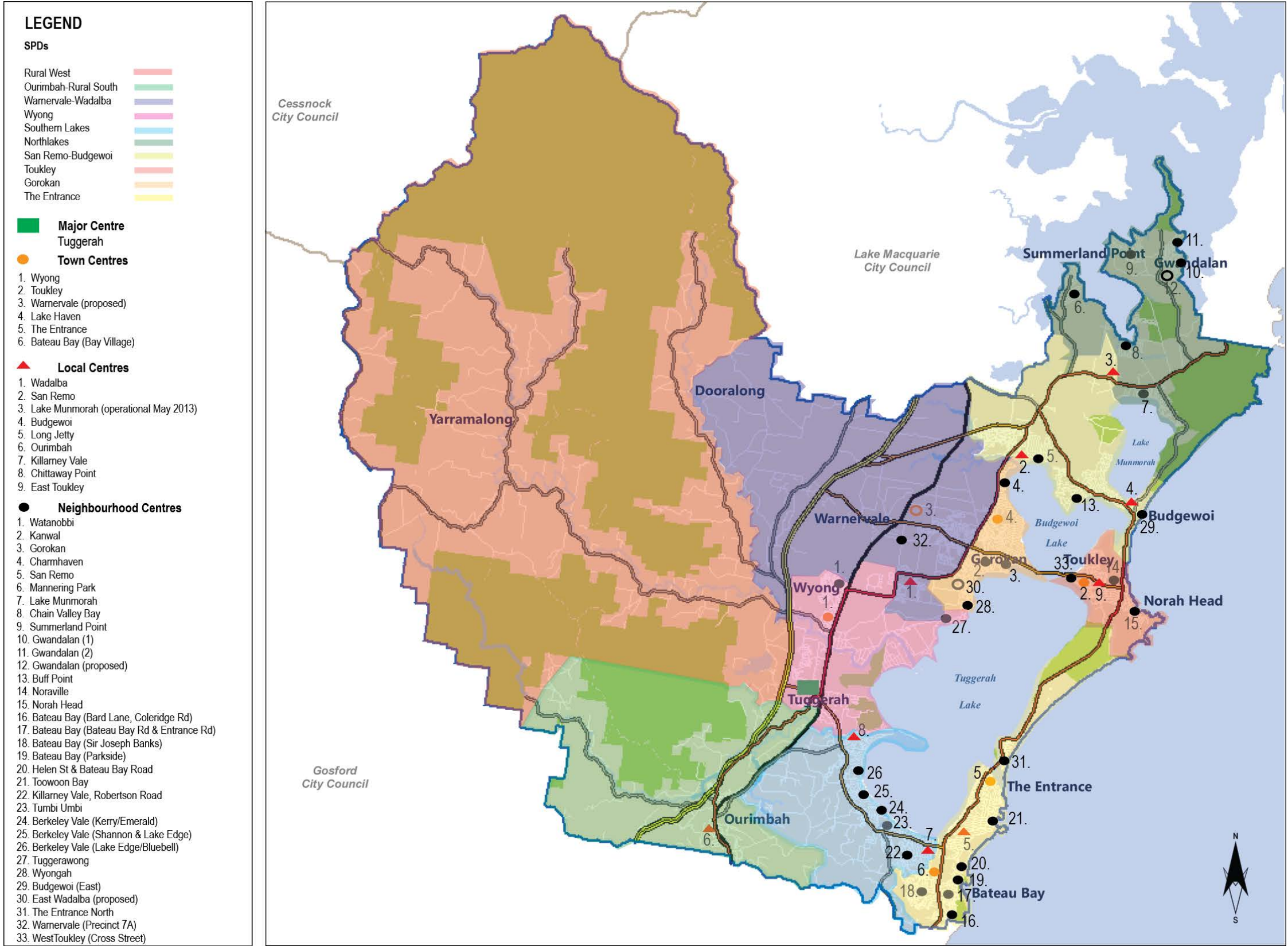
Should amendment to Chapter 5.1 be contemplated, the provisions relating to centres that could be included within the DCP/design guidelines could include generic design principles such as building envelope controls, landscaping, signage, sustainability provisions, waste management standards, CPTED considerations, as well as streetscape, architectural character, public amenity, car parking and servicing. Such provisions could be simply transferred to the development guides contained within Part 3 of the Local Plan when prepared.

It will be necessary for the purposes of encouraging and guiding mixed use developments within centre to ensure residential amenity provisions are included. Such provisions would include solar access, acoustic amenity, visual amenity, privacy, open space, setbacks and bulk and scale and be drafted having regard to the design principles of SEPP 65 and the Residential Flat Design Code.

The principles described above would be best developed by an Urban Designer, in consultation with Council's development assessment section to ensure a workable set of principles to guide proposals are developed.

- Implement a requirement for planning proposals which include new retail/commercial floorspace to undertake a net community benefit test as part of the request for the preparation of a planning proposal.

APPENDIX A – LOCATION PLAN, WYONG RETAIL CENTRES



APPENDIX B – WYONG RETAIL CENTRES

Appendix B1 – Tuggerah Major Centre

The Tuggerah major centre includes the Westfield development and the bulky goods retail precincts along Tuggerah Straight and in the Tuggerah Supa Centa development. The Westfield development comprises the main retail component of the Tuggerah major centre. This component of the Tuggerah major centres has been considered for the purposes of estimating the catchment area and expenditure potential of that catchment. The bulky goods precinct is discussed in detail in Section 12.1 of this Strategy.



Figure B1.1 - Aerial Photograph of Westfield Tuggerah development (Source: Six Maps, NSW LPI)

Westfield Tuggerah

The Westfield centre comprises over 87,100m² of floorspace of which almost 79,500m² is occupied by retail outlets. Non retail uses, including cinemas, a medical centre and a child care centre occupy some 7,650m² of floorspace within the centre.

Westfield Tuggerah is located on the southern side of Wyong Road, west of the intersection of Wyong Road and Pacific Highway.

The current centre is located between Gavenlock Road and Tonkiss Street, however the Westfield land holdings extend to the west beyond the existing retail centre.

Catchment Area

The estimated catchment for Westfield Tuggerah includes primary, secondary and tertiary trade areas and extends from Morisset and Cooranbong in the south eastern part of the Lake Macquarie LGA, south to Gosford and Point Clare in the western areas of the Gosford LGA.

The catchment of Westfield Tuggerah is constrained by the influence of the Erina Fair shopping centre in the Gosford LGA and Charlestown Square in Lake Macquarie. Both of these centres exert significant influence over the eastern areas of the Wyong Shire respectively. However, due to the location of these centres within the eastern parts of their respective LGAs, Westfield Tuggerah does attract trade from the western areas of both Gosford and Lake Macquarie LGAs.

The primary trade area (PTA) of Westfield Tuggerah includes the Wyong SPD and parts of the Southern Lakes, Ourimbah, Rural West, Warnervale Wadalba and Gorokan SPDs.

Those parts of the Wyong Shire north of Budgewoi and Blue Haven are considered to be within the tertiary trade area north (TTA north) whilst Lake Munmorah and those areas to the east of Tuggerah Lake are within secondary trade areas (STAs).

Therefore, whilst all areas within the Wyong LGA are within the catchment of Westfield Tuggerah, the proportions of expenditure from each area will differ. Households within the PTA could use retail services provided within Westfield Tuggerah on a regular basis and for a variety of reasons, but residents in the STAs and TTA would potentially only visit this centre for the purposes of comparison shopping for higher order goods and services.

Expenditure Potential

Table B1 below is an estimate of the retail expenditure capacity of all Wyong households for the period 2013 – 2021.

Table B1: Estimated Annual Retail Expenditure per Wyong LGA Household and in Total, 2011-2021					
Retail Commodity Group	\$ per Household in 2011	Total all households 2013 (\$mil)	Total all households 2016 (\$mil)	Total all households 2021 (\$mil)	Sydney Av. \$ per Household
Food for Home	\$7,494.9	\$480.3	\$523.7	\$598.3	\$8,454.7
Clothing	\$2,116.2	\$135.6	\$147.9	\$168.9	\$2,774.3
Small Household Goods	\$4,817.7	\$308.7	\$336.6	\$384.6	\$5,649.8
Large Household Goods	\$6,509.5	\$417.2	\$454.8	\$519.6	\$8,072.7
Personal Services	\$2,213.1	\$141.8	\$154.6	\$176.7	\$2,747.2
Food Restaurants	\$1,524.6	\$97.7	\$106.5	\$121.7	\$2,065.3
Take Away Food	\$1,477.5	\$94.7	\$103.2	\$117.9	\$1,867.3
TOTAL (\$)	\$26,153.5	\$1,676.0	\$1,827.4	\$2,087.6	\$31,631.3
Supermarket Expenditure	\$8,654.3	\$554.6	\$604.7	\$690.8	\$9,782.1
Bulky Goods Expenditure	\$5,349.1	\$342.8	\$373.8	\$427.0	\$6,244.9
Source: ABS: Basic Community Profile, Household Income Data.					
ABS: Household Expenditure Survey, 2009/10					
Detailed Expenditure Items, Cat. No. 6535.0					
Base Data: ABS Consumer Price Index, December 2011					
Totals: Annual Growth Rate of 1.0% factored in					

Based on the estimates in **Table B1**, each Wyong household had a total annual expenditure capacity of \$26,150 in 2011. Excluding bulky goods retail expenditure, each Wyong household expended \$20,804 across the remaining retail commodity groups in 2011.

By 2013, the total expenditure capacity of all Wyong households could be \$1,676 million and this could increase to \$1,827.4 million by 2016.

Again, excluding expenditure which would generally be directed to bulky goods retail precincts, in 2013 the total expenditure potential of all Wyong households is estimated to be \$1,333 million, increasing to \$1,453.6 million in 2016.

We would generally expect at least 30% of total retail expenditure would be directed to the major regional centre. Although households in the PTA are likely to direct more than 30% of their expenditure on general retail items to this centre, we would expect households in the secondary and tertiary trade areas to use this centre on a less frequent basis and direct a smaller proportion of their retail expenditure to Westfield Tuggerah.

On average, therefore it is estimated that Wyong Shire households could contribute \$400 million towards the general retail services provided within Westfield Tuggerah in 2013.

The estimated turnover of this centre in 2010/11 was \$477 million⁶. Factoring in an annual average growth rate in sales of 1%, by 2013 sales of \$487 million could be experienced.

We estimate that the level of support expenditure from areas beyond the Wyong LGA will exceed the 'shortfall' of \$87 million. In particular, Westfield Tuggerah is more accessible to residents within the western areas of Lake Macquarie than Charlestown Square.

Therefore, it is likely that the level of expenditure available actually exceeds that required to support the existing floorspace provision.

Other Sources of Expenditure

Tuggerah Westfield is located in an area of significant employment generation within the Wyong LGA. Not only is the centre itself a significant employer, the Tuggerah Straight also offers a variety of employment opportunities as does the Tuggerah Business Park which is located to the east of the main northern railway line.

According to 2006 Journey to Work data, of the 6,000 persons employed in the greater Tuggerah area in 2006, 67% were residents of the Wyong LGA. 22% lived in the Gosford LGA and almost 7% were Lake Macquarie residents. It is considered that given the proximity of these employment precincts to the Westfield centre, that centre could attract a proportion of expenditure from workers.

For the purposes of assessing the degree of additional support for retail services that might be provided by workers, Wyong residents will be discounted. Approximately 33% of workers within the Tuggerah centre were non-Wyong residents.

We estimate that, on average, remaining workers each could expend up to \$20 per week in retail outlets in Westfield. This equates to support of approximately \$2 million per year.

Tuggerah Expansion Capacity

As the major centre within the Wyong Shire, we would expect this centre to attract a proportion of retail expenditure available from Wyong households. Whilst this is the case, there is also a reasonable proportion of expenditure being directed to regional centres outside Wyong. Erina Fair in particular attracts expenditure from households in The Entrance SPD, the southern areas of the Ourimbah SPD and the eastern part of the Southern Lakes SPD.

In order to reduce the amount of expenditure that would generally be expected to be directed to the major centre escaping the Wyong LGA, the range of services provided within Westfield Tuggerah would need to be increased. As the current retail centre is fully developed and occupied, expansion of the existing centre is the only reasonable option.

Expansion of the centre was considered as part of the 2007 Retail Centres Review however that assessment also recommended caps on the quantum of floorspace to be developed and time restrictions on when the expansions could occur.

These subjective limitations have not allowed the major centre to 'keep pace' with market demands.

It is estimated that on average between 15% - 20% of expenditure from Wyong households could be directed to Erina Fair. This equates to \$251 to \$335.2 million in 2013 and in 2016 there could be up to \$365 million of retail expenditure escaping the Wyong LGA.

Expansion of retail services and facilities, including bulky goods floorspace within the Tuggerah major centre will assist in retaining a significant proportion of this escape expenditure.

Based on an average turnover of \$8,000/m² of retail floorspace (excluding bulky goods floorspace) in 2021, it is estimated that up to 30,000m² of additional convenience retail floorspace could be supported in the Tuggerah major centre.

⁶ Shopping Centre News Vol. 29, Number 1, 2011

The approval was issued around the time of Global Financial Crisis and at that time Westfield was unable to commit to the \$200 million investment that the expansion required. Westfield has agreements with Myer (12,000m² over two levels) and Kmart (6,500m²) and is committed to commencing this project as soon as the centre is trading at a level that will justify the redevelopment.

Westfield is currently considering an expansion of its retail centre at Tuggerah to provide an additional 12,600m² of floorspace. This proposal replaces a previous (now lapsed) approval for an additional 17,500m² of floorspace. The approval for the additional 17,500m² was issued around the time of Global Financial Crisis and at that time Westfield was unable to commit to the \$200 million investment that the expansion required.

The additional 30,000m² of floorspace includes the proposed 12,600m².

It is imperative that any expansion of the retail centre consider the Tuggerah major centre as whole. Piecemeal or ad hoc developments could have significant and adverse impacts on other precincts within the centre, particularly with respect to infrastructure provision. It is advocated that the Tuggerah centre be considered as a whole to ensure that all stakeholders within the centre are provided with an opportunity to consider how their position within the centre might best contribute to a centre capable of fulfilling its role as envisaged under the CCRS.

Appendix B2 – Town Centres

Wyong Town Centre

Description of Centre

The Wyong town centre is located to the north of Wyong River and west of the Pacific Highway.

Wyong is the civic hub of the LGA. Government organisations represented in Wyong town centre include police and local court house, Australian Electoral Commission, Mine Subsidence Board, Centrelink, and Wyong Council offices.

Non government organisations are also well represented including a number of organisations providing employment services.

Within that part of the town centre bound by Pacific Highway, River Road, Margaret Street and North Road it is estimated that there is almost 8,000m² of retail floorspace and almost 7,500m² of non retail floorspace. The non retail floorspace does not include any of the floorspace occupied by Government organisations. In addition, there is an estimated 2,500m² of vacant floorspace within Wyong. **Figure B2.1** below is a breakdown of floorspace in the Wyong town centre in percentage terms (but does not include the non retail floorspace occupied by Government organisations and agencies).

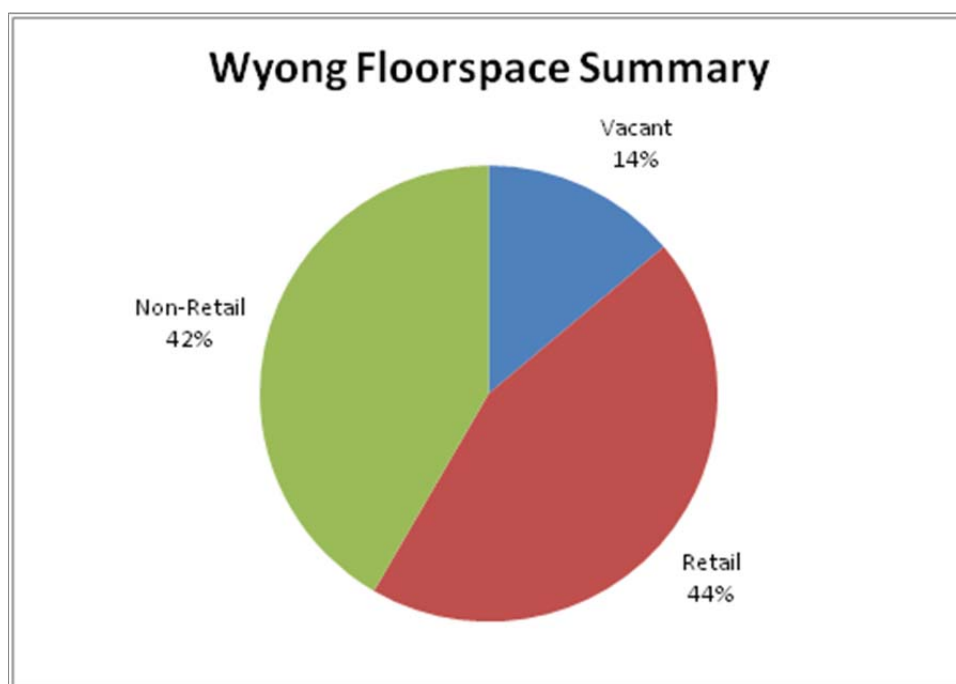


Figure B2.1 – Wyong Floorspace Summary

The retail role of Wyong has been eroded somewhat by its proximity to the regional shopping facility at Tuggerah (less than 3km). The focus of Wyong has therefore shifted to be more service delivery oriented. Therefore it is not surprising that almost half of the occupied floorspace within the centre is occupied by non retail uses.

We consider that the retail role of Wyong has some potential to be improved. This is likely to be achieved through the development of some of the identified iconic sites within the centre particularly if these developments include a substantial residential component. The following sites have been identified by Council as iconic sites in the Wyong town centre:

- ALDI Wyong – DA approved.
- Southern Gateway site.

- Chapman Building – heritage item.
- Grand Hotel – heritage item.
- Active river foreshore precinct – a concept proposal for this site has been developed and the proponent has had discussions with Council.
- Anzac Avenue Community Facility.

In addition, it is considered that the supermarket facilities within Wyong are inadequate and the opportunity to provide for additional supermarket floorspace exists.

The Wyong Civic & Cultural Centre Master Plan was prepared by Wyong Council in October 2011. This master plan aims to demonstrate the importance of Wyong as the administration and cultural hub of the Wyong Shire. **Figure B2.2** is an extract from the Wyong Civic and Cultural Centre Master Plan showing the proposal for the Anzac Avenue Cultural Precinct.



Figure B2.2 – Extract from Wyong Civic and Cultural Master Plan, October 2011

Catchment Area

The extensive range of civic and community services provided within the Wyong town centre attracts residents from throughout the LGA (and from areas beyond), however from a retail perspective, the catchment is more constrained.

We estimate the main catchment for the retail component of the Wyong town centre comprises the SPDs of Wyong and Rural West. The centre also has the capacity to attract trade from the Ourimbah and Warnervale-Wadalba SPDs and parts of the Southern Lakes SPD.

The retail catchment is influenced significantly by the proximity of the Wyong town centre to Westfield Tuggerah.

Notwithstanding the influence exerted by Tuggerah in particular and to a lesser degree Wadalba and Lake Haven, in our opinion, there is potential for the retail functions within the Wyong town centre to be enhanced, particularly if the resident and worker populations of the town centre itself increases.

Expenditure Potential

Based on the detailed expenditure estimates undertaken as part of the 2011/12 Retail Centres Review, it is estimated that:

- In 2013 there could be a total of \$74.2 million of expenditure directed to the Wyong town centre from households within the estimated catchment area.
- By 2016 this could increase to \$80.7 million and by 2021 there could be \$92.7 million of retail expenditure available to expend across the range of retail commodity items (excluding bulky goods)

Additional Sources of Expenditure

As with Tuggerah, the Wyong town centre is an employment precinct.

In 2006, 65% of the workers within the Wyong town centre were residents of the LGA. However, only 377 of the 1,576 Wyong workers⁷ also lived in the estimated catchment area for the Wyong town centre.

Expenditure by the 1,200 non residents (being non Wyong residents and Wyong residents living beyond the catchment) can be taken into account as an additional source of expenditure to support the retail floorspace within the town centre.

Excluding those residents who work in the town centre and also live in the catchment, non resident workers could contribute around \$1.25 million per annum towards retail sales in the town centre (based on each worker spending an average of \$20/week).

Although the town centre is located adjacent to the Pacific Highway it is not considered that the centre would attract a significant amount of expenditure from passing trade from non residents.

Sales Estimates

Based on estimates of retail floorspace turnover as noted in the 2011/12 Retail Centres Review and having regard to the existing supply of retail floorspace, in 2013 the existing retail floorspace provision within Wyong town centre could experience sales of \$50.1 million which is significantly less than the estimated available expenditure potential of \$76.2 million in 2013 (\$74.2 million from catchment households and \$1.25 million from workers) and suggests that the retail floorspace within the Wyong town centre is trading well above what would be considered average.

By 2016 (factoring in the development of the ALDI store), the estimated turnover of floorspace within the town centre could be \$66 million which is some \$16 million less than the estimated support expenditure of \$80.7 million.

And by 2021 sales could have increased to \$69 million assuming the quantum of retail floorspace remains constant as per the 2016 supply (compared to \$92.7 million of available expenditure). The estimated surplus of available expenditure in 2021 could be \$92.7m + \$1.25m = \$94 million, which is \$25 million more than the estimated turn over. This expenditure could support a reasonable increase in retail floorspace.

Options for redevelopment of sites within the town centre have been considered as part of the Iconic Sites DCP, including land known as the Active River Foreshore Precinct. A development proposal being considered for this site includes retail and non retail development together with over 200 residential apartments. The inclusion of residential development can provide support for the proposed and existing retail floorspace within the town centre and can also assist in activating the centre, which is consistent with the identified principles for centres.

In order to retain the existing level of expenditure from the catchment population (and to attract a reasonable proportion of expenditure from the 'new' population), the variety, supply and quality of retail mix within the centre needs to be addressed.

⁷ Based on 2006 Journey to Work data

Currently there is only one medium sized (approximately 2800m²) supermarket within the Wyong town centre. It is considered that any increase in retail floorspace within the Wyong town centre should ideally incorporate a supermarket facility.

If the ALDI development proceeds this will clearly assist in supplementing the retail mix in the town centre.

The provision of a supermarket based shopping centre within the Wyong town centre will result in some of the expenditure which is currently being directed to supermarkets in the major centre at Tuggerah being retained by the town centre (with minimal impact on the trading capacity of Tuggerah).

The provision of a full line supermarket in the Wyong town centre will make the centre more appealing from a retail offering perspective and could result in the proportion of catchment area expenditure being directed to this centre being increased.

Should this occur it may impact on the Wadalba centre, however it is considered that given the population growth which will occur around that centre in the near future, Wadalba will be able to absorb the impact, particularly if it also expands its retail offering and its ability to arrest expenditure currently being diverted to other centres.

The Wyong town centre has the ability to expand its role in a measured way to provide a greater variety of retail outlets to balance the non retail and civic functions available. It is considered that this can be achieved without impacting adversely on the ability of other existing centres to trade effectively and without putting at risk the provision of any proposed or already planned centres.

Bateau Bay Town Centre

Centre Description

The Bateau Bay town centre comprises the Bateau Bay Square shopping centre (previously Stockland Bay Village) which is flanked by a variety of supporting developments including The Entrance Leagues Club, the Tuggerah Lakes Community Centre and fast food chain restaurants all of which add to its functions as a vibrant town centre.

Bateau Bay Square provides a wide variety of retail stores, including three (3) major supermarkets, a discount department store (Kmart), mini majors and a major liquor retailer. There are 116 outlets within the Bay Village centre. This centre now comprises a total floorspace of 31,300m², almost 29,000m² of which is occupied by retail outlets.

The Bateau Bay town centre operates as a 'stand alone' retail centre. Notwithstanding, the centre and surrounding uses are generally active and support a wide retail catchment.

To the south of the centre is some vacant land which is zoned B5 under the draft WLEP 2013. Options for the development of this for bulky goods retailing have been investigated in the past however no firm proposals have been developed.

Figure B2.3 is an aerial photograph of the main retail centre and surrounding development.

Catchment Area

The Bateau Bay Square shopping centre and surrounding land uses function as the Bateau Bay town centre. This centre is located on The Entrance Road at Bateau Bay, towards the southern part of the Wyong LGA. Its location is such that it has the capacity to attract residents from the north eastern areas of the Gosford LGA (from areas including Forresters Beach and Wamberal).

Those parts of the Gosford LGA which are within the estimated catchment area of the Bateau Bay town centre are unlikely to experience any significant population growth in the medium term. However, the expenditure potential of the Wyong component of the Bateau Bay catchment could increase due to population growth, albeit minimal.

The SPDs of The Entrance and parts of the Southern Lakes SPD comprise the primary trade area of the centre's catchment however, given its location on the main eastern north-south route between Gosford and Lake Macquarie, it also has the ability to attract some trade (albeit passing trade) from SPDs in the northern part of Wyong including Toukley, Budgewoi and Northern Lakes.

Expenditure Potential

Based on the estimates of available expenditure as detailed in the 2011/12 Retail Centres Review, it is estimated that in 2013 there could be \$157 million directed to this centre from households in its PTA.

By 2016, the level of support expenditure available from these households could have increased to over \$168 million.

Other Sources of Expenditure

As previously noted, this centre could attract residents from parts of the Gosford LGA. It is estimated that based on the number of households and the characteristics of those households, around \$30 million could be directed to the Bay Village centre from Gosford households in 2013.

Further the potential for this centre to attract a proportion of its sales from passing trade is considered reasonable and probable. It is assumed that 5% of sales could originate from passing trade.

Sales Estimates

In 2010, the Bateau Bay Square shopping centre reported a turnover of \$194.8 million⁸. In 2013 this could have increased to approximately \$200 million.

It is estimated that there is around \$187 million from catchment area households that could be directed to this centre (including expenditure from households in the Gosford LGA). If a further 5% of sales at the centre are contributed by passing trade (comprising expenditure from areas beyond the estimated catchment), the sales would be roughly equivalent to the estimated available expenditure.

By 2016, sales at the centre could be around \$207 million. If catchment households contribute \$199 million towards centre sales and passing trade a further \$10 million, total support expenditure could be approximately \$209 million which is equivalent to the estimated sales and suggests that no increase in retail floorspace is supportable in this centre.



Figure B2.3 – Aerial photograph of Bateau Bay Square shopping centre and surrounding development

⁸ Shopping Centre News, Volume 28, Number 5, 2010

The Entrance Town Centre

Centre Description

The Entrance town centre comprises retail, residential, commercial and tourism development centred on a north-south axis around The Entrance Road. The town centre is anchored by the Lakeside shopping centre in the south and the tourism/dining precinct in the north, which is formed around the ocean inlet to Tuggerah Lakes.

The Lakeside shopping centre is a medium sized retail development comprising a single major supermarket and a variety of small retail stores. The Lakeside shopping centre contains the only supermarket within The Entrance town centre and therefore experiences a high level of activity.

The tourism/dining precinct around the waterfront contains a variety of retail, residential, and commercial uses adjoining public open space. Key uses include hotels (and other holiday accommodation), entertainment venues (night clubs), and fast food, dine-in, and take away restaurants.

The remainder of the town centre comprises a variety of retail, residential and commercial development including government services, a hotel/pub, movie theatre, offices (e.g. legal, real estate and accounting), banks, and a variety of retail operations. The town centre is also surrounded by a range of supporting developments including The Entrance Bowling Club to the south and The Entrance Boat House boat hire venue to the north.

Figure B2.4 is a breakdown of the different retail floorspace uses within The Entrance town centre. This demonstrates that a significant proportion of the centre's floorspace provides tourism oriented services.

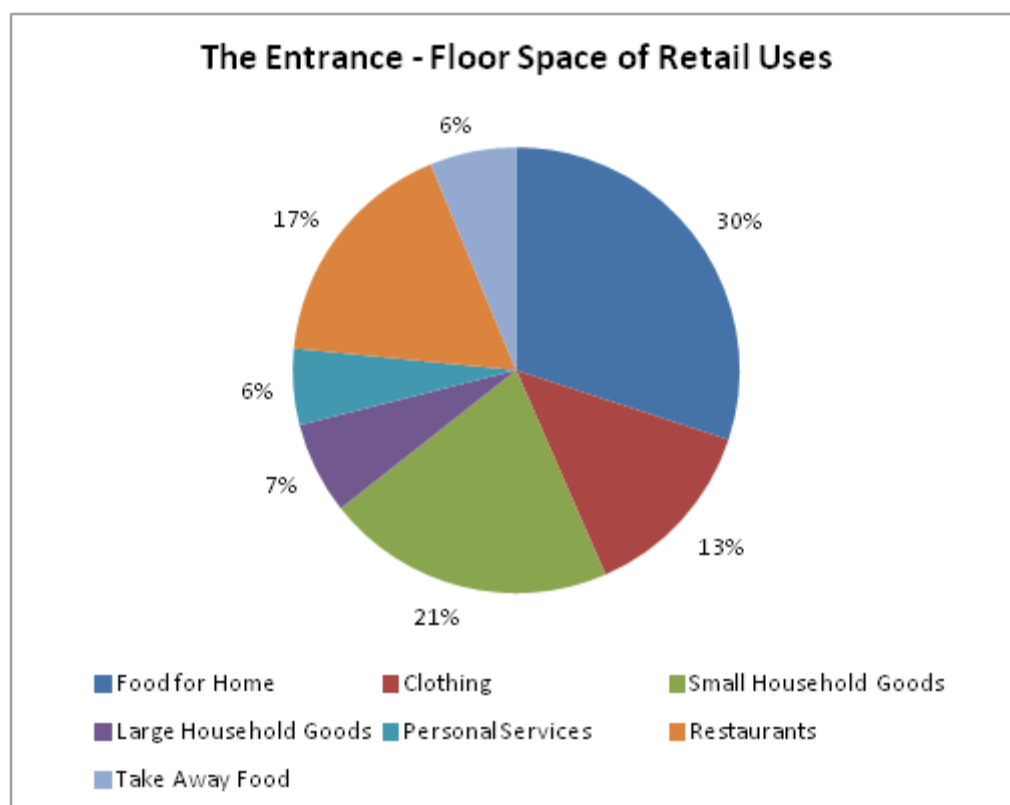


Figure B2.4 - Breakdown of retail floorspace usage in The Entrance

This focus may be somewhat detrimental to the longevity of the centre in that convenience retailing (servicing the permanent resident population) appears to have been 'sacrificed' at the expense of catering for the tourists and visitors.

The 2011/12 Retail Centres Review⁹ estimated that approximately 20% of the floor space within the town centre was vacant. The bulk of this vacant floorspace was located in the many arcade style developments. These are strata titled. The fragmentation of ownership within these areas makes it difficult to secure a developable site.

Development of the iconic sites within and around the town centre could assist in revitalising The Entrance and assisting with it developing into a comprehensive activity centre. Several proposals are currently being developed with two applications for iconic sites under consideration by Council.

The Entrance town centre functions differently to other centres within the Wyong LGA which are more conventional in terms of role and function. The Entrance includes a range of services which target the significant visitor and tourist role provided by the centre.

Whilst this role is important to the centre, it also services a significant permanent residential population which has the capacity to grow. In addition, the classification of The Entrance as a town centre in the CCRS is an indication that strategies to encourage development offering employment opportunities will be implemented.

Catchment Area

The residential catchment serviced by The Entrance town centre is considered to include The Entrance SPD and parts of the Southern Lakes and Toukley SPDs.

Expenditure Potential

In terms of distribution of expenditure from these households, it is estimated that \$95 million of general retail expenditure could reasonably be expected to be directed to this centre from catchment households in 2013.

By 2016 a slight growth in the level of support expenditure might be expected. In 2016 there could be around \$102.6 million available.

Other Sources of Expenditure

As previously discussed, The Entrance attracts a significant number of tourists – both day trippers and extended stay visitors. These visitors are a valuable source of income for many of the retail outlets within the centre, including the significant number of cafes.

Details regarding the number of tourists visiting The Entrance are not readily available however it is fair to assume that these visitors would make a significant contribution towards retail sales particularly during the Christmas and Easter holiday periods.

A review of the 2006 Census has revealed that 37% dwellings (or 2718 out of a total of 7,394 catchment dwellings) were identified as unoccupied private dwellings. It is not unreasonable to assume that a proportion of these dwellings are occupied on an irregular basis as either weekenders (by their owners) or as holiday rental accommodation.

As part of the 2011/12 Retail Centres Review it was assumed that 75% of these dwellings (2,038 dwellings) are occupied for a total of 10 weeks per year.

Assuming that the expenditure potential of these intermittent 'residents' is similar to that of the permanent residential population, in 2013 these visitors could contribute \$7.7 million towards sales in the centre however this expenditure is only likely to be directed to a limited range of retail outlets within the centre.

⁹ Field Survey November 2011

Visitors to the centre are a significant and valuable source of sales revenue and the potential for the centre to attract tourist expenditure could increase if the availability of tourist accommodation increases.

Sales Estimates

Based on the current supply of retail floorspace within The Entrance, estimated sales of \$96 million could be experienced in 2013.

The available expenditure exceeds these sales estimates and suggests that additional retail floorspace in the vicinity of 1,000m² is immediately supportable.

There are a number of sites within The Entrance town centre with redevelopment potential. These are identified as iconic sites.

For example, a proposal to redevelop the Lakeside Plaza shopping centre to include 9,000m² of retail floorspace and a 250 room hotel is currently under preparation. Currently this centre only provides for around 5,000m² of retail floorspace.

Should this development proceed by 2016 (and assuming the retail component includes a supermarket facility), sales in the town centre could increase to \$133 million in 2016 which is significantly more than the estimated available expenditure of \$102 million from catchment households and \$8 million (allowing for a growth in visitor expenditure). The development of a hotel component as part of the redevelopment of the Lakeside shopping centre could result in an increase in visitor spending but this is unlikely so significant as to make up the estimated \$20 million deficit.

By 2021 we anticipate that development of many of the iconic site within The Entrance town centre would have proceeded. Many of these will include accommodation for visitors, however in order to provide certainty of sales income, the proportion of permanent residents within the centre and its catchment needs to increase as these residents represent a stable and continual source of sales revenue, unlike tourist expenditure which is somewhat seasonal.

Options of increasing the resident population of The Entrance are contemplated in both the draft DCP for the Iconic Sites and The Entrance town centre master plan. These are discussed later in this Strategy.

Growth Potential

Significant development opportunities have been identified within The Entrance town centre. These opportunities include retail development, residential apartments and tourist facilities including accommodation.

The multi faceted functions of The Entrance town centre present both opportunities and constraints to its development potential and achieving the correct balance.

Although the tourist functions of The Entrance are significant and important, it is considered that this may have been at the expense of encouraging development to attract a permanent resident population to the centre.

A permanent resident population, unlike a visitor population, will provide activation to the centre throughout the year, not just during the holiday season. Activation of the centre is seen as one way of addressing the perceptions that the centre is an unsafe area at night. A permanent in-centre population will foster an environment of safety and security with opportunities for anti social behaviour being reduced through casual surveillance and territorial enforcement.

An increase in the permanent resident population will also supplement the expenditure directed to the centre and provide support to a broader spectrum of retail outlets; rather than a concentration of activities with a tourist focus.

Development of the iconic sites within The Entrance is seen as vital to its continued growth. Incentives, e.g. – floorspace ratio bonuses, for developers to provide permanent residential accommodation as part of any redevelopment/development of sites could also be considered to be

essential to ensure The Entrance continues to function as a 'model' activity centre and a focal point for the community.

The provision of a 'centre' to the centre is considered to be fundamental to the revitalisation of The Entrance and, should the redevelopment of the Lakeside Plaza site proceed, this may be achieved.

It is important that a reasonable range of retail services be provided within this centre including a full line supermarket and convenience retail services.

It has been demonstrated that there is currently sufficient expenditure available to the centre to support increased retail activities. Any increase in activities to provide for additional accommodation, both permanent and visitor, will result in there being a constant and increasing stream of revenue available to support the centre.

Lake Haven Town Centre

Centre Description

The Lake Haven town centre is located adjacent to the Pacific Highway and comprises a large shopping centre surrounded by various complementary services including the Lake Haven community health centre, library and Council services, and Gorokan leisure centre. A bulky goods retail complex is located adjacent to the Lake Haven shopping centre complex, which further contributes to the attraction and activity of the Lake Haven town centre.

The Lake Haven shopping centre is anchored by two major supermarkets and a discount department store. A range of mini-major and specialty retail stores are located both inside and outside the shopping centre. The Lake Haven town centre also provides a range of stand-alone fast food restaurants which are located in the southern end of the car parking area.

The Lake Haven town centre contains only a minor commercial/non retail component within the south-eastern buildings, separate to the primary shopping centre complex. With the exception of a gym, dental surgery and accounting firm, the town centre does not provide any significant commercial or office floor area. Government, legal, medical, specialist or other services required by the Lake Haven and surrounding communities are provided in the Toukley town centre to the east and within the Wyong town centre to the southwest.

The Lake Haven town centre therefore operates as a core retail centre with a reasonably extensive catchment area. This catchment will likely be reduced upon the development of the Warnervale town centre and the recent opening of the Lake Munmorah local centre on the Pacific Highway. The development of these centres could result in a reduction in trading capacity of the centre and this may delay any expansion plans for the convenience retail floorspace of the centre.

The Lake Haven Mega Centre is a bulky goods development immediately adjacent to the town centre site. The Mega Centre contributes to the activity within the town centre. It has also been identified as an iconic site with the objective of promoting safety, accessibility and improved pedestrian connections between the site to the adjoining Lake Haven Shopping Centre. These objectives form the basis of the Lake Haven master plan which was recently prepared by Council.

Catchment Area

The Lake Haven town centre comprises the Lake Haven shopping centre and the Lake Haven Mega Centre. This section of the Strategy only considers the shopping centre component of the Lake Haven town centre. The Mega Centre is also considered in Section 12.1 of this Strategy.

The shopping centre is located on the eastern side of the Pacific Highway north of the intersection of the Highway with Sparks Road and Wallarha Road. The centre is highly accessible to residents on the western shores of Tuggerah Lake and Budgewoi Lake and also services areas in the northern parts of the Wyong Shire.

At present the catchment area of the Lake Haven shopping centre is fairly extensive however upon development of the Warnervale town centre the catchment area will reduce. The commencement of operation of the Lake Munmorah local centre has also contracted the catchment area from the north.

The primary trade area of the Lake Haven shopping centre comprises the Warnervale Wadalba SPD, that part of the San Remo Budgewoi SPD to the west of and including the suburb of San Remo, and that part of the Gorokan SPD north of Wallahra Road.

The remaining areas of the San Remo Budgewoi and Gorokan SPDs, together with the Northern Lakes SPD comprise a significant secondary trade area for this centre. This centre also has the potential to draw trade from parts of the Toukley SPD.

Expenditure Potential

Based on the expenditure estimate undertaken as part of the 2011/12 Retail Centres Review, it is estimated that there could be \$223 million of retail expenditure (not including bulky goods expenditure) available from households in the Lake Haven catchment area in 2013.

By 2016, due to the commencement of the Warnervale town centre, it is anticipated that the level of expenditure available to support general retail outlets within the Lake Haven town centre could have reduced to \$204.6 million.

By 2021 this could have increased again to \$239.5 million due to population growth.

Other sources of Expenditure

Although the Lake Haven town centre is located proximate to the Charmhaven industrial area, journey to work data for 2006 indicates that of the 927 workers in that area in 2006, 726 (or 78%) of those workers were also Wyong residents. And of these, only 50 workers were residents who live outside the catchment area. Therefore, it is considered that any contribution by these workers towards retail sales at the Lake Haven shopping centre is likely to be only negligible.

Access to the site from the Pacific Highway is provided by a traffic signal controlled intersection with Lake Haven Drive. In this respect therefore it has the potential to attract passing trade. It is likely that most passing trade would be residents already accounted for as part of the catchment and therefore, no additional allowance for expenditure from this source has been made.

The Lake Haven shopping centre is located immediately adjacent to a bulky goods retail precinct known as Lake Haven Mega Centre. This precinct has the capacity to attract expenditure from areas beyond the estimated catchment area for the Lake Haven shopping centre. There is likely to be a synergistic effect due to the proximity of these two facilities with expenditure from beyond the estimated catchment area being directed to the Lake Haven shopping centre. It is likely that the greater proportion of expenditure from beyond the estimated trade area, which is directed to the greater Lake Haven shopping precinct (comprising the shopping centre and the Mega Centre) originates from the western areas of the Lake Macquarie LGA. Lake Haven represents the closest bulky goods precincts to these residents who would need to travel to Hillsborough Road in Warners Bay or to Kotara in Newcastle to access other bulky goods precincts (as there is only a limited supply of bulky goods retail floorspace within the Morisset industrial area).

Sales Estimates

The Lake Haven shopping centre reported a turnover of almost \$257 million in 2010¹⁰. Our estimate of available expenditure from the catchment areas located within the Wyong LGA (\$223 million) suggests that around 13% of its sales originate from areas beyond the estimated catchment area. Whilst this is considered to be high, it is not exceptionally so.

In 2010, this centre was trading at an average of just over \$8,000/m². In our opinion, this is well above what would generally be considered to be reasonable for a centre of this size and composition and suggests an element of overtrading due to lack of competition. Overtrading is the term applied to retail centres or facilities which are trading well above what would generally be considered acceptable or reasonable. It is an indication of a shortage of retail floorspace supply in an area.

We would have expected this centre to trade at around \$7,500/m² in 2010 (which was the reported turnover of the then Stockland Bay Village centre).

If a turnover of \$7,500/m² in 2010 is considered as acceptable, by 2016 this could have increased to \$7,960/m² (based on an average annual growth rate of 1%) which would equate to total sales of \$254 million. It is also likely that due to competition from the Warnervale town centre and Lake Munmorah local centre, a growth rate of 1% per annum in the period 2010 – 2016 may not be achieved. If this does occur, the centre would need to attract almost 20% of its sales from areas beyond the estimated catchment area.

Again, although 20% is a significant proportion of sales, it is not an unreasonable expectation.

By 2021, with the significant growth in the catchment population (particularly in the Warnervale Wadalba SPD which will be serviced by both the Warnervale town centre and Lake Haven town

¹⁰ Shopping Centre News , Vo 28, Number 5, 2010

centre and other local and neighbourhood centres), the proportion of sales from beyond the trade area would have reduced to approximately 10% of sales at the centre.

The above suggests that in terms of general retail floorspace, the Lake Haven town centre has achieved market saturation and expansion of this centre in the short to medium term is not warranted as it may impact on the capacity of the Warnervale town centre to establish its position within the retail network.

Toukley Town Centre

Centre Description

The Toukley town centre is located along both sides of Main Road, Toukley and extends from Yaralla Street in the west to Victoria Street in the east and also includes land up to Hargraves Street (to the south of and parallel to Main Road).

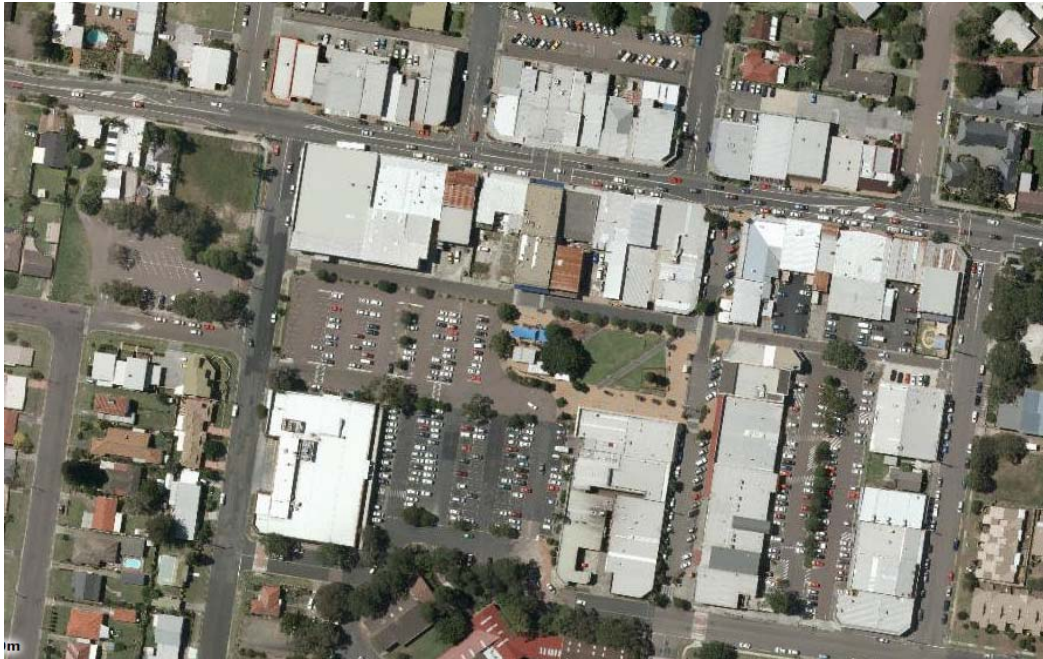


Figure B2-5 - Aerial Photograph of Toukley Town Centre (Source: Six maps)

The Toukley town centre provides a variety of retail and commercial services centred on Main Road to the north and Hargraves Street to the south (including connecting streets). The Toukley town centre is anchored by a single, stand-alone major supermarket in the south-west and the retail strip along Main Road. A range of support services are located around the town centre including Toukley health centre, Toukley community centre, Toukley Library.



Figure B2 - 6 - Main Street Toukley (Source: Toukley Planning Strategy)

While the Toukley town centre does not contain many government services, there is a high proportion of health services professionals and a range of local serving office services including a legal and accounting precinct to the southeast of the town centre. The town centre also provides for a reasonably high number of charitable organisations on and around Canton Beach Road.

As a result of the growth of the town centre around the road network and the need to connect to multiple frontages, the use of arcade-style developments has become prevalent. This style of development has resulted in mixed outcomes, as the majority of vacant retail floor space within the town centre is located within the arcades. Arcade-style developments around the southern end of Victoria Avenue and Canton Beach Road generally contain commercial and professional services and as a result experience a lower rate of vacancy.

The high proportion of non retail floorspace uses within the Toukley town centre is somewhat atypical of a centre of its size and function. This may be a legacy of the extensive range of convenience retail offering in Lake Haven and Budgewoi.

Several iconic sites have been nominated in the Toukley town centre. These include:

- Toukley RSL site – which is located between the Toukley town centre and East Toukley local centre.
- Council car park and senior citizens centre. The objective for this site is to facilitate development that will assist in revitalising the Town Centre.

Catchment Area

The location of the centre along Main Road, which is the main arterial connection between the Central Coast Highway/Wilfred Barrett Drive (which runs in a north/south direction between Doyalson and Bateau Bay (and beyond)) and the Pacific Highway, means that this centre benefits from a reasonable level of passing trade however the bulk of that passing trade would be residents from other parts of the Wyong LGA.

Its residential catchment population comprises the Toukley SPD and the eastern sections of the Gorokan SPD. For the purposes of this review it is estimated that approximately one third of the population of the Gorokan SPD could use the Toukley town centre as their destination retail centre. The majority of residents in this SPD would direct their 'town centre' expenditure to the Lake Haven town centre.

As with Wyong, this centre also has the potential to draw from other areas within the Wyong LGA and in particular from the Budgewoi and Buff Point areas, and to a lesser extent from households further north in Gwandalan, Summerland Point and Doyalson as there are community services provided in Toukley which are not available in the local centres serving these areas.

Expenditure Potential

The following estimates are based on the expenditure estimates undertaken as part of the 2011/12 Retail Centres Review. Expenditure that would generally be expected to be directed to bulky goods precincts has been excluded.

- In 2013 it is estimated that there could be \$81.1 million of total retail expenditure available from all households in the Toukley SPD and \$55.1 million available from that part of the Gorokan SPD which may be expected to patronise facilities within the Toukley town centre. The total amount of retail expenditure from these households is estimated to be \$136.2 million.

Of this total available expenditure, approximately \$54.5 million could be directed to the Toukley town centre. When this is combined with the expenditure from households in the Budgewoi and Northern Lakes SPDs that could reasonably be expected to be directed to Toukley, it is estimated that there could be a total of \$84.1 million available to support retail services in the Toukley town centre from catchment households.

These estimates are based on the Toukley town centre retaining 35% of expenditure from its primary catchment area (i.e. – Toukley SPD and the western section of the Gorokan SPD) and lesser proportions from households in the Budgewoi and Northern Lakes SPDs.

- However, it is anticipated that upon development of the Warnervale town centre the proportion of expenditure from those Gorokan SPD households which previously patronised the Toukley town centre will reduce. Therefore, the amount of support expenditure available in 2016 is likely to be less than that currently directed to the Toukley town centre.

In addition, by 2016 the local centre at Lake Munmorah should have consolidated in place in the retail hierarchy and as a result the proportion of expenditure from Northern Lakes SPD households that might currently be directed to the Toukley town centre would be 'lost' to the new Lake Munmorah centre.

It is estimated that by 2016 the level of retained expenditure could be \$83.5 million.

Other Source of Expenditure

There were over 1,500 workers employed in the Toukley town centre in 2006. More than 80% of these workers were also Wyong residents but only approximately one third of these workers were also residents of the catchment area.

Therefore, the level of expenditure by non resident workers could account towards around \$1.1 million per annum of retail expenditure in the town centre, based on these workers spending an average of \$20 per week in the centre.

In addition to expenditure by non resident workers, there is also a proportion of tourist expenditure which could be directed towards retail outlets in the Toukley town centre.

According to the 2006 Census, there were around 300 unoccupied private dwellings in Toukley. These dwellings were logged as 'unoccupied' for a variety of reasons. A reasonable number of these dwellings would be homes only occupied on an irregular basis either by their owners (as 'weekenders') or as holiday rental accommodation. In any event, expenditure by these visitors will need to be considered. For the purposes of this review it will be assumed that 200 of the 300 unoccupied private dwellings will be taken into account.

Conservatively, it will be assumed that the expenditure potential of these households is similar to that of resident households in the catchment.

Assuming these 'unoccupied' households are occupied for a total of 10 weeks per year, these households could contribute around \$900,000 per annum in 2011 towards retail sales in the Toukley town centre. Taking into account expenditure by other tourists (e.g. – visitors to caravan parks), we estimate that expenditure by tourists and visitors could contribute approximately \$2 million towards retail sales in the Toukley town centre.

Therefore these other sources of expenditure could contribute around \$3.1 million towards sales in the town centre.

Sales Estimates

Assuming the supply of retail floorspace remains constant, in 2013 the total turnover of all retail floorspace in the Toukley town centre could be \$63.2 million. This is significantly less than the estimated level of available expenditure from households in the catchment area (estimated to be \$84.1 million in 2013). There is also expenditure available from other sources (e.g. – workers and tourists) which is in addition to expenditure from resident households and could potentially support additional floorspace.

By 2016, the estimated turnover of the existing floorspace provision within the Toukley town centre (based on its current composition) could be \$65.3 million, which is also less than the estimated available support expenditure of around \$86.6 million in 2016. Notwithstanding the apparent surplus of support expenditure available to the Toukley town centre, the proximity of the East Toukley local

centre to Toukley needs to be considered in terms of distribution of expenditure as the retail floorspace in that centre would effectively account for the notional surplus of available expenditure.

Toukley Demand Potential

The catchment of the Toukley town centre is reasonably well defined by the influence of Lake Haven to the west and The Entrance and Bateau Bay to the south. The East Toukley local centre shares part of the catchment of the Toukley town centre and this will impact on the capacity of the town centre to support additional floorspace. Further, development of the new local centre at Lake Munmorah has restricted the potential of Toukley to attract expenditure from households in the Northern Lakes SPD.

As can be seen from the population projections in **Table 3**, the areas from which the Toukley town centre draws trade are unlikely to experience significant population growth over the next 15 years.

However there is the potential for redevelopment to occur within the centre. Iconic sites within the Toukley town centre which have been identified as being appropriate for redevelopment include:

- Coles, Council car park & Toukley senior citizens centre
- Old service station site and adjoining car park on the corner of Main Road and Yaralla Street

The objectives for the redevelopment of these sites relate to encouraging development which will revitalise the town centre. This is also an objective of the Toukley master plan.

It would appear that the centre functions mainly as a retail centre which provides for some community and civic services. It does not currently operate as an active centre.

In order to function as an active centre, higher density residential development needs to be encouraged to be developed within and on the fringes of the centre. Opportunities to provide seniors housing and affordable housing (with appropriate incentives for the provision of such housing types) could also be explored.

Without the injection of 'new blood' into the Toukley town centre there is the possibility that this centre will languish as a town centre. The provision of a variety of housing opportunities within and close to the centre could activate the centre and provide an additional expenditure source to balance the potential redirection of catchment expenditure to other centres, including the proposed Warnervale town centre.

Consideration of a small business area oriented towards visitors is warranted in the Canton Beach area. There are currently some businesses located along the lake frontage, however these need to be formalised and additional opportunities created to service the area which is sufficiently removed from the main Toukley centre to generate a demand for limited convenience retail services without impacting on the operation of the main centre.

Warnervale Town Centre

There has been significant investigation with respect to the likely support for a comprehensive town centre development as part of the land release in the Warnervale area.

A proposal for 33,112m² of floorspace comprising:

- 20,200 m² of retail floorspace (including a supermarket, discount department store and specialty retail floorspace).
- ancillary commercial uses of 3,608m².
- bulky goods uses of 1,892m², and
- 3,742m² of entertainment/leisure uses.

Support for the Warnervale town centre was assessed as part of the Environmental Assessment Report (EA) submitted with the Part 3A application for the centre as comprising a primary trade area of the Warnervale Wadalba SPD extending west into the Rural West SPD, secondary trade areas referred to as Secondary Wyong, Secondary Wadalba, Secondary Gorokan, Secondary Toukley, Secondary Budgewoi and Secondary Doyalson and tertiary trade areas identified as Tertiary Lake Munmorah and Tertiary Morisset.

Whilst we do not necessarily agree that the influence of the Warnervale town centre will extend to include some of the areas identified in the Sales Assessment report submitted with the EA as secondary and tertiary trade areas, it is likely that this centre will impact on the trading catchments of other established centres, particularly the Lake Haven shopping centre and, to a lesser degree, the Wyong town centre.

Notwithstanding, the Warnervale town centre will be ideally located in terms of servicing the population growth which will occur in the Warnervale Wadalba SPD. According to **Table 3** the population of this SPD will grow by an average of 4.73% per annum in the period 2006 – 2031 and between 2011 and 2016 the population will increase by 7,163 persons to 20,783 persons in 2016.

For the purposes of this review, the catchment area for the proposed Warnervale town centre is considered to comprise the Warnervale Wadalba SPD, together with parts of the San Remo Budgewoi and Gorokan SPDs. The capacity to attract some expenditure from areas beyond these including the Toukley and Northern Lakes SPDs is acknowledged but it is considered that this is only likely to be minimal, particularly in the early stages.

Expenditure Potential

It is estimated that in 2013 there could be approximately \$130.5 million available from households in the estimated catchment area for the Warnervale town centre. By 2016, the amount of available expenditure could have increased to \$150 million.

Other Sources of Expenditure

It is anticipated that around 1,200 jobs could be created within the Warnervale town centre. In addition, the Wyong Employment Zone (WEZ) is located approximately 1 km to the west of the town centre.

There is the potential for retail services within the town centre to attract workers from both the town centre and the WEZ. Whilst some of these workers will also be residents of the catchment area, as occurs in other employment areas within Wyong, a reasonable proportion of workers will reside in areas beyond the catchment of the centre in which case any contribution they make towards retail sales at the centre is considered to be an additional source of expenditure.

Sales Estimates

If all retail floorspace in the Warnervale town centre is occupied in 2013 the estimated turnover of the centre could be \$145 million (based on estimates provided in the Pitney Bowes Assessment of Market Potential, June 2010, adjusted to reflect that ALDI is no longer proposed), which is \$15 million

more than the estimated available expenditure from catchment households. Given that construction of the centre has not yet commenced, this is not a possibility.

It is assumed that the centre will not be operational until 2016 by which time it is anticipated that the centre could experience sales of \$144 million. This turnover factors in a reduction in sales reflecting a proposal by Woolworths to establish a supermarket within the Wadalba local centre. The estimated expenditure available from catchment households in 2016 will support this level of floorspace.

Appendix B3 – Local Centres

San Remo

The need for a supermarket based centre to service the northern areas of the Wyong LGA was identified in the 2006 Leyshon Retail Centres Review.

This centre was developed in 2008 and attracts a significant amount of trade from the San Remo Budgewoi and Northern Lakes SPDs. It also has the potential to attract some trade from households in the Gorokan SPD and from passing trade.

In the recent past, due to a lack of significant competition, this centre was overtrading. However, development of a new centre at Lake Munmorah has addressed this imbalance to an extent by 'arresting' expenditure from households in the Northern Lakes SPD which was previously directed to the San Remo centre.

It is estimated that sales at this centre could be \$41 million in 2013. The level of expenditure directed to the centre prior to the commencement of operation of the Lake Munmorah centre was estimated to exceed \$60 million, supporting the opinion that the centre is currently overtrading.

The commencement of trading of the development at Lake Munmorah has reduced the level of expenditure directed to the San Remo centre however the estimated available support expenditure is still sufficient to allow the centre to trade sustainably.

Budgewoi

The Budgewoi local centre comprises two villages. The western village is located to the west of Budgewoi Creek. This centre provides a wide range of retail and commercial services. This centre is located off the Scenic Drive (Central Coast Highway) and is highly accessible.

There is a smaller centre (to the east of Budgewoi Creek), which, supports a mixture of retail, dining and entertainment services, including a large pub and take away food stores.

The Budgewoi local centre is generally contained by the Central Coast Highway to the south, Noela Place to the west, Tenth Avenue to the north, and Alawai Ave to the east. This centre is anchored by a major supermarket retailer with a range of retail and commercial services located in independent buildings.

The Budgewoi local centre provides a range of retail and commercial services to a medium catchment area around Budgewoi. Core commercial and government services not provided in Budgewoi are located in the Toukley and The Entrance town centres to the south.

Growth Potential

Budgewoi is a comprehensive local centre offering a wide variety of goods and services to its catchment. The centre also has the ability to attract sales from passing trade given its location on Scenic Drive (also known as the Central Coast Highway) which is part of the main north-south coastal link between the Pacific Highway at Doyalson and Bateau Bay and areas beyond.

The catchment for this centre includes the San Remo Budgewoi SPD and parts of the Toukley SPD. This centre also attracts expenditure from households in the Northern Lakes SPD.

It is estimated that retail sales in the centre could be \$42.7 million in 2013. Assuming the quantum of retail floorspace remains constant, sales in 2016 could be \$44.1 million.

Based on the expenditure estimates undertaken as part of 2011/12 Retail Centres Review, it is estimated that \$59 million could be directed to the Budgewoi local centre from its catchment households in 2013.

With the Lake Munmorah local centre commencing operation, the proportion of expenditure from Northern Lakes households may reduce. In 2016 the level of available expenditure might only be \$56.5 million.

Notwithstanding this slight reduction in available expenditure in 2016, these estimates suggest that there is a reasonable proportion of surplus expenditure available to support additional retail floorspace within the Budgewoi local centre, however, it must be appreciated that, like Toukley, a proportion of this expenditure is also likely to be directed to the Budgewoi East centre.

The Budgewoi master plan (which includes both the east and west villages) envisages activation of that part of the west village away from Scenic Drive. This part of the centre is currently experiencing low activity levels and consequent vacant premises, poor amenity and security issues. In order to ensure there is an attractor to this part of the centre options to rezone land to the north of Tenth Avenue to provide additional floorspace have been considered. The provision of additional zoned land to support additional retail floorspace is supported and encouraged to revitalise this centre.

Lake Munmorah

A new shopping centre comprising a supermarket, specialty shops and a medical centre on the intersection of Pacific Highway and Tall Timbers Road has recently commenced operation (May 2013).

The centre provides much needed convenience retail services to Lake Munmorah and surrounding localities. As the nearest supermarket based shopping centre is at San Remo, it is considered that the approved shopping centre will feature as a key local retail centre throughout the north of Wyong Shire LGA and into the south of Lake Macquarie LGA.

The site of the approved shopping centre development in Lake Munmorah is capable of further expansion to include the provision of a wider range of services and facilities which will service the potential future population expansion of the northern part of Wyong Shire.

Growth Potential

The development comprises a total of 5,500m² of floorspace, including a 3,800m² supermarket, 1,200m² of specialty retail floorspace and a 500m² medical centre.

This centre will primarily service the residents of the Northern Lakes SPD. As with the San Remo centre, the need for this centre was also identified in the 2006 Retail Centres Review.

In 2013 households in the Northern Lakes SPD will expend an estimated \$127.4 million across the range of retail commodity groups – not including bulky goods retail expenditure. Prior to centre being available, this expenditure was directed to a number of different centres within the Wyong LGA (with a proportion also being directed to centres in Lake Macquarie) including the San Remo and Budgewoi local centres and the Lake Haven and Toukley town centres. A proportion was also directed to Wyong town centre and the Tuggerah major centre but this is likely to continue to be the case.

It is estimated that sales at the new centre at Lake Munmorah will be approximately \$48.5 million in 2013. Given its location (Pacific Highway frontage with access via a signalised intersection) it is reasonable to factor in the capacity for the centre to attract a proportion of its sales from passing trade. As with Bateau Bay town centre, it is assumed that 5% of total sales (or \$5 million) could be attributed to passing trade.

Therefore, taking this into consideration, the centre will need to attract around 35% of available expenditure from Northern Lakes households in order to trade effectively. The potential for this proportion of expenditure to be directed to the centre is not considered unreasonable and will ensure that there is sufficient 'uncommitted' expenditure to support other centres in the area including the neighbourhood centres.

Although neighbourhood centres within the catchment have likely experienced of downturn in sales since the opening of the Munmorah centre, it is considered that there is sufficient expenditure available from households within the Northern Lakes SPD to continue to support these neighbourhood centres.

Ourimbah

The Ourimbah village centre comprises a small retail strip-shop complex on the corner of the Pacific Highway and Glen Road, with complementary retail and commercial services located north and south along the Pacific Highway. The wider local centre area is generally located along the Pacific Highway between Walmsley Road in the south and Station Street in the north.

While the centre includes a reasonable variety of core and specialty retail services, there appears to be a need for the village centre to expand the range of services provided. The demand for additional services and areas in which they could be accommodated was investigated as part of 2011/12 Retail Centres Review.

It is understood that a master plan which will provide detailed guidelines for future development in the Ourimbah local centre will shortly be prepared by Council.

Growth Potential

The Ourimbah local centre serves the local Ourimbah community. Its location on the Pacific Highway, on that part of the highway which links Gosford to the F3 Freeway suggests that it also has the potential to attract expenditure from passing trade.

Presently this centre has only a limited supply and range of retail outlets and no supermarket facility. Residents within the Ourimbah SPD are required to travel to centres beyond their local area in order to access a broader range of convenience retail facilities, including supermarket facilities.

A proportion of expenditure from Ourimbah households would be directed to centres at Lisarow and Wyoming (in the Gosford LGA). These are the closest supermarket based centres to the Ourimbah local centre (Tuggerah being 9.5km by road from Ourimbah).

It is estimated that around \$12.5 million of expenditure from households in the Ourimbah SPD could be directed to the Ourimbah local centre in 2013. This is significantly more than the retail sales at the centre for the equivalent period (estimated to be around \$4 million in 2013).

In addition to expenditure from residents, the potential to attract some expenditure from passing trade exists.

It is estimated that by 2016 there could be approximately \$18.5 million available to support retail shops in the Ourimbah town centre. The option of providing additional retail facilities within the centre to retain this expenditure is discussed in Section 9.3.2.2 of this Strategy.

Long Jetty

The Long Jetty commercial centre extends along both sides of The Entrance Road from McLachlan Avenue in the south beyond Toowoona Bay Road in the north.

The centre comprises a mix of uses including a number of service industrial type uses. Many of the facilities within the Long Jetty centre provide services to passing trade and to a wider area.

As at October 2011, approximately 7,200m² of the total estimated floorspace of 22,000m² was occupied by retail outlets and around 11,300m² was used for non retail activities. Over 3,400m² (or 15%) of the total floorspace within the centre was vacant at the time of the survey. Since that time it is understood that some of the vacant floorspace has been occupied.

As with The Entrance, Long Jetty suffers from a lack of a 'centre' within the centre. There is only a negligible amount of shop top housing development within the centre and a significant amount of building stock which appears to be nearing the end of its economic life. The development of permanent residential accommodation within the centre could be an appropriate response to the perception of decline of this centre.

The iconic site within the Long Jetty local centre is a block bound by Thompson Street, Tuggerah Street, Pacific Street and The Entrance Road. This block is located towards the northern end of the centre. The objective for the development of this site to accommodate mixed use development

focussing on local convenience and speciality retail plus commercial and community services, with residential attached to those uses.

Growth Potential

As previously described, the Long Jetty centre is a lineal centre comprising a variety of retail, commercial and service/light industrial uses. It is characterised by its length, the variety of outlets represented, the relatively high proportion of vacant floorspace and the high percentage of non retail uses (including service industrial uses). Therefore, unlike most other centres in Wyong in which retail outlets are the dominate floorspace user (with the exception of the Wyong town centre), Long Jetty does not appear to be relying solely on attracting retail expenditure in order to support the centre. This eclectic mix of uses within the centre suggests it might be more appropriately referred to as a business centre, rather than a local retail centre.

The presence of the service industry uses within the centre provides an alternative focus in terms of the function of the centre and its 'catchment'. These uses are likely to attract custom from a much wider area than the retail component of the centre.

The Long Jetty centre is located on the Central Coast Highway north of its intersection with Wyong Road. It is proximate to the residential areas of Long Jetty, Blue Bay, Toowoona Bay and Bateau Bay and within an area which is well serviced by a variety of retail centres as evidenced in the centres locality plan at **Appendix A**.

Although, some of the retail outlets within the Long Jetty centre would service residents in the immediate area surrounding the centre, it is likely that the bulk of sales at this centre originate from passing trade. In this regard a significant proportion of the retail floorspace in this centre targets passing trade.

It is estimated that the floorspace which functions as convenience retailing for the surrounding residential community would need to attract approximately \$23 million in 2013 to trade at an acceptable level. This estimate is based on estimated turnover of those stores considered to be local serving as opposed to those retail outlets which specifically target passing trade (such as a proportion of the take away food outlets (there are 6 take away food stores in the centre), specialised facilities such as hardware and building supply stores, tattoo parlours, trailer sales, aquarium sales, accessibility products store, bait and tackle stores and used furniture stores.

Based on our estimates of available expenditure and distribution of that expenditure it is considered that the centre is probably attracting in excess of that amount from its local catchment households. This suggests that there would be sufficient support if some additional convenience retail floorspace was included as part of the retail mix of the centre.

Sales of all retail floorspace within the Long Jetty centre are estimated to be \$40 million in 2013. However, a reasonable proportion of the floorspace in the Long Jetty centre is occupied by outlets which are generally classified as bulky goods' retail outlets. Although this is not considered to be a precinct per se, 35% of the floorspace is occupied by bulky goods stores. If this floorspace is excluded from the general retail area in terms of sales, sales of general retail goods could be \$28 million in 2013.

In 2001¹¹ almost 29,500 vehicles travelled along The Entrance Road north of its intersection with Wyong Road/Shelley Beach Road (i.e. – in the vicinity of the Long Jetty business area). This volume was an increase of approximately 3,500 vehicles from the 1990 vehicle count.

Assuming the growth the vehicular traffic has been consistent, in 2011 33,000 vehicles could have travelled along The Entrance Road through the Long Jetty centre.

If 5% of these vehicles stopped at retail outlets in the centre and made purchases totalling \$10 per day on average, passing trade could contribute almost \$6 million annually to sales at particular

¹¹ RTA Traffic Volume Data for the Hunter Region 2001. This is the most recently published traffic volume data for the area.

outlets in the centre. Therefore, the expenditure attracted from passing trade could make up the difference in the sales in the centre.

Wadalba

The Wadalba village centre is a developing area of land located on Figtree Boulevard that supports the surrounding community of Wadalba, including future residential development. Currently, the Wadalba village centre comprises only a single supermarket development of approximately 1,500m². At the time of writing, expansion of a local shopping centre including a medical centre, shops, ancillary parking and other works (approved by Council on 17 October 2011) is yet to be commenced.

Woolworths is also seeking to develop a supermarket and specialty retail floorspace in Wadalba (on land adjacent to the Coles development) however the current draft planning controls as they relate to this centre do not permit this. Woolworths has sought to have the land rezoned to permit their development but this has not yet proceeded.

Although this centre currently functions as a neighbourhood centre, the residential development potential of the Wadalba locality and surrounds is such that the option of elevating this centre to the status of a local centre is considered reasonable.

Issues to consider in relation to a possible expansion of this centre include appropriate zonings, demand and impacts on the delivery of a centre at East Wadalba and the Warnervale town centre.

Growth Potential

Wadalba is something of an anomaly as a local centre based on the services currently provided in this centre. There is currently only a Coles supermarket within the centre however approval for a medical centre and specialty shops has been issued by Council.

In addition, Woolworths has made a number of representations to Council with a view to establishing a supermarket on land adjacent to the existing Coles supermarket. A proposal comprising a 3,200m² supermarket and 80m² of specialty shops, together with a service station and associated convenience store has been put forward for consideration. This proposal is much larger than that originally considered as part of the 2011/12 Retail Centres Review. At that stage the proposal comprised a 2,000m² supermarket and around 800m² of specialty retail floorspace.

As a separate project, the Economic Impact Assessment (EIA) for the Wadalba Woolworths development has been independently assessed and the findings of that peer review have been provided to Council.

Essentially, the EIA was based on the assumption that the retail component of the Warnervale town centre development would not commence trading until 2017/18. In addition, the EIA made a number of other unsupported assumptions which have resulted in skewed conclusions in favour of the development.

Should these additional services be provided, it is considered that Wadalba will indeed be able to function as a local centre, notwithstanding that the range of services provided, particularly in the short to medium term may be somewhat limited.

It is true that this centre is located within a part of Wyong which is likely to experience significant population growth over the next 25 years however the rate at which the population will grow will be a significant factor in the determining the demand for additional retail services. In the period 2006-2011 the population of the estimated catchment of the Wadalba centre grew much slower than the rate predicted in the CCRS and NWSSP. It is recognised that growth during this period was stymied somewhat by the Global Financial Crisis however given that the base from which the demand has been assessed is lower than previously expected it is likely that demand for additional retail floorspace will be similarly affected.

There is a risk that the provision of this additional retail floorspace at Wadalba and the commencement of operation of the Warnervale town centre shopping centre will result in an

oversupply of retail floorspace. Alternatively, that approval of the Wadalba development will result in the delivery of the Warnervale town centre being delayed.

Whilst the provision of a local centre at Wadalba is likely to be warranted in the future, it is critical that expansion of the retail facilities at Wadalba do not stymie or delay the approved development within the Warnervale town centre.

Therefore it is considered that supplementary information is required so that the impacts of additional retail floorspace at Wadalba can be fully appreciated .

East Toukley

The East Toukley local centre is located on Main Road, approximately 800 metres east of the Toukley town centre. Despite its relative proximity to the Toukley town centre, East Toukley appears to be trading well, probably due to the recent inclusion of an ALDI store as part of the centre.

The East Toukley centre comprises almost 6,500m² of floorspace (not including residences within the centre), 3,200m² of which is occupied for retail purposes. Approximately 50% of the centre is occupied for non-retail uses including service industrial type activities. Notwithstanding, the outlets within the centre provide a reasonable range of services, both retail and non retail, to the surrounding local community.

East Toukley is a reasonably compact centre with street parking and good exposure to the Main Road. The Toukley Primary School is located on the eastern fringe of the centre and this serves to strengthen its role as a hub for the local community.

Growth Potential

East Toukley functions as local centre within the Wyong retail centres network and shares part of the Toukley town centre catchment, particularly since the introduction of the ALDI store into the retail mix of the East Toukley centre.

This store is the only ALDI servicing the northern parts of the Wyong LGA. Other ALDIs in Wyong are currently located at Tuggerah and Bateau Bay.¹² Therefore it has the capacity to draw trade from a similar area to the Toukley town centre.

We previously estimated that the expenditure potential for the catchment of the Toukley town centre could be \$84.1 million available from catchment households in 2013 and this reduces to \$83.5 million in 2016. Expenditure from catchment households could be supplemented with an estimated \$2.7 million in expenditure from non resident workers and tourists.

The turnover of retail outlets in the East Toukley is estimated to be \$23.6 million, increasing to almost \$24 million in 2016.

These sales will account for the theoretical 'surplus' expenditure of around \$20 million from the Toukley town centre.

Killarney Vale

The Killarney Vale commercial area provides for a variety of retail and non retail outlets including a Bi-Lo supermarket, pharmacy, medical practice and other uses. The Killarney Vale centre stretches along a section of frontage to Wyong Road between South Street and Shortland Avenue.

There is good connectivity within the centre.

There are some vacant/undeveloped sites on the land that are capable of development in the future. The Killarney Vale local centre is serviced by two bus stops in the length of the commercial area, and a number of crossings along Wyong Road, which provide pedestrian access to the centre from the residential areas on the northern side of Wyong Road.

Growth Potential

¹² There is an approved ALDI in the Wyong town centre but this has not yet been built.

The Killarney Vale centre is a well located local centre on Wyong Road. It provides for the convenience retail needs of the Killarney Vale population and would also provide a service to the motorists using Wyong Road.

It is estimated that the sales likely to be generated by the retail floorspace within the Killarney Vale local centre could be \$15.4 million in 2013 with the potential to increase to \$16 million in 2016 assuming the quantum of retail floorspace within the centre remains unchanged.

Killarney Vale is located within the Southern Lakes SPD. Expenditure from households in this area is distributed to a number of higher order centres including Tuggerah, Bateau Bay, Wyong and The Entrance. Notwithstanding, it is estimated that in 2013 there could be \$41 million of expenditure from Southern Lakes households that could be directed to other centres, including Killarney Vale. \$15.4 million of turnover represents approximately 37% of the 'uncommitted' retail expenditure from Southern Lakes households.

Chittaway Point

The Chittaway Point local centre is located at the intersection of Wyong Road and Chittaway Road, Chittaway Point.

There is ample at grade car parking located to the north of the centre.

The centre is anchored by a Coles supermarket with 15 specialty shops. The total floorspace of the centre is 3,000m² (not including the hotel and service station which are located adjacent to the centre).

The centre is well located to attract residents entering the suburb of Chittaway Point from Wyong Road. It is experiencing good retail 'health' with no vacancies as at the date of survey.

Growth Potential

This centre is also within the Southern Lakes SPD and provides for the day to day needs of the Chittaway Bay population and to a lesser extent, households in Chittaway Point.

Its location at the intersection of Wyong Road and Chittaway Road suggests that it could also attract trade from passing traffic. Furthermore, it is the centre most proximate to the Berkeley industrial area and has the potential to attract some trade from workers and visitors to that area.

In 2013 it is estimated that the Chittaway shopping centre could experience a turnover of \$21.2 million, which represents just over 50% of the estimated 'uncommitted' available expenditure from Southern Lakes households in 2013.

By 2016, the retail outlets in this centre could have a total turnover of almost \$22 million, which again is approximately 50% of the estimated expenditure available to local and neighbourhood centres from Southern Lakes households.



***Gwandalan Residential Development,
Concept Plan MP10_0084***

Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

May 2012

© Crown copyright 2012
Published May 2012
NSW Department of Planning
www.planning.nsw.gov.au

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

EXECUTIVE SUMMARY

This is a report for an application seeking Concept Plan approval for development of a site at Gwandalan, in the Lower Hunter region, for residential purposes, pursuant to Part 3A of the *Environmental Planning and Assessment Act, 1979* ("the Act").

Current Proposal

Coal & Allied (the proponent) is seeking Concept Plan approval for an indicative layout of the Gwandalan site for residential development and dedication of land for conservation purposes, comprising the following:

- development of 62.24ha of the site for a maximum of 623 residential dwellings across two stages;
- Torrens title subdivision to allow for the excision and dedication of 205.75ha of land for conservation purposes, including a 100 metre wide foreshore reserve;
- up to 3,000m² of local commercial / retail floor space within the development area;
- conceptual road layout incorporating pedestrian and cycle paths;
- infrastructure works including bio-retention drainage facilities; and
- landscaping and open space.

The proponent also submitted a State significant site (SSS) study in support of rezoning the site for residential and environmental protection. The site was rezoned by way of an amendment to the *Wyong Local Environmental Plan 1991* on 13 April 2012.

The estimated project cost of the total development is approximately \$149 million.

Previous Applications and Independent Hearing and Assessment Panel

The proponent lodged Concept Plan and State Significant Site (SSS) rezoning applications for the same site in February 2007. These applications were withdrawn on 11 June 2010 in light of decisions by the Land and Environment Court which invalidated the former Minister for Planning's approvals relating to the Rose Property Group development at Catherine Hill Bay / Gwandalan, and Huntlee. Under the transitional provisions for Part 3A projects, the Part 3A declaration for the previous Concept Plan application has been revoked and as such the application is no longer a Part 3A project.

The previous Concept Plan application was subject to an Independent Hearing and Assessment Panel (IHAP) which was established on 19 June 2007 at the direction of the then Minister. The current concept plan incorporates recommendations made by the IHAP in respect of the former 2007 concept plan proposal. Recommendations made by the IHAP have been considered by the Department in its assessment of the current application.

Consultation

The Environmental Assessment for the Concept Plan was exhibited with the State Significant Site study for Gwandalan from 17 November to 17 December 2010. The proposal for Gwandalan was exhibited concurrently with the proposals for Middle Camp and Nords Wharf. These sites are also owned by Coal & Allied and are part of the lands known as the Coal & Allied Southern Estates.

The Department received 49 submissions from the public, 48 of which were in objection to the proposal. Submissions were also received from the following 11 Government agencies: Mine Subsidence Board, former Department of Environment, Climate Change and Water (now the Office of Environment and Heritage), Heritage Office, Hunter Central Rivers Catchment Management Authority, Hunter New England Area Health (NSW Health), Roads & Traffic Authority, Wyong Shire Council, former Department of Industry and Investment (Mineral Resources), NSW Rural Fire Service, NSW Office of Water, the former NSW Transport and the Commonwealth Department of Sustainability, Environment, Water, Population and Communities.

Of the Government agencies, Wyong Council and the former Department of Industry and Investment (DI&I) objected to the proposal. Council's concerns related to the timing, scale, and biodiversity impacts of the proposal. The DI&I's objection related to sterilisation of the site for future mining and risk of subsidence.

Key issues raised during the consultation included:

- traffic impact and access;
- impact on existing water/sewerage infrastructure;
- community infrastructure and local facilities/services and employment;
- ecological impact and the conservation value of the land;
- Aboriginal and European heritage;
- cumulative impacts;
- scale of the proposed development;
- mine subsidence and impact on mining potential;
- housing supply;
- amenity impacts relating to the village character and lifestyle of Gwandalan; and
- the statutory planning context and the Part 3A process.

Preferred Project Report

On 15th March 2011, the Proponent submitted its response to submission and Preferred Project Report to address issues raised by the Department, agencies and public submissions. The only substantial change to the concept plan involved provision of an additional access from the south west of the development to Kanangra Drive to address issues raised by the Rural Fire Service regarding emergency access.

The Proponent also provided a revised Statement of Commitments. In addition, the Proponent submitted a Revised State Significant Site study, including an Amended Zoning Plan and Amended Additional Permitted Uses Map. The Amended Zoning Plan proposed a B4 zone at three locations – two west of the proposed foreshore park and one in the north of the site, adjacent to the proposed seniors living units - to allow for retail/commercial uses. The Amended Additional Permitted Uses Map allowed for seniors housing in the north of the site and attached dwelling and multi dwelling housing adjacent to the proposed foreshore park.

On 16 June 2011, the Proponent submitted an addendum to its PPR, which included a revised Heritage Impact Statement.

Voluntary Planning Agreement

A voluntary planning agreement (VPA) was executed on 12 March 2012 to facilitate the transfer of conservation lands to the NSW Government and make arrangements for the payment of contributions towards designated State infrastructure. The draft VPA was exhibited concurrently with the concept plan and SSS proposal. The VPA has been entered into by the Minister for Planning and Infrastructure, the Minister for Environment and the proponent.

Summary of Assessment

The Department has assessed the merits of the proposal and is satisfied that the impacts of the proposed development have been addressed via the proponent's preferred project report and response to submissions, the Statement of Commitments and the Department's recommendations. The concept plan, with recommended modifications, is supported because it is generally consistent with the objectives of the *Lower Hunter Regional Strategy*, is an identified urban release area and contributes to the growth and dwelling targets for the subregion.

The proposal adequately addresses the Director-General Requirements for the project. On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the region, subject to modifications to the concept plan. All statutory requirements have been met.

In determining the concept plan, the Department recommends that all future development is subject to Part 4 of the Act, with Council as the consent authority. The Department also recommends that the Torrens title subdivision to enable the transfer to conservation lands requires no further assessment and that the Minister grants project approval in conjunction with the concept plan.

CONTENTS

EXECUTIVE SUMMARY	i
1 BACKGROUND	2
2 PROPOSED DEVELOPMENT	4
2.1 The Concept Plan	4
2.2 Preferred Project Report / Response to Submissions	5
2.3 Staging	6
2.4 Voluntary Planning Agreement	6
2.5 Project Need and Justification	7
3 STATUTORY CONTEXT	7
3.1 Major Project	7
3.2 State Significant Site Study	7
3.3 Permissibility	8
3.4 Objects of the EP&A Act 1979	8
3.5 Ecologically Sustainable Development	9
3.6 Director-General's Report	9
3.7 Other Relevant Legislation and Environmental Planning Instruments	10
3.8 Commonwealth Legislation	11
4 CONSULTATION AND ISSUES RAISED	11
4.1 Consultation	11
4.2 Submissions from the Public	11
4.3 Submissions from Government Agencies	13
5 INDEPENDENT HEARING AND ASSESSMENT PANEL	14
6 ASSESSMENT ISSUES	15
6.1 Land Use and Urban Design	15
6.1.1 Proposed Land Uses	15
6.1.2 Development Area and Lot layout	18
6.1.3 Urban Design Guidelines (UDGs)	20
6.1.4 Visual Impact	22
6.2 Infrastructure Contributions	22
6.2.1 State Infrastructure Contributions	22
6.2.2 Local Contributions – Section 94	23
6.2.3 \$5 Million Allocation	25
6.3 Soils & Water	26
6.3.1 Stormwater and Groundwater Management	26
6.3.2 Flooding and Climate Change	28
6.3.3 Contamination	29
6.4 Future Mining and Mine Subsidence	30
6.4.1 Mine Subsidence Hazard	31
6.5 Traffic and Transport	33
6.5.1 Regional Roads	34
6.5.2 Local Roads	36
6.5.3 Public Transport	36
6.6 Flora and Fauna	37
6.7 Aboriginal Heritage	41
6.8 Bushfire Management	43
7 CONCLUSION	46
8 RECOMMENDATION	47
APPENDIX A. RECOMMENDED INSTRUMENT OF APPROVAL	48
APPENDIX B. PREFERRED PROJECT REPORT /RESPONSE TO SUBMISSIONS	49
APPENDIX C. INDEPENDENT HEARING AND ASSESSMENT PANEL REPORTS	50
APPENDIX D. ENVIRONMENTAL PLANNING INSTRUMENTS	51
APPENDIX E. ENVIRONMENTAL ASSESSMENT	53

APPENDIX F.	SUBMISSIONS SUMMARY	54
APPENDIX G.	POLITICAL DONATION DISCLOSURES	55

1 BACKGROUND

The Gwandalan Site (the site) is part of the Coal & Allied Southern Estates, comprising land holdings at Nords Wharf, Gwandalan and Middle Camp (Figure 1). The Middle Camp and Nords Wharf sites are the subject of separate State Significant Site (SSS) rezoning and concept plan proposals. The Coal & Allied Southern Estates are located on the South Wallarah Peninsula, and within the Lower Hunter Region.

The site is located immediately south of the existing urban centre of Gwandalan, within the Wyong Shire Local Government Area (see Figure 1). The closest town centre is Swansea, a distance of 19km to the north east. In a regional context, the site is located within the Lower Hunter Region between Gosford and Newcastle.



Figure 1 - Site Location (Development Site shaded in blue, conservation lands shaded dark green)

The site area is approximately 268 hectares (see Figure 2) comprising:

- The proposed development area (62.24 hectares); and
- The proposed conservation lands (205.75 hectares).

The registered land titles which make up the site are listed as Lot 2 DP 1043151 and Lot 57 DP 755266. The site is bound by a paper road (adjacent to Summerland Road) and Gwandalan village to the north, Crangan Bay in Lake Macquarie to the east, undeveloped vegetated land to the south and Kanangra Drive to the west.

The site is accessed from the Pacific Highway, which is located to the south of the site, via Kanangra Drive.

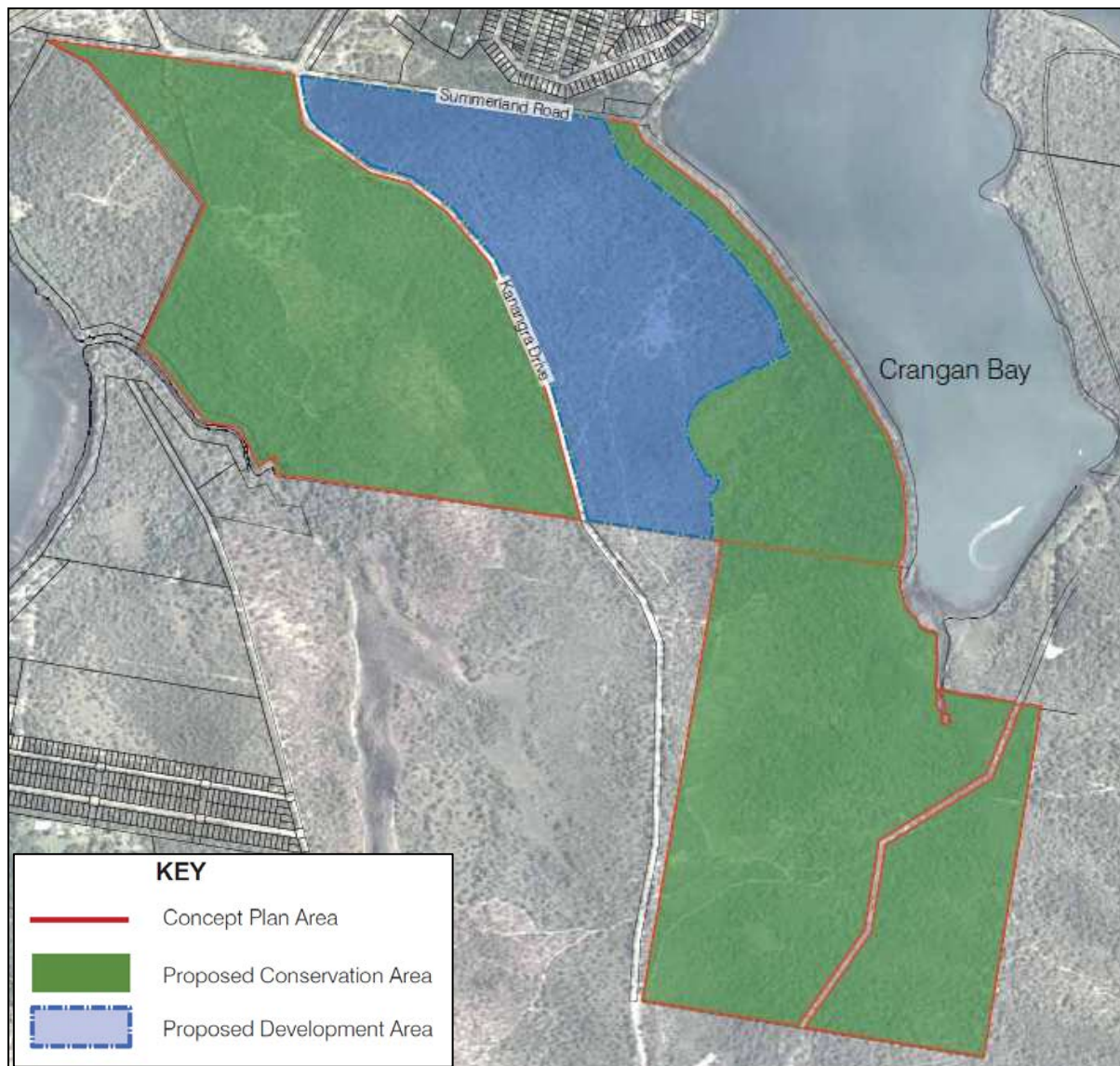


Figure 2 – Map of Proposed Development Area and Conservation Area

1.2 Site Description

The site features a mild to moderate fall to the north-east to the shoreline of Crangan Bay, forming part of the southern parts of the Lake Macquarie catchment. The site is also characterised by substantial stands of mature Snappy Gum Woodland, along with other native Eucalypt species, with ground cover predominantly native shrubs.

The site contains a shallow valley identified as Strangers Gully, which contains two Endangered Ecological Communities ("EECs") identified as 'Riparian Melaleuca Swamp Woodland' and 'Coastal Wet Sand Cyperoid Heath'.

1.3 Site History

The Aboriginal people from the Awabakal clan were the original occupants of the Wallarah Peninsula and Lake Macquarie area. Soon after the founding of the Colony of NSW in 1788, coal was discovered in the Hunter region (1794). Before long, entrepreneurial mining activities were established in NSW which led to the establishment of collieries across the Hunter region, including the Wallarah Colliery. Coal & Allied has been operating in the Hunter region for over 150 years and is one of the major coal producers in the region.

The site is subject to a mining lease held by Lake Coal. A current application has been submitted to the NSW Department of Planning and Infrastructure.

The site is identified as a location for a power station under the *Wyong Local Environmental Plan 2004*, but no development has ever progressed.

1.4 Previous Applications

The proponent previously submitted concurrent concept plan, project and State significant site (SSS) applications in 2007 for each of the Southern Estates sites at Nords Wharf, Middle Camp and Gwandalan. This followed a Memorandum of Understanding (MoU) which was entered into in 2006 between the NSW Government and the proponent, providing for the dedication of land within the Lower Hunter for conservation, and development of other land including land at Gwandalan, Nords Wharf and Middle Camp.

The applications were, however, subsequently withdrawn by the proponent on 11 June 2010. This was in light of NSW Land and Environment Court proceedings which resulted in the invalidation of the former Minister's approvals relating to Catherine Hill Bay/ Gwandalan (Rose Property Group) and Huntlee, which were also subject to MoUs. The Department advised Coal & Allied that following a review of the court proceedings it considered that the former Minister could not determine the applications. The MoU was subsequently rescinded by way of a Deed of Termination.

Coal & Allied's previous applications were subject to review by an Independent Hearing and Assessment Panel (IHAP) which was appointed by the Director-General on 24 July 2007, at the direction of the former Minister. The recommendations of the IHAP are considered relevant in making an assessment of the current application. This is discussed further in Section 5.

2 PROPOSED DEVELOPMENT

2.1 The Concept Plan

The Concept Plan seeks approval for the following:

- development of 62.24ha of vacant land for up to 623 residential dwellings;
- dedication of 205.75ha of conservation land from the site to the NSW Government, including subdivision to excise the conservation lands;
- up to 3,000m² of local commercial / retail floor space within the development area;
- indicative staging of the future development of the site;
- indicative local road network;
- three public recreation parks and two bushland reserves (including Strangers Gully);
- vegetation buffer corridor along Kanangra Drive; and
- road and intersection upgrades in the vicinity of the site.

Approval is not being sought for a specific lot layout. However, an indicative layout has been provided showing how the maximum yield of 623 would be achieved as well as potential locations for open space, bushland reserves and a vegetated buffer (see Figure 3). The indicative lot layout proposes varied lot sizes ranging from 300 to 950sqm, with some larger lots up to 1,500sqm, to accommodate a mix of housing types.

The proposed Concept Plan identifies sites for local shops and services, being adjacent to the public recreation park, and within the proposed super-lot which the Proponent identifies will be considered for a seniors housing development.

The estimated capital investment value of the proposal is \$149 million.

2.2 Preferred Project Report / Response to Submissions

On 15th March 2011, the Proponent submitted its response to submission and Preferred Project Report to address issues raised by the Department, agencies and public submissions. The only substantial change to the concept plan involved provision of an additional access from the south west of the development to Kanangra Drive to address issues raised by the Rural Fire Service regarding emergency access. The Proponent also provided a revised Statement of Commitments. In addition, the Proponent submitted a Revised State Significant Site study, including an Amended Zoning Plan and Amended Additional Uses Map. The Amended Zoning Plan proposed a B4 zone at three locations to allow for retail/commercial uses. The Amended Additional Permitted Uses Map allowed for seniors housing in the north of the site and attached dwellings and multi dwelling housing adjacent to the proposed foreshore park.

On 16 June 2011, the Proponent submitted an addendum to its PPR, which included a revised Heritage Impact Statement.

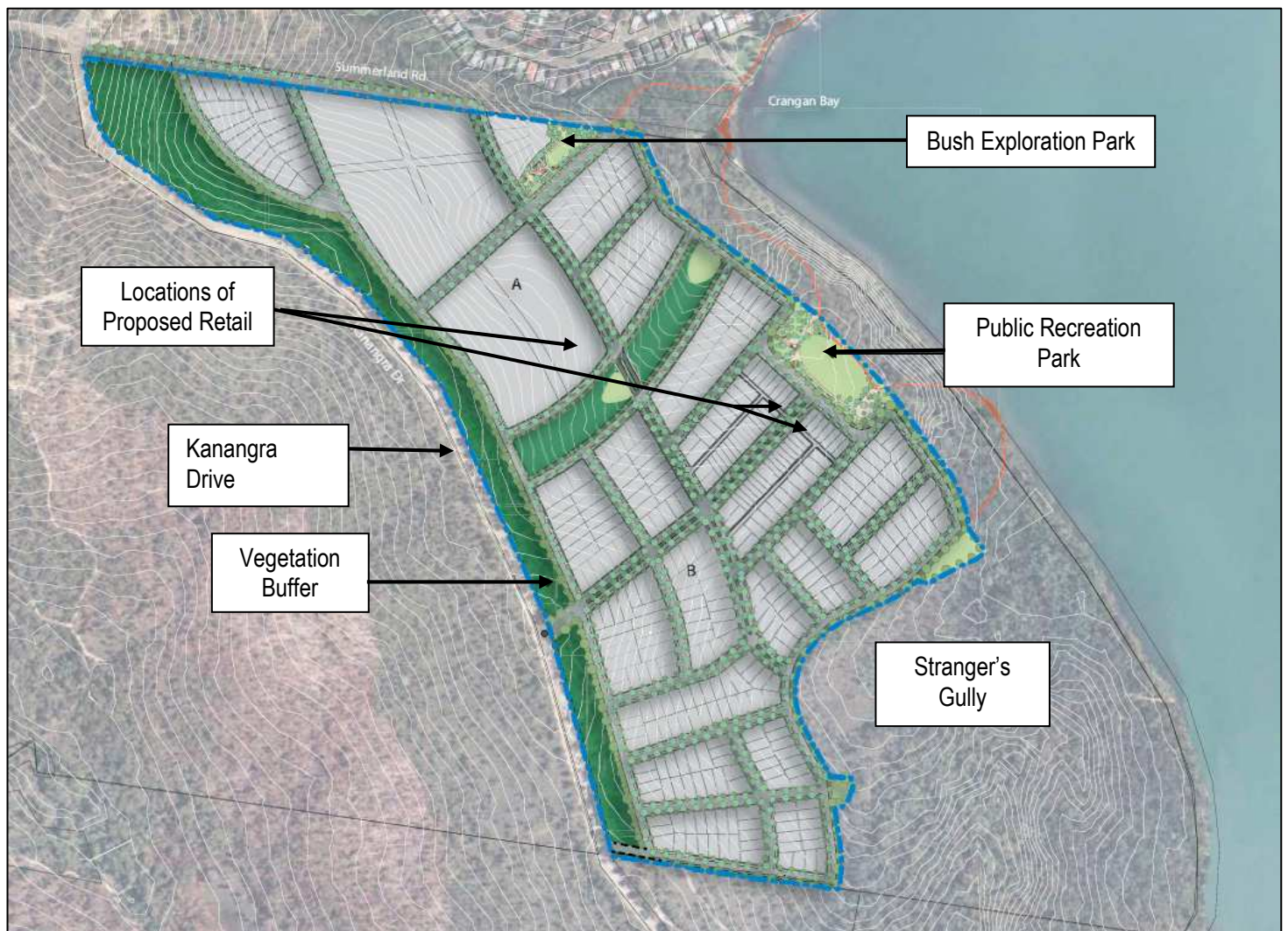


Figure 3 - Proposed Concept Plan and indicative lot layout (preferred project report)

2.3 Staging

Development staging, including connections to and provision of infrastructure, is proposed to commence in the north of the site and extend progressively southwards (refer to Figure 4 Staging Plan, below).

It is proposed that sewer, water and electricity infrastructure will be provided in the first stage. The number of proposed lots in each stage will be determined by market forces.

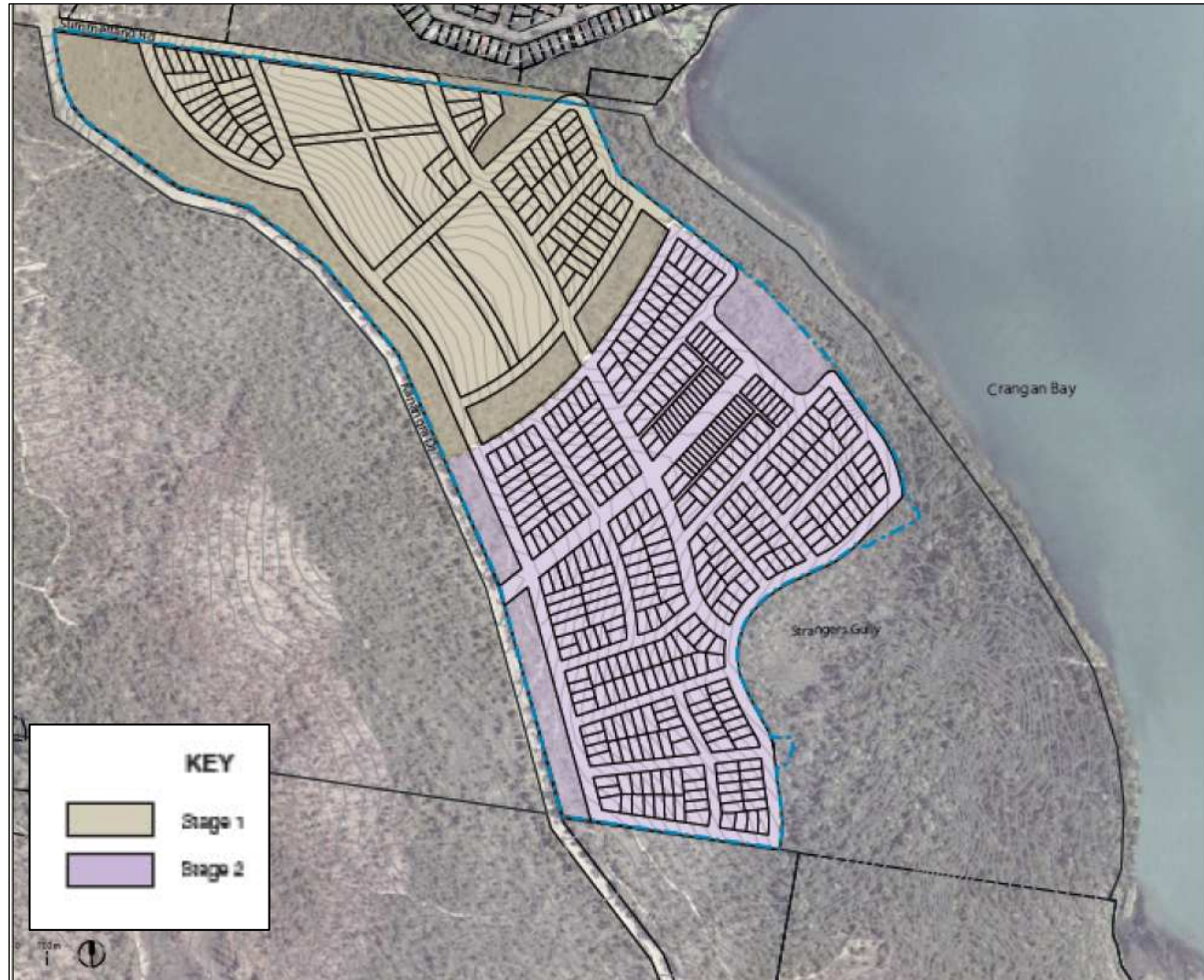


Figure 4 - Proposed Staging Plan

2.4 Voluntary Planning Agreement

A voluntary planning agreement (VPA) has been prepared to facilitate the transfer of 205.75ha of land to the NSW Government for conservation purposes and associated remediation and reserve establishment works. The VPA also ensures that appropriate mechanisms are in place to make satisfactory arrangements towards designated State infrastructure prior to any subdivision approval. The State infrastructure contributions are discussed further in Section 6.2.

The draft VPA was publicly exhibited with the concept plan and SSS study. The VPA was subsequently amended to include suitable means of enforcement in relation to the contributions (infrastructure contributions, and dedication of land and associated works) proposed. The amended VPA was exhibited for 28 days from 17 August 2011 to 14 September 2011.

The VPA was executed by the proponent, the Minister for the Environment and the Minister for Planning and Infrastructure prior to determination of the SSS and concept plan proposals on 12 March 2012.

2.5 Project Need and Justification

The Lower Hunter is the sixth largest urban area in Australia and one of the State's major centres of economic activity. It is expected to continue to grow as people are attracted by its lifestyle and opportunities.

The *Lower Hunter Regional Strategy* (LHRS) was prepared in 2006 by the NSW Government to guide growth in the Lower Hunter to 2031. The strategy identifies future development areas, principle land uses, settlement patterns and conservation outcomes, and has since been re-endorsed by Cabinet in 2009. The Site is identified in the LHRS as part 'proposed conservation area' and part 'proposed urban area'. The concept plan proposal is consistent with the LHRS. The development of the Site will contribute to the target set out in the strategy for 115,000 additional dwellings to meet expected demand to 2031. The dedication of conservation lands will contribute to the protection and management of conservation corridors, in particular the Wallarah Peninsula Corridor, which is a key focus of the *Lower Hunter Regional Strategy* (LHRS) and the companion *Lower Hunter Regional Conservation Plan* (LHRCP).

Similarly, the proposal is also consistent with the *Central Coast Regional Strategy* (CCRS), which identifies the subject site as a 'proposed urban area' and the proposed offset lands as 'proposed conservation lands'. Again, the CCRS considers the conservation of land within the Peninsula as a priority. The draft North Wyong Shire Structure Plan (NSWSSP) designates Gwandalan as a proposed residential area with an estimated net developable area of 44ha, capable of accommodating 662 dwellings. Under the NSWSSP's staging strategy, Gwandalan is identified for development in the 'long-term'.

As such, there is justification in releasing Gwandalan earlier than previously identified in order to ensure that high priority conservation lands are protected and transferred to public ownership, consistent with the priorities identified in the LHRS and CCRS.

3 STATUTORY CONTEXT

3.1 Major Project

On 15 July 2010, the Minister for Planning declared, by way of an order under Section 75B(1) of the *Environmental Planning and Assessment Act 1979* (the Act), that the proposed development is development to which Part 3A of the Act applies (being development of State and regional environmental planning significance), and authorised submission of a concept plan.

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-General's environmental assessment requirements (DGRs) have been issued in respect of this proposal and the environmental assessment report was lodged prior to 1 October 2011. The project is therefore a transitional Part 3A project.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75P of the Act.

3.2 State Significant Site Study

On 15 July 2010, the former Minister agreed to commence the process of investigating the inclusion of the Site in Schedule 3 of the *State Environmental Planning Policy (Major Development) 2005* (the Major Development SEPP) to rezone the Site for residential and conservation purposes to facilitate the proposed concept plan.

The proponent has submitted a State Significant Site (SSS) study which recommends the listing of Gwandalan in Schedule 3 of the Major Development SEPP. It is proposed that the zoning of Gwandalan will comprise R2 – Low Density Residential and E1 – National Parks and Nature Reserves. These zones are based on the *Standard Instrument (Local Environmental Plans) Order 2006*.

Given that the NSW Government is not expected to have an ongoing approval role for future development at Gwandalan, the site has been rezoned by way of an amendment to the relevant local environmental plan, rather than by listing the site in Schedule 3 of the Major Development SEPP. *State Environmental Planning Policy*

Amendment (Gwandalan) 2012 was gazetted on 13 April 2012 which amends the *Wyong Local Environmental Plan 1991*, to list the site in a standalone part.

The proposed rezoning of the site is the subject of a separate report.

3.3 Permissibility

As illustrated in (Figure 5), the site is zoned R1 General Residential; R2 Low Density Residential; and E1 National Parks and Nature Reserves.

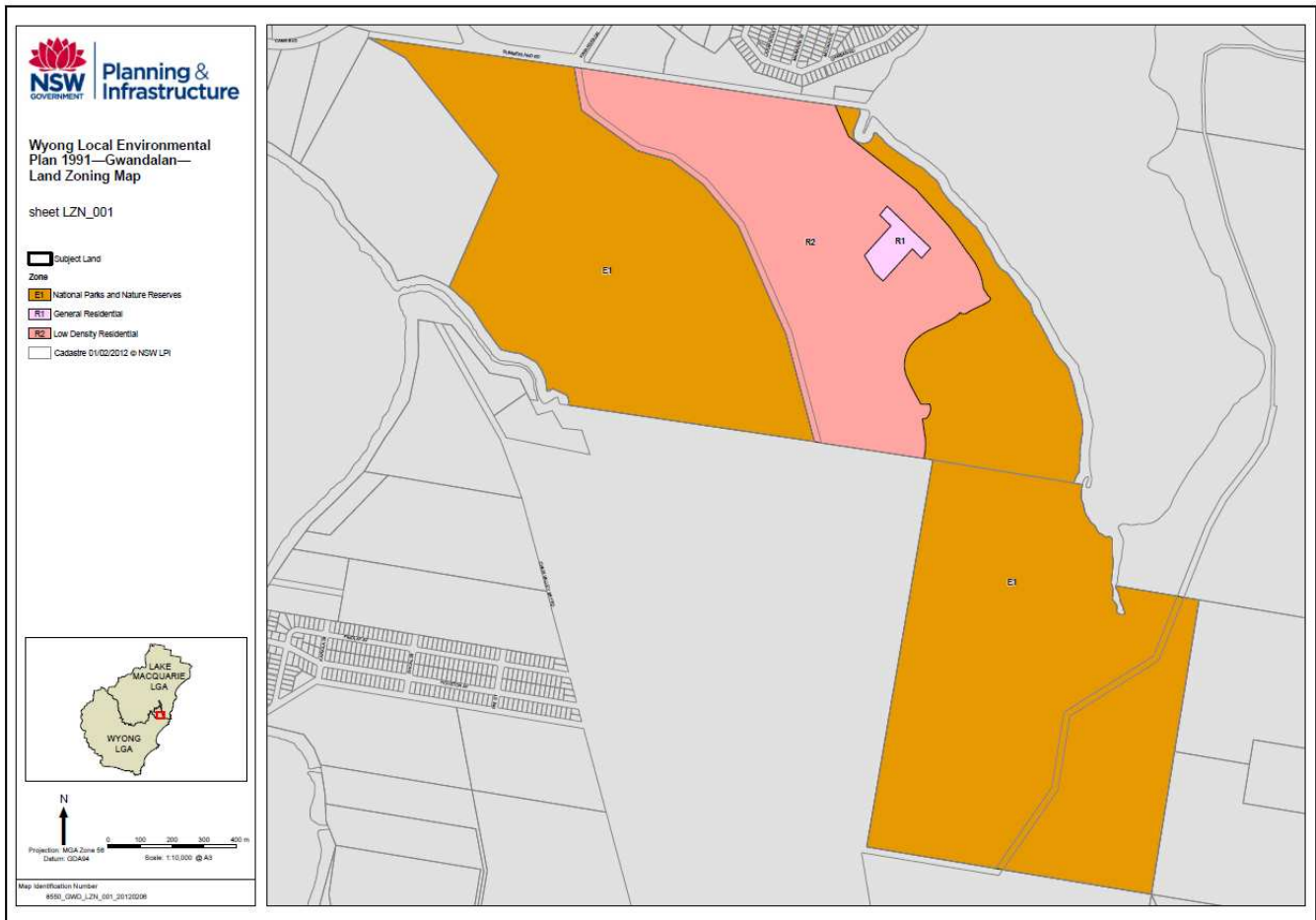


Figure 5 – Zoning of Site, as per SEPP Amendment (Gwandalan)

All the proposed land uses under the concept plan are permissible with consent except the proposed commercial / retail floor space. The Department considers that the proposed location of the commercial / retail floor space is inconsistent with the *draft North Wyong Shire Structure Plan*, and as such is not supported. The Department therefore recommends that the concept plan be modified to exclude this component of the proposal and this has been discussed in more detail in Section 6.1.1.

3.4 Objects of the EP&A Act 1979

Decisions made under the EP&A Act must have regard to the objects of the Act, as set out in Section 5 of the Act. The Objects stipulated under section 5(a) of the Act are significant factors in forming the determination of the concept plan. The concept plan does not raise significant issues with regards to the objectives of the Act.

The Department has considered the Objects of the Act in the assessment of the concept plan. The balancing of the proposal in relation to the Objects is provided in Section 6 of this report.

3.5 Ecologically Sustainable Development

The Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of the following principles:

Integration Principle

The proposed development will provide for improved housing choice and contribute positively towards housing affordability in Gwandalan, and will result in the dedication of substantial areas of land with high ecological value for protection within conservation lands, in accordance with the *Lower Hunter Regional Strategy*. The environmental assessment for the proposed development includes a social infrastructure assessment and details a discretionary allocation of \$5 million for the purposes of social infrastructure. The proponent has committed to ensuring that future residential development will meet BASIX targets for energy and water consumption and to developing a community consultation strategy that will be implemented throughout construction.

The Precautionary Principle

The environmental assessment is supported by technical and environmental reports which conclude that the proposal's potential impacts can be successfully mitigated. No irreversible or serious environmental impacts have been identified. The concept plan approval requires additional information at each stage of development to ensure the proposal's extent and nature is fully documented and opportunities are provided for proposed mitigation and management measures to minimise the impact of the development.

Inter-Generational Equity

Through implementation of the concept plan and associated environmental management practices, the environment will be protected for future generations. The benefits of the proposal include the dedication of approximately 205.75ha hectares of land to the State Government for conservation purposes, securing regionally significant wildlife corridors and public foreshore access.

Conservation of Biological Diversity and Ecological Integrity

It is considered that the proposed protection of native vegetation within land to be dedicated as conservation land will maintain or improve biodiversity values and the long-term viability of a local species, populations and ecological communities and their habitat. It will also contribute to the protection of locally occurring endangered ecological communities.

Improved Valuation, Pricing and Incentive Mechanisms

The cost of measures to mitigate and manage, on an ongoing basis, any potential impact of the proposed development of the site, has been incorporated into the CIV. Thus, the developer will bear the cost of these measures. It is difficult to assign a monetary value to environmental assets that have not been commodified for commercial use. Further assessment of ESD principles is also provided in subsequent sections of the report.

3.6 Director-General's Report

The Director-General's report to the Minister for the proposed Concept Plan satisfies the relevant criteria under Section 75I of the Act, and Clause 8B of the Regulation as detailed in Table 1 as follows:

Table 1 – Section 75I of the Act and Clause 8B of the Regulation

Section 75I(2) criteria	Response
Copy of the Proponent's environmental assessment and any preferred project report;	The Proponent's EA, Preferred Project Report and addenda are found in Appendix C and Appendix D of this report.
Any advice provided by public authorities on the project;	A summary of comments received from Government agencies, and how these have been addressed, is included in Appendix F.
Copy of any report of a Planning Assessment Commission in respect of the project;	No review has been required by the Planning Assessment Commission. However, reports of the IHAP, which considered the previous proposal relating to the site, are included in Appendix D.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project;	Each relevant SEPP that substantially governs the proposal is identified in Appendix E.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the proposal and that have been taken into consideration in the environmental assessment of the project under this Division;	An assessment of the development relative to the prevailing environmental planning instrument is provided in Section 3 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate;	This report represents the environmental assessment undertaken by the Director-General.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The Environmental Assessment submitted by the Proponent adequately addresses the Director General's Requirements. The Department advised the Proponent that the Environmental Assessment adequately addresses the DGRs on 12 November 2010.
Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed through Section 0 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The public interest is considered in Section 6 of this report, and addressed by the Statement of Commitments, Modifications to the Concept and additional Environmental Assessment Requirements as part of the recommended Instrument of Approval.
The suitability of the site for the project	The site is considered suitable for the development as discussed in Section 6 of the report
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in Section 4 and Appendix F of this report.

3.7 Other Relevant Legislation and Environmental Planning Instruments

Appendix E sets out the relevant consideration of legislation (including other Acts) and environmental planning instruments as required under Part 3A of the Act. They include the following:

- *Wyong Local Environmental Plan 1991*;
- *State Environmental Planning Policy No.14 – Coastal Wetlands*;

- *State Environmental Planning Policy (Infrastructure) 2007*;
- *State Environmental Planning Policy No. 71 (Coastal Protection)*;
- *State Environmental Planning Policy No. 55 (Remediation of Land)*;
- *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*; and
- *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004*.

Further details on the Department's consideration of relevant SEPPs and LEPs are provided in Appendix E.

3.8 Commonwealth Legislation

On 20 August 2008 the development proposals for Nords Wharf, Gwandalan and Middle Camp were referred to the Commonwealth Department of the Environment, Water, Heritage and the Arts (DEWHA), now the Department of Sustainability, Environment, Water, Population and Communities, as it was considered that they could have a significant impact on matters of national environmental significance. It was determined that the proposed developments comprised a controlled action as they are likely to have a significant impact on threatened species and communities listed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

On 23 March 2010 approval was granted by the former Minister for Environment Protection, Heritage, Water and the Arts for the subdivision and residential development of land owned by Coal & Allied at Nords Wharf, Gwandalan and Middle Camp, and the dedication of land to the State Government for conservation purposes. The proposal is considered to be consistent with the approval granted under the EPBC Act, subject to compliance with the recommended Concept Plan approval.

4 CONSULTATION AND ISSUES RAISED

4.1 Consultation

In accordance with 75H(3) of the Act, the environmental assessment was exhibited from 17 November 2010 to 17 December 2010. Advertisements for the exhibition period were published in the Sydney Morning Herald, Newcastle Herald and the Gosford Central Coast Express Advocate. Copies of the environmental assessment and accompanying State significant site study and draft voluntary planning agreement (VPA) were made available for public viewing at the Gwandalan bowling club, Wyong Shire Council, and Department of Planning offices at Newcastle, Gosford and Sydney, as well as on the Department's website. The Department also sent letters to public authorities and owners and occupiers of land surrounding the Gwandalan site to inform them of the proposal and exhibition details.

The proposal for Gwandalan was exhibited concurrently with proposals for Middle Camp and Nords Wharf. An assessment of the key issues has been undertaken in Section 6 of this report.

In 2007 a Community Reference Group (CRG) was established to consider Coal & Allied's previous applications for the Southern Estates. The CRG was comprised of representatives of the local communities affected by the proposals. The CRG was re-convened to consider the current proposals for the Coal & Allied Southern Estates, with a meeting of the CRG with representatives of the proponent and Department of Planning held during the exhibition period on 2 December 2010.

The Department received 49 submissions from the public, 48 of which were in objection to the proposal. Submissions were also received from the following 11 Government agencies. Issues raised in submissions are summarised below.

4.2 Submissions from the Public

A total of 49 public submissions were received in response to the public exhibition. A summary of the key issues raised is provided in Table 2. A total of 4 submissions were 'form letters', and 45 were individually prepared submissions. One letter of support was received.

Table 2 – Summary of Public Submissions and Issues raised in CRG meeting

Topic	Issue Raised
Biodiversity	- environmental impacts on threatened species, water quality, Crangan Bay and its associated wetlands / seagrasses - impact on the conservation value of the land and the protection of the wildlife corridor; - impact on flora and fauna, vegetation and ecological values, including fauna corridors and SEPP 14 wetland; - inadequate width of proposed buffers
Mining Subsidence	- mine subsidence and sterilisation from future mining; and - mining to be completed before residential development
Heritage	impact on indigenous heritage and presence of Aboriginal middens
Bushfire & Flooding	- vulnerability to bush fires and flooding - inadequacy of runoff assessment
Urban Design	- inadequate open space/recreational facilities - negative impact on character of existing village as a result of overdevelopment. - high density housing is inappropriate for the area.
Social impacts	- isolation of site from community infrastructure - inadequate capacity of social infrastructure including local schools, medical facilities to accommodate population growth - inconsistency with planning principles of <i>Lower Hunter Regional Strategy</i> in terms of locating new housing close to existing town centres serviced by public transport, health services and schools - Isolation from, and lack of, employment opportunities - Inadequate study of local employment opportunities
Traffic and access	- lack of pedestrian/cycling infrastructure - Lack of public transport - Increased traffic - inadequate traffic study - cumulative traffic impacts of proposed development and other developments in the locality
Utilities	- inadequate utility infrastructure to service new housing - Inadequate community consultation
Other	- oversupply of housing - cumulative impacts associated with Rose Property Group's residential projects at Nords Wharf and Catherine Hill Bay - isolation from employment opportunities - Inconsistency with Draft North Wyong Shire Structure Plan in terms of proposed timing of the development - impact on local lifestyle - objection to development of Wallarah Peninsula; - permissibility of the proposals, and the requirement for a rezoning; - by-passing normal planning processes; - transparency of process - commencement date for the development not clarified - consistency with the draft North Wyong Shire Structure Plan and Lower Hunter Regional

Topic	Issue Raised
	Strategy - Assessment should be carried out by the PAC - Request that submission made in respect of previous application be considered under the current application

4.3 Submissions from Government Agencies

Submissions were received from 11 State Government authorities, and 1 Commonwealth Government authority in response to the public exhibition, being:

- Wyong Shire Council
- Heritage Office (now part of Office of Environment and Heritage)
- Mine Subsidence Board
- Department of Environment and Climate Change and now the Office of Environment and Heritage (referred to in this report as OEH)
- Hunter Central Rivers Catchment Management Authority
- NSW Health
- Roads and Traffic Authority and now the Roads and Maritime Service (referred to in this report as RMS)
- NSW Office of Water (NOW)
- NSW Department of Industry and Investment (now Department of Primary Industries)
- NSW Transport (now Transport for NSW)
- Rural Fire Service
- Department of Sustainability, Environment, Water, Population and Communities

Council and the NSW Department of Industry and Investment (NSWDII) objected to the proposal. Council's submission stated the timing and scale of the proposal is inappropriate and the site is geographically isolated. In further correspondence, Council also objected to the scale of proposed retail/commercial component and recommended a the retail component be limited to 1500m², provided this does not include a supermarket, preferably located on the north western portion of the site where it could integrate with the future Gwandalan Village Centre.

NSWDII's submission objected for the following reasons:

- proposed mining operation is not compatible with scale of residential development and will sterilise future resource recovery; and
- increased risk of subsidence

The response from the RFS advised that the proposal did not include enough information to make a full assessment against *Planning for Bushfire Protection 2006*. In particular RFS raised concern about adequacy of the proposed asset protection zones (APZs) and emergency access / egress to the site.

The Rural Fire Service submission advised that the information provided was not adequate to determine whether the proposal is consistent with *Planning for Bushfire Protection 2006*. In particular RFS raised concern about the site access. Through its preferred project report, Coal & Allied revised its proposal to respond to the issues raised by RFS. RFS made a subsequent submission advising that it supports the proposal, subject to a number of conditions.

The other agencies did no object to the proposal and have provided their requirements for future development, to be incorporated into the Concept Plan approval. All Issues raised and the responses are detailed in Appendix F.

A copy of the submissions has been provided at APPENDIX F. Issues raised have also been discussed in the Department's assessment in Section 6 of this report.

5 INDEPENDENT HEARING AND ASSESSMENT PANEL

An Independent Hearing and Assessment Panel (IHAP) was established on 24 July 2007 to review the previous concept plan applications, under Section 75G (1) (a) of the Act (since repealed). The panel members were Gabrielle Kibble (Chair), Mike Collins (heritage and property expert) and Andrew Andersons (architecture and design expert). The terms of reference for the panel were to:

1. Consider and advise on the:
 - a) following impacts of the project:
 - Heritage conservation;
 - Built form and urban design;
 - Visual impact;
 - Appropriateness of the proposed urban footprints; and
 - Vehicle and pedestrian circulation onsite and in the locality.
 - b) relevant issues raised in submissions in regard to these impacts; and
 - c) adequacy of the proponent's response to the issues raised in submissions; and
2. Identify and comment on any other related significant issues raised in submissions or during the panel hearings.

On 2 June 2008, the Panel submitted a Key Planning Principles Report, which set out principles that should be adhered to prior to any approval of the concept plans. This report was to assist the proponent in preparing its response to submissions and preferred project report for the previous applications.

On 28 October 2008, the Panel submitted its final report. The report provided advice on whether the preferred project report had addressed the Key Planning Principles, and outlined its recommendations regarding outstanding issues.

In relation to Gwandalan, the Panel recommended that the Minister approve the amended concept plan subject to the Statement of Commitments prepared by the proponent, and any recommendations of the Department. A copy of the Panel's reports are provided at Appendix D.

The current concept plan incorporates recommendations made by the IHAP in respect of the former 2007 proposal. Recommendations made by the IHAP have been considered by the Department in its assessment. A summary of the recommendations made in the Panel's final report, and the Department's comments is provided in Table 3.

Table 3 – Consideration of IHAP Recommendations

<i>IHAP outcome / recommendation</i>	<i>Consistency of Current Proposal with IHAP recommendations</i>
Reduction in Development Footprint (Strangers Gully and Development Area 'C')	
Reduction in the development footprint through the removal of Strangers Gully and the development area to its south east, identified as Southern Hamlet C in the original Concept Plan. This land will now form part of the conservation lands to be dedicated to the NSW Government. The development area will be reduced from 80ha to 63.9 hectares	The proposal reduces the development footprint to 62.24 ha by omitting Stranger's Gully and the part of the site previously referred to as Hamlet C, in accordance with the IHAP recommendations.
Increase in the area of the Conservation Lands	
Corresponding increase in the area of the conservation lands to be transferred from Coal and Allied to the State Government.	The proposed conservation lands have been increased from 192ha, as proposed under the

IHAP outcome / recommendation	Consistency of Current Proposal with IHAP recommendations
	previous application, to 205.75ha, under the current application. The conservation lands now include Strangers Gully/area previously proposed for development as Hamlet C. The Department considers that the current proposal are consistent with the IHAP recommendation in this regard.
Reduction in the Housing Yield	
Reduction in the housing yield at Gwandalan from 700 dwellings to 623 dwellings	The current proposal will generate a maximum housing yield of 623 dwellings, which is consistent with the IHAP's recommendations.
Revised Statement of Commitments	
Revised Statement of Commitments to address issues raised by the IHAP, the Department, OEH and in submissions.	The current Statement of Commitments includes requirements for the preparation of a Statement of Management Intent and ongoing maintenance of APZs for 5 years or until all lots are sold, in accordance with the recommendations of the IHAP report.

6 ASSESSMENT ISSUES

After consideration of the environmental assessment, submissions, preferred project report and response to submissions, the Department has identified the following key environmental issues associated with the proposal:

- Land use and urban design
- Infrastructure and services
- Flora and fauna
- Mining
- Soils and water
- Traffic and transport
- Aboriginal heritage
- Bushfire management

6.1 Land Use and Urban Design

6.1.1 Proposed Land Uses

Within the development area, proposed land uses comprise residential, open space/recreational and commercial/retail.

The residential component of the Concept Plan proposes a maximum yield of 623 dwellings on the site, across a development area of 62.24ha. The development area includes 11.27ha of open space, which comprises the buffer land along Kanangra Drive, the riparian corridor dividing the site into Hamlets A and B, the bushland park and public recreation park.

The development area also proposes 3000 sqm gross floor area (GFA) of local retail/commercial services to support the residential development at two 'neighbourhood centres', located adjacent to the senior living lots and south-west of the public recreational park.

The Concept Plan proposes to dedicate 205.75ha of conservation lands to the NSW Government in perpetuity and to subdivide the site to excise the conservation lands.

Public submissions have raised concerns that the proposed development represents overdevelopment of the Wallarah Peninsula, would lead to an over-supply of housing in the area and includes inadequate open space provision.

Submissions from the public and Council state that the proposal is inconsistent with the timeframe for Gwandalan as identified in the Draft North Wyong Shire Structure Plan. Public submissions also raised concerns that the development would be inconsistent with the LHRS as a result of inadequate local public transport, employment opportunities and educational facilities. Public submissions have stated that the proposed conservation lands constitute a land bribe.

Wyong Council raised concerns that the quantity of proposed commercial floor space is inconsistent with its *Retail Centres Strategy Review* (September 2007) and that it could adversely impact on existing businesses at Gwandalan. The proposed development is not factored into the projections outlined in Council's *Retail Centres Strategy Review*. Council indicated that it would not support the provision of 3000sqm of retail space, but would not object to a small neighbourhood centre with a maximum GFA of 1500sqm to service the Gwandalan proposal, provided this does not include a supermarket.

The Department also acknowledges the submission made by QMC Property Group Pty Ltd, which provides evidence of local community support for the provision for commercial/retail facilities, such as a neighbourhood supermarket, medical centre, swim centre and speciality shops, in Gwandalan. It is noted that QMC Property Group is the owner of the site of the proposed centre to the north of the subject site, as identified in the Structure Plan.

Department's Consideration

The Gwandalan site is identified in the *Lower Hunter Regional Strategy* (LHRS) as '*Proposed Urban Development*' (see Figure 6). The LHRS does not set out a timeframe for development of the site. However, Gwandalan forms part of the Wallarah Peninsula, which is identified as an area with high biodiversity value, and the conservation of land within the Peninsula is considered a priority under the LHRS.

Similarly, the proposal is also consistent with the *Central Coast Regional Strategy* (CCRS), which identifies the subject site as a 'proposed urban area' and the proposed offset lands as 'proposed conservation lands'. Again, the CCRS considers the conservation of land within the Peninsula as a priority. The accompanying draft *North Wyong Shire Structure Plan* (NWSSP) designates Gwandalan as a proposed residential area with an estimated net developable area of 44ha, capable of accommodating 662 dwellings. Under the NWSSP's staging strategy, Gwandalan is identified for development in the 'long-term'.

The Department considers that the proposal is consistent with the LHRS and CCRS and that there is justification in releasing Gwandalan earlier than previously identified in order to ensure that high priority conservation lands are protected and transferred to public ownership, consistent with the priorities identified in the LHRS and CCRS.

In relation to open space, the Department is satisfied that the proposed quantity of open space (11.27 ha) exceeds that required under Wyong Shire Council's Section 94 Contributions Plan (6.44 ha). As such, the Department is satisfied that the quantity of open space provided is sufficient, however it is recognised that the location of the open spaces would need to be resolved at DA stage for each subdivision application. The Department recommends that prior to the lodgement of the first application for subdivision, that the Proponent prepare a staging plan which identifies the location of open space and the management regime for the ongoing maintenance of open space. In addition, the Department considers that each subdivision application must demonstrate that the quantity of open space is consistent with the concept plan and detail the proposed

landscaping and domain treatments for all areas to be designated as public open space. These requirements have been incorporated into the recommended instrument of approval.

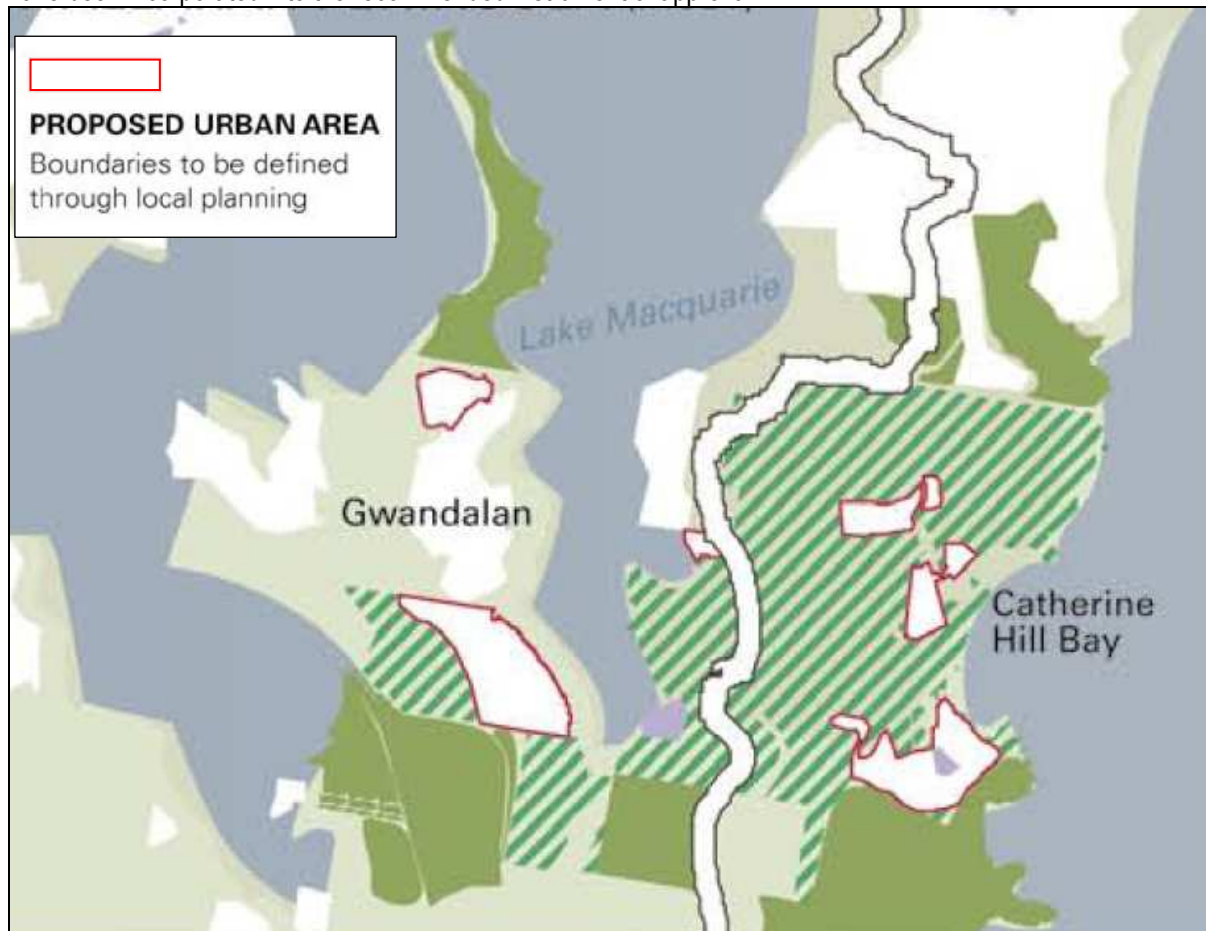


Figure 6 – Status of Site under Lower Hunter Regional Strategy and Central Coast Regional Strategy

In relation to the proposed commercial/retail services, this issue was assessed by the Department as part of the Proponent's proposal to rezone the site for residential and conservation purposes. The Department considered that the proposed location of the commercial/retail services was inconsistent with the *draft North Wyong Shire Structure Plan* and as such, these uses are prohibited on the site under the Wyong LEP. Accordingly it is recommended that the concept plan be modified to remove the proposed retail/commercial precincts, and this modification is reflected in the recommended instrument of approval.

However, it is noted that the residential zones under the Wyong LEP allow neighbourhood shops with a maximum GFA of 125 sqm, subject to development approval from Council. This will allow for small local retail services to be located to service the day to day needs of the proposed residential areas.

In the event that the potential new centre, to the north of the subject site, is not progressed, or is not progressed within a timeframe that is adequate to service the locality, it maybe appropriate for larger retail uses within the Concept Plan area to be considered. However, this would require a planning proposal to be lodged with Council to amend the zoning and a modification to any concept plan approval would be required.

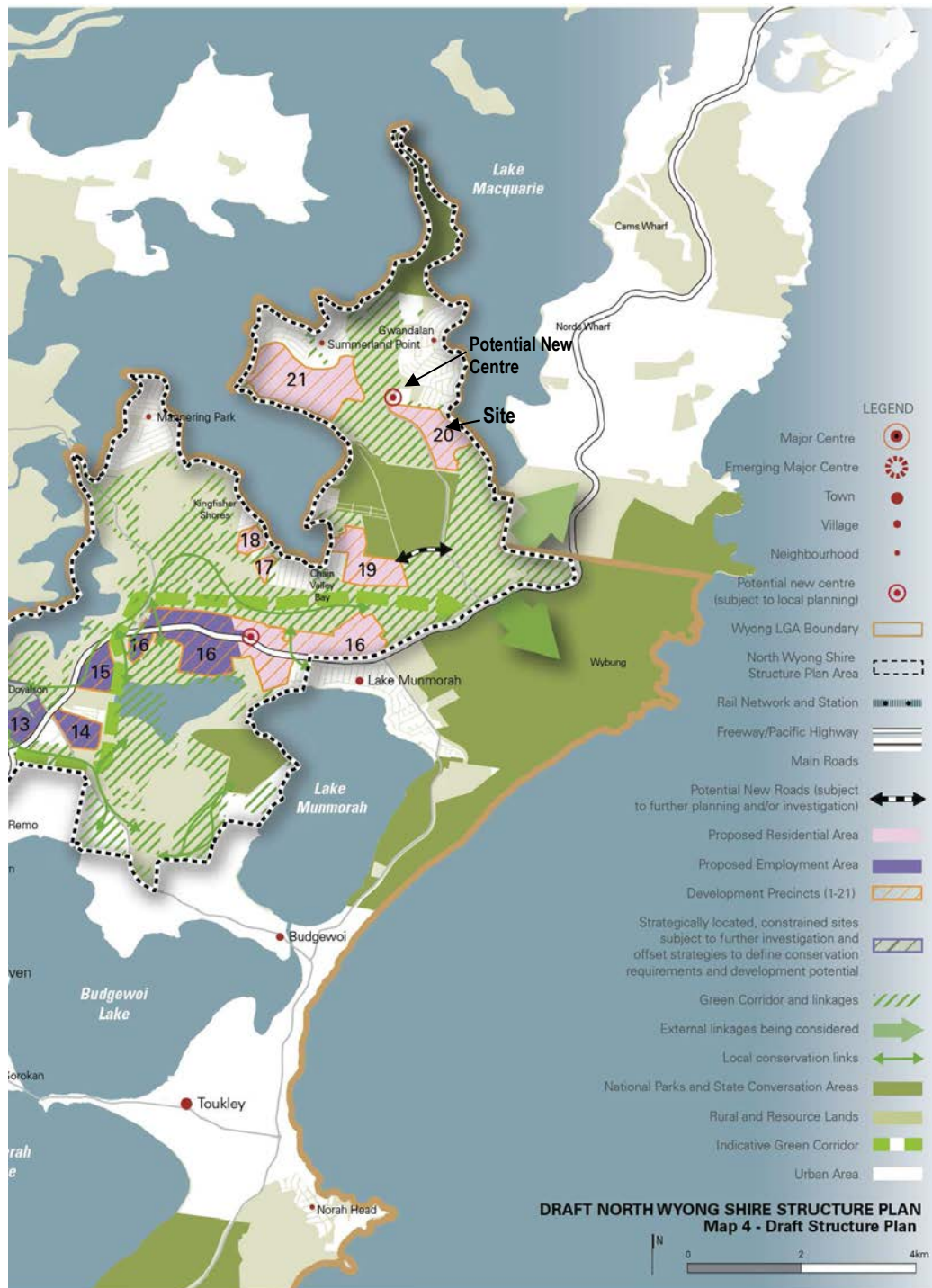


Figure 7 – Draft North Wyong Structure Plan

6.1.2 Development Area and Lot layout

The Concept Plan does not include proposals for residential subdivision. However, the Concept Plan does propose an indicative site layout for the development of 62.24ha of the site for 623 dwellings.

The proponent has identified a proposed development area which responds to the topographical, ecological and heritage constraints of the site and also the character of existing residential development in the Gwandalan area. The proposed development area excludes Strangers Gully to the south east, which was identified through the

IHAP process as having biodiversity values, and is set back approximately 100m from the foreshore of Lake Macquarie.



Figure 8 – Indicative Lot Layout

The subdivision layout (see Figure 8) proposed by the Concept Plan provides a mix of lot sizes that will accommodate a range of housing types from small to medium sized detached 1 to 2 storey dwellings, to attached two storey terraces, different housing types and associated lot sizes. The indicative lot layout includes a mix of lot sizes ranging from 300 to 950 sqm with some larger lots up to 1,500 sqm. The proposed mix of lots is set out at Table 4 below.

Table 4 - Lot Sizes and Built Form

Dwelling Type	No of lots	Minimum lots size
Shop Top Housing	15	360 sqm and 80sqm maximum retail/commercial GFA per lot
Town House (attached on both sides)	30	300 sqm
Village A (detached housing)	545	500 sqm
Village B (detached housing)	33	630 sqm

Dwelling Type	No of lots	Minimum lots size
Seniors Independent Living Units	Equivalent to 196 dwellings	Not specified
Local Centre Retail	1	1600 sqm

Public submissions have raised concerns that the scale of the proposed development represents overdevelopment of the Wallarah Peninsula, would lead to an over supply of housing in the area, includes inadequate open space provision and that the proposed medium density lots are inappropriate.

Department's Consideration

The proposed lot layout and lot sizes reflect the established character and scale of the existing low density urban areas of Gwandalan and Summerland Point. The Department considers that the introduction of a limited number of medium density lots in the east of the site (representing ~7% of the overall yield), and the potential for senior living units in the north, is appropriate and will provide sufficient housing variety and choice, and potentially allow for the provision of more affordable housing in the area.

It is noted that the number of shop top housing lots is likely to decrease given the Department's recommendation that the concept plan be modified to remove the proposed retail/commercial precincts. However, these lots are primarily located in the area that has been zoned R1 General Residential and it is considered that these lots could be developed similarly to the Townhouse lots without affecting the overall yield for the proposal.

The proposed layout has taken into consideration the environmental constraints associated with the site, including the topography and the presence of sensitive ecological assets, such as Stangers Gully. The proposed mix of lots, with a predominance of low density lots combined with medium density housing, shop top housing and potential neighbourhood shops are considered appropriate for the area.

The Department is satisfied that the layout, while indicative, provides for pedestrian/cyclist connectivity to the existing urban area of Gwandalan and has been designed to integrate with any proposed retail development on lands to the north. In addition, the location of townhouse, village and shop top housing lots in the site's centre successfully orientates the layout, and connectivity, toward the lake and proposed lakeside open spaces.

The Department considers that the overall Concept Plan layout and the key design principles achieve an appropriate form of urban development that will complement the existing housing and environmental character of Gwandalan and its hinterland.

In relation to the dedication of and management of buffer to the east of Kanangra Drive, the Department considers this land should be offered for dedication to Council. The Department therefore recommends that the relevant subdivision application must demonstrate that the future ownership and management arrangements for the landscaped buffer have been negotiated with Council. Should Council not accept the dedication of the landscape buffer, these areas should be incorporated into the neighbouring residential lots. This requirement has been incorporated into the recommended instrument of approval.

6.1.3 Urban Design Guidelines (UDGs)

The proposed Urban Design Guidelines (UDGs) set out proposals and guiding principles to inform future development applications for subdivision and individual lot development. The UDGs comprises a

- public domain plan, which address issues such as a public domain strategy, street types, parks and opens space, plant types and materials, and
- design guidelines for building types, site coverage, building height, streetscape, setbacks and provide open space and landscaping.

The Statement of Commitments states that future development will comply with the detailed Urban Design Guidelines which have been submitted with the Concept Plan. The Guidelines set out key principles and strategies for development, including:

- maximum height of 1 to 2 storeys;

- flexible setbacks to maximise retention of trees and to accommodate Asset Protection Zones; and
- treatment of the proposed public domain, including landscaping comprising native planting and lawns

A height limit map submitted as part of the Urban Design Guidelines indicates a height limit of 1 storey over approximately 60% of the development site area in response to mine subsidence constraints.

Council submitted additional comments relating specifically to the UDGs, which raised issues relating to access, cycleway provision and carriageway layout, access for service and delivery vehicles to Village Green shops, acoustic protection, parking, traffic calming, development staging, Water Sensitive Urban Design, building types /site coverage/FSR, parks and open space and flood planning levels, location and type of detention basins, hydraulic modelling and mine subsidence.

Public submissions raised issues relating to impact on the lakeside village character and atmosphere of Gwandalan, potential for anti-social behaviour, location and construction materials of the proposed foreshore path, and the current lack of footpaths in the area.

Department's Consideration

The Code SEPP sets out the State Government's policy on assessment of exempt and complying development. The Code SEPP allows dwellings on lots of 200 sqm or greater to be approved as complying development subject to specific development controls. Under the Code SEPP dwellings on lots within bushfire prone land can be developed as complying development but only where the lot is not subject of bush fire attack level of above 40 (very high) or within the flame zone. Based on the bush fire threat assessment which forms part of the concept plan, it is likely that a substantial portion of lots could be developed as complying development. As such, the concept plan and urban design guidelines would not apply to a dwelling which was approved as complying development.

Notwithstanding the above, to ensure that provisions are in place to guide the future development of individual lots, the *Wyong Local Environmental Plan 1991* outlines requirements for the preparation of a development control plan (DCP) for the site. Noting that a concept plan approval would satisfy any requirement to prepare a DCP, the Department considers that urban design guidelines should be reviewed and amended as follows to ensure that they address the DCP preparation requirements under the *Wyong Local Environmental Plan 1991* and the issues raised by Council:

- remove reference to the local centre retail;
- include details on the following:
 - cut and fill and requirements for retaining structures;
 - private open space and landscaping requirements,
 - requirements for retention of vegetation within individual lots, having regard for any requirements of *Planning for Bushfire Protection 2006*;
 - site fencing requirements;
 - requirements for setbacks for secondary frontages on corner, garages and site cover controls; and
- demonstrate how necessary storm water infrastructure can be accommodated on individual lots, in particular small lots.

A requirement for the urban design guidelines to be revised prior to the first application for subdivision in consultation with Council has been incorporated into the recommended instrument of approval.

Additionally, the Department considers that further consideration should be given to landscaping and treatment of the public domain. As such the Department recommends that any subdivision application should include a landscaping and public domain plan prepared in consultation with Council comprising

- a strategy for retention of trees on the site;
- proposed public domain treatments; and
- proposed landscaping of swales, detention basins, roadside verge and other public domain areas, including species selection.

This requirement has been incorporated into the recommended instrument of approval.

6.1.4 Visual Impact

The site is visible in its vegetated state from Kanangra Road, Lake Macquarie and the existing townships of Gwandalan and Nords Wharf. Council therefore consider that visual impacts and aesthetics of the proposal should be considered from Gwandalan, Kanangra Drive, Catherine Hill Bay and Nords Wharf.

Public submissions raised concerns of the impact on views from Nords Wharf generated as a result of the proposed development. No submissions relating to visual impact were received from government agencies.

Department's Consideration

The proposal incorporates a 100 metre buffer from the foreshores of Crangan Bay which is proposed to form part of the conservation areas for dedication to OEH. Given its heavily vegetated state and canopy height, it will screen future housing to 1 and 2 storeys as viewed from the water, the existing township of Gwandalan and Nords Wharf. Similarly a buffer zone of at least 50m width is proposed along the western boundary of the site, thereby preserving its natural visual quality as viewed from Kanangra Drive. Furthermore, the proposal dedicates 205.75ha of land to OEH for conservation purposes which significantly contributes to retention of the natural character of the area.

In terms of future housing form and subdivision compatibility with the existing Gwandalan township, the site forms a southward extension to this and proposes lot sizes consistent with those in Gwandalan, and future housing will be predominantly 1 – 2 storey detached dwellings. Therefore, from an urban design and land use perspective the proposal is considered to reflect the existing character, and to be an acceptable extension, of the township of Gwandalan.

In terms of village amenity the site represents a significant extension to the existing Gwandalan township which will see it grow by approximately 50%. Notwithstanding, it is considered that the village character of Gwandalan will be preserved given that as an 'urban centre' it will retain a relatively small size compared with the larger neighbouring centres of Lake Munmorah and Swansea.

Therefore, the Department is satisfied that the visual impact of the proposal will be minimal.

6.2 Infrastructure Contributions

6.2.1 State Infrastructure Contributions

A voluntary planning agreement (VPA) was executed on 12 March 2012 to secure the delivery of State infrastructure contributions. The VPA is between the Minister for Planning and Infrastructure, the Minister administering the *National Parks and Wildlife Act 1974* and Coal & Allied Operation Pty Ltd (the proponent).

Consultation was carried out with relevant agencies to determine the State infrastructure contributions requirements for Gwandalan. The Proponent has agreed to the following State infrastructure contributions, based on the consultation, and as determined by the State Government in accordance with Planning Circular PS07-018, by entering into a Voluntary Planning Agreement:

- upgrade of the intersection at Pacific Highway / Kanangra Drive as a works in kind arrangement;
- a contribution toward the acquisition of a 3,000 sqm area of land in Catherine Hill Bay for a multi-use emergency services facility (\$196 per lot); and
- a contribution toward the acquisition of a 1 hectare area of land adjacent to the existing Gwandalan Primary Public School (\$1,157 per lot).

The Voluntary Planning Agreement also includes an option for the Proponent to elect to pay a cash contribution towards the Pacific Highway / Kanangra Drive intersection upgrade. Under the draft VPA, the proponent is required to deliver the state infrastructure contributions prior to the issues of the first subdivision certificate that creates the first urban lot within the Gwandalan development area.

Contributions associated with Coal & Allied's Nords Wharf and Middle Camp proposals would also contribute funds towards the emergency services site. Coal & Allied identified a specific site within its Middle Camp landholdings to be dedicated to NSW ambulance instead of a cash contribution. The VPA includes an option for an emergency services site to be dedicated where it is agreed to by the Minister of Planning and Infrastructure and NSW Ambulance.

In its submission, NSW Ambulance advised that it has carried out a review of its future needs and has determined that the proposed site at Middle Camp is not suitable, that Swansea would be a preferred location for an emergency services facility.

The Hunter New England Area Health Service advised that their current services would be able to accommodate demand generated by the proposed development at Gwandalan, and as such did not seek any infrastructure contributions.

The agreed contributions reflect infrastructure levy reforms (as set out in Planning Circular PS08-017) whereby State infrastructure contributions are to be reduced to 75% of the cost of infrastructure.

Department's Consideration

Planning Circular PS07-018 sets out the NSW Government's policy for State infrastructure contributions, including that contributions are to be reduced to 75% of the cost of the infrastructure required. These discounts have been applied in the VPA for the Emergency Services facility and the contribution toward the acquisition of a 1 hectare area of land adjacent to the existing Gwandalan Primary Public School. However, the discounts have not been extended to the intersection upgrade as this is to be delivered as works in kind, and is required to mitigate the impacts of the proposed development.

Under the terms of the VPA the proponent would be required to pay the cash contribution towards the emergency services facility, unless it could nominate an alternative site to the satisfaction of the Minister for Planning and Infrastructure and Ambulance NSW.

The recommended instrument of approval requires the proponent to prepare a staging plan prior to the submission of the first subdivision application detailing the schedule for the delivery of contributions associated with the proposal, including State infrastructure contributions. This is to be approved by the Director-General of the Department of Planning and Infrastructure.

The Department considers that State infrastructure contributions have been appropriately addressed.

6.2.2 Local Contributions – Section 94

Through its Statement of Commitments, the Proponent has committed to pay contributions in accordance with Wyong Council's relevant section 94 contributions plans, through cash contributions, dedications of land and works in kind. The Proponent has also committed to enter into a deed of agreement with Wyong Council to make arrangements for payment of local contributions.

Table 4 below shows how the Proponent intends to meet the contribution requirements of the relevant plans, being *Wyong Shire Council Section 94 Contributions Plan No. 11 - Shire wide Infrastructure, Services and Facilities* and *Northern Districts Section 94 Development Contributions Plan*.

Table 4 Section 94 Contributions (indexed to November 2010)

Item	Contribution plan (per lot)	Proponent's commitment (per lot)
Shire wide contributions		
• Regional Open Space	\$160.75	\$0
• Cycleway network	\$329.77	\$0
• Performing Arts Centre/Public Art	\$372.11	\$372.11
• Administration	\$71.42	\$71.42

Item	Contribution plan (per lot)	Proponent's commitment (per lot)
Northern Districts Contributions		
• Roads	\$3980.86	\$3980.86
• Open space	\$4,194.52	\$4,194.52 (as land dedication/works in kind in lieu of cash contribution)
• Community facilities	\$3,548.04	\$3,548.04
• Administration	\$494.19	\$494.19
• Water	\$4119.58	\$4119.58
• Sewer	\$843.89	\$843.89

The Proponent considers that regional open space will be delivered through conservation lands to be dedicated to OEH. As such, it is not proposed to pay a monetary contribution for regional open space. Similarly, the Proponent considers that cycleways included within the overall development will adequately contribute to the cycleway network and no further cash contribution is required.

Wyong Council's submission raised a number of concerns about the proposed local infrastructure contributions. Council considers that the Proponent should pay all shire wide contributions, including regional open space and cycleway network contributions, as open space and cycleways provided within the subject site will not meet the same objectives as those intended to be funded through shire wide contributions.

The *Northern Districts Section 94 Development Contributions Plan* outlines that the subject site will require 6.44 hectares of open space to cater for a predicted 2,146 residents, and states that this land is to be dedicated at no cost to Council. The open space cash contribution rate in the contributions plan relates to embellishment of open space only.

Council considers that works in kind embellishment could be offset against local park contributions, but that cash contributions would still be required toward other open space categories that are not proposed as part of the Concept Plan, including playing fields, large parks, courts and semi natural open space. Council requests that embellishment costs and resultant open space contributions are to be negotiated through a Deed of Agreement with Council.

Department's Consideration

The Department considers that the Proponent should be required to pay all contributions in accordance with Council's relevant contributions plans, although it may be appropriate, subject to agreement by Council, that the works in kind/embellishment of open space within the development area be offset against the open space cash contribution rate in the section 94 plan. The Department also considers that any works in kind and/or land dedication would need to be negotiated with Council.

Section 94 contributions cannot be levied at Concept Plan stage. The recommended Instrument of Approval, therefore, includes a requirement for a staging plan to be prepared, which would include details of the delivery of Section 94 contributions as well as the location and management regime for open space, with the plan to be approved by the Director-General prior to residential subdivision. Under the recommended terms of the approval, any variations to contributions required under Council's relevant contributions plans, including offsets for works in kind or land dedication, must be negotiated with Council and formalised through an appropriate legal mechanism, such as a deed of agreement or VPA.

The Department considers that the requirement of the recommended Concept Plan approval would ensure that mechanisms for the delivery of S94 contributions would be finalised prior to any development applications being lodged.

6.2.3 \$5 Million Allocation

In addition to the regional and local contributions, the Proponent has allocated \$5 million (for the three sites which make up the Coal & Allied Southern Estates) for initiatives associated with the delivery of social infrastructure to support the existing and future communities in the area. The proponent held a Design Charette process in August 2007, as part of the previous concept plan application, to help identify community priorities for funding.

Table 5 sets out the initiatives that the Proponent proposes to fund for Gwandalan, as part of the \$5 million allocation.

Table 5 – Initiatives proposed for Gwandalan under the \$5 million allocation

Item / Description of work	Contribution value
Employment generation Funding of State & Regional employment opportunities	\$5,000
Boat Ramp Facilities / Wharf: Contribute to the upgrade of the existing boat ramps at Lions Park Contribution to upgrade of Koowong Road Wharf	\$250,000 \$250,000
Sustainability Initiatives - C&A grant scheme Funding towards: on-lot rainwater harvesting - potential grant scheme for individual rainwater tanks reduced power demand for future dwellings (optional to owners) introduction of a sustainable education program for residents. design that exceed Local & State Government criteria for sustainable development.	\$1,246,000
Aboriginal Community Establish scholarships for archaeology students through local schools	\$25,000
Walkways Provision of walking paths within the conservation lands (Subject to OEH approval)	\$500,000
TOTAL	\$2,276,000

As discussed above, the proposed walkways are within land which is to be dedicated to OEH and as such these walkways will require approval of OEH. The Proponent has advised that in the instance that OEH does not grant this approval, the funds would be allocated to alternate community benefits not covered by section 94 or State infrastructure contributions.

Wyong Council's considers that the proposed initiatives will have limited direct benefit for the Gwandalan Community.

Department's Consideration

The \$5 million allocation is over and above contributions required under section 94. The Department supports the \$5 million allocation in principle, but considers that the Concept Plan does not adequately address how and when the initiatives identified will be implemented and delivered. This can be addressed through the preparation of the staging plan which is recommended to be submitted for approval prior to any development applications being

lodged. This requirement has been incorporated into the recommended instrument of approval, with the staging plan being required to be prepared in consultation with Council.

6.3 Soils & Water

The impacts of the proposal on soils and water within the site, and adjacent lands and water bodies, are examined in the following section. Sensitive environments located in the vicinity of the site include Crangan Bay and in Strangers Gully, which contains Endangered Ecological Communities (EECs). Issues requiring consideration include management of stormwater from the site and changes to flooding behaviour as a result of the proposal, effects of climate change on the proposal and the potential for contamination.

6.3.1 Stormwater and Groundwater Management

To reduce nutrient loadings and peak runoff rates of stormwater, the Water Sensitive Urban Design (WSUD) Strategy submitted with the Concept Plan proposes a series of control measures within the development site aimed at achieving the following:

- on-site bio-retention / detention systems for individual lots to manage the quantity and quality of all hard surfaces including driveways and roofs;
- public bio-retention/ detention facilities at key locations to manage stormwater quantity and quality on contributing road sub-catchments (see Figure 9);
- provision of swales and bio-retention swales adjacent to major roadways; and
- rainwater tanks for each dwelling.

The Proponent, through its Statement of Commitments has agreed to prepare a maintenance program for the public stormwater system, and manage these facilities for a 5 year period or until all lots are sold.

OEH's submission identifies the protection of the ecology of Lake Macquarie / Crangan Bay as a key concern. To achieve this, OEH states that the following issues are to be addressed:

- modification of development footprints;
- use of water sensitive urban design principles;
- management and control of foreshore vegetation and human access / recreation areas; and
- imposition of strict development controls.

NOW stated that the issues of groundwater interception, potential impacts on groundwater, or the protection of groundwater quantity and quality during construction of underground service infrastructure have not been addressed.

Wyong Council's submission states that the proposed Stormwater Quality Management systems will create issues relating to the location, type, lining and maintenance of swales. Council warn that revised proposals to address these issues may have significant impacts on road reserve widths and the WSUD treatments required. Council also state that it is unwilling to accept more than 2 sewer pumps.

Department's Consideration

Modelling undertaken by the proponent to analyse the effectiveness of the proposed stormwater treatment train indicates that stormwater generated by the proposal would be treated to an appropriate level prior to being discharged to Lake Macquarie.

The Department considers that, subject to detailed design, the proposed WSUD strategy will appropriately manage the impact of stormwater runoff from the site. In addition, the 100 metre buffer to Crangan Bay will provide further protection to receiving waters of Crangan Bay and associated sea grasses.

Nonetheless, the Department considers that the WSUD strategy will need to be refined through the detailed design phase and, as such, any development application for subdivision should include further details of the stormwater management measures required. These measures should be designed in accordance with Council's requirements. These requirements have been incorporated into the recommended instrument of approval.

With regard to Stranger's Gully, and associated EECs and groundwater dependant ecosystems, it is recommended that the WSUD strategy should include a monitoring program to ensure that the proposed stormwater devices are effective in maintaining the natural values of this area. As such, a requirement has been included in the recommended Statement of Commitments requiring the Proponent to develop a monitoring program as part of any application for subdivision.

With regard to issues raised by Council about the level of detail provided in relation to water quality infrastructure and potential groundwater impacts raised by NOW, the Department considers that these issues can be addressed at subdivision stage, and this has been reflected through the recommended instrument of approval.

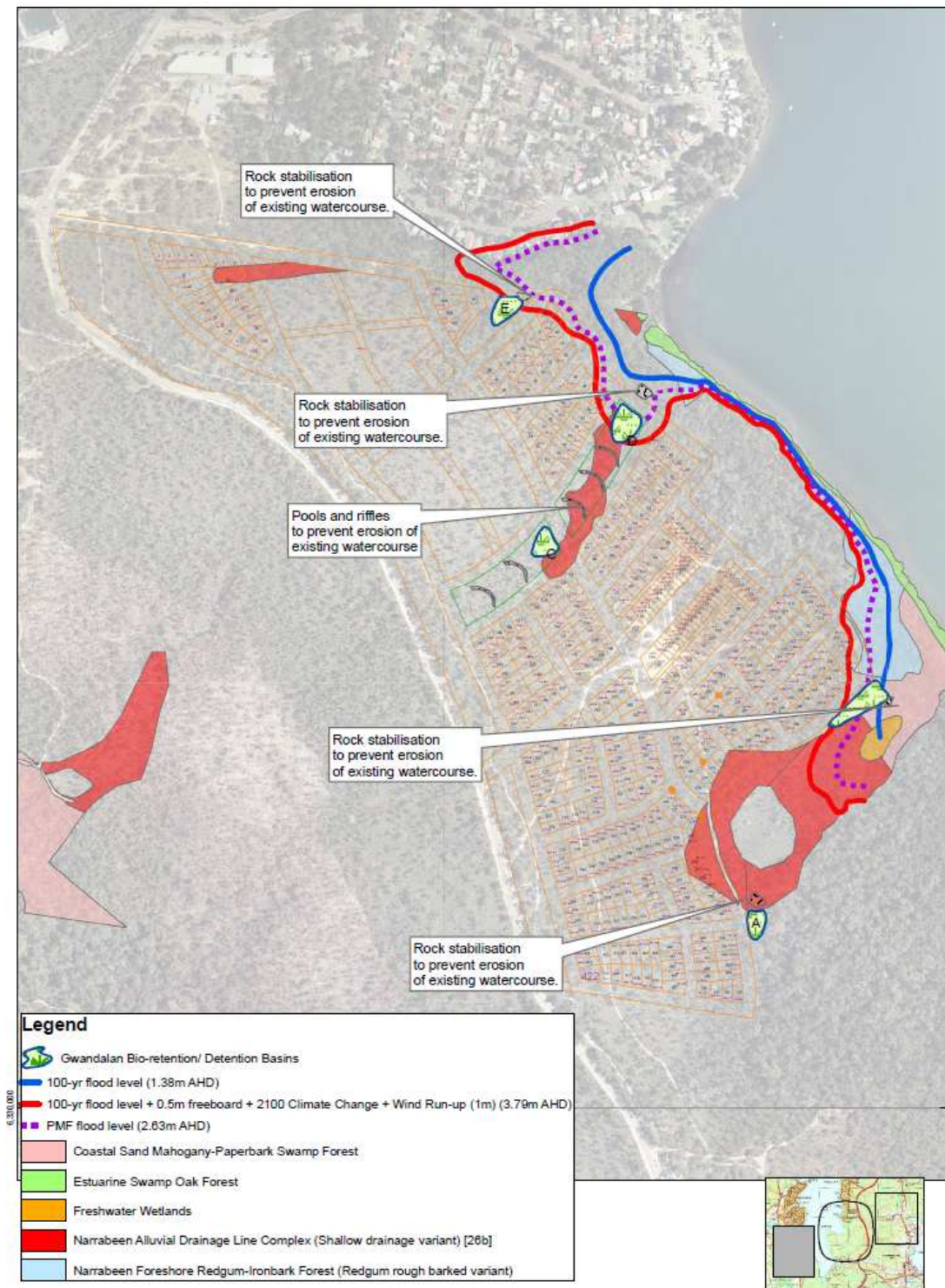


Figure 9 – Stormwater Management and Flood Levels

6.3.2 Flooding and Climate Change

The drainage study submitted with the Concept Plan contains the following key findings relating to flooding and climate change:

- under existing climate conditions, all lots are located above the 100-year Average Recurrence Interval ("ARI") plus freeboard level, with minimum inundation of the foreshore road; and

- considering the long term climate change predictions to 2100 conditions, and allowing for wave run-up and 0.5m high freeboard, eight foreshore lots would be affected in a 100-year ARI event.

The study states that for these 8 lots which are predicted to be effected by the climate 100-year ARI, only the lower portions of each lot is affected with the majority of each lot sloping up above the flood level so that they may still be developed. In addition, 16 lots would be affected during a probable maximum flood event under future climate change conditions. However, the Proponent states that the site has sufficient space and locations to assemble during flood events and the road layout provides a number of routes for evacuation. While this may be the case, the indicative subdivision plan submitted with Concept Plan does not enable confirmation of this, as the precise alignment and location of lot boundaries are yet to be finalised which will occur through subsequent subdivision applications.

Hunter Central Rivers Catchment Management Authority supports the proposed 100m (plus predicted loss to sea level rise) setback.

Department's Consideration

The Department considers that flooding and climate change has been appropriately addressed and that the proposal is otherwise considered to have an acceptable risk of flooding in the event of climate change and sea levels rising.

Nonetheless, the Department considers that each future subdivision application will need to demonstrate that each lot would be able to accommodate a dwelling above the 100 year flood level plus 0.5 freeboard; and to demonstrate that lots below the Probable Maximum Flood level can be safely evacuated in a flood event. These requirements have been incorporated into the recommended instrument of approval.

6.3.3 Contamination

The preliminary contamination report submitted with the Environmental Assessment indicates that localised remediation is required due to the unauthorised dumping within the development site, including fibro materials containing asbestos in some cases.

The report confirms that the site does not contain any gross contamination, and the land will be suitable for residential use after remediation. As part of the proposed Statement of Commitments, the land is to be remediated by the Proponent who has committed to carry out the following prior to issue of a Construction Certificate for the Stage 1 subdivision works:

- development of a Remediation Action Plan;
- appropriate remediation works to remove identified contaminants exceeding OEH land use criteria;
- deleterious material and possible associated surface impact removed;
- validation testing and verification;
- validation of asbestos contamination should be conducted by a qualified asbestos consultant; and
- waste classification to OEH guidelines of any materials destined for off-site disposal at a licensed landfill

Department's Consideration

The Department is satisfied that the development site can be made suitable for residential development through remediation and as such complies *State Environmental Planning Policy 55 – Remediation of Land* and that the management measures proposed by the Proponent are appropriate. Nonetheless, the Department recommends that the remediation action plan (RAP) should be prepared and submitted with the first subdivision application for the site. The RAP should be prepared in accordance with relevant OEH guidelines and must:

- a. characterise the nature and extent of contaminated material;
- b. detail the proposed remediation process, including treatment methodologies and processes;
- c. justify the proposed treatment and remediation criteria;
- d. detail the proposed remediation management measures; and
- e. include a site validation plan.

This requirement has been incorporated into the recommended conditions of approval.

6.4 Future Mining and Mine Subsidence

6.4.1 Future Mining Potential

The site is currently partially undermined and the entire development site is subject to an existing mining lease held by Lake Coal. The two existing seams are located in the Wallarah and Great Northern seams, at depths of 120m at the southern end of the site and 150-185m at the northern end, respectively. Current mining leases held by Lake Coal are identified as Consolidated Coal Leases (CCL) 706 and 707, with expiry dates of 2022 and 2023 respectively. The mine was formerly owned by the Proponent, Coal and Allied, from its opening of 1962 until 1994.

In addition, Lake Coal has lodged two project applications with the Department of Planning and Infrastructure seeking approval under Part 3A of the EP&A Act 1979 for underground mining operations at the Chain Valley Colliery. Contrary to the advice provided in the Proponent's response to submissions, the proposed underground mining area extends beneath the Gwandalan development area and conservation lands, as illustrated in Figure 10 and Figure 11 below. It is noted that the development site is identified in blue and the conservation lands are identified in light purple in both Figure 10 and 11. Figure 10 shows the extent of the existing mine workings below the subject site. Lake Coal's proposal is to mine the Great Northern Seam, which extends under the entirety of the development site and large portions of the proposed conservation lands. Figure 11 shows that Lake Coal also intends to mine the Fassifern Seam below the entire subject site and the conservation lands to the west.

Lake Coal's has stated that it intends to fully extract the economically viable Fassifern seam beneath the site for the next 21 years. Lake Coal Pty submitted that the residential development will result in a greater risk of subsidence and will sterilise future mining reserves. It stated that the EA has not assessed modellings for Fassifern seam workings and consequently, the mine would have to design workings to suit the proposed residential development and there would be a loss of coal reserves.

Lake Coal Pty states that housing located in the proposed mining lease area should be designed to withstand subsidence associated with full extraction panels in a 3m seam, in the order of 1.5m. The proponent's geo-technical assessment, prepared by Douglas Partners, includes assumptions that the mining layout proposed for underneath the subject site will be similar to that of existing residential areas. Lake Coal Pty disputes this, stating that partial extraction is not feasible and that full extraction is intended.

The Department of Industry & Investment (now Department of Primary Industry (DPI)) submitted an objection to the proposal on grounds that it would sterilise coal reserves under the site and increase risk of mine subsidence. Further, DPI considers that restricting mining to partial extraction will sterilise coal reserves and may not be sufficient to ensure that there are no unexpected subsidence impacts. DPI does not support the proposed development occurring before mining has been completed.

The Proponent's response to submissions states that the Coal & Allied development site only represents approximately 3.3% of the area contained within CCL 706 and CCL707. Given the potential for either of these abovementioned scenarios and the lack of an independent assessment that demonstrates that partial extraction is not feasible, the potential for sterilisation of the site from future mining is not considered an issue of adequate significance to prevent the proposal from proceeding. The principle of development of the land for residential purposes is established under the *Central Coast Regional Strategy*, the *Lower Hunter Regional Strategy* and the *Lower Hunter Regional Conservation Plan*.

Department's Consideration

Clause 13(2) of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007* (Mining SEPP) requires the consent authority to consider whether or not a development is likely to have a significant impact on future recovery of minerals (including by limiting access to, or impeding assessment of, those resources). It is also required to evaluate and compare the respective public benefits of the proposed development against future recovery of minerals.

In addition to the above, the Department has considered the impact on future mining in the wider context of the economic, social and ecological benefit to the State in receiving 205.75 hectares of conservation lands as part of

the proposal. While a dollar value cannot be placed on this, securing the conservation lands represents a substantial public benefit that is consistent with the principles of Ecologically Sustainable Development and Intergenerational Equity.

It is the Department's position that the assessment of this proposal will be completed before that of the proposed mining project application. To date, an environmental assessment for the proposed extraction under the site has not been received by the Department and this assessment will need take into consideration any decision made in respect of the residential proposal. This is reflected in the Director General's requirements for the mining project which were issued on 12 August 2008.

Furthermore, mining techniques in the future may evolve to enable full extraction without causing subsidence, while being economically viable, which is not an unreasonable suggestion given the site is not identified for mining until 2023.

On this basis, the Department concurs with the Proponent that reasonable resource recovery could be permitted under both the residential and conservation lands with minimal risk of subsidence and disturbance to surface features.

Furthermore, partial extraction has been carried out under existing township areas. Therefore it is likely that partial extraction could at least be carried out under the development site. Accordingly, the Department considers that the proposal would not unreasonably restrict opportunities for recovery of coal resources under the site. The Department also agrees with the Proponent's position that the development area of 62.24ha represents a very minor portion of Lake Coals' mine lease area.

The site has been rezoned by way of an amendment to the Wyong Local Environmental Plan 1991 and the Mining SEPP continues to apply to the site. Accordingly, mineral exploration would be permissible without consent and underground mining would be permissible with consent, within both the development and conservation areas.

It is important to note that, were the Minister for the Environment to declare the conservation lands as a National Park under the *National Parks and Wildlife Act 1974*, it would become unlawful to prospect or mine for minerals in this area. However, the Department is of the opinion that this is a matter for consideration by the Minister for the Environment following the transfer of land, and as such has not been given further consideration in this report.

6.4.1 Mine Subsidence Hazard

Mine subsidence hazard has been considered in the Proponent's Preliminary Contamination, Mine Subsidence and Geotechnical Assessment (Douglas Partners October 2010). As previously discussed, the site is underlain by abandon workings in two seams, the Wallarah seam and the Great Northern Seam. Within the site, the depth of cover ranges from 120 metres to 150 metres for workings associated with the Wallarah Seam and 150 metres to 185 metres for workings associated with the Great North Seam.

The Mine Subsidence Board (MSB) has provided surface development guidelines based on the current mine workings. MSB has stated that the guidelines would not be appropriate should full extraction take place.

The Proponent considers that, if the development proceeds, coal could be recovered under partial extraction mining methods (subject to obtaining development consent) without creating subsidence risk. During the preparation of the proposed development, the proponent consulted with the Mine Subsidence Board (MSB) in relation to potential subsidence. The MSB identified the key constraint as the need to limit development to single storey in areas where a risk of predicted subsidence and tilts exceeded 0.4 m and 4mm/m, respectively.

Consistent with the MSB's advice, the Proponent's environmental assessment identifies development in some areas of the site as being restricted to single storey brick veneer, whilst allowing double storey brick veneer construction on the remainder of the site (see Figure 12). Double storey construction on the Site is proposed on the basis that mine subsidence can be managed through use of light weight building construction. The Proponent's assessment also notes that if any building with a large footprint is to be located on the site, for example as part of the possible seniors living development, it would require heavy articulation or separation into a number of structures.

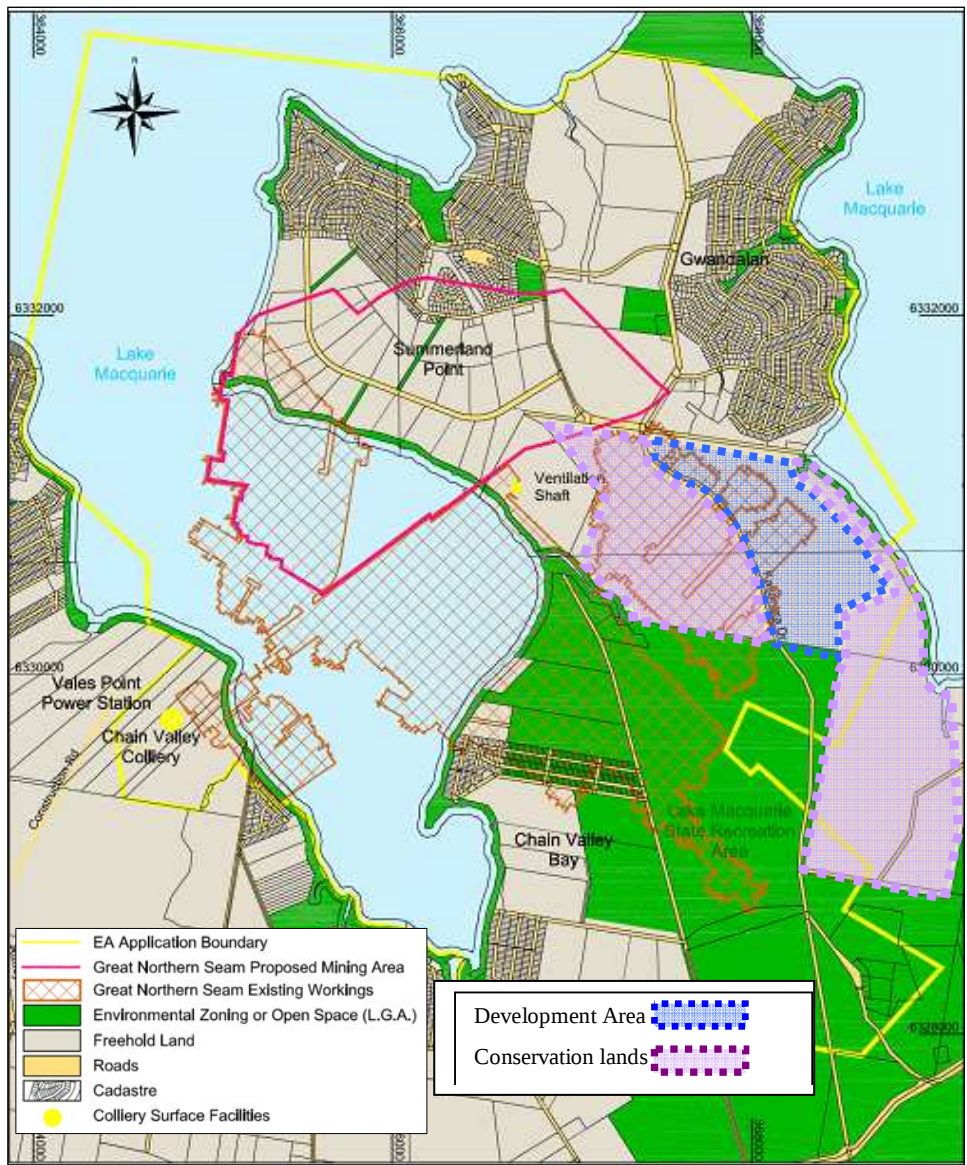


Figure 10 Proposed and Existing Mining Areas in relation to Site – Great Northern Seam

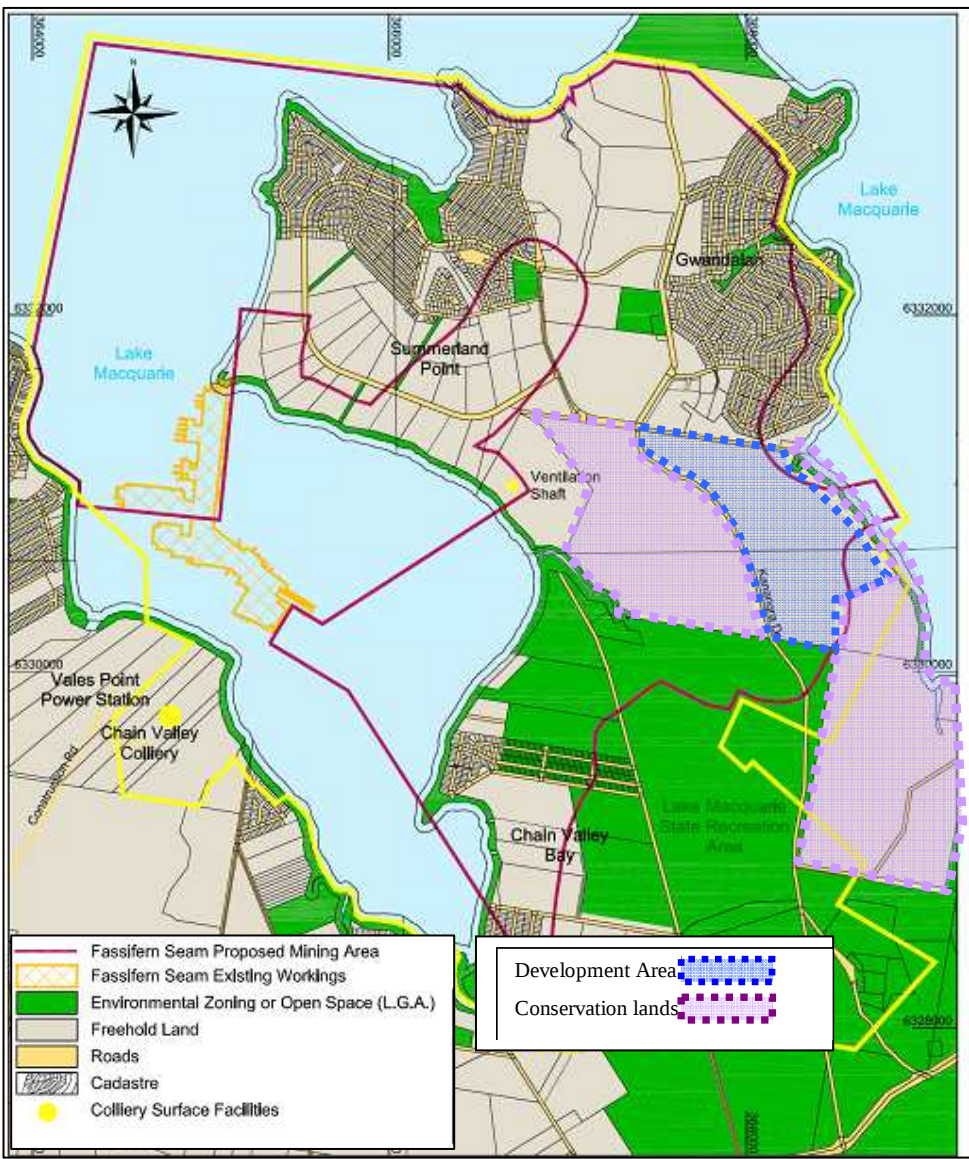


Figure 11 - Location of Proposed and Existing Mining Areas in relation to Site - Fassifern Seam

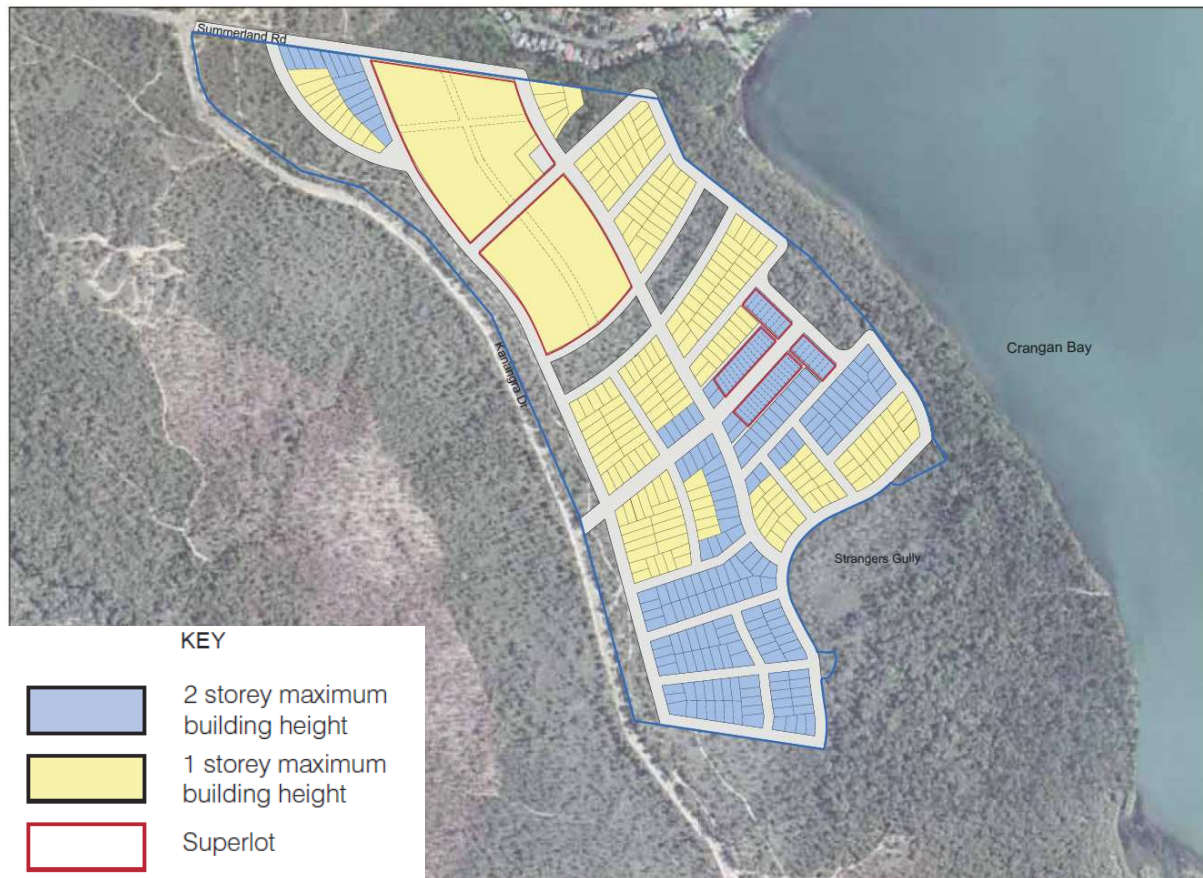


Figure 12 - Building Height

Department's Consideration

The Department considers that appropriate consideration has been given to mine subsidence and this has been reflected in the height restrictions proposed in the concept plan. Nonetheless, The Department considers that any future application for construction of buildings and associated structures should meet any requirements of the MSB, including:

- geotechnical investigations to demonstrate that there is no risk of mine subsidence affecting the site and the appropriateness of the strata to support the development;
- that the plans for subdivision works including services, have taken into account the geotechnical conditions of the site; and
- identification of the measures required to remove the risk of subsidence.

These requirements are reflected in the recommended instrument of approval.

Future resource extraction may result in mine subsidence hazard. However, any such extraction would be subject to approval, and mine subsidence impacts would need to be considered through that approval process.

6.5 Traffic and Transport

The site is currently accessed from Kanangra Drive, a two-lane road running north from the Pacific Highway (see Figure 13). Kanangra Drive services the existing Gwandalan township to the north. Summerland Road, which joins with Kanangra Drive to the north-west, forms the site's northern boundary. An unregistered gravel fire trail, known as Link Road and Chain Valley Bay Road, provides an additional access to the site. A network of unsealed roads provide access from Kanangra Drive and Summerland Road to the centre of the subject site.

6.5.1 Regional Roads

Concerns have been raised in relation to cumulative impacts on traffic flows along Kanangra Drive and the proposal by Rose Property Group residential development at Gwandalan which has been granted Concept Plan approval and is the subject of a current project application to the Department. Public submissions have highlighted community concerns regarding:

- the need to upgrade Kanangra Drive to accommodate the forecasted increase in traffic, generated as a result of the proposed development; and
- inadequacy of the traffic modelling

To manage these impacts, the Proponent has committed to contribute toward the upgrade of the intersection of the Pacific Highway and Kanangra Drive, to provide:

- One left turn slip lane (100 metres) turning north from Pacific Highway to Kanangra Drive;
- One left turn slip lane (50 metres) turning north from Kanangra Drive to Pacific Highway;
- Additional right turn storage land (100m) for southbound traffic from Kanangra Drive to Pacific Highway.

The Proponent's Statement of Commitments states that the intersection upgrade will be completed prior to release of a subdivision certificate for Stage 1.

Traffic studies submitted with the Concept Plan (Hyder Consulting, September 2010) take into account predicted cumulative impacts of the proposed developments (Gwandalan and the Rose Property group proposals) and confirm that this upgrade is necessary to ensure that it can continue to operate within an appropriate level of capacity.

With the proposed intersection upgrade carried out, the predicted Level of Service is B, which in accordance with relevant guidelines, is considered to be good with acceptable delays and spare capacity. The RMS has provided the detailed requirements for the upgrade of the Pacific Highway / Kanangra Drive intersection, including the following:

- Pacific Highway (Southern Leg): A left turn slip lane to replace the existing left turn arrangement, and provide a minimum length of 180m, including taper;
- Blue Wren Drive (Eastern Leg): the current configuration is to be retained;
- Pacific Highway (Northern Leg): right turn only lane shall be extended to a minimum length of 190m, including taper; and
- Kanangra Drive (Western Leg)
 - o A single signalised left turn slip lane shall replace the existing left turn arrangement and provide with a minimum length of 100 metres, including taper;
 - o The combined through / right turn lane must be retained;
 - o A right turn only lane shall be provided with a minimum length of 100 metres, including taper; and
 - o The single departure lane must be retained.

The RMS has advised that the intersection upgrade of Kanangra Drive and Pacific Highway is to be carried out prior to the occupation of Stage 1 of the subject development, and in accordance with a Works Authorisation Deed (WAD), which the developer is required to enter into with the RMS. The Proponent's PPR states that it is willing to enter into the WAD and will carry out works according to the RMS' requirements.

The Proponent's does not object to the RMS requirements.

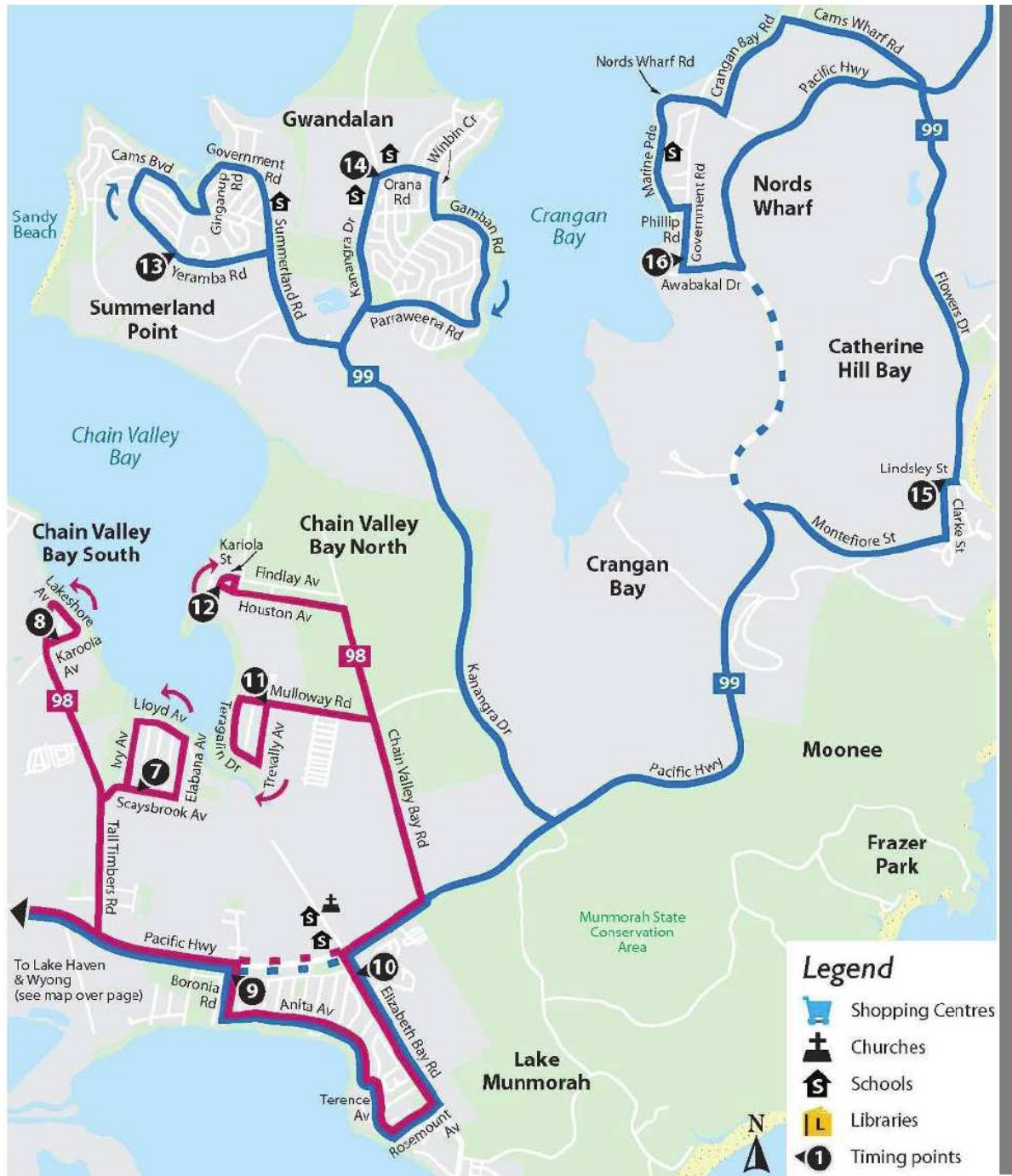


Figure 13 - Local and Regional Road Network and Bus Routes

Department's Consideration

The Department is satisfied that there has been appropriate consideration of cumulative traffic impacts and that the road upgrades proposed by the Proponent are appropriate. It is noted that under the Wyong LEP, that satisfactory arrangements need to be made for the provision of designated State public infrastructure before the land is subdivided. The executed VPA requires the proponent to upgrade the Pacific Highway / Kanangra Drive intersection to the requirements of the RMS. Under the terms of the executed VPA, the proponent must enter into an agreement with RMS with respect of the carrying out of the works, and achieve practical completion by the date of issue of a subdivision certificate for the first urban lot. In addition, the recommended instrument of

approval requires the Proponent to design the intersection upgrade at Pacific Highway / Kanangra Drive in accordance with the RMS requirements. The Department considers that the executed VPA together with the recommended instrument of approval adequately addresses the issues raised by RMS and the community.

6.5.2 Local Roads

Public submissions have raised concerns relating to safety issues and congestion caused by traffic exiting from Stage 1 of the new development into the existing roundabout located between Gwandalan and Summerland Point.

The Proponent has committed to the following local road upgrades to mitigate potential impacts on the local road network:

- provision of localised widening of Kanangra Drive and construction of a 'type C' intersection, south of the proposed development, to provide right turn movements in and out of the development; and
- upgrade of the existing intersection at Summerland Road / Kanangra Drive by providing a fourth leg to the roundabout to provide access to the northern part of the site.

Council has detailed its requirements for the local road network, including

- intersection treatments should be designed to Council satisfaction;
- the local road network including pavement widths and road reserves should be designed in accordance with Council's relevant Development Control Plan;
- the need for traffic calming measures, and minor changes to the road network;
- requirements for cycleways, parking lanes and parking, as well as dimensions of street types; and
- the need for a 10kmph 'shared zone' at the Village Green and bus-stop infrastructure.

Department's Consideration

The Department considers that the detailed design of internal roads and upgrades of local roads should be addressed through the subsequent development applications for each subdivision. Consequently, the Department recommends that with each subdivision application the Proponent be required to provide:

- a revised assessment of the predicted impacts of this traffic on the capacity, efficiency, and safety of the surrounding road network;
- details of the local road network, including road widths, and local road upgrades required; and
- location of cycleways and parking lanes;
- requirements for parking and street lighting; and
- details of a shared zone around the Village Green, including speed limits.

Accordingly, these requirements have been incorporated into the recommended instrument of approval.

6.5.3 Public Transport

Gwandalan is currently serviced by bus route 99 which is operated by Busways Wyong providing fourteen services per day through Gwandalan, along Kanangra Road, connecting Lake Haven and Charlestown (see Figure 13). The Proponent's Concept Plan states that Busways Wyong will consider more frequent services as additional residential development occurs in Gwandalan, Middle Camp, Catherine Hill Bay and Nords Wharf. The Proponent's Statement of Commitments includes a commitment to provide bus stops along Kanangra Road as part of the proposal.

The Proponent also commits to:

- negotiating with the bus operator regarding a future bus route to service the development, with the intention of providing bus stops within 400m of the majority of proposed residential lots; and
- provision of new bus stop infrastructure on Kanangra Drive at the development application stage.

Department's Consideration

The Department supports the proposed public transport infrastructure commitments. The Department recognises that any changes to the current bus route and locations of bus stops will need to be negotiated with the service

provider. However, the Department considers that the Proponent should be required to investigate opportunities to deviate the existing bus route to service the proposed development and to provide appropriate pedestrian access to proposed bus stops. If bus stops are to be located along Kanangra Drive, any pedestrian access across the vegetation buffer along Kanangra Drive, must have consideration for impact on threatened species in this location.

The Department considers that a requirement be included in the approval for the deviation of the existing bus route to take in the proposed residential development, to be negotiated with Council and the bus operator at development application stage.

6.6 Flora and Fauna

The site is highly vegetated. The proposed development at Gwandalan would result in the clearing of the majority of development area and as such has the potential to impact on flora and fauna directly through the removal of this vegetation.

A survey of the site identified eleven native vegetation communities (see Figure 14) within the site of which four are listed as Endangered Ecological Communities (EEC) under the *Threatened Species Conservation Act 1995* (TSC Act) including:

- Redgum Roughbarked Apple Forest (EEC – River Flat Eucalypt Forest on Coastal Floodplains);
- Swamp Oak Rushland Forest (EEC – Swamp Oak Floodplain Forest);
- Swamp Mahogany - Paperbark Forest (EEC Swamp Sclerophyll Forest on Coastal Floodplains);
- Riparian Melaleuca Swamp Woodland (EEC - Swamp Sclerophyll Forest on Coastal Floodplains); and
- Freshwater Wetland Complex (EEC – Freshwater Wetlands on Coastal Floodplains), located in Strangers Gully, outside the development area

The proposal includes the clearing of approximately 60 hectares of land and facilitate the conservation of 205.75 hectares of land. The extent of EECs to be cleared, and retained and conserved as part of the proposal is detailed in Table 6.

Table 6 – Proposed Extent of Clearing of Endangered Ecological Communities and Groundwater Dependent Ecosystems

Vegetation Type	Total Area (ha)	Area to be Cleared (ha)	Area to be Conserved (ha)
Redgum Roughbarked Apple Forest (EEC – River Flat Eucalypt Forest on Coastal Floodplains)	3.96	0.14	3.82
Swamp Oak Rushland Forest (EEC – Swamp Oak Floodplain Forest);	5.1	-	5.1
Swamp Mahogany - Paperbark Forest (EEC Swamp Sclerophyll Forest on Coastal Floodplains);	3.92	-	3.92
Riparian Melaleuca Swamp Woodland (EEC - Swamp Sclerophyll Forest on Coastal Floodplains)	32.31	2.99	29.32
Freshwater Wetland Complex (EEC – Freshwater Wetlands on Coastal Floodplains)	0.27	-	0.27
	45.56	3.13	42.43

Note: Figures based on Ecological Assessment Report prepared by RPS November 2010

Two threatened flora species were also identified on site, the orchid, *Tetratheca juncea* (10,089 individual plants identified), and *Angophora Inopina* (3,109 trees identified). Both of these species are listed as vulnerable under the *Threatened Species Conservation Act 1995*, and *Angophora Inopina* is also listed as vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999*.

The proposal would result in approximately 34% (3,498 plants) of the recorded population of *Tetratheca juncea* and 0.02% (54 trees) of the recorded population of *Angophora Inopina* being removed. A further 2% of *Tetratheca juncea* trees are to be retained in the Bushland Reserve along the eastern side of Kanangra Drive, and the Proponent has stated that it is likely that further *Tetratheca juncea* plants could be retained within the landscaped areas of the development. It is also noted that a further 644 individual *Angophora Inopina* are located in the development area, and are primarily located in the buffer zone along Kanangra Drive.

It is noted that the Proponent has received approval from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) under the *Environmental Protection and Biodiversity Act 1999 (EPBC Act)*, which requires the proponent to develop a long term management plan for the conservation and viability of the *Angophora Inopina* population, located in the northern portion of the proposed buffer zone.

Eight threatened fauna species were recorded within the site during fauna surveys, including the *Crinia tinnula* (Wallum Froglet), *Petaurus norfolcensis* (Squirrel Glider), *Glossopsitta pusilla* (Little Lorikeet), *Pteropus poliocephalus* (Grey-headed Flying-fox), *Falsistrellus tasmaniensis* (Eastern False Pipistrelle), *Miniopterus australis* (Little Bentwing-bat), *Miniopterus schreibersii oceanensis* (Eastern Bentwingbat) and *Scoteanax rueppellii* (Greater Broad-nosed Bat). A further 9 threatened fauna species are considered as having a moderate or greater opportunity of occurring within the site due to the presence of potential habitat within the site. The removal of vegetation as part of the proposal has the potential to impact on these threatened fauna species.

Public submissions have raised the following concerns relating to flora and fauna impacts:

- Impact on flora, fauna and habitat
- Reduction in wildlife corridor
- dedicate the and for conservation and retain the wildlife corridor around lake
- the land has a high conservation value
- adverse Impact on seagrass beds
- Inadequate Flora & Fauna survey
- clearing of trees/vegetation.

The OEH's submission supports the proposed dedication of offset lands, stating that the lands represent significant conservation outcomes. Furthermore, OEH considers that impacts within the development site and adjoining conservation areas on threatened species have been adequately addressed by the Proponent. To minimise impacts on the Crangan Bay's ecosystem, OEH recommends modification of development footprints, including appropriate setbacks from foreshore and riparian zones, use of water sensitive urban design principles, proper management and control of foreshore vegetation and human access / recreation areas and imposition of strict development controls.

Stranger's Gully, at the south west of the development area, has been identified as an area of high biodiversity significance, and to afford greater protection, Stranger's Gully is included in the conservation lands, as recommended by the IHAP and the OEH.

Council has raised concern about the impact of site clearing on native fauna, and has recommended that clearing of the site is staged to allow native fauna to disperse into adjoining natural areas.

Department's Consideration

With regard to OEH's suggestion that modification of the proposed development footprints would minimise the impact on ecosystem health, it is noted that the proposed footprint has been reduced from that originally proposed and in line with the IHAP recommendations. Therefore, the Department considers that further reduction of the footprint in order to manage ecological impacts is unnecessary.

The Department considers that the conservation lands will adequately offset the impacts of the proposed development, and that the proposal can proceed subject to implementation of recommendations set out in the *Ecological Assessment Report* (RPS 2010) prepared as part of the Concept Plan as discussed below.

The *Ecological Assessment Report* recommended that a management plan be prepared to ensure the survival of *Angophora inopina* and *Tetratheca juncea* within both the retained areas of the development estate and the conservation lands. The Department supports the preparation of such a plan and considers that the management plan also should give consideration to location of pedestrian pathways through the vegetation buffer along Kanangra Drive to minimise impacts on threatened species. These requirements have been incorporated into the recommended instrument of approval.

The *Ecological Assessment Report* (RPS 2010) also recommended that clearing across the site is minimised, and mature or hollow bearing trees retained where possible. General recommendations were also included for procedures to be put in place during clearing to mitigate impacts on native fauna. The Proponent's Statement of Commitments requires the owner to protect trees of significance (habitat and old growth) during lot planning by marking and retention of significant trees wherever appropriate prior to progressive clearing of sites. The Department considers that the Proponent should be required to provide further details with each subdivision application on how it intends to minimise clearing and retain trees in accordance with the recommendations of the *Ecological Assessment Report*. Any procedures and strategies would be carried into a Vegetation Management Plan to be completed prior to commencement of any works on site. This is reflected as a requirement in the recommended instrument of approval.

The Department notes that the proponent originally committed to preparing a Statement of Interim Management Intent (SIMI) detailing an interim management regime for the conservation lands prior to the transfer and gazettal of this land under the *National Parks and Wildlife Act 1974* (NPW Act). The OEH has advised that the origins of the SIMI relate to the Design Charette in 2007, and the need for the SIMI to be undertaken is no longer required as the draft VPA details the works required to remediate and establish the reserve. Reference to the SIMI has been removed from the revised Statement of Commitments.

Nonetheless, the Department concurs with OEH that appropriate environmental controls need to be put in place to manage the interface of the development and conservation areas, to ensure that any future development of the site does not impact on the conservation lands. In this regard, the Department considers that any subdivision application should include details of the management:

- of the spread of the invasive fungi *Phytophthora cinnamomi* during subdivision works; and
- the interface between the development area and the conservation lands (including the foreshore area) and appropriate environmental controls (e.g., erosion and sediment controls, appropriate location of construction materials etc) to minimise any potential impacts on the conservation lands.

These requirements have been incorporated into the recommended instrument of approval and would ensure impacts on the conservation land from the future development of the site are minimised and managed.

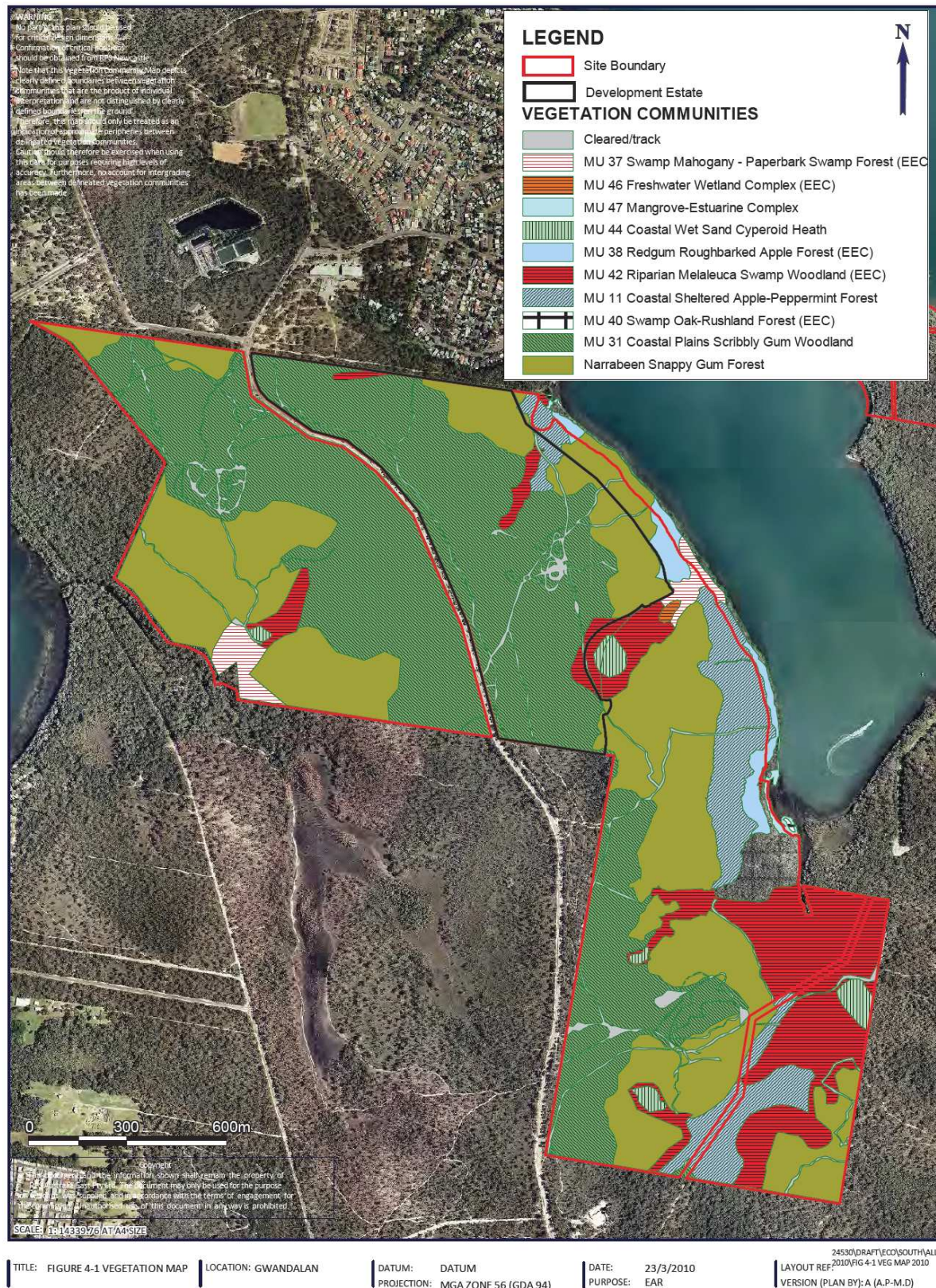


Figure 14 - Vegetation Communities Present within the Site.

6.7 Aboriginal Heritage

A Heritage Impact Assessment (ERM, October 2010) has been provided as part of the Concept Plan proposal. Site surveys carried out as part of the assessment identified exposures of Aboriginal shell middens within the proposed development area and adjacent foreshore buffer. The majority of these exposures are associated with a large midden which extends along the Crangan Bay foreshore (midden site #45-7-0079). Two further individual midden exposures were identified near Kanangra Drive (in the north-west and south-west of the site), which are not considered to form part of the larger foreshore midden, and are highly eroded (see Figure 15 below).

The midden which extends along the foreshore has been identified as having high archaeological significance, whereas the middens near Kanangra Drive are identified as having low archaeological significance. All sites are considered to have a high level of significance to the Aboriginal community.

The Heritage Impact Assessment (HIS) also provided the following analysis of the potential of the development area and adjacent foreshore to contain further archaeological material and the likelihood of that material being undisturbed, including areas with (see Figure 15 below):

- High Archaeological Potential – being areas associated with the foreshore midden, with the potential to further intact and undisturbed archaeological deposits.
- Moderate Archaeological Potential – being land adjacent to the identified foreshore midden and within the proposed development area, with the potential for material associated with midden #45-7-0079 to be present in this area.
- Low Archaeological Potential – being the remainder of the development area, including the two middens identified near Kanangra Drive and indicating sporadic use of the inland area for subsistence activities.

The areas identified as having high archaeological potential are entirely outside of the proposed development area, and are contained within the proposed foreshore reserve which will be dedicated to the NSW Government and will be afforded protection in perpetuity. The proposed development will impact on areas identified as having moderate and low archaeological potential, including the two middens located near Kanangra Drive. The Heritage Impact Assessment sets out recommended Aboriginal heritage mitigation measures which include:

- interpretation of Aboriginal heritage;
- management of potential impacts on the areas identified as having high archaeological potential, and to be retained within the foreshore reserve;
- preparation and implementation of a research design for areas identified as having moderate archaeological potential, including a sampling strategy and consideration of research questions posed in the Heritage Impact Assessment; and
- monitoring of all topsoil stripping by Aboriginal stakeholders for the purposes of recovering cultural material.

Through the consultation process, the OEH identified the following concern:

- incomplete evidence of Aboriginal consultation process;
- additional details of mitigation strategies are required regarding areas of moderate archaeological potential. In particular, the OEH have identified Aboriginal shell midden sites known as 'Gwandalan 1' (site #45-7-0254) and 'Gwandalan 2' (site #45-7-0253), which require such mitigation measures. Such measures are to be negotiated between the proponent and registered local aboriginal stakeholders and these negotiations are to be documented in the Aboriginal Cultural Heritage Management Plan (ACHMP);
- There is a risk that Aboriginal midden site #45-7-0079, in the east of the site, will be impacted on during clearing and when establishing recreational areas close to the midden;
- The Potential Archaeological Deposit identified along the foreshore has not been registered as an aboriginal site on the Aboriginal Heritage Information Management System (AHIMS);
- OEH is limited in its ability to assess of cultural significance of Aboriginal cultural heritage values in the absence of the views of Aboriginal communities; and
- The Aboriginal Cultural Heritage Management Plan (ACHMP) is to be prepared which is to include documented, continuous consultation with Aboriginal communities, procedures for ongoing their involvement and mitigation and management strategies for all sites

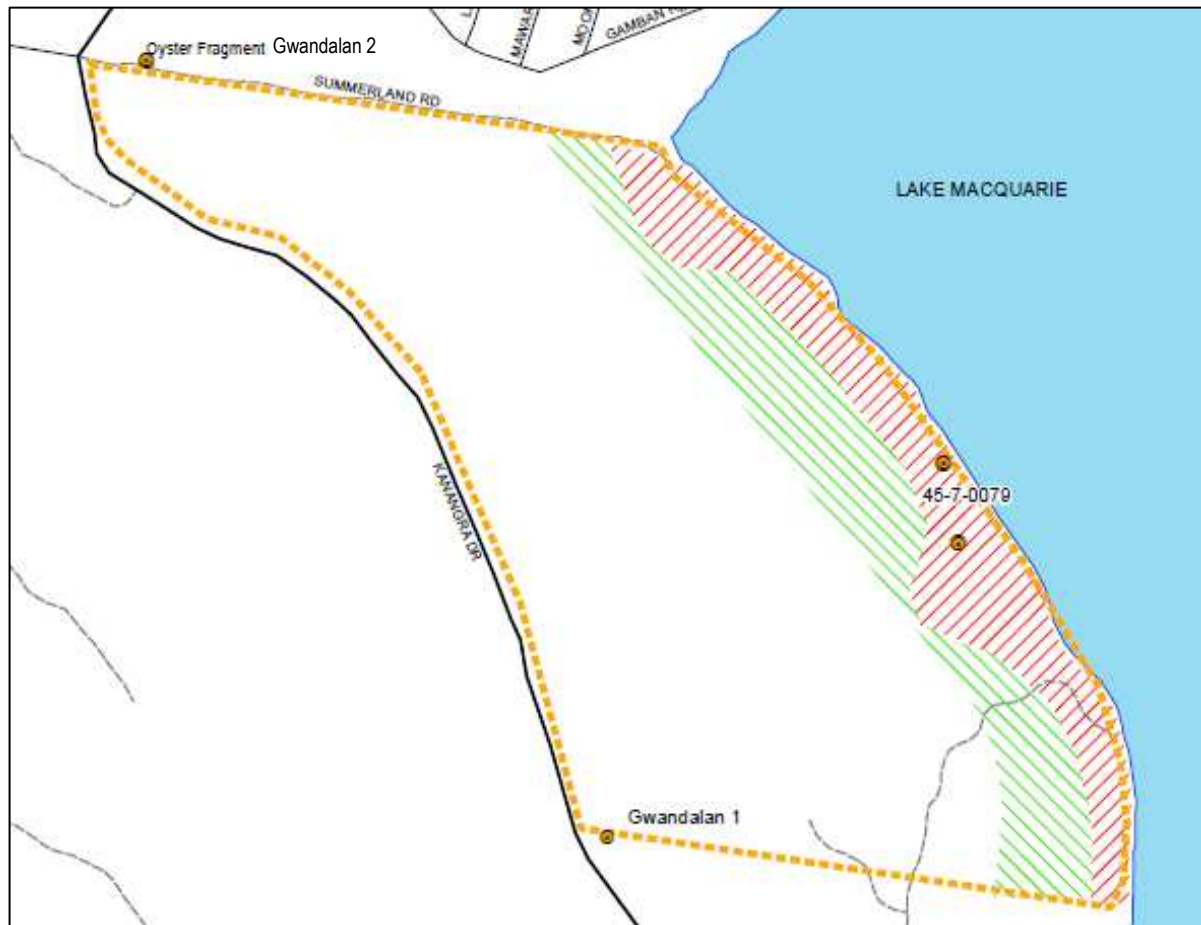


Figure 15 - Location of Archaeological Sites and Areas of Archaeological Potential

A submission was received from the Awabakal Traditional Owners Aboriginal Corporation (ATOAC), a registered Aboriginal stakeholder and community representative body. The submission details the concerns of the community, including:

- consultation has been inadequate and stakeholders have been provided with insufficient time to comment on the proposals;
- there is ethnographical evidence that the subject lands have previously inhabited by the Awabakal community;
- the archaeological field survey is inadequate as it was limited to areas around existing trails, disturbed by motorbikes and/or highly vegetated areas with poor ground visibility;
- the HIS has relied on AHIMS/archaeological database, which has not been updated since July 2007;
- objection to removal of any topsoil from the site;
- there is a need for subsurface excavation of the entire site through extending test pits to points throughout the site;
- HIS and Plan of Management is to:
 - provide mitigation measures to address development related impacts, devised in consultation with community, with particular emphasis on areas close to watercourses;
 - all artefacts discovered on site should be reburied on site;
 - there should be no impact on the midden sites;
- Awabakal names to be used in street names/parks/community areas etc and interpretive signage and artworks to be provided; and
- All aboriginal stakeholders to be notified in event of any onsite archaeological discoveries and workers to be trained in aboriginal cultural awareness.

The Proponent submitted a revised Heritage Impact Statement (HIS) as part of the PPR. The revised HIS provided evidence of consultation to date with the registered aboriginal stakeholders, sets out details for future consultation and provides a response to the Aboriginal stakeholder's comments.

Department's Consideration

The Department is satisfied that the revised HIS addresses issues relating to the documented consultation process, as required by the OEH, and that the level of assessment and field surveys undertaken is appropriate for the purpose of the concept plan. The Department also supports the preparation of an ACHMP and considers that a number of issues raised by the ATOAC can be addressed in the ACHMP. The Department considers that the ACHMP should incorporate OEH requirements and should include:

- procedures for ongoing Aboriginal consultation and involvement;
- details of the responsibilities of all stakeholders;
- a statement of the Aboriginal cultural significance of the Site;
- details of proposed mitigation and management strategies for Aboriginal sites identified to be impacted within the Site, including but not limited to, further investigations, salvage activities and monitoring programs;
- identification and management of any proposed cultural heritage conservation area(s);
- procedures for the identification and management of previously unrecorded sites (excluding human remains);
- details of an Aboriginal cultural heritage education program for all contractors and personnel associated with construction activities;
- details of an appropriate keeping place agreement with local Aboriginal community representatives for any Aboriginal objects salvaged through the development process;
- details of proposed Aboriginal cultural heritage interpretation strategies for the Site; and
- compliance procedures in the event that non-compliance with the ACHMP is identified.

These requirements have been reflected in the recommended instrument of approval.

6.8 Bushfire Management

A Bushfire Threat Assessment submitted in support of the concept plan considers the proposed development against the requirements of *Planning for Bushfire Protection 2006* and the *Australian Standard AS3959-2009 Construction of Buildings in Bushfire Prone Areas*. The assessment sets out requirements for asset protection zones (APZs) of between 10 and 25 metres, as well as recommendations regarding access and egress, construction standards and ongoing management measures. The Bushfire Threat Assessment concludes that future dwellings within the proposed development area would be able to comply with the relevant standards.

Comments received from NSW Rural Fire Service (RFS) raised the following concerns relating to bushfire management:

- Classification of vegetation, details of the effective slopes to the west and north-east of the site, and road widths
- Emergency vehicle access from Kanangra Drive to the south west part of the site is required
- The proposed APZs do not comply with Planning for Bushfire Protection (PBP)
- Proposed landscape character is not compatible with a managed environment for bushfire protection.

In response, the Proponent amended the proposed concept plan, as shown in Figure 16 below, providing an additional 'left in – left out' access/egress arrangement onto Kanangra Drive in the south-west of the site. In addition, the Proponent has included a commitment to prepare a Bushfire Management Plan for each stage of subdivision in accordance with the requirements of *Planning for Bushfire Protection 2006*, and any requirements of the RFS, as part of its Statement of Commitments.

The RFS considers the revised arrangement to be adequate and that the required APZs can be accommodated within the site, consistent with PBP. The NSW RFS has provided a number of requirements for future development applications, being:

- Road reserves are required to be managed as asset protection zones

- The vegetation buffer between the Kanangra Drive and the Lots is required to be managed as an outer protection area
- The provision for water, electricity and gas supplies are to comply with Planning for Bushfire Protection 2006
- Road access, road widths and landscaping should comply with Planning for Bushfire Protection 2006
- An emergency vehicular access from Kanangra Drive is to be located in south west corner of the development

Wyong Council supports the provision of an additional access to Kanangra Drive at the south west of the development but also consider that an additional permanent access should be provided from the Hamlet A directly into Kanangra Drive.

RFS advice also has identified the vegetated buffer zone to the east of Kanangra Drive as a potential outer protection area. It is noted, that the approval from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) under the *Environmental Protection and Biodiversity Act 1999* (EPBC Act), requires the proponent to develop a long term management plan for the conservation and viability of the *Angophora inopina* population, a threatened species, in the northern portion of the proposed buffer zone.



Figure 16 - Indicative Concept Plan Layout, showing emergency access/egress

Department's Consideration

The Department considers the revised proposals for emergency access to the site to be adequate.

The Department considers that an additional access point from Hamlet A to Kanangra Drive is unnecessary given that permanent access is already provided from Hamlet A to the north via Summerland Road. This is consistent with the advice provided by RFS. The Department concurs with the RFS that the site can accommodate the required APZs. However, all other bushfire management issues, including APZs landscaping, and access requirements set out in the PBP, are to be negotiated with the RFS and Council at the development application stage. As such, the Department considers that a requirement should be imposed requiring any subdivision application to clarify bushfire management arrangements as follows:

- demonstrate that the development complies with Planning for Bushfire Protection 2006;
- demonstrate that the location, layout and management arrangements for APZs has been negotiated with Council and the RFS;
- provide a map showing the composition of APZs, including the inner and outer protection zones, and their relationship to the proposed building footprints; and
- outline proposed arrangements for management of bushfire hazard and APZs during the development process.

The Department also considers that where any APZ is proposed to be located on Council land, the management arrangements would need to be negotiated with and agreed to by Council.

The Department considers that the potential conflict between the protection/management of the threatened species located in the proposed buffer zone east of Kanangra Drive (as required under the EPBC Act) and the need to provide adequate outer protection zones for bushfire management needs to be managed. As such, the Department has included a requirement in the recommended instrument of approval requiring the Proponent negotiate with Council and the RFS in the preparation of a future management plan for the buffer zone that is consistent with the requirements of the EPBC Act approval. In addition, it is considered that Council may need to accept this land in order to ensure a satisfactory level of management as required under the terms of the EPBC Act approval. As such, the Department considers that the management plan should also include provisions for future ownership of the buffer zone. This requirement has been incorporated into the recommended instrument of approval.

Impacts of climate change on bushfire hazard

Climate change and associated predicted temperature rises will lead to an increase in the average number of days when the Forest Fire Danger Index (FFDI) rating is very high to extreme. The combined frequency of days with very high and extreme FFDI ratings is likely to increase from 4-25% by 2020 and 15-70% by 2050, with the increase in fire weather risk being greater away from the coast. These estimates are from a CSIRO study of climate change impacts on fire weather in south-east Australia carried out in 2005. The study also highlights a number of uncertainties when assessing the impacts of fire weather risk associated with climate change, such as:

- Changes in rainfall thresholds;
- Changes in ignition and fire loads; and,
- Changes in El Nino-Southern Oscillation events under climate change.

There is an increased risk of fire weather associated with climate change, as indicated by the FFDI predictions mentioned, however at this stage the regional impacts cannot be easily quantified with any certainty. The coastal location would appear to be an advantage, with a lesser risk than inland areas. Given the uncertainties, the application of current requirements embodied in *Planning for Bushfire Protection 2006* is considered appropriate.

7 CONCLUSION

The Department has assessed the EA, PPR and addendum to the PPR and considered the advice from public authorities as well as issues raised in public submissions in accordance with section 75I(2) of the Act. All the relevant environmental issues associated with the proposal have been extensively assessed.

It is considered that the key issues associated with the proposal relate to impacts on mining potential, mine subsidence hazard, traffic and transport, urban design and built form, commercial development, impacts on ecological values including flora and fauna and water quality, Aboriginal heritage, bushfire hazard, and contamination. However, the Department is of the view that the Proponent has satisfactorily addressed these issues or that they can be addressed through modifications to the concept plan and further environmental assessment requirements. The recommended modifications and further assessment requirements are located at Appendix A and include the following:

- remove the proposed commercial / retail floor space;
- Locate all urban lots above the 100 year flood level plus 0.5 metre freeboard;
- ensure bushfire hazards are managed, including through provision of adequate APZs and access arrangements; and negotiation of the location, layout and management arrangements for APZs with RFS and Council;
- ensure mine subsidence hazards are appropriately managed;
- provide a staging plan outlining a schedule for delivery of service infrastructure, local and State contributions, and the Statement of Interim Management Intent;
- prepare detailed urban design guidelines in consultation with Council, and provide details on proposed landscaping and treatment of public domain;
- ensure proposed roads and road upgrades are designed and constructed to RTA and Council requirements;
- investigate opportunities to extend the existing bus route to better service the development;
- outline strategies to minimise clearing and retain trees, and minimise impacts of clearing on native fauna;
- manage the interface between development and conservation lands;
- manage impacts on water quality and groundwater (including groundwater dependant ecosystem communities) through implementation of water sensitive urban design and monitoring;
- preparation of an Aboriginal Heritage Plan of Management., in consultation with registered Aboriginal stakeholders; and
- management of construction impacts, through the preparation of a Construction Environmental Management Plan.

Subject to the requirements outlined in the Proponent's Statement of Commitments, and the modifications and further assessment requirements outlined in the recommended Instrument of Approval, the Department considers that the proposal is in the public interest as it would provide development of an appropriate scale given the local context and site constraints, and it would facilitate the dedication and protection of conservation lands in perpetuity. On this basis it is also considered that the site is suitable for the proposed development.

The Department recommends that all future development is subject to Part 4 of the Act, with Council as the consent authority. The Department also recommends that the subdivision to enable the transfer of conservation lands requires no further assessment and that project approval for this aspect is granted in conjunction with the Concept Plan. Consequently, the Department recommends that the proposed Concept Plan be approved, subject to the proposed modifications and further assessment requirements outlined at **Appendix A**.

8 RECOMMENDATION

It is recommended that the Minister:

- (A) **consider** all relevant matters prescribed under Section 75O(2) of the *Environmental Planning and Assessment Act, 1979* including those relevant matters prescribed by Section 75N and 75I(2) as contained in the findings and recommendations of this report;
- (B) **approve** the Concept Plan application, subject to modifications, under Section 75O of the *Environmental Planning and Assessment Act, 1979* having considered all relevant matters in accordance with (A) above;
- (C) **determine** the future environmental assessment requirements for subsequent project or development applications associated with the Concept Plan;
- (D) **determine** no further environmental assessment is required for the transfer of conservation lands and grant project approval; and
- (E) **Sign** the Instrument of Approval (Tag A).

Prepared by:



Alan Moroney
Planning Officer
Strategic Assessment



Ann-Maree Carruthers
Team Leader
Strategic Assessment

Endorsed by:



Director
Strategic Assessment



Executive Director
Urban Renewal and Major Sites



Director General

9/5/2012

APPENDIX A. RECOMMENDED INSTRUMENT OF APPROVAL

APPENDIX B. PREFERRED PROJECT REPORT /RESPONSE TO SUBMISSIONS

See the Department's website at <http://majorprojects.planning.nsw.gov.au>

APPENDIX C. INDEPENDENT HEARING AND ASSESSMENT PANEL REPORTS

See the Department's website at <http://majorprojects.planning.nsw.gov.au>

APPENDIX D. ENVIRONMENTAL PLANNING INSTRUMENTS

Wyong Local Environmental Plan 1991

The Site was rezoned on 13 April 2012, by way of *State Environmental Planning Policy Amendment (Gwandalan) 2012* which amended the *Wyong Local Environmental Plan 1991* to protect land of environmental conservation value with environmental protection zoning, identify land appropriate for development with residential zoning, and establish development controls over the Site. The concept plan is generally consistent with the LEP through its proposed layout, land use and development controls. However, the proposal for commercial/retail floor space is not permitted under the LEP and as such it is recommended that the concept plan be modified to exclude this component of the proposal.

It is noted that, in accordance with Section 75M of the Act, the obligation to prepare a DCP as required by the LEP is satisfied in the event that the concept plan is approved for the site.

State Environmental Planning Policy No. 14 – Coastal Wetlands

The aim of SEPP No. 14 is to ensure that the coastal wetlands are preserved and protected in the environmental and economic interests of the State. A coastal wetland is located entirely within the proposed conservation offset lands, which as part of the land offset agreement will be dedicated to OEH, thereby ensuring that the wetland is protected in perpetuity.

State Environmental Planning Policy No. 44 Koala Habitat Protection (SEPP 44)

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. SEPP 44 applies to the site as it is located in Wyong local government area which is listed in Schedule 1 of the SEPP. The ecological assessment provided in the Environmental Assessment Report finds that the site is not considered to represent 'Core Koala Habitat'.

State Environmental Planning Policy No. 55 (Remediation of Land) (SEPP 55)

SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying that certain considerations be made by the consent authority when determining development applications in general, and where relevant, land has been appropriately remediated. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated, or cannot be remediated to make it suitable for the proposed use.

The proponent has prepared a Preliminary Contamination Assessment, which concluded that the site can be made suitable for residential development through remediation. The proponent has committed to implementation necessary remediation measures prior to issue of the construction certificate for stage 1 works.

The Department is satisfied that the site can be made suitable for the proposed uses, subject to further assessment and consideration at the development application stage.

State Environmental Planning Policy (Infrastructure) 2007

The main objectives of the Infrastructure SEPP are to facilitate the effective delivery of infrastructure by improving regulatory certainty through consistent planning management for infrastructure and providing greater flexibility in the location of infrastructure and service facilities. As part of the assessment process the proposal was referred to relevant State agencies responsible for infrastructure including the RTA, Department of Education and Training, Department of Health, and Emergency Services.

The Proponent contributes to the provision of local and regional infrastructure through a \$5 million dollar grant for local community facilities, and to contribute towards the costs of local road intersection upgrades. In addition the Proponent has agreed to enter into a VPA to contribute towards the costs of land acquisition for the local school and for an emergency services facility.

The Infrastructure SEPP also aims to ensure the RTA is made aware of and allowed to comment on projects for developments listed in Schedule 3 of the SEPP. Schedule 3 identifies development including subdivision for 200 or more allotments where the subdivision includes the opening of a public road. The proposal therefore triggers the Infrastructure SEPP. The project was referred to the RTA for comment in accordance with the Infrastructure SEPP.

State Environmental Planning Policy (Mining) 2007

The Mining SEPP aims to provide appropriate management of mineral reserves and extractive industries, and facilitate development of lands containing extractive mineral resources. In considering a development proposal, the SEPP requires consideration of whether or not the development is likely to have a significant impact on the future recovery of minerals (including by limiting access to, or impeding assessment of, those resources). It is also required to evaluate and compare the respective public benefits of the proposed development against future recovery of minerals.

The proposed development site forms approximately 3.5% of a consolidated coal mine lease which is not considered a significant proportion of the overall lease area. As a result of the proposed development, full extraction is not likely to be possible due to subsidence risk, however partial extraction has been carried out under existing township areas, therefore it is likely that partial extraction could at least be carried out under the development site. Given the small proportion of the proposed development site in context of the mine release area, limiting future mining under the development site to partial extraction is not considered to have a significant impact on the overall value of the consolidated mine lease area.

State Environmental Planning Policy No. 71 – Coastal Protection

SEPP 71 aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast. The proposal incorporates water sensitive urban design measures to minimise impacts of runoff to Crangan Bay and Lake Macquarie, while the foreshore area is incorporated into the proposed Conservation Lands for transfer to OEH ensuring its ecological and aesthetic values are protected. Public access to the foreshore will also be improved with controlled access paths.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The BASIX SEPP aims to encourage sustainable residential development in accordance with the BASIX scheme. The BASIX SEPP will apply to new dwellings, future retirement housing and the commercial development as identified in the Concept Plan. The SEPP will be applied at the Development Application stage for each dwelling / building. An Energy and Water Savings Action Plan has also been prepared to address BASIX requirements.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

The Seniors and Disabled Persons SEPP aims to encourage housing for aged and disabled persons that is designed to meet their living needs in areas where existing infrastructure and services are provided. The Concept Plan identifies two super lots for future seniors living. Based on their location adjacent to the existing village of Gwandalan which provides local community services, the potential for a future seniors living development is recognised. As no specific design details however are provided in the Concept Plan, full consideration of the SEPP will be given under future Development Applications for a seniors living development.

Hunter Regional Environmental Plan 1989 (Heritage)

The REP aims to conserve the environmental heritage of the Hunter Region, identifies some 1300 heritage items in a number of categories - state, regional, local and areas requiring investigation, and heritage precincts land within the locality is identified in the REP. No items are identified within the site or in the vicinity of the site.

APPENDIX E. ENVIRONMENTAL ASSESSMENT

See the Department's website at <http://majorprojects.planning.nsw.gov.au>

APPENDIX F. SUBMISSIONS SUMMARY

See the Department's website at <http://majorprojects.planning.nsw.gov.au>

APPENDIX G. POLITICAL DONATION DISCLOSURES

See the Department's website at <http://majorprojects.planning.nsw.gov.au>

02

Land Use Provisions



Wyong
Shire
Council

Land Use Tables

The Wyong Local Environmental Plan (LEP) 2013 is the principal Environmental Planning Instrument applying to the subject land.

The land is currently zoned part E2 Environmental Conservation, part IN2 Light Industrial and part RE1 Public Recreation. The zones proposed are B2 Local Centre, R2 Low Density Residential R1 General Residential. The land use tables, identifying the objectives, permissible and prohibited land uses for the existing and proposed zones are provided below:

Zone R1 General Residential

1 Objectives of zone

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote “walkable” neighbourhoods.
- To ensure that development is compatible with the scale and character of the local area and complements the existing streetscape.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Car parks; Caravan parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Home businesses; Home industries; Home occupations (sex services); Hostels; Hotel or motel accommodation; Information and education facilities; Jetties; Multi dwelling housing; Neighbourhood shops; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Shop top housing; Signage; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain and enhance the residential amenity and character of the surrounding area.
- To provide a residential character commensurate with a low density residential environment.

2 Permitted without consent

Home-based child care; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health consulting rooms; Home businesses; Home industries; Information and education facilities; Jetties; Neighbourhood shops; Places of public worship; Recreation areas; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Shop top housing; Water recycling facilities; Water reticulation systems; Water storage facilities

4 Prohibited

Any development not specified in item 2 or 3

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Food and drink premises; Garden centres; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Recreation facilities (major); Registered clubs; Residential accommodation; Rural industries; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

Zone RE1 Public Recreation

1 Objectives of zone

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To provide linked open space for ecosystem continuity, public access, local community recreation and waterway protection.
- To provide space for integrated stormwater treatment devices for flow and water quality management.
- To enable ancillary development that complements land zoned for recreational purposes.

2 Permitted without consent

Nil

3 Permitted with consent

Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Caravan parks; Charter and tourism boating facilities; Child care centres; Community facilities; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Food and drink premises; Function centres; Information and education facilities; Jetties; Kiosks; Marinas; Markets; Mooring pens; Moorings; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads; Sewerage systems; Waste or resource management facilities; Water recreation structures; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

Zone E2 Environmental Conservation

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect endangered ecological communities, coastal wetlands and littoral rainforests.
- To enable development of public works and environmental facilities if such development would not have a detrimental impact on ecological, scientific, cultural or aesthetic values.

2 Permitted without consent

Nil

3 Permitted with consent

Eco-tourist facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Recreation areas; Research stations; Roads; Water reticulation systems

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To permit residential accommodation while maintaining active retail, business and other non-residential uses at street level.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Sewage reticulation systems; Shop top housing; Tourist and visitor accommodation; Water reticulation systems; Water storage facilities; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Camping grounds; Caravan parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mortuaries; Open cut mining; Recreation facilities (outdoor); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewerage systems; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

04

Mapping



Wyong
Shire
Council



Wyong
Shire
Council
CENTRAL COAST

Wyong Local Environmental Plan 2013

Site Identification Map

Part of maptile:

8550_COM_LZN_016_020_20150901

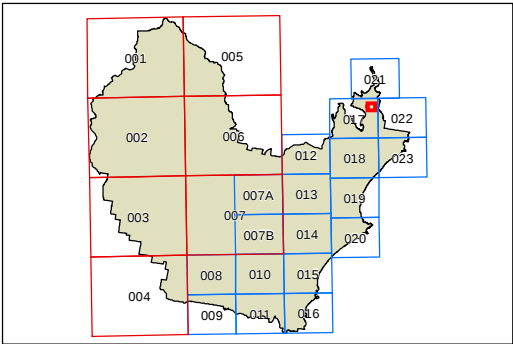
Proposed Zone

 Subject Land

Cadastre

 Cadastre 01/03/2014 © Land and Property information (LPI)

This map is for explanation purposes only.
This map is not a legal document.



N

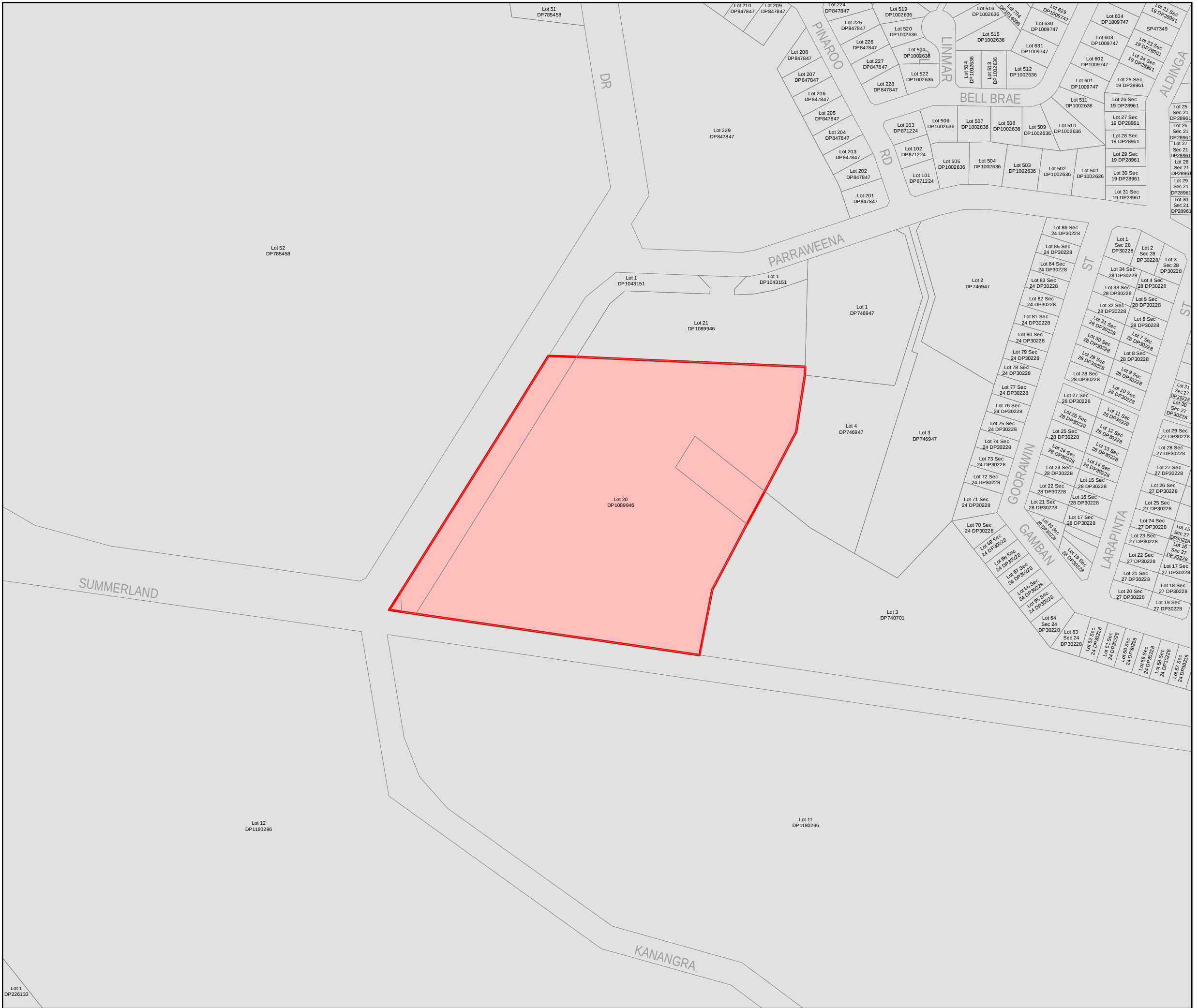


Projection: GDA 1994
MGA Zone 56

0 50 100
Metres

Scale: 1:3,000 @ A3

Map identification number:
8550_COM_LZN_017_005_20150901





Wyong
Shire
Council
CENTRAL COAST

Wyong Local Environmental Plan 2013

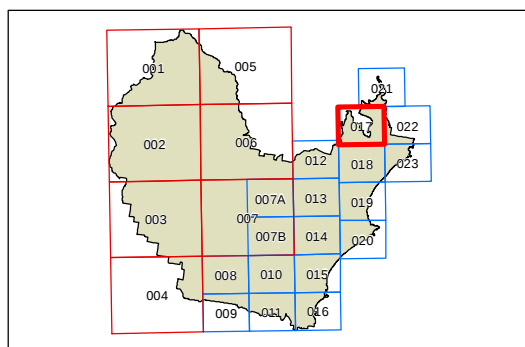
Land Zoning Map - Sheet LZN_017

Zone

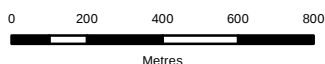
- | | |
|------------|------------------------------------|
| B1 | Neighbourhood Centre |
| B2 | Local Centre |
| B3 | Commercial Core |
| B4 | Mixed Use |
| B5 | Business Development |
| B6 | Enterprise Corridor |
| B7 | Business Park |
| E1 | National Parks and Nature Reserves |
| E2 | Environmental Conservation |
| E3 | Environmental Management |
| E4 | Environmental Living |
| IN1 | General Industrial |
| IN2 | Light Industrial |
| R1 | General Residential |
| R2 | Low Density Residential |
| R3 | Medium Density Residential |
| R5 | Large Lot Residential |
| RE1 | Public Recreation |
| RE2 | Private Recreation |
| RU1 | Primary Production |
| RU2 | Rural Landscape |
| RU3 | Forestry |
| RU5 | Village |
| RU6 | Transition |
| SP1 | Special Activities |
| SP2 | Infrastructure |
| SP3 | Tourist |
| W1 | Natural Waterways |
| W2 | Recreational Waterways |
| DM | Deferred matter |

Cadastre

☐ Cadastre 01/02/2015 © Land and Property information (LPI)



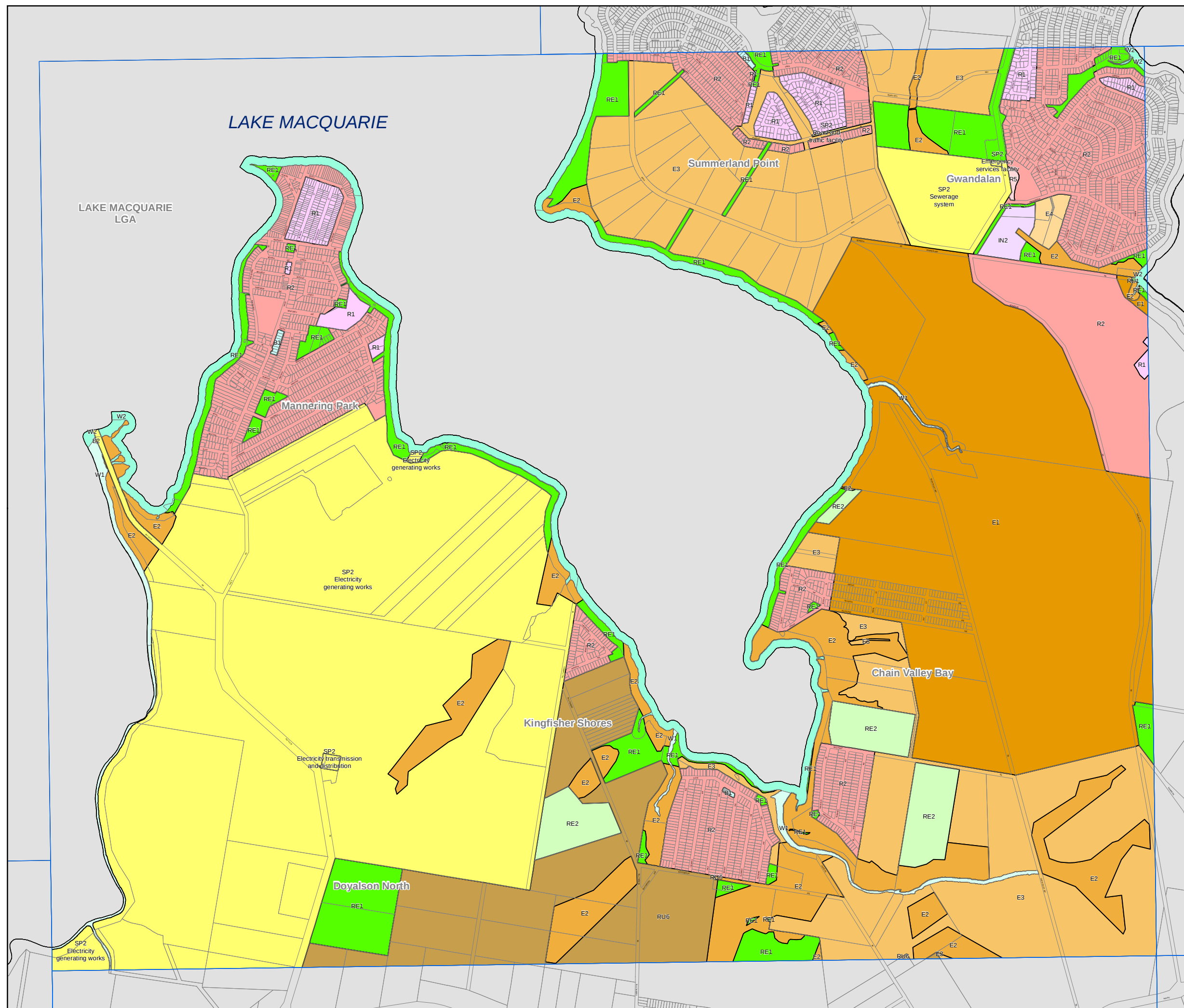
N



Projection: GDA 1994
MGA Zone 56

Scale: 1:20,000 @ A3

Map identification number:
8550_COM_LZN_017_020_20150901





**Wyong Local
Environmental
Plan 2013**

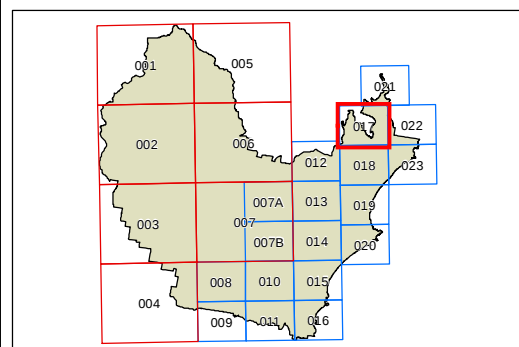
Lot Size Map - Sheet LSZ_017

Minimum Lot Size

G	450 m ²
V	2500 m ²
W	4000 m ²
Z	2 ha
AA	8 ha
AB1	20 ha
AB2	40 ha

Cadastre

Cadastre 01/03/2014 © Land and Property information (LPI)

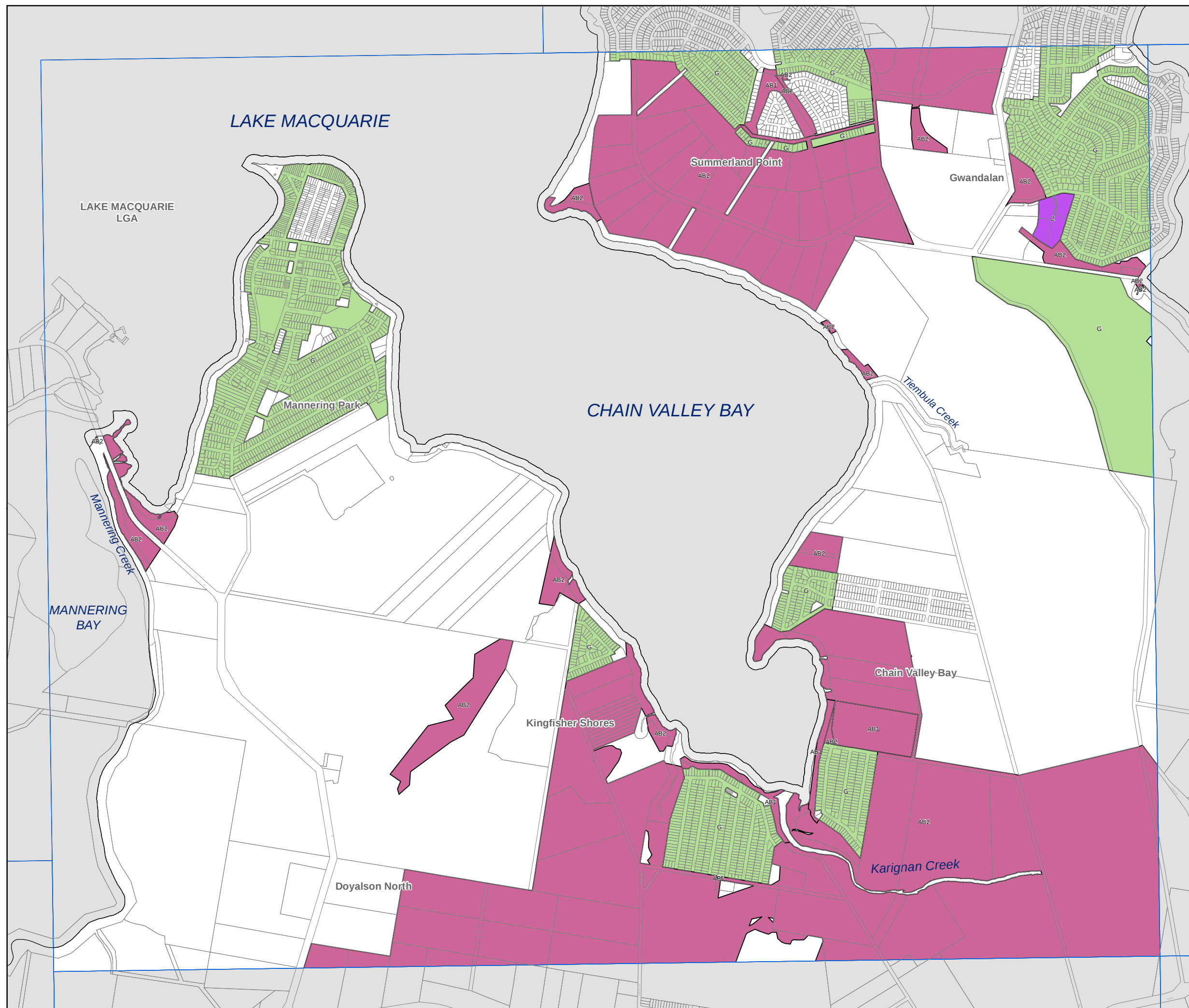


Projection: GDA 1994
MGA Zone 56

0 200 400 600
Metres

Scale: 1:20,000 @ A3

Map identification number:
8550_COM_LSZ_017_020_20150901





Wyong
Shire
Council
CENTRAL COAST

Wyong Local Environmental Plan 2013

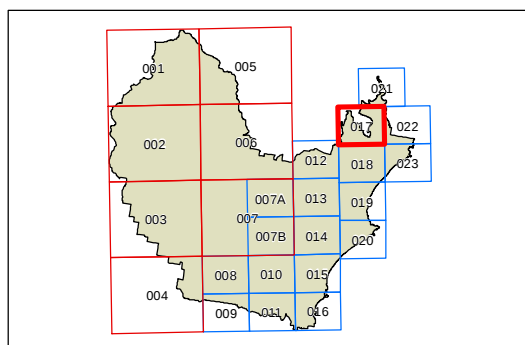
Land Zoning Map - Sheet LZN_017

Zone

- B1** Neighbourhood Centre
- B2** Local Centre
- B3** Commercial Core
- B4** Mixed Use
- B5** Business Development
- B6** Enterprise Corridor
- B7** Business Park
- E1** National Parks and Nature Reserves
- E2** Environmental Conservation
- E3** Environmental Management
- E4** Environmental Living
- IN1** General Industrial
- IN2** Light Industrial
- R1** General Residential
- R2** Low Density Residential
- R3** Medium Density Residential
- R5** Large Lot Residential
- RE1** Public Recreation
- RE2** Private Recreation
- RU1** Primary Production
- RU2** Rural Landscape
- RU3** Forestry
- RU5** Village
- RU6** Transition
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist
- W1** Natural Waterways
- W2** Recreational Waterways
- DM** Deferred matter

Cadastre

☐ Cadastre 01/02/2015 © Land and Property information (LPI)

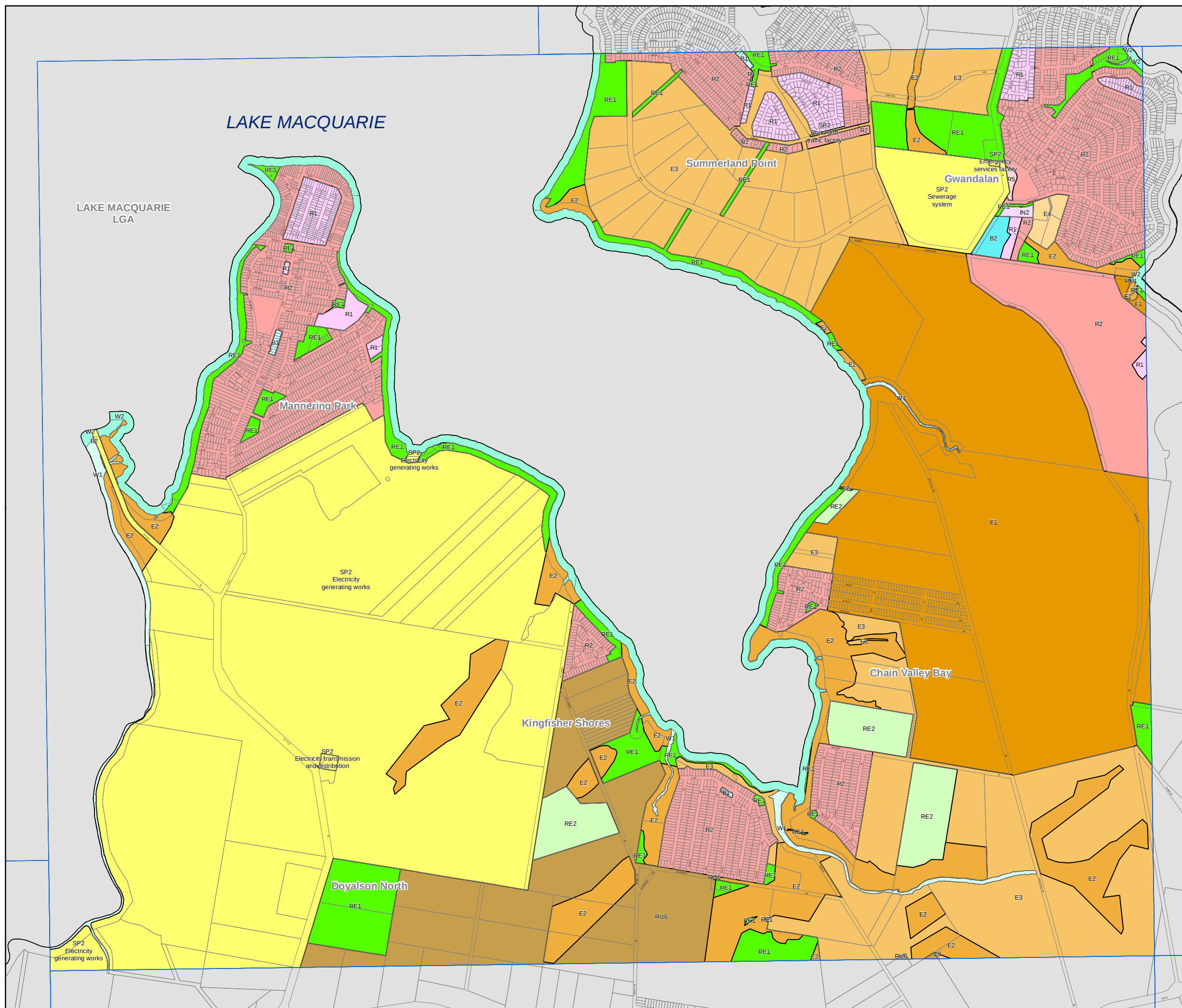


0 200 400 600 800
Metres

Projection: GDA 1994
MGA Zone 56

Scale: 1:20,000 @ A3

Map identification number:
8550_COM_LZN_017_020_20150901





**Wyong Local
Environmental
Plan 2013**

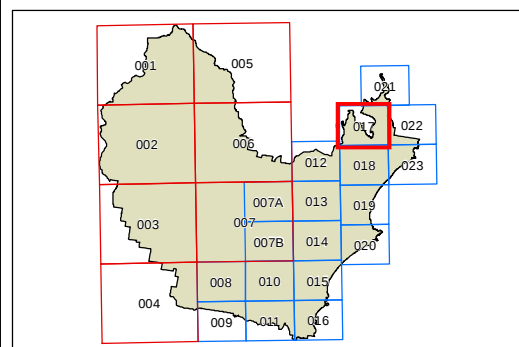
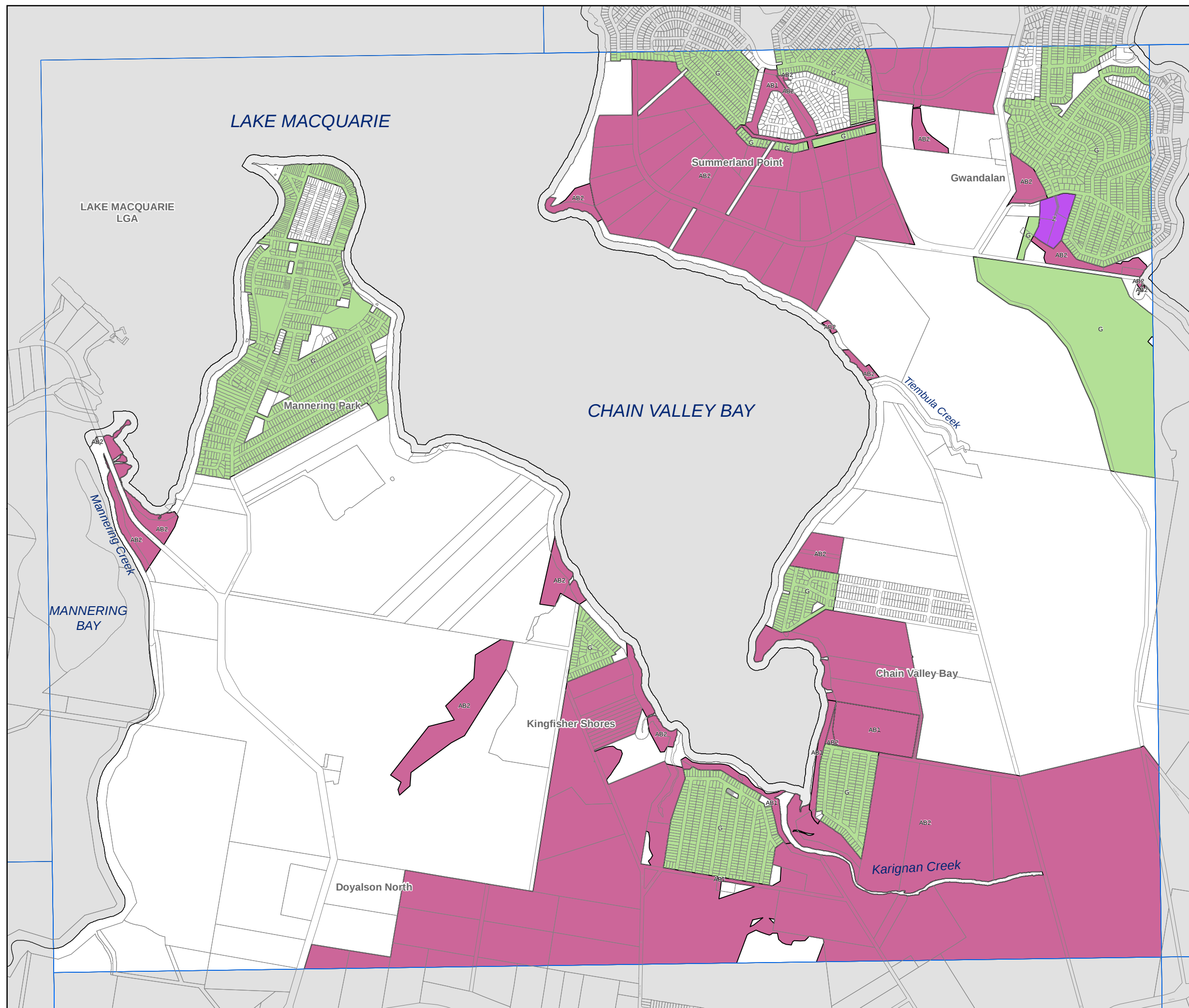
Lot Size Map - Sheet LSZ_017

Minimum Lot Size

G	450 m ²
V	2500 m ²
W	4000 m ²
Z	2 ha
AA	8 ha
AB1	20 ha
AB2	40 ha

Cadastre

Cadastre 01/03/2014 © Land and Property information (LPI)



Projection: GDA 1994
MGA Zone 56

0 200 400 600
Metres

Scale: 1:20,000 @ A3

Map identification number:
8550_COM_LSZ_017_020_20150901



Wyong
Shire
Council
CENTRAL COAST

Wyong Local Environmental Plan 2013

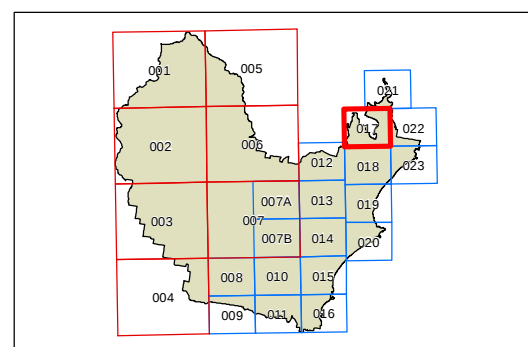
Land Reclassification (Part Lots) Map - Sheet RPL_017

Land Reclassification (Part Lots)

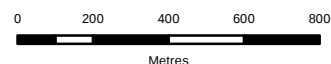
 Community Land

Cadastral

 Cadastral 01/02/2015 © Land and Property information (LPI)



Projection: GDA 1994
MGA Zone 56



Scale: 1:20,000 @ A3

Map identification number:
8550_COM_RPL_017_020_20150901

