



Memo

TO: JAMIE LOADER – ACTING **CHIEF EXECUTIVE OFFICER**

FROM: **LYNDA HIRST – SENIOR STRATEGIC PLANNER – URBAN PLANNING & DEVELOPMENT SECTION**

SUBJECT: **REQUEST TO SIGN A LETTER TO THE MINISTER FOR PLANNING AND PUBLIC SPACES TO DISCONTINUE PLANNING PROPOSAL RZ/8/2015 IN RESPECT OF LOTS 11-17 DP 219825 (1-5 INGRAM ST & 15-17 OWEN AVE, WYONG), LOTS 10-18 DP 36475 (1-13 OWEN AVE & 3-5 NORTH RD, WYONG), AND LOTS 1 & 2 DP 1223082 (1 & 1R NORTH RD, WYONG)**

DATE: **15 OCTOBER 2020**

FILE NUMBER: **RZ/8/2015/ PP_2017_CCOAS_001_00**

At the Ordinary Meeting of 27 April 2020, Central Coast Council resolved:

287/20 *That Council refuse the request to amend the Wyong Local Environmental Plan 2013 on Lots 11-17 (1-5 Ingram Street & 15-17 Owen Avenue, Wyong), Lots 10-18 DP 36475 (1-13 Owen Avenue & 3-5 North Road, Wyong), and Lots 1 & 2 DP 1223082 (1 & 1R North Road, Wyong) for the following reasons:*

- a No justification has been provided to support the claim that the rezoning of the subject land from R2 Low Density Residential to R3 Medium Density Residential will achieve improved planning outcomes.*
- b No analysis has been undertaken to address the transition from the proposed R3 Medium Density Residential development to surrounding R2 Low Density Residential development. The proposal in its current form would increase the potential for land use conflict with adjoining lower density residential development.*
- c Insufficient information has been submitted to address traffic issues associated with the proposed development. No detailed design has been provided for the road upgrades required to accommodate the proposed development, and no funding mechanism has been prepared to provide monetary contribution from the developer towards the road upgrades.*
- d Insufficient information has been submitted to address flooding issues associated with the proposed development. The current concept plan is inconsistent with Planning Direction 4.3 Flood Prone Land as it proposes an intensification of residential land use on flood prone land.*
- e Insufficient information has been submitted to support and justify the proposed development. The Planning Proposal was lodged with the former Wyong Shire Council in December 2015 and numerous requests for additional information since that time have not been met.*
- f The proposal has exceeded the second extension to the Gateway Determination timeframe of 16 February 2020.*

On 22 September 2017, Council staff received advice from the Department of Planning, Industry and Environment (the Department) indicating that for planning proposals that had received a Gateway Determination, Council must make a request to the Minister for Planning and Public Spaces to determine the planning proposal not proceed under Section 3.5(4) of the Environmental Planning and Assessment Act 1979 (EP&A Act). Such a request enables the Minister to make a decision to alter the Gateway Determination to not proceeding under Section 3.34(7) of the EP&A Act and formally stop the planning proposal. The Department further advised that this process is still required if the Gateway Determination for the planning proposal including the extension, had lapsed.

Accordingly, a letter to the Minister for Planning and Public Spaces has been prepared for your review and signature (attached) to affect the discontinuation under Section 3.35(4) of the EP&A Act, of Planning Proposal RZ/8/2015 in respect of various lots in Ingram St, Owen Ave and North Rd, Wyong.

Yours faithfully,



Lynda Hirst
Senior Strategic Planner
Urban Planning and
Development Section



Breanne Bryant
Acting Section Manager
Urban Planning and
Development Section



Shari Driver
Unit Manager
Strategic Planning Unit



Ricardo Martello
Executive Manager
Innovation & Futures



23 October 2020

The Hon. R G Stokes MP
Minister for Planning and Public Spaces
GPO Box 5341
SYDNEY NSW 2001

Planning Proposal PP_2017_CCOAS_001_00 in respect of lots 11-17 DP 219825 (1-5 Ingram St & 15-17 Owen Ave, Wyong), lots 10-18 DP 36475 (1-13 Owen Ave & 3-5 North Rd, Wyong), and lots 1 & 2 DP 1223082 (1 & 1R North Rd, Wyong)

I am writing to inform you that Central Coast Council resolved at its Ordinary Meeting of 27 April 2020 to discontinue the planning proposal mentioned above. The intention of the planning proposal was to rezone the subject site from R2 Low Density Residential to R3 Medium Density Residential to enable a 5-storey residential development of approximately 500 dwellings. The Department of Planning and Environment issued a Gateway Determination for this planning proposal on 27 May 2017 and has granted several extensions of time for completion. The Gateway Determination lapsed on 16 February 2020.

Accordingly, Council requests that the Minister determine the planning proposal not proceed under Section 3.35(4) of the Environmental Planning and Assessment Act 1979 (EP&A Act). This will enable the Minister to make a decision to alter the Gateway Determination to not proceed under Section 3.34(7) of the EP&A Act and formally stop the planning proposal.

Should you wish to discuss this matter further, please do not hesitate to contact myself on (02) 4350 5200.

Yours faithfully,

A handwritten signature in black ink, appearing to read "S. Loader".

Jamie Loader
Acting Chief Executive Officer
CENTRAL COAST COUNCIL

LJH/Lynda Hirst
RZ/8/2015



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