Central Coast Council Planning Proposal to Revise Floor Space Ratio Provisions 66 Oakland Avenue and 6, 8, 15A, 17, 19 and 21 Ashton Avenue The Entrance

> RZ/1/2016 May 2016

RZ/1/2016 Date: May 2016 Pre-Gateway Version

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66 Oakland Avenue and 6, 8, 15A, 17, 19 and 21 Ashton Avenue, The Entrance

File No. RZ/1/2016

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Introduction & Locality Context

The subject site is located to the west of The Entrance Town Centre and consists of two groups of adjoined lots that are located to the north and south of Ashton Avenue, The Entrance.

The land is generally level and cleared of vegetation with dwellings located across the site. The site is located in an area currently undergoing transition with single dwellings approximately 50 in age being replaced by medium-density and high-rise development. The site is within walking distance to The Entrance shopping centre, services, public transport, lake and beach. The site is located in an area that is the transition between high density development to the east and lower density residential to the west, stepping down in height and density.



Figure 1 Locality Plan

Part 1 Objectives or Intended Outcomes

The intended outcome of the proposal is to enable the redevelopment of the subject land for residential flat development at a scale that reasonably reflects the currently applicable building height provisions of Wyong Local Environmental Plan (2013).

Part 2 Explanation of Provisions

The outcome will be facilitated by amending Wyong LEP 2013 Floor Space Ratio (FSR) map to indicate a maximum permissible FSR for each of the sites of 1.85:1.



Figure 2 Proposed change to Wyong LEP Floor Space Ratio Map

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 not directly to implement the findings of a Strategic Study or report however does relate to the implementation of *The Entrance Peninsula Planning Strategy (2009)* under *Wyong Local Environmental Plan (2013)*. The implementation of this Strategy effectively reduced floor space ratio (FSR) provisions for the subject land while maintaining or increasing the building height provisions. This is further discussed under Section B-4 below.

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

The intended outcome is specifically related to increasing the FSR for the subject land and this can only be achieved by amendment to the relevant Environmental Planning Instrument.

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 former Gosford and Wyong local government areas (LGAs) and the primary purpose of the strategy is to ensure that adequate land is available and appropriately located to sustainably accommodate the projected housing needs till 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 an ageing population and smaller household sizes through the preparation of LEPs and strategies.	The future redevelopment of the site as residential flat development will create an opportunity to provide a mixture of household types.
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 proposal will provide additional housing to the locality which will assist in achieving housing targets for The Entrance.

the timely preparation of LEPs.	
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 300m of 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

Table 1 – CCRS Assessment

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:

- 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?

The Wyong Shire Settlement Strategy

The Wyong Shire Settlement Strategy (2013) is the 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 implementation of the recommendations of the *TEPPS* required the development of the specific planning controls. The subsequent document *Planning Controls for The Entrance Peninsula (2011)* was used to create the LEP and DCP Controls that came into force with Wyong LEP 2013.

With regard to the subject land *Controls for The Entrance Peninsula (2011 p.85 and p.68)* recommended an FSR of 0.9:1 and a maximum building height of 20m but also states:

Development bonuses are an established element of DCP Chapter 64 which applies to The Entrance Peninsula. At present, bonuses apply to residential developments upon sites which are larger than 1,800m², and allow additional building height but do not provide for any increase in the standard FSR or site cover limits which apply.

This information does not consider the existing provisions of the time under *DCP Chapter 60 – The Entrance (p.9)* that permitted significant floor space bonuses on the subject site and on surrounding land that were not considered in the establishment of the FSR map under *Wyong LEP 2013*. As detailed in the *Council Report Planning Proposal to revise Floor Space Ratio Provisions (May 2016 p.5)* under these previous provisions development proposals complying with the height requirements could achieve an FSR of between approximately 1.7:1 and 2:1. There is no indication within the documents that were used to inform *Wyong LEP 2013* that the reduction in FSR was established as an outcome of any specific research.

In addition the *Council Report Planning Proposal to revise Floor Space Ratio Provisions (May 2016 p.6)* indicates that an FSR of 0.9:1 mismatches a building height of 20m and the recommendations of the *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)* that is discussed in the SEPP Assessment under Table 3 within Section B-5.



Figure 3 Block diagram – 20m high building with an FSR of 0.9:1 in green and potential building envelope under SEPP65 in light purple

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,	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

clean and affordable.	network. The development of this land will increase vehicular movements along the road network including local roads and the nearby Central Coast Highway. The Entrance area is envisaged as being a growth area under the Central Coast Regional Strategy and an upgrade of the road system in the area is an ongoing process involving both Council and relevant State Government Authorities.
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 though the exhibition process.
There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.	An increase in permanent residential accommodation in the area will help make local businesses sustainable.
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.

Table 2 – CSP Assessment

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 (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 	The site contains existing residential development and residential flat buildings are permissible with consent. The proposal only involves changes to the scale of residential permissible Any requirement for further consideration or site contamination will be provided as part of the Gateway Determination.
(c) by requiring that a remediation work meet certain standards and notification requirements.	
SEPP 71 – Coastal Protection	
Aims:	The site is located within the <i>SEPP 71</i> Coastal Protection
 (a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and 	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:
(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	 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
(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	 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
(d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and	the surrounding skyline dominated by buildings of a similar scale.
(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	

State Environmental Planning Policy	Comment
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.	
SEPP 65 – Design Quality of Residential Apartment Dev	elopment
Aims: to improve the design quality of residential apartment development in New South Wales.	Concept designs have been prepared in consideration of existing surrounding development and <i>SEPP 65</i> and can achieve compliance. This will be assessed in detail at development application stage.
	Part 2D of the Apartment Design Guide (2015 p 32) which is to be read in conjunction with State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65) provides the following as a guide:
	 3 storey (10 to 12 m) development with an FSR of 1:1 and 6 to 7 storey (19 to 23 m) development with an FSR of approximately 2:1.
	The proposal is consistent with this guidance.

Table 3– 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		
Employ	Employment & Resources				
1.1	Business & Industrial Zones	Ν	N/A		
1.2	Rural Zones	Ν	N/A		
1.3	Mining, Petroleum Production and Extractive Industries	Y	TBD		
1.4	Oyster Aquaculture	Ν	N/A		
1.5	Rural Lands	N	N/A		
Environment & Heritage					

No.	Direction	Applicable	Consistent
2.1	Environmental Protection Zones	Y	Y
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	Ν	N/A
3.6	Shooting Ranges	Ν	N/A
	Hazard & Risk		
4.1	Acid Sulfate Soils	Υ	Y
4.2	Mine Subsidence and Unstable Land	Ν	N/A
4.3	Flood Prone Land	Ν	N/A
4.4	Planning for Bushfire Protection	Ν	N/A
Region	al Planning		
5.1	Implementation of Regional Strategies	Y	Y
5.2	Sydney Drinking Water Catchments	Ν	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Ν	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Ν	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	Ν	N/A
ocal P	lan Making		
6.1	Approval and Referral Requirements	Υ	Y
6.2	Reserving Land for Public Purposes	Y	Y
6.3	Site Specific Provisions	Y	Y

No.	Direction	Applicable	Consistent
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	Ν	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	Ν	N/A

Table 4 – 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* and *Wyong DCP 2013* are considered to provide sufficient guidance to ensure that a high quality mixed use residential development outcome is achieved under the additional development standards established under the Planning Proposal.

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 with The Entrance town centre. A mix of housing sizes will provide housing at different price points to cater for different socio-economic groups and life stages.

The planning proposal will result in a number of short-term economic benefits. The density will permit a development, which has a higher capital value and generates more construction jobs than a smaller development within the existing controls.

Section D – State and Commonwealth Interests

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

Traffic and Transport

A *Traffic and Parking Impact Report* by Motion Traffic Engineers (2015) provided in support of the application concludes that additional trips generated by the redevelopment of the site can be accommodated by the existing road system.

Services (Water, Sewer, Gas & Electricity)

All required services are currently available or can be suitably upgraded to accommodate any intensification of residential development of the subject land.

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
Roads and Maritime Services	- Oakland Avenue is a Classified Road.

Table 5 – 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 Administration Building, 2 Hely Street, Wyong
- The Entrance Library; and
- Council's website (On Exhibition page and Consultation Hub page) <u>www.wyong.nsw.gov.au</u>.

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)	3.5 weeks	8/6/16	4/7/16
Anticipated timeframe for the completion of required technical information	4 weeks	4/7/16	2/8/16
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	3 weeks	9/7/16	30/7/16
Commencement and completion dates for public exhibition	2 weeks	15/8/16	30/8/16
Dates for public hearing (if required)	0	N/A	N/A
Timeframe for consideration of submissions	1 week	30/8/16	6/9/16
Timeframe for consideration of a proposal post exhibition	6 weeks	6/9/16	24/10/16
Date of submission to the Department to finalise LEP	3 weeks	1/11/16	22/11/16
Anticipated date RPA will make the plan (if delegated)	1 week	23/11/16	30/11/16
Anticipated date RPA will forward to the Department for notification	1 week	3/12/16	10/12/16

Table 6 – Key Project Timeframes