

WAMBERAL, 1 Reads Road - Lot 1 DP 802041 (Rezoning for residential development)

Proposal Title : **WAMBERAL, 1 Reads Road - Lot 1 DP 802041 (Rezoning for residential development)**

Proposal Summary : **The proposal seeks to rezone land identified as a Deferred Matter in the Gosford LEP 2014 to R2 Low Density Residential to enable residential development. The site is currently zoned 7(c2) Conservation and Scenic Protection (Scenic Protection - Small Rural Holdings) under the Gosford IDO No. 122.**

PP Number : **PP_2017_CCOAS_002_00** Dop File No : **17/03543**

Proposal Details

Date Planning Proposal Received :	24-Feb-2017	LGA covered :	Central Coast
Region :	Hunter	RPA :	Central Coast Council
State Electorate :	TERRIGAL	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	1 Reads Road		
Suburb :	Wamberal	City :	Postcode : 2260
Land Parcel :	Lot 1 DP802041		

DoP Planning Officer Contact Details

Contact Name : **Corrine Manyweathers**
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RPA Contact Details

Contact Name : **Ben Rankmore**
 Contact Number : **0243258224**
 Contact Email : **ben.rankmore@centralcoast.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
 Contact Number :
 Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Central Coast Regional Plan 2036	Consistent with Strategy :	Yes

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg
Residential /
Employment land) :**Residential**

No. of Lots : 0

No. of Dwellings
(where relevant) : 2

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government
Lobbyists Code of
Conduct has been
complied with : **Yes**

If No, comment :

Have there been
meetings or
communications with
registered lobbyists? : **No**

If Yes, comment :

Supporting notesInternal Supporting
Notes :**The planning proposal was considered adequate for assessment on 24 February 2017.**External Supporting
Notes :**The proposal seeks to rezone 1.017ha of 7(c2) land to enable low density residential development. Central Coast Council is currently reviewing the appropriate zoning within the standard instrument for deferred matters in the Gosford LEP 2014. Council considers R2 Low Density Residential to be the most appropriate zone for the site. Council has not discussed different residential densities in the proposal.****Council considers the proposal to be appropriate, as it will provide housing adjacent to an existing urban area and will act as a transition between conservation lands to the west and residential land to the south and east. Further, Council considers that the site is currently being used for urban purposes, as it is currently being used for a 120 place childcare centre and has approval for a dwelling.****This report concludes that the proposal has merit for further investigation subject to further consideration of zone and lot size options and justification for the preferred approach.****Adequacy Assessment****Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**

Comment :

Council's stated objective is to rezone the subject land from 7(c2) to R2 Low Density Residential with a minimum lot size of 1,850sqm.**Explanation of provisions provided - s55(2)(b)**Is an explanation of provisions provided? **Yes**

Comment :

Council seeks to amend Gosford LEP 2014 by:

- Rezoning the land to R2;
- Applying a minimum lot size of 1,850sqm;
- Applying a height of building limit of 8.5m;
- Applying a FSR of 0.5:1; and
- Including the land as Class 5 on the Acid Sulfate Soils Maps.

Council should also identify in the 'explanation of provisions' that the Land Application Map will need to be updated to include the subject land as it is currently identified as a deferred matter in Gosford LEP 2014.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

2.1 Environment Protection Zones

2.2 Coastal Protection

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

Is the Director General's agreement required? **Unknown**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 19—Bushland in Urban Areas

SEPP No 55—Remediation of Land

SEPP No 71—Coastal Protection

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

S117 DIRECTIONS

The proposal is consistent with all relevant s117 Directions, except as identified below. Further consideration is required to demonstrate consistency or to justify any inconsistency with the following s117 Directions.

2.1 Environment Protection Zones

The proposal seeks to rezone an environmental protection zone for residential purposes. The proposal is inconsistent with the direction as the residential zone will reduce the environmental protection standards that apply to the land by reducing the minimum lot size and rezoning land zoned Conservation and Scenic Protection for residential purposes.

The land is mostly cleared of vegetation and the southern portion of the site has been developed for a childcare centre. Council's vegetation mapping has not identified any critically or endangered ecological communities or regionally significant vegetation on the site and Council states there are no environmentally sensitive areas on the site. The inconsistencies with the Direction are considered to be of minor significance.

2.3 Heritage Conservation

This direction applies when the RPA prepares a planning proposal. Council should update the planning proposal to address the terms of the direction.

3.1 Residential Zones

This direction applies as a residential zone is proposed. The proposal is inconsistent with the direction as it does not reduce the consumption of land for housing and associated urban development on the urban fringe.

Council has identified that the site is not serviced by a Council main sewer system and it is unclear whether the land can be adequately serviced. Council should seek the Secretary's agreement for the inconsistency following the provision of supporting information confirming the land can be serviced.

5.10 Implementation of Regional Plans

Council considers the proposal is consistent with a number of actions in the CCRP relating to housing delivery, housing choice and diversity. However, the planning proposal does not address this s117 Direction. Council should update the planning proposal to address the terms of the Direction and remove consideration of 5.1 Implementation of Regional Strategies as it no longer applies given the release of the Central Coast Regional Plan.

STATE ENVIRONMENTAL PLANNING POLICY (SEPP)

The proposal is consistent with all relevant SEPPs except as identified below. Further consideration and assessment is recommended as part of the Gateway determination in relation to:

SEPP 55 - Remediation of Land

The site has previously been used for agricultural purposes. Council must ensure the site is suitable for rezoning to residential uses and include the assessment findings in the public exhibition.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The maps provided are adequate for assessment. The Land Application Map will need to be updated to include the subject land as it is currently identified as a deferred matter in Gosford LEP 2014.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council has advised that the planning proposal will be exhibited for 14 or 28 days. The Department supports a minimum exhibition period of 14 days.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **PROJECT TIMELINE**
Central Coast Council propose a project timeline of 12 months. However, a timeframe of 9 months is considered sufficient for Council to finalise the planning proposal.

DELEGATION AUTHORISATION

Central Coast Council requested delegation to make the draft LEP. As the proposal is a minor spot rezoning and is generally consistent with the Central Coast Regional Plan, Council should be granted delegation.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The proposal seeks to amend the Gosford LEP 2014 by including land identified as a deferred matter.

Assessment Criteria

Need for planning
proposal :

Council has advised the planning proposal is not the result of a strategic study or report but rather responds to an applicant initiated request to develop the northern part of the lot for residential.

CURRENT LAND USES

The land is currently being used for a recently built 120 place childcare centre, as well as approval for a single dwelling on the northern part of the site. The site is located adjacent to the Central Coast Highway, which links it to Gosford and Wyong. To the south, east and north-east, adjacent to Central Coast Highway, is low density residential development, while to the north and west the land is zoned 7(c2) under IDO No 122. The site appears capable of being serviced by water and power, and has access to public transport bus routes on the Central Coast Highway. Additional information is required to confirm the site can be serviced with a sewer connection.

ENVIRONMENTAL LAND AND URBAN EDGE REVIEW

Council's Environmental Land and Urban Edge Review will propose standard instrument zones for land that is currently deferred from GLEP 2014 such as this site.

The planning proposal states:

- the land does not contain environmental criteria that would meet an Environment Protection Zoning, is not primarily used for environmental land use purposes and is unlikely to be zoned E2 or E3.
- the land contains 'criteria' suitable for an urban classification based on availability of water and sewer services, proximity to urban centres, connectivity to transport and avoidance of environmental features and hazards.

Based on this limited assessment the planning proposal then concludes that an R2 Low Density Residential zone is most appropriate.

Council should ensure the assessment of the proposal is consistent with its Environmental Land and Urban Edge Review.

PROPOSED ZONES AND LOT SIZES

Council's discussion on the criteria to determine the land zone is limited and would benefit from an expanded discussion on options. Council proposes an R2 zone and seeks to apply a lot size of 1,850m². No consideration of alternative zone options that achieve a residential outcome and permit the existing child care centre have been discussed in the planning proposal (eg. R5). The proposal also has limited discussion about the future zoning context of the surrounding land and whether that land should also be considered for an alternative zone.

Council has proposed a 1,850m² lot size to act as a transition between the residential zoned land to the east (550m² minimum lot size) and 7(c2) conservation zoned land to the west (2ha lot size under IDO No 122). The applicant originally requested a 550m² lot size that would yield 6 lots. It is noted other land located to the south of the site on the western side of the Central Coast Highway is zoned R2 with a 550m² lots size that directly adjoins 7(c2) land with no transitional lot sizes and there are no other examples the Department is aware of where Council has used this zoning/lot size strategy to create 'transitional' land. There is also no consideration in the planning proposal of whether permitted uses in the R2 zone are consistent with Council's intention that this land should form a transition.

Given Council has identified the land as capable for urban purposes and proposes to apply a lot size that will increase the dwelling potential of the land from 1 to 2, further discussion on lot sizes and yield should be provided. The discussion should justify why the lot size was proposed given a minimum lot size of 1850m² is applied elsewhere in GLEP 2014 to sites with environmental constraints. Further, Council should consider how the future zoning of this site relates to a consolidated Central Coast LEP which Council has already commenced preparing.

PRECEDENT

Given the proposal has limited discussion about other potential zoning and lot size options, it may create a precedent for other sites in similar locations. Council's proposal should adequately consider the potential effects of rezoning the site and provide justification for the zone and lot size.

SUMMARY - RECOMMENDED AMENDMENTS TO THE PLANNING PROPOSAL

Council should update the planning proposal prior to exhibition to include:

- discussion on zone and lot size options and justification for the preferred option. This is to include consideration of appropriateness of other land uses which will be made permissible under the selected zone;
- discussion on the consistency of the proposal with the Environmental Lands and Urban Edge Review, Council's proposed consolidated LEP and Council's strategy for zoning of adjacent deferred land.

Consistency with strategic planning framework :

CENTRAL COAST REGIONAL PLAN 2016

Council has identified that the planning proposal is consistent with the following Actions:

- Action 19.3 Monitor land and housing delivery and accelerate housing supply to meet a projected housing demand of 41,500 additional dwellings by 2036;
- Action 20.1 Improve housing choice by supporting housing delivery in and near the growth corridors and local centres; and
- Action 21.1 Provide greater housing choice by delivering diverse housing, lot types and sizes, including small-lot housing in infill and greenfield housing locations.

The proposal will contribute to providing additional housing in the area and provide greater variety near existing urban areas.

While the site is not currently zoned urban, it is directly adjacent to urban areas, and is connected to utilities, services and public transport.

GOSFORD RESIDENTIAL STRATEGY 1996 (Strategy)

Council has identified that the Strategy aimed to contain urban areas and protect environmental areas. The proposal will effectively extend the zoned urban area, by rezoning the 7(c2) land to R2.

Council considers the proposal to be consistent with the Strategy as the land is used for urban purposes due to the existing 120 place childcare centre and approved dwelling.

COMMUNITY STRATEGIC PLAN - GOSFORD 2025 (CSP)

Council identified that the proposal is generally consistent with the Community Strategic Plan.

Environmental social economic impacts :

ENVIRONMENTAL IMPACTS

SOCIAL

The proposal will contribute to additional housing choice in the Central Coast and provide development within close proximity to existing urban development.

WATER AND SEWER

A water connection is available adjacent to the property on Reads Road.

A sewer connection is available on the south eastern part of the site, however this connection does not provide a gravity service to all of the land. Additional information on the provision of sewer services is required to ensure the land can be adequately serviced.

TRAFFIC & TRANSPORT

The proposed rezoning would result in two additional lots and is unlikely to generate a significant traffic impact. Council should be satisfied that the proposal will not result in an unreasonable impact on traffic in the area and referral to RMS is not required given the

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limited increase to yield.

The site is well connected by public transport with North and South bound bus stops located within 400m, linking the site to Gosford and The Entrance.

ENVIRONMENTAL HAZARDS (Flood and Bushfire)

The site is not identified on Council's Flooding or Bushfire Mapping.

ENVIRONMENTAL PROTECTION

The site has been cleared of the majority of vegetation, a number of trees remain on the site boundary. Given the site has been cleared and is used for urban purposes, referral to OEH is not considered necessary.

Assessment Process

Proposal type : **Minor** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority
Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Central Coast Council - Council Meeting Report.pdf	Proposal	No
Central Coast Council - Council Resolution.pdf	Proposal	No
Central Coast Council - Gateway Report.pdf	Proposal	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 2.1 Environment Protection Zones
- 2.2 Coastal Protection
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.3 Site Specific Provisions

Additional Information : The planning proposal should proceed subject to the following conditions:

1. Council is to update the planning proposal prior to exhibition to:
 - identify in the 'explanation of provisions' the subject land is to be included in the Land Application Map;
 - remove the references to the Central Coast Regional Strategy and S117 Direction 5.1 Implementation of Regional Strategies;
 - include discussion on zone and lot size options and justification for the preferred option. This is to include consideration of the appropriateness of other land uses which will be made permissible under the selected zone;
 - include discussion on the consistency of the proposal with Council's Environmental Lands and Urban Edge Review, Council's proposed consolidated LEP and Council's strategy for zoning of adjacent deferred land.
2. Council should satisfy itself that sufficient information has been provided to address the following matters prior to exhibition:
 - water and sewer systems capacity analysis
3. The secretary agrees that inconsistencies with s117 Direction 2.1 Environment Protection Zones are of minor significance.
4. Council is to update the planning proposal's consideration of S117 Directions:
 - 2.3 Heritage Conservation
 - 3.1 Residential Zones
 - 5.10 Implementation of Regional Plans
5. Council is to demonstrate that the planning proposal satisfies the requirements of the SEPP 55 - Remediation of Land.
6. Minimum 14 day exhibition period.
7. No public authority consultation is required.
8. The timeframe for completing the LEP is to be 9 months.
9. Council be granted delegation to make the plan.

Supporting Reasons : *

Signature:



Printed Name:

G P HOPKINS

Date:

21 March 2017