



Wyong Shire Council
Planning Proposal – Additional Permitted Use
8 Warrigal Street
The Entrance

RZ/3/2015
March 2016



Planning Proposal
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Pre-Gateway 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

Additional Permitted Use – 8 Warrigal St The Entrance

File No. RZ/3/2015

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Introduction & Locality Context

The subject site is a single lot located on the corner of Warrigal and Taylor Streets, The Entrance.

The site is level and cleared and has a site area of 683m². A dwelling house located on the site was recently demolished.

The site adjoins the recently approved major redevelopment site of the Lakeside Plaza shopping centre immediately to the north and an existing 6 storey mixed-use development to the west.



Figure 1 Contextual Locality Plan

Part 1 Objectives or Intended Outcomes

The intended outcome of this Planning Proposal is to make stand-alone residential flat development permissible on the subject site.

Part 2 Explanation of Provisions

The outcome will be facilitated by amending *Wyong Local Environmental Plan (LEP) 2013 Schedule 1 Additional Permitted Uses* and the associated Additional Permitted Uses Map making a residential flat building permissible on the site.

Part 3 Justification

Section A – Need for the Planning Proposal

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

The proposal is for an additional permitted use only and does not implement the findings of a Strategic Study or report.

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

The subject site is zoned B2 – Local Centre under *Wyang LEP 2013*. Stand-alone residential accommodation is prohibited in the B2 zone. An LEP amendment is the most appropriate method available to allow the additional land use to be permitted.

An alternative to providing for an additional permitted use for the subject site is to change the land zoning under *Wyang LEP 2013* using the planning proposal process, however this would potentially eliminate the commercial uses or open the site up to other uses that may not be considered appropriate. The additional permitted uses process allows local land use controls to be put in place if required.

Section B – Relationship to strategic planning framework

Where a regional or sub-regional strategy is in place:

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Central Coast Regional Strategy

The *Central Coast Regional Strategy 2006-2031* (CCRS) applies to the Gosford and Wyong local government areas (LGAs). A primary purpose of the strategy is to ensure that adequate land is available and appropriately located to sustainably accommodate projected housing needs until 2031. The CCRS refocuses development to strengthen and increase the vibrancy of centres and to support Gosford City Centre as a Regional City and Tuggerah-Wyong as a Major Centre.

The subject site is located at The Entrance which is nominated as a “town centre” within the CCRS. It is anticipated that renewal and increased residential densities is to occur in town centres however this is to occur at an appropriate scale to protect and enhance the character of these centres.

The CCRS is to provide the basis of the planning by the local government sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the actions identified in the CCRS:

Action	Consistency
4.2 Councils are to provide for a mix of housing types, including housing that will accommodate	The future redevelopment of the site for residential flat development will create an

an ageing population and smaller household sizes through the preparation of LEPs and strategies.	opportunity to provide a better mixture of household types in the area.
4.3 Councils are to facilitate competitive land releases in the Region and to meet, as a minimum, the dwelling capacity targets and distribution by centres provided in this Regional Strategy, Work to be done in conjunction with the Department of Planning and delivered through the timely preparation of LEPs.	The proposal will provide additional housing to the locality which will assist in achieving housing targets for The Entrance.
4.4 Councils are to investigate the potential for land located within and around centres for future housing opportunities. consistent with the centres hierarchy and the dwelling and employment capacity targets through the preparation of LEPs and local planning strategies,(i.e. generally within a radius of 1000 metres of a regional city and major centre, 800 metres for towns, 400- 600 metres for villages and 150 metres for neighbourhoods).	The subject site is located within The Entrance town centre which is ideal for future housing opportunities as its within proximity to a number of retail and commercial uses including the Lakeside Shopping Centre.
4.10 Provide around 70 per cent of new housing in existing urban areas and the new Warnervale Town Centre by: • focusing new development in key centres to take advantage of services, shops and public transport as well as identifying and preserving the character of the Central Coast's smaller neighbourhoods and suburbs • ensuring that existing centres will be developed consistent with the centres hierarchy.	The proposal will provide new housing in an existing urban area which provides a variety of services, retail shops and is within close proximity to a bus stop along The Entrance Road (approximately 100m).
4.22 Councils are to ensure location of new dwellings improves the Region's performance against the target for State Plan priority E5 'Jobs closer to home -increase the proportion of people living within 30 minutes of a city or major centre by public transport in metropolitan Sydney'.	The subject site is within 100m of a bus stop which provides services to Wyong via either Tuggerah or Toukley or to Gosford. The bus services to Tuggerah take approximately 40 minutes which is generally consistent with this action and provides employment opportunities for future residents

Draft Central Coast Regional Plan

The *Draft Central Coast Regional Plan (2015)* has recently been through a public exhibition process. The draft plan identifies the following goals:

- enhance community lifestyles and accelerate housing supply;
- grow and diversify the regional economy;
- sustain productive landscapes; and
- protect and manage the natural and cultural environment.

With respect to The Entrance area, "Direction 1.5 - Improve Housing Choice" of the draft Regional Plan discusses local centres such as The Entrance that have "already been identified with potential for infill housing". With respect of implementing this Direction The Draft Strategy states that:

The NSW Government will: work with councils to:

- identify planning controls in existing urban areas that will increase the range of housing types provided, particularly in and around centres and in locations with good public transport services;
- identify other suitable centres and locations for infill housing such as The Entrance; centres on the Woy Woy Peninsula; Toukley; Terrigal; and Ourimbah; and identify blockages to growth and opportunities to facilitate growth;

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

Wyong Community Strategic Plan (CSP) 2030

The *Wyong Shire Community Strategic Plan (CSP)* identifies what the Shire Strategic Vision is, how the vision was created through the community, the importance of the community, Council, State and Federal Government working together to achieve the Shire's vision, and how the Shire Strategic Vision integrates with *Council's Asset Management Strategy* and long-term Financial Strategy.

The CSP identifies 8 priority objectives, each supported by a range of actions:

CSP Objective	Consistency
Communities will be vibrant, caring and connected with a sense of belonging and pride in their neighbourhood.	The subject land is within an existing residential development. Opportunities exist for new residents to participate in existing programs in the district, including community, business, sports, recreation, education and creative groups. The Planning Proposal is consistent with the <i>Wyong Shire Settlement Strategy</i> as discussed elsewhere in this report.
There will be ease of travel within the Shire and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.	The subject land is within to existing major population areas with good access to services. A bus services operate in the area and links to the

	rail network.
Communities will have access to a diverse range of affordable and coordinated facilities, programs and services	The proposed development will result in developer contributions to cultural and community facilities, open space, sports and recreation facilities. Council is currently seeking to increase utilisation of many of its existing facilities
The community will be well educated, innovative and creative; people will attain full knowledge potential at all stage of life.	Not relevant to this Proposal.
Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.	Not relevant to this Proposal.
There will be a sense of community ownership of the natural and built environment through direct public involvement with programs and services.	The community will be given an opportunity to comment on any potential impacts of this proposal through the exhibition process.
There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.	The proposal will provide for additional permanent residents in an area where businesses suffer during non-holiday periods due to a dramatic change in population and spending.
Information communication technology will be consistent with the world's best practice and adaptive to technological advances across all sectors.	This area is serviced by the National Broadband Network.

The Wyong Shire Settlement Strategy

The *Wyong Shire Settlement Strategy (2013)* is Wyong Shire's principal reference for the management of population growth, local employment increase and infrastructure access for the next 20 years. The *Settlement Strategy* replaces the *Wyong Residential Development Strategy (2002) (RDS)*.

The *Settlement Strategy* indicates that both greenfield and in-fill residential development will be required to accommodate expected population growth over the next 20 years and envisages a significant population increase at The Entrance of over 16,000 residents.

With regard to residential building height and density requirements The *Settlement Strategy* adopted the recommendations of *The Entrance Peninsula Planning Strategy (TEPPS)* and the subsequent document *Planning Controls for The Entrance Peninsula*.

The Entrance Peninsula Planning Strategy (TEPPS)

The purpose of *The Entrance Peninsula Planning Strategy (2009)* was to "review *The Entrance Strategy (2000)* and to carry out comprehensive strategic planning for the Long Jetty and The Entrance North

areas, which has not previously been undertaken". The *TEPPS* divides the strategy area into 16 distinctive precincts and provides a group of recommendations for the implementation of the development strategy for each of these areas. The "Strategy Implementation" of the *TEPPS* required the development of the specific planning controls and a Masterplan for The Entrance Town Centre area.

The subsequent document *Planning Controls for The Entrance Peninsula (2011)* was used to create the LEP and Development Control Plan (DCP) Controls that came into force with *Wyong LEP 2013*. With regard to the subject land *Planning Controls for The Entrance Peninsula (2011)* recommended a maximum building height of 22 m and FSR of 2.75:1 were recommended. A building height of 23 m and an FSR of 2.75:1 were adopted under *Wyong LEP 2013*.

The site is within the land included in *The Entrance Town Centre Masterplan (2011)* but is not specifically referred to in this document. It is noted that under the Masterplan the site is not indicated as being part of the adjoining Lakeside Plaza site but is shown as adopting a similar built form to the adjoining 6 storey development located immediately to the west. In addition the site is indicated as being a significant distance and potentially isolated from the proposed retail and commercial hub of The Entrance Town Centre.

Retail Centres Strategy

Council's *Retail Centres Strategy (2013)* acknowledges potential for further growth in The Entrance Town Centre and the Lakeside Key Site redevelopment will be a significant strategic outcome to support the long term role of the town centre. The subject site is in the same ownership as the Lakeside redevelopment but will be physically separated from the main development site by a service laneway.

The *Retail Centres Strategy* does not identify the likelihood for retail demand on the subject site and envisages the focus of retail development (as noted in the Masterplan) further to the north of The Entrance Town Centre.

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

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

State Environmental Planning Policy	Comment
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	The site was previously used for residential development and currently residential and commercial development is permissible. The proposal only involves changes to the scale of residential development permissible
(a) by specifying when consent is required, and when it is not required, for a remediation work, and	Any requirement for further consideration or site contamination will be provided as part of the Gateway Determination.
(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and	

State Environmental Planning Policy	Comment
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.	
SEPP 71 – Coastal Protection	
Aims: (a) to protect and manage the natural, cultural, 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	The site is located within the <i>SEPP 71</i> Coastal Protection Zone. The proposal is consistent with the provisions of <i>SEPP 71</i>. The matters outlined 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. • The land has been fully developed for residential use and does not contain any remnant native vegetation or is likely to contain Aboriginal artefacts. • Any development visible from the lake or coastal foreshore areas will not be prominent and will fit into the surrounding skyline dominated by buildings of a similar scale.

State Environmental Planning Policy	Comment
management.	
SEPP 65 – Design Quality of Residential Apartment Development	
Aims: to improve the design quality of residential apartment development in New South Wales.	Development for a residential flat building or shop- top housing will be subject to the considerations of <i>SEPP 65</i> and the <i>Apartment Design Code (2015)</i> . The proposed additional permitted use will not change the need for the consideration of the SEPP for multi-storey residential development.

Table 2 – SEPP Assessment

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

The proposal has been considered against the relevant Ministerial Section 117 Directions as summarised below. The full assessment of these Directions is contained within the Attachments of this proposal.

No.	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	Y	Y
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	N	N/A
2.2	Coastal Protection	Y	Y
2.3	Heritage Conservation	Y	TBD
2.4	Recreation Vehicle Areas	N	N/A
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	Y	Y
3.2	Caravan Parks and Manufactured Home Estates	Y	Y

No.	Direction	Applicable	Consistent
3.3	Home Occupations	Y	Y
3.4	Integrating Land Use & Transport	Y	Y
3.5	Development Near Licensed Aerodromes	N	N/A
3.6	Shooting Ranges	N	N/A
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	Y
4.2	Mine Subsidence and Unstable Land	N	N/A
4.3	Flood Prone Land	N	N/A
4.4	Planning for Bushfire Protection	N	N/A
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	N	N/A
6.3	Site Specific Provisions	N	N/A
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	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 located within a highly urbanised area and it is unlikely that any critical habitat, threatened species, population or ecological communities, or their habitats are present on the site.

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

Any substantial environmental impacts can be appropriately dealt with as part of the assessment of the development proposal for the site. The existing development controls under *SEPP 65, Wyong LEP 2013* are considered to provide sufficient guidance to ensure that a high quality development outcome is achieved.

Any other potential environmental effects have been addressed in the assessment of SEPPs and Ministerial Section 117 Directions.

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

Social Issues

The planning proposal will result in positive social and economic impacts on the locality. The proposal will increase residential densities which will support the various retail shops and services within The Entrance town centre.

Section D – State and Commonwealth Interests

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

Traffic and Transport

The site is located in an area of the road network that currently deals with relatively low traffic volumes. The site is well located with regard to public transport. The proposal does not look to increase the scale of development permissible on the site.

Services (Water, Sewer, Gas & Electricity)

All required services are available on the site. The proposal does not look to increase the scale of development permissible on the site.

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
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Agency	Trigger/Constraint
TBA	

Table 4 – Proposed Agency Consultation List

Part 4 Mapping

To be finalised for exhibition or attached.

Part 5 Community Consultation

The proposal will be made available for Choose days for community/agency consultation and 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
- The Entrance 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)	4 weeks	31/3/16	30/4/16
Anticipated timeframe for the completion of required technical information	0	N/A	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	3 weeks	9/5/16	30/5/16
Commencement and completion dates for public exhibition	2 weeks	15/6/16	30/6/16
Dates for public hearing (if required)	0	N/A	N/A
Timeframe for consideration of submissions	1 week	30/6/16	6/7/16
Timeframe for consideration of a proposal post exhibition	6 weeks	6/7/16	24/8/16
Date of submission to the Department to finalise LEP	3 weeks	1/9/16	22/9/16
Anticipated date RPA will make the plan (if delegated)	1 week	23/9/16	30/9/16
Anticipated date RPA will forward to the Department for notification	1 week	3/10/16	10/10/16

Table 5 – Key Project Timeframes

Supporting Documentation

No.	Document
01 Assessment and Endorsement	
A.	Council Report and Minutes.
B.	Section 117 Ministerial Direction Assessment
C.	Wyong Shire Settlement Strategy (summary)
D.	Wyong Shire Community Strategic Plan
E.	The Entrance Peninsula Planning Strategy
F.	Planning Controls for The Entrance Peninsula
G.	The Entrance Town Centre Masterplan
H.	Wyong Shire Retail Strategy
I.	Central Coast Regional Strategy
02 Land Use Provisions	
A.	Land Use Table - Wyong LEP 2013
04 Mapping	
A.	Locality Plan
Existing Provisions	
B.	Additional Permitted Uses Map (8550_COM_APU_015_020_20131220)

Table 6 – Supporting Documentation to the Planning Proposal