



Wyong
Shire
Council
CENTRAL COAST

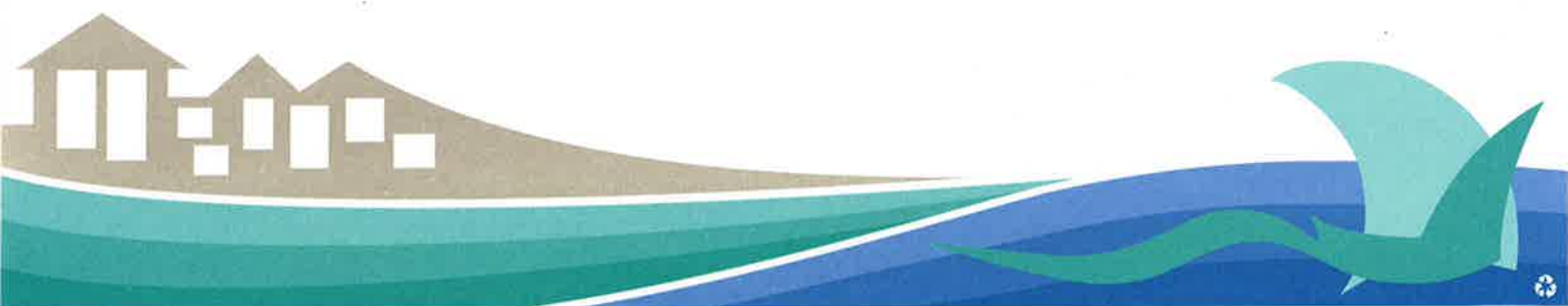
Planning Proposal

Lot 1 DP 603860

File No. RZ/2/2011

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Introduction & Locality Context

Lot 1 DP 603830 (herein referred to as '*the site*') is located at the eastern side of Ruttleys Road approximately 30 metres south of the access to Vales Point Power Station land (Figure 1).

The site comprises of premises formerly occupied by the Newcastle Mines Rescue Station, with the principle improvements being a garage and support services area.

The site has recently been used for a range of automotive focussed activities, contrary to the prevailing SP2 Infrastructure zone and the previous Special Uses 5(a) zone.



Figure 1 - Locality Plan

Lot 1 DP 603830 was created in August 1979 for the purposes of sale by the power station to Newcastle Mines Rescue, it was subsequently purchased by the proponent in November 2004.

The proponent has used the site for various uses, most recently for automotive uses such as car repairs and tyre fitting.

The uses are not permitted under the SP2 Electricity Generating Works zone and the proponent has ceased their operation until a rezoning of the land could be achieved.

Land Use History

The site was originally owned by Delta Electricity and formed part of the Vales Point Power Station. The site became surplus to the needs of the power station and was sold to Mines Rescue.. The use by Mines Rescue as an underground mining training facility constituted a permissible use under the Special Uses zone. Since its purchase by the proponent in November 2004, land uses included mechanical repairs and a tyre fitting operation, which were considered unauthorised, non conforming land uses and were investigated by Council and subsequently those uses have ceased.

Initially the planning proposal was seeking to formalise the non conforming land uses that were operating on site. Due to the high volume of traffic generated by the proposed uses and after several

traffic and access scenarios were investigated no suitable solution could be achieved for the proposed uses, therefore it was agreed with the proponent to look at a possible land use that generates minimal traffic. In consultation with Council's Transportation Engineer and the proponent, the suitable land use identified, was that of a self-storage facility.

The Proposal

The Planning Proposal seeks to formalise a specific land use on Lot 1 DP 603830 to allow a self-storage facility permissible with development consent.

Part 1 Objectives or Intended Outcomes

The objective of this Planning Proposal is to rezone Lot 1 DP 603830 to allow an additional use under Clause 2.5 of Wyong Local Environmental Plan (WLEP) 2013 and add the property to Schedule 1 - Additional Permitted Uses within WLEP 2013.

The intended outcome of the above will provide additional employment opportunities in the north of the Shire and will assist in meeting targets set out in the Central Coast Regional Strategy and North Wyong Shire Structure Plan.

Part 2 Explanation of Provisions

The intended outcome will be achieved by an amendment to Wyong Local Environmental Plan 2013. The following table identifies the proposed amendments to the plan:

Wyong LEP 2013	Comment
Additional Permitted Uses Map (APU_17) - Include the site on this map	Allow an additional permitted use of a Self Storage facility

Table 1 Wyong LEP 2013 Proposed 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 Settlement Strategy

The site was previously identified for extractive industry and formed part of Vales Point Power Station. The site is now in private ownership but adjoins the existing power station. The additional use of a self storage facility will not detrimentally impact the power station operation and it is considered that the development will not detract from the provision of infrastructure and the existing building improvements on the land which can be utilised for the facility. The proposal can be linked to Theme 6 of the Settlement Strategy "Planning for Economy and Employment" by providing some additional business and employment opportunities.

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

The site is not currently zoned in a manner which enables the proposed development therefore the intended objectives cannot be achieved by any other mechanism than a planning proposal.

Section B – Relationship to strategic planning framework

3. (a) Where a sub-regional strategy is in place:

- (i) 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 (CCRS) was released in 2008. The CCRS identifies the population potential of the Central Coast expected over the next 25 years, and expected employment capacity targets. The strategy also identifies actions to ensure ongoing growth and prosperity of the region, including actions for centres and housing, economy and employment, environment and natural resources, natural hazards, water supply, regional infrastructure and regional transport.

Although not directly identified as a future employment area the site adjoins the existing Vales Point Power Station and will provide additional employment opportunities in the region.

North Wyong Shire Structure Plan

The North Wyong Shire Structure Plan (NWSSP) was developed as a high level land use strategy to guide ongoing development and planning for infrastructure and services in the North Wyong Shire Area. The NWSSP identifies greenfield residential development sites and the majority of the Central Coast region's greenfield employment land to 2031.

The site is not located within a future investigation precinct but will provide additional employment opportunity to residents in the north of the Shire.

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

The proposal can directly relate to objective 7 *"There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths."*

The use of the site as a self-storage facility will generate additional employment and provide a facility that can be utilised by residents in the north of the Shire.

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

The proposal is consistent with the following applicable relevant State Environmental Planning Policies (SEPPs) assessed as follows:

SEPP	Comment
SEPP No. 55 – Contaminated 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 preliminary desktop mapping/ assessment exercise has not identified any contamination of the site. Testing for Acid Sulfate Soils has been carried out on the site and no acid sulfate soils have been identified.

Table 2 State Environmental Planning Policy 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 and is considered to be consistent with the relevant Directions as summarised in the table below. The full assessment is contained within the documentation supporting this proposal.

Number	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	N	N/a
1.2	Rural Zones	N	N/a
1.3	Mining, Petroleum Production and Extractive Industries	Y	Y
1.4	Oyster Aquaculture	N	N/a
1.5	Rural Lands	N	N/a
Environment & Heritage			
2.1	Environmental Protection Zones	Y	Y
2.2	Coastal Protection	N	N/a
2.3	Heritage Conservation	Y	Y
2.4	Recreation Vehicle Areas	Y	Y

Number	Direction	Applicable	Consistent
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	N	N/a
3.2	Caravan Parks and Manufactured Home Estates	Y	Y
3.3	Home Occupations	N	N/a
3.4	Integrating Land Use & Transport	N	N/a
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	Y	Y
4.3	Flood Prone Land	N	N/a
4.4	Planning for Bushfire Protection	Y	Y
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
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N	N/a
5.8	Second Sydney Airport: Badgerys Creek	N	N/a
5.9	North West Rail Link Corridor Strategy	N	N/a
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	Y	Y
6.3	Site Specific Provisions	Y	Y
Metropolitan Planning			
7.1	Implementation of the Metropolitan Strategy	N	N/a

Table 3 Section 117 Direction Consistency Summary

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?

An assessment of significance of impact has been undertaken for the site in accordance with Section 5A of the *Environmental Planning and assessment Act* (EPA) and Matters of National Significance under the *Environment Protection and Biodiversity Act* (EPBC). These assessments have determined that the entire property could be used for the proposed development without any significant risk to threatened species.

No protected migratory fauna species were recorded; no endangered populations or EEC's were recorded.

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

The planning proposal is not located on land that is affected by any land use planning constraints or subject to natural hazards. The land is identified as Bushfire Prone Land and a Bushfire Threat Assessment will need to be prepared following the outcomes of the Gateway determination. The land is not affected by potential flood inundation or subject to potential landslip.

No other likely environmental impacts are envisaged as a result of the planning proposal.

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

Should the proposal be supported some additional employment opportunities will be available for residents in the north of the Shire.

The site adjoins the major traffic access points to the Pacific Highway which has a defined bus route.

The provision of an additional land use of a storage facility in this area will provide surveillance to the locality and will discourage anti-social behaviour such as graffiti and vandalism

Section D – State and Commonwealth Interests

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

The site is serviced by reticulated water and provides its own onsite sewerage management system, which is maintained to the satisfaction of Council.

Council has recently received funding for the upgrade of Ruttleys Road along the frontage to the site and pavement markings will be provided for a turning lane to the property to ensure access to the property is safe.

The site fronts Ruttleys road which is a major bus route between Wyee Station and Lake Have Shopping Centre. Therefore public transport facilities are available to the site.

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

State and Commonwealth public authorities will be consulted following the outcomes of the Gateway Determination. Consultation will be carried out in accordance with Section 57 of the *EP&A Act*.

Part 4 Mapping

The following plans are provided within the documentation supporting this proposal.

- Locality Plan
- Current Land Use Zoning – Wyong LEP 2013
- Additional Permitted Uses Map – Wyong LEP 2013

Part 5 Community Consultation

Community Consultation to be undertaken for a period specified in the Gateway Determination. The proposal will be made publicly available for comment in the following locations:

- Wyong Chambers (6 Hely Street, Wyong);
- Lake Haven Library (Lake Haven Shopping Centre); and
- Council's website (On Exhibition page and Consultation Hub page).

Additionally, notification of the exhibition of the proposal will be advertised in the Central Coast Express Advocate



Part 6 Project Timeline

Action	Period	Start Date	End Date
Anticipated commencement date (date of Gateway Determination)	N/a	6 May 2014	6 May 2014
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	21 days	3 June 2014	24 June 2014
Commencement and completion dates for public exhibition	14 days	4 June 2014	25 June 2014
Dates for public hearing (if required)	N/a	N/a	N/a
Timeframe for consideration of submissions	3 weeks	25 June 2014	16 July 2014
Date of submission to the Department to finalise LEP	3 Weeks	30 July 2014	20 August 2014
Anticipated date for Department for notification	N/a	12 September 2014	12 September 2014

Supporting Documentation

No.	Document
1	Site Identification Map
2	Existing Land Zone Map
3	Additional Permitted Uses Map
4	Aerial Photograph
5	Central Coast Regional Strategy Sustainability Assessment (4 pages)
6	Section 117 Ministerial Direction Assessment (8 pages)
7	Council Report and Minutes – 26 February 2014 (8 pages)
Supporting Studies	
8	Worldata Environmental Information Services – Threatened Special Habitat Assessment
9	Coffey Information Pty Ltd – Acid Sulfate Soil Assessment

