



PLANNING PROPOSAL

Draft Amendment to Wyong LEP 1991

**9-11 and 31-39 The Entrance Road West,
1-11 and 4 Bent Street (and Bent Street itself),
3-9 and 6 Oakland Avenue (and part of this
road) and 2,3 & 4 Clifford Street The Entrance
(‘The Klumper Site’)**

Prepared for Terrigal Grosvenor Lodge Pty Ltd

By

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Appendix A – Urban Design Report prepared by Thrum Architects (separate A3 document)

This Planning Proposal Report has been prepared in relation to 9-11 and 31-39 The Entrance Road West, 1-11 and 4 Bent Street (and Bent Street itself), 3-9 and 6 Oakland Avenue (and part of this road) and 2,3 & 4 Clifford Street The Entrance. The Planning Proposal seeks amendment of Wyong Local Environmental Plan 1991 ('the LEP') to facilitate an 'iconic' development on the site consistent with Council's proposed Composite LEP 2012, proposed amendments to Wyong Development Control Plan ('the DCP') and The Entrance Town Centre Master Plan.

This report has been prepared in accordance with the Department of Planning and Infrastructure Guidelines for Preparing Planning Proposals. It considers the planning implications of a draft amendment to the LEP. It also discusses proposed changes to the Wyong DCP and outlines the proposed development that is intended to be facilitated by the draft LEP and DCP amendments.

It is also noted that it is intended to publicly exhibit the draft LEP and DCP amendments concurrently to demonstrate that the proponent has a very strong commitment to achieving these outcomes in the short term. This commitment and the significant amount of work and public consultation that Council has already undertaken are the primary reasons why the subject Planning Proposal should be processed separately from Council's draft Composite LEP, which is a much more detailed and lengthy process. It is a proper planning outcome that high quality, commercially feasible development should not be unreasonably inhibited by broader planning processes.

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Site and Site History

2.1 The Site

The development site is located in The Entrance, fronting the foreshores Tuggerah Lake, adjacent to the western side of The Entrance town centre (see **Figure 1 – Location** and **Figure 2 – Subject Property**). The land comprises the following land at The Entrance.

9 The Entrance Road West (Lot 151 DP1078873)	3 Oakland Avenue (Lot 4 DP367602)	4 Bent Street (Lot D DP 382461)	2 Clifford Street (Lot 12 DP23428)
11 The Entrance Road West (Lot 1, 2, 3 DP 571197)	5 Oakland Avenue (Lot 3 DP367602)	1 Bent Street (Lot A DP343380)	3 Clifford Street (Lot 11 DP23428)
31 The Entrance Road West (Lots 1&2 DP 517291) (Lots A&C DP 382461)	7 Oakland Avenue (Lot 2 DP367602)	3 Bent Street (Lot B DP343380)	4 Clifford Street (Lot 10 DP23428)
35 The Entrance Road West (SP20363)	9 Oakland Avenue (Lot 1 DP367602)	5 Bent Street (Lot 1 DP21396)	
37 The Entrance Road West (Lot 1 DP25611)	6 Oakland Avenue (Lot 1 DP17935)	7 Bent Street (Lot 2 DP21396)	
39 The Entrance Road West (Lot 5 790801)		9 Bent Street (Lot 3 DP21396)	
		11 Bent Street (Part Lot 7 DP21396)	

Further, Bent Street and parts of Oakland Avenue are included in the area to which the Planning Proposal applies. The total area of the subject site is 39,267sqm.

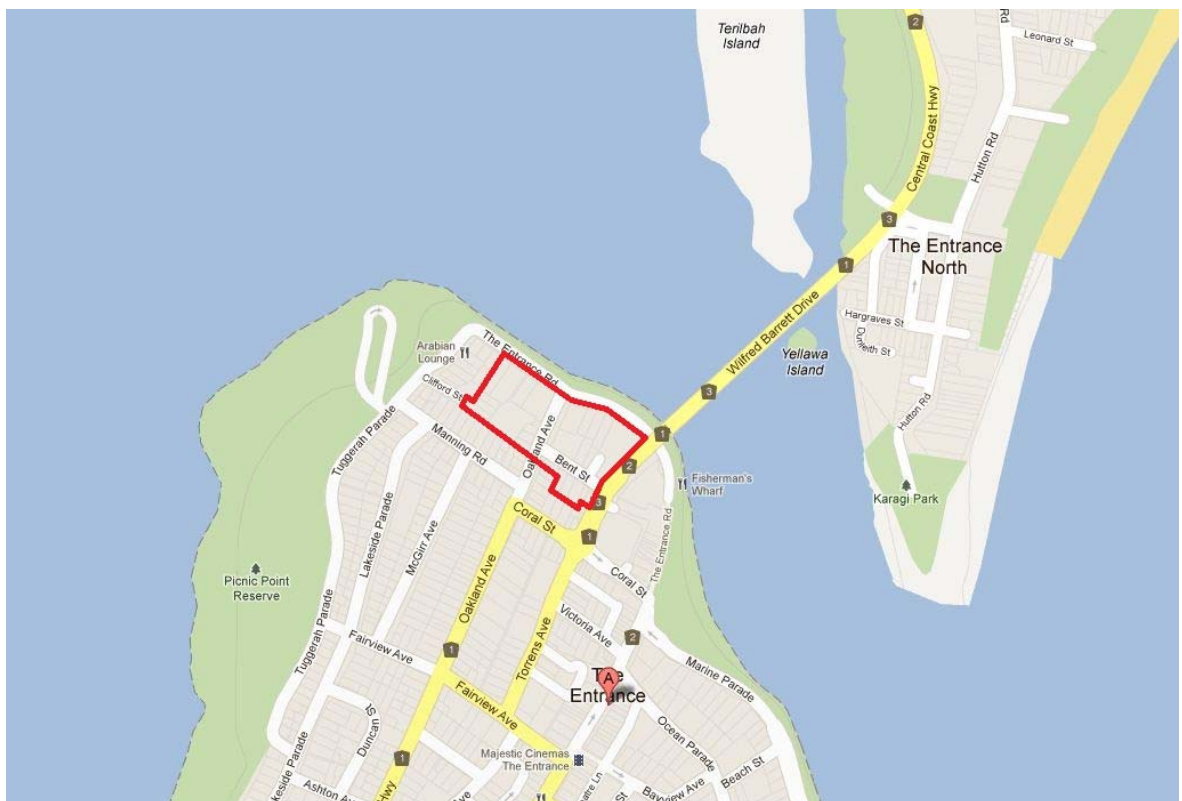


Figure 1 Location

Existing development on the site comprises the El Lago Motel, residential flats, a heritage listed two storey commercial building used as a Thai restaurant, the El Lago Caravan Park and single dwellings. The vast majority of the site is owned by Terrigal Grosvenor Lodge Pty Ltd or related entities, however there are some privately owned sites on Bent Street. The only changes to the existing planning provisions in relation to these Bent Street sites is to make the proposed water park a permissible use on this land – all other existing controls will remain. The roads within the site are owned by Wyong Council.

The subject property is relatively flat and has excellent exposure to north-easterly views across The Entrance Channel and northern views to Tuggerah Lake. The western portion of the site drains to the west towards Picnic Point Reserve through a 3 metre wide drainage reserve. The balance of the site drains northward to The Entrance Road and Tuggerah Lake. The site provides a variety of landscape gardens in various forms and condition. Street trees are evident lining both sides of the Entrance Road along the entire street frontage including tall palm trees fronting the existing hotel development, paperbarks screening the caravan park to the west of the Thai restaurant building and fig trees within the Council reserve opposite the western end of the site.

The area opposite the subject property between The Entrance Road and the waterfront comprises a narrow public reserve area which is lined with large Norfolk Island Pine trees that characterise the waterfront reserve areas of The Entrance town centre.

The land is zoned 2(g) Residential Tourist zone including the roads. Land along the foreshore adjoining the subject area is zoned 6(a) Open Space and Recreation (see **Figure 3**).

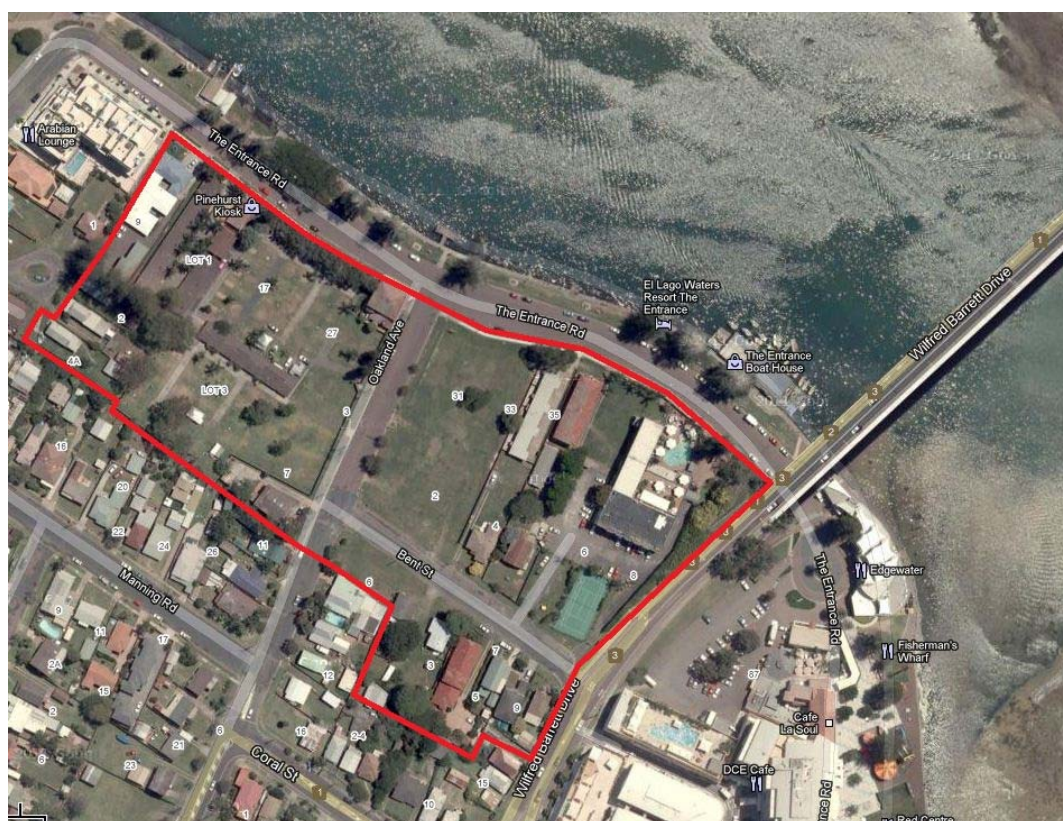


Figure 2 Site

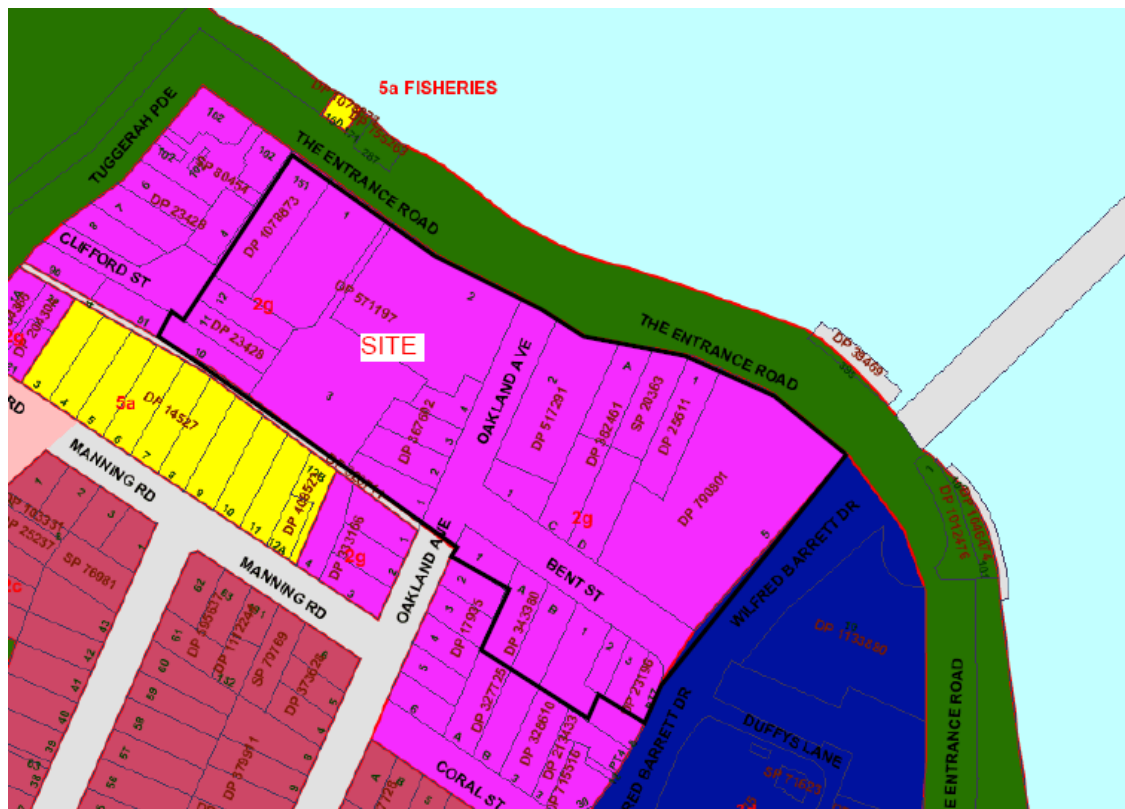


Figure 3 Zoning LEP 1991

2.2 Site Context

2.2.1 Central Coast Context

The Entrance is an important residential and tourist centre located within Wyong Shire, at the entry/outlet channel to the Tuggerah Lakes. (see **Figure 4 – Central Coast**). Its lakeside location close to an ocean beach, makes it an attractive site for residential and tourist development. The area attracts large numbers of retirees, families and tourists from the Sydney metropolitan region and beyond. The locality in which the site is located has been specifically identified as a tourist precinct by Wyong Council.

The town centre of The Entrance developed as a local shopping centre on the south side of the channel prior to the construction of the bridge to North Entrance. Although modest in size, the town centre has grown steadily as a result of population increase and tourist development in the area.

Considerable investment in the town centre by Council has resulted in the creation of an attractive and pedestrian friendly commercial centre, including a waterfront plaza and open space area with a high level of amenity. Tourist accommodation has developed on land around the town centre, including land to the west, within which the site is situated.

The Central Coast has for the last two decades experienced significant population growth and development arising from the expansion of Sydney and improved road and rail access to employment in the Sydney metropolitan area, and the attractiveness of the Central Coast as a place to live. The Central Coast has also continued to maintain its significant role as a retirement destination for retirees, mainly from Sydney.

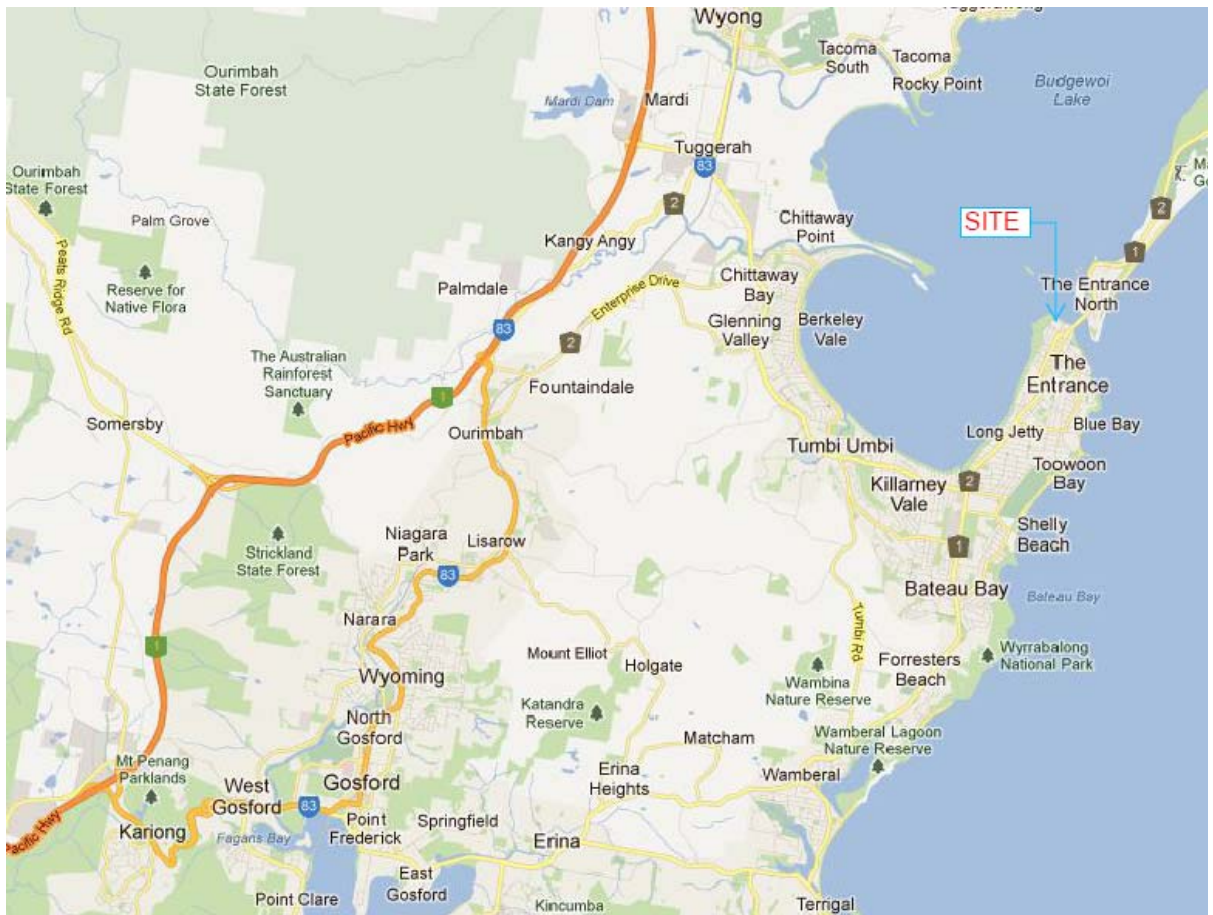


Figure 4: Location within Central Coast

Commuting to Sydney for work is less evident in The Entrance, as a result of its being a less accessible to Sydney, than Gosford and Wyong. Similarly, because of its distance from Sydney, The Entrance has not enjoyed the same extent of tourist development as closer centres, particularly Terrigal. The natural attributes of The Entrance and the cost and scarcity of land closer to Sydney, has in recent years generated demand for larger scale new tourist related development and medium and high rise apartments.

Modern high rise apartments, up to fifteen storeys in height and new lower scale apartment buildings, are concentrated in the area south of Wilfred Barrett Drive, particularly on higher ground, to the south east of the town centre. This development has changed the character of The Entrance, creating a more urbanised environment, with older more modest buildings being replaced with larger, higher quality, often resort style structures.

The subject land offers a very high level of residential and tourist amenity, in a location just a few minutes walk from The Entrance town centre. Not surprisingly, the site has been the subject of previous proposals for major redevelopment.

The subject property, with its accessibility to the town centre, lake, foreshore and beach, and its attractive north-easterly aspect is an ideal location for further larger scale, high quality, tourist and residential development as outlined in the indicative concept plans.

2.2.2 Local Context

The development site is located on the north-western edge of The Entrance town centre in a location which comprises a mix of tourist and residential development including apartments, single dwellings, restaurants, motels, a caravan park, lakeside parks and picnic areas. For the most part, existing development on the site is nearing the end of its useful life.

The development site extends westwards for over 250 metres along The Entrance Road, from the western side of Wilfred Barrett Drive where this road forms the ramped access to The Entrance Bridge.

To the north the site enjoys extensive water views across the Tuggerah Lakes channel entrance, to North Entrance. An attractive tree lined boardwalk, including several large Norfolk Island Palms, is located within the public reserve extending east-west along the channel foreshore on the northern side of The Entrance Road.

Oakland Avenue bisects the site and is proposed to be closed and used as a central access point to the redevelopment.

The southern boundary of the eastern part of the site is formed by the single dwelling development on the southern side of Bent Street. Residential development, generally comprising a mix of single and two storey detached dwellings extend further to the south.

A drainage reserve separates the western part of the subject property from similar single storey weatherboard, brick veneer and fibre-cement dwellings to the south. These residential properties are zoned for use as a future Council carpark.

To the east, the Wilfred Barrett Drive road reserve and bridge forms the eastern boundary of the site, with land beyond this bridge occupied by parking areas associated with The Entrance Hotel. The Entrance Hotel fronts the waterfront plaza area and aligns the north-western fringe of The Entrance town centre.

3.1 THE PLANNING PROPOSAL (AMENDMENTS TO WYONG LEP 1991)

3.1.1 Objectives

The Planning Proposal involves an amendment to Wyong LEP 1991 to facilitate the indicative development described in Section 3.3 below and more fully in Appendix A. The amendments aim to achieve an outcome similar to those proposed in relation to 'Iconic Sites' in the Composite LEP presently being prepared by Council.

Therefore objectives of the Planning Proposal are similar to those for all the Iconic Sites and in this case are:

- To create a vibrant/viable town centre;
- To re-establish The Entrance as a significant tourist destination in NSW;
- To facilitate viable/feasible development;
- To facilitate iconic building forms and design excellence;
- To provide a world class water based recreation facility;
- To encourage development that can act as a catalyst for other development;
- To encourage the development of land that has been underutilised for many years.

3.1.2 Intended outcomes

Considerable design work has already been undertaken for the development of the site by the proponent and Council has also undertaken significant strategic investigation on the redevelopment of The Entrance town centre. With Council's preliminary support, the proponent is keen to move forward with the development as soon as possible and as such it is also proposed to prepare site specific Development Control Plan (DCP) provisions as part of the Planning Proposal process. It will be prepared if Gateway approval is granted and publicly exhibited concurrently with the Planning Proposal.

Therefore, given the above, the outcomes facilitated by the Planning Proposal are relatively clear and will be made certain through the preparation of the DCP. More specific details of the intended outcome are provided in Section 3.3 below.

3.1.3 Explanation of the provisions (Amendments to LEP 1991)

- As one of the first Key (Iconic) Development Site being considered under Wyong LEP 1991, this planning proposal may need to insert a framework on which future development applications for Key (Iconic) Development Sites can be assessed, as well as specifically embedding the floor space ratio, height parameters and additional uses of this particular site into the framework.

3.1.3.1 Additional Clauses and Potential New Schedules

As other Key (Iconic) Development Sites have lodged planning proposals, or are expected to lodge planning proposals in the near future, it may / or may not be necessary to insert a Key (Iconic) Development Sites framework under which all future Key (Iconic) Development Sites development applications would be assessed. This will depend on whether other recent

planning proposals, which propose a similar framework, have been finalised (gazetted) or not prior to the finalisation of this planning proposal. Future planning proposals would then be focused on simply inserting the property identification/address details and appropriate maximum floor space ratio, maximum building height and any other parameters, relevant to the particular site into the framework. It is considered that such a framework would:

- Identify the land(s) to which the provisions apply. This could be done by referral to a Key Sites Maps. The lot and deposited plan numbers of the lands of this planning proposal are:

9 The Entrance Road West (Lot 151 DP1078873)	3 Oakland Avenue (Lot 4 DP367602)	4 Bent Street (Lot D DP 382461)	2 Clifford Street (Lot 12 DP23428)
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- State the objectives of the Key (Iconic) Development Sites provisions including:
 - to deliver a very high standard of design excellence for Key Sites within Wyong Shire.
 - to encourage the amalgamation of sites to provide opportunities for the expansion of, or improvements to, the public domain.
 - to provide a catalyst for the social and economic development of town centres within Wyong Shire.
 - to deliver significant public benefit to the community.
- Specify the maximum floor space ratio for the site on a maximum floor space ratio map. For this site the maximum floor space ratio is 3 :1. Note that the proposed changes to the height and floor space ratio will only apply to land owned by the proponent or its entities (or the Council owned roads).
- Permit baseline maximum heights to be exceeded up to a maximum shown on a maximum building heights map, provided that a development application meets certain specified planning merit requirements. In this case, the proposed maximum building heights are shown on in figure 5 below:

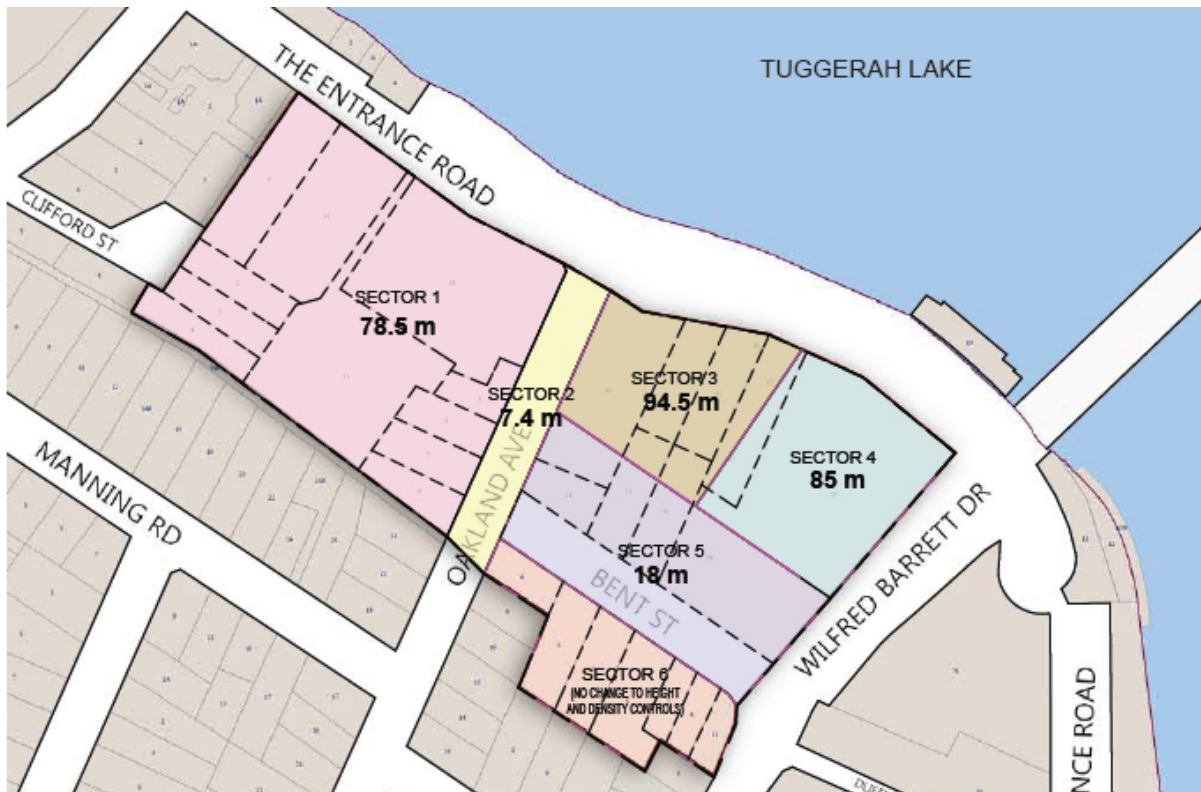


Figure 5 – Indicative draft LEP Height Map

- It is envisaged that such requirements relating to this framework clause would include:
 - o The preparation of a site specific DCP to the satisfaction of Council, prior to the approval of a development application which proposes exceeding the baseline maximum height. The baseline maximum height for this site is currently 24 metres (approximately 8 storeys).
 - o That any development application which proposes exceeding the baseline maximum height would need to demonstrate that:
 - It will achieve the principles of ecologically sustainable development.
 - It will provide a green building solution for the development type.
 - It will have design excellence.
 - It will have a very high standard of architectural design, materials, and detailing appropriate to the building type and location.
 - It will have acceptable (to Council) levels of pedestrian, cycle, vehicular access, circulation and parking.
 - It will improve the quality and amenity of the public domain in The Entrance Town Centre.
 - It will permit the development of adjoining sites consistent with the provisions of Wyong LEP 1991.
 - The site is capable of supporting the development in regard to issues associated with slope, hazard, groundwater, soil capability, compliance with mine subsidence board surface development guidelines and requirements, and any other potentially relevant constraints.

- ‘Switch-off’ certain existing Wyong LEP 1991 clauses. In relation to this planning proposal, current Wyong LEP 1991 clauses 42B, 42CA and 68 will need to be ‘switched off’ to permit a development to exceed the existing baseline maximum height, of 24 metres, for the site.
- Define certain terms used in the Key (Iconic) Development Sites provisions, if required, such as “Key Site”, “Design Excellence” and “Green Building”. Examples of such definitions include:
 - *Key Site* means land identified as a Key Site on the Key Site Map **or** means land described in a sub-clause.
 - *Design excellence* means to design development that will benefit the broader community and enhance the community’s quality of life using expertise in multiple areas including architecture, urban design, landscape design, interior design, art, engineering, historic preservation, construction, security and sustainability.
 - *Green building* means a building that incorporates design, construction and operational practices that significantly reduce or eliminate the negative impact of development on the environment and its occupants. This includes strategies for addressing:
 - a energy efficiency;
 - b greenhouse gas emission abatement;
 - c water conservation;
 - d waste avoidance, reuse and recycling;
 - e pollution prevention – noise, water, air, soil and light;
 - f enhanced biodiversity;
 - g reduced natural resource consumption;
 - h productive and healthier environments; and
 - i flexible and adaptable spaces.
- Include a sunset clause which states that unless a development consent is granted within a specified timeframe, notionally 5 years from gazettal of this planning proposal, the provisions of this clause will no longer be available, and the height controls will default to the baseline maximum height provisions. The intention of this particular provision is to encourage development to occur earlier rather than later and therefore stimulate economic development, including self-contained employment growth, in an existing town centre, in accordance with the strategies contained in the Central Coast Regional Strategy, The Entrance Peninsula Planning Strategy, The Entrance Town Centre Masterplan and Council’s Key (Iconic) Development Site Program.

It is also proposed to specifically permit the following uses on the site as they are not explicitly permitted under the current 2(g) – Residential Tourist zoning:

recreation facility (regional water park use) – which is defined in LEP 1991 as “a building or place designed, equipped and used for indoor recreation, such as a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley and fun parlour, whether used for the purpose of gain or not, but (in the Table to clause 10) does not include anything elsewhere defined in this clause.”

shop (both tourist and non-tourist related shops) – which is defined in LEP 1991 as “a building or place used for the purpose of the selling (whether by retail or auction), hiring or displaying for the purpose of selling or hiring of items (whether goods or materials), but does not include a building or place elsewhere specifically defined in this clause, or a building or place used for a purpose elsewhere specifically defined in this clause.”

Other potential uses on this site which include hotels (tavern), residential flat buildings (permanent residential accommodation), tourist accommodation (international hotel and serviced/tourist apartments) and restaurants (food premises), are permitted with consent in the 2(g) zone.

Final wording of the new LEP provisions

The exact wording of the final planning provisions in Wyong LEP 1991 to provide the framework for which future development applications on Key (Iconic) Development Sites can be assessed, as well as specifically embedding the floor space ratio, height and additional use parameters of this particular Key (Iconic) Development site, will be determined by Parliamentary Counsel, after the public exhibition and evaluation components of the Gateway process are complete.

3.2 AMENDMENTS TO WYONG DCP

Unlike the Iconic Sites process envisaged under the new Composite LEP 2012, as the proponent intends to prepare site specific DCP provisions as part of the Planning Proposal, there is no need to mandate this within the current LEP provisions. The desire of the proponent to speed up the process by preparing the necessary DCP provisions as part of the Planning Proposal process, means that Council has to be satisfied that the development facilitated by the draft amendments to the LEP and DCP is appropriate and that the Planning Proposal will not proceed until all the issues have been resolved. The preparation of draft DCP provisions as part of the Planning Proposal demonstrate that the proponent has a very strong commitment to achieving the redevelopment of the site in the short term.

The draft DCP chapter will provide further detail on how the draft LEP provisions (as noted above) will be achieved and also in addition to the height limit and maximum FSR detailed in the draft LEP provisions, other controls relating to setbacks and other site specific development issues. It is intended that the combination of the proposed amendments to the LEP and DCP will facilitate the development detailed in Section 3.3 below. In this regard it is noted that the land to which the draft DCP provisions will relate will be different to the land to which the Planning Proposal relates. The intended development includes buildings within 10m of the adjoining 6(a) Open Space and Recreation zone along the foreshore, however as this is related to specific development, it is not appropriate to include this land with the Planning Proposal as the existing zoning needs to be retained in the case that the development does not proceed. However the draft DCP provisions will also relate to this land.

3.3 THE PROPOSED DEVELOPMENT

The Planning Proposal and proposed amendments to the DCP are intended to facilitate the construction of a mixed use building comprising a 2-3 storey podium with tourist retail, tavern and regional water park with 7 tower buildings above ranging from 16-31 storeys. An indicative development schedule is provided at page 28 of the Urban Design Report at **Appendix A**. Four of the towers (C, D, E & F) comprise residential uses, Towers A and B are proposed to be serviced apartments and Tower H (the tallest tower), is intended to be a 5 star/international hotel. Approximately 192

tourism related apartments and 260 permanent residential apartments are proposed as well as the hotel comprising around 302 suites. The hotel will include a convention centre for up to 1000 people. Car parking for around 1464 private and 410 public spaces is provided for.

The total GFA is 105,644sqm which equates to an FSR of around 2.7:1 over the whole of the land (excluding the regional water park). Whilst this facility of around 15,000sqm is designed to be a semi-outdoor space and provides a significant public benefit, it is appropriate that the draft amendment to the LEP assumes that the water park will be included in GFA calculations and as such as detailed in **Section 3.1** above, the overall FSR proposed is 3:1.

The proposed design has been developed through a detailed process, outlined in the Urban Design Report at **Appendix A**.

The indicative design of the proposal is shown at pages 27-38 of the Urban Design Report at **Appendix A**.

4

Justification of the Planning Proposal

4.1 Need for the Planning Proposal

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

Yes.

Council has prepared a number of reports in relation to The Entrance which provide a planning context for the proposal. These are noted and discussed below.

The Entrance Peninsula Planning Strategy dated March 2009 (EPPS)

The EPPS plans for significant population growth with an almost threefold increase from 10,941 in 2006 to 29,620 by 2031. One of the key elements of the EPPS is the revitalisation of The Entrance town centre and part of this is the allowance for increased building height.

The site is located within Precinct 3 – Picnic Point to Memorial Park Tourist Area. The Desired Future Character Statement for this precinct includes the following comments:

“Precinct 3 is to be a waterfront holiday, tourist and recreation destination of relatively high density, accommodating high quality retail, commercial, cultural, recreational and entertainment development/use, supported by medium to high density permanent and tourist residential development.”

It also advises that:

“The potential for appropriate performance criteria to be inserted into Council’s planning controls is to be investigated. Under such an initiative, applicants would be required to demonstrate, via masterplanning approaches, those innovative proposals, that do not comply with ‘deemed to comply’ scenarios, would result in superior outcomes to the ‘deemed to comply’ scenarios. The performance criteria would need to cover a variety of issues, including the protection of important view corridors, maintaining/improving general amenity, minimising visual impact, overshadowing and overlooking.”

The proposal is supportive of the broader principles outlined in the strategy and has responded to the types of ‘performance criteria’ noted above. Accordingly the innovation scheme proposed exceeds the ‘deemed to comply’ scenarios and results in a superior outcome.

Iconic Sites Development Control Plan (ISDCP) / draft Composite LEP 2012

The ISDCP was endorsed by Council on 10 August 2011 but will not take effect until the draft Composite LEP is gazetted. The Iconic Sites provisions will be Chapter 5.3 of this DCP. The draft LEP will contain specific provisions relating to the Iconic Sites identified in the DCP and will require a site specific DCP for each Iconic Site to be approved before development consent can be granted. Chapter 5.3 provides guidelines for the preparation of the site specific DCP’s. As noted above a site specific

DCP chapter is to be prepared as part of the Planning Proposal and the relevant provisions of Chapter 5.3 will be included as part of this new DCP chapter.

The subject site is Key Site No 7 – Residential Zone (Klumper). The specific provisions of Chapter 5.3 relating to ‘The Klumper Site’ are noted and addressed in the following table.

DCP provision	Comment
Objective	
Development should incorporate a mix of retail, commercial, tourist, entertainment, permanent residential and tourist accommodation land uses.	This is achieved by the proposed LEP amendments and reflected in the indicative proposal which includes permanent residential, tourist accommodation, tourist related retail and leisure and a major tourist attraction of a regional water park.
Careful consideration should be given to designing for view lines through the development.	The bulk of the development is broken up by the provision of towers which have small, slender floorplates and are shaped to be narrowest in the north/south views (ie, to and from the water). The building height is limited on the Oakland Avenue alignment to preserve views coming down the hill toward the water.
Concentrate a variety of highly visible recreation activities and attractions along The Entrance Channel/Tuggerah Lake waterfront vicinity.	In order to minimise impacts on adjoining properties to the south, taller building are placed along the northern part of the site adjacent to the foreshore which the water park being located in the south-eastern part of the site. The foreshore will be suitably activated with tourist related retail and leisure uses and the foreshore itself will contain various recreation elements in a waterfront plaza style layout.
Establish a logical network of pedestrian and cyclist pathways across and through the site that aligns with pedestrian/cyclist desire lines.	Due to the large floorplate required for the waterpark, the pedestrian and cycle paths do not follow the existing road pattern. However they are modifications of this pattern and provide for an appropriate level of permeability through the site.
Maintain effective pedestrian access and important view lines between the Tuggerah Lake waterfront and the residential areas to the south of the site.	As noted above, the large floorplate of the water park means that the present vista down Oakland Avenue cannot be fully retained. However the height is limited along this alignment to preserve views as one comes down the hill toward the site.
Maintain safe and sufficient access for emergency services.	Appropriate access will be available.
Address flooding and climate change by incorporating appropriate planning solutions.	The adopted levels will mean that the development is appropriately protected from flooding including events arising from climate change (refer to Appendix A).
Development shall incorporate high quality coastal design.	The indicative design provided at Appendix A shows that future development can be designed to achieve this objective.

DCP provision	Comment
Requirements	
The coastal character, building envelope, design guidelines, matters for consideration, and principles of DCP Chapter 60 - The Entrance apply to this site and must be addressed.	Most of these provisions will be addressed as part of the site specific DCP process. In relation to height, the 12/24m height control indicated in the relevant section of Chapter 60 is not considered appropriate as discussed in detail in the Urban Design Report at Appendix A .
Extend the waterfront mall to Picnic Point.	The proposal is consistent with this requirement as discussed in the Urban Design Report at Appendix A .
Provide a mid block pedestrian link from Manning Road to the Tuggerah Lake foreshore vicinity.	The proposal provides a pedestrian link on the western boundary of the site that will eventually link Manning Road to the foreshore. This will be further detailed in the draft DCP provisions (see Appendix A).
Provide adequate on-site public parking to cater for the future land use mix and existing on-street parking lost, with direct pedestrian access to the Tuggerah Lakes foreshore.	As detailed at Appendix A the indicative scheme demonstrates that this requirement can be met. This will be further detailed in the draft DCP provisions.
Parking design solutions must adequately address the current and future flood hazard of the area and all overland flows which may enter the site from the upstream catchment.	The proposed car park will be designed to be only partly below existing ground level and will have its entrances protected against current and predicted flood inundation. This will be further detailed in the draft DCP provisions.
Substantial foreshore embellishment works shall be included in the development. Any development design must include the construction of a new sea wall to provide an active land/water link to the waters edge and a safer level of service for the public.	This outcome will be met as part of the VPA and DA process (see Appendix A).
The development shall be designed to retain the existing historic, logical and permeable street patterns that connect the area to the waterway.	As noted above the large footprint of the regional water park does not allow the existing street pattern to be carried through the site. However appropriate movement through the site is provided and will suitably link the foreshore with surrounding areas. This will be further detailed in the draft DCP provisions (see Appendix A).
An appropriate height and increased setback to the western boundary is required to enable a pedestrian pathway and suitable transition in scale to adjoining relatively low level residential development.	The indicative proposal includes the provision of a pathway along the western boundary. This will be further detailed in the draft DCP provisions (see Appendix A).
Pedestrian pathways and circulation patterns throughout the site shall facilitate clear, safe and direct twenty-four hour access to the waterfront from neighbouring areas.	The indicative proposal (see Appendix A) includes the provision of appropriate pathways and circulation. This will be further detailed in the draft DCP provisions (see Appendix A).
Provision to be made for future connection from bridge duplication over Tuggerah Lake to the Lake foreshore area.	The indicative scheme includes the dedication of part of the site adjacent to the existing bridge to allow for future works (see Appendix A).

DCP provision	Comment
Development shall adequately address the relevant requirements of State Environmental Planning Policy (SEPP) 71 – Coastal Protection Zone.	The proposal is consistent with the requirements of this SEPP as discussed in Section 4.2.3 below.
Any proposal shall address adjoining development in terms of overshadowing, building separation, view loss and amenity issues.	The indicative scheme (see Appendix A) shows that all adjoining properties will maintain some solar access at midwinter however this and other issues will need to be more fully explored as part of the preparation of the draft DCP provisions.
Address flooding constraints. Consideration shall be given to Council's Tuggerah Lakes Floodplain Risk Management Study and Plan.	As indicated above, subject to appropriate levels being adopted, the site will not be subject to flooding.
Address coastal hazard constraints consistent with Council's Coastal Zone Management Plan.	There are no coastal hazards except for inundation and acid sulfate soils which can be adequately addressed at DA stage.
Development is to be located and designed with appropriate mitigating and adaptive measures against the anticipated impacts of climate change. Such measures are to be consistent with Federal, State and Local Government Policies on climate change and sea level rise. Specifically: a) <i>NSW Coastal Planning Guideline: Adapting to Sea Level Rise</i> (August 2010) by Department of Planning and Infrastructure (DoPI); and b) <i>Flood Risk Management Guide: Incorporating Sea Level Rise Benchmarks in Flood Risk Assessments</i> (August 2010) by Department of Environment, Climate Change and Water (DECCW).	As indicated above, subject to appropriate levels being adopted, any flooding constraint issues will be adequately addressed.
All new development shall include an appropriate sea level rise allowance in the Flood Planning Level.	As indicated above, subject to appropriate levels being adopted, the site will not be subject to flooding including that resulting from climate change.
Consideration shall be given to the principles and objectives of other DCP Chapters, in particular DCP Chapter 76 - Heritage Conservation.	The existing heritage item will be retained consistent with the previous development consent granted and incorporated into the design. . This will be further detailed in the draft DCP provisions.
Developments are to identify the desirable qualities to be incorporated in appropriate heritage infill design on the site. The qualities should be illustrated in the Masterplan by annotated drawings addressing the principles of scale, form, siting, materials and colours.	The existing heritage item will be retained consistent with the previous development consent granted and incorporated into the design. . This will be further detailed in the draft DCP provisions.

The Entrance Town Centre Master Plan ('The Master Plan')

The Master Plan was adopted by Council on 14 December 2011. This vision for the Master Plan is noted as follows:

“THE VISION

The Entrance Town Centre is a vibrant seaside and lakeside community – a welcoming place to live, to holiday and to work.

This beautiful coastal township with its beaches, extensive waterways, bushland reserves and varied day and night time activities provides an enviable lifestyle for people of all ages.

The Entrance Town Centre is a well connected hub with thriving and sustainable retail, commercial and professional services.”

The proposal is consistent with this vision and the detail provisions of the Master Plan as detailed below.

Key Sites – the subject site is identified as Key Site 7 in The Entrance, indicated in Key Sites and Relationships plan from the Master Plan at **Figure 6**.

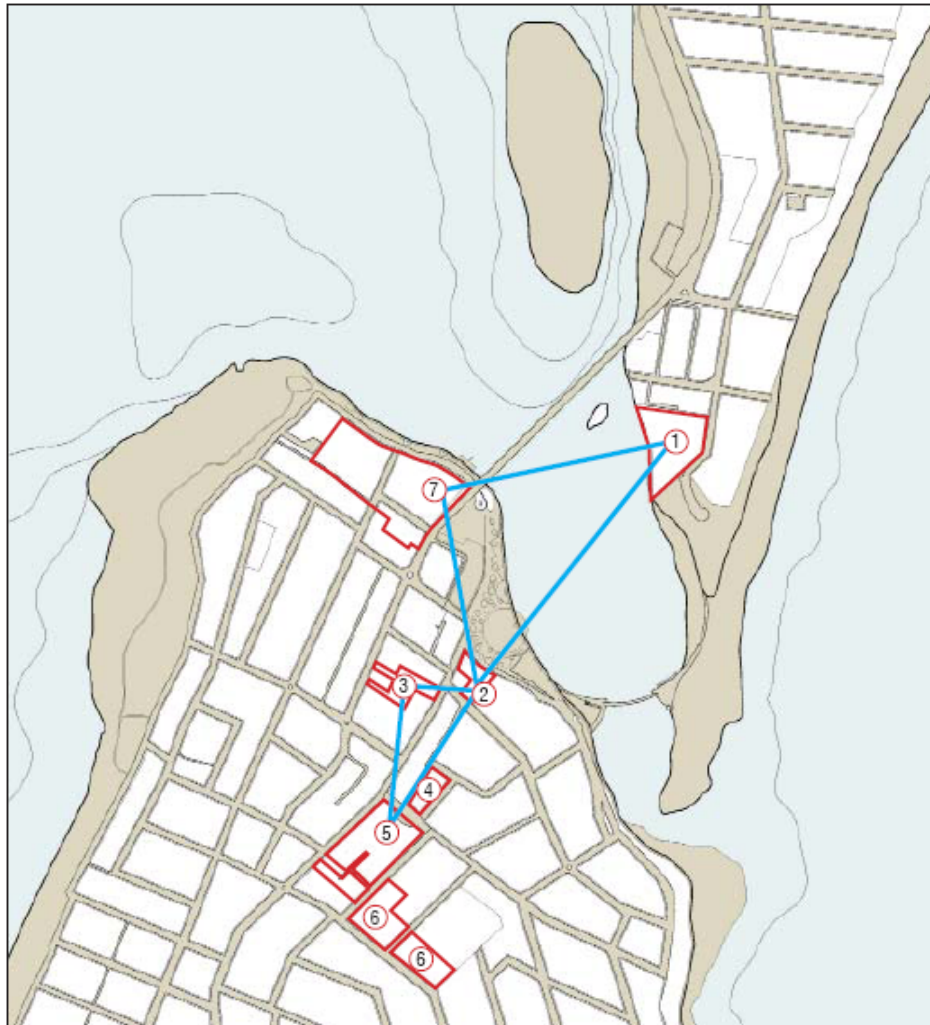


Figure 6 – Key Site and Relationships-The Entrance Town Centre Master Plan

The site is critical to the relationships between the Iconic Sites and is intended to provide a major tourist facility which will create an 'anchor' along the western foreshore, drawing people through the area. The Master Plan notes that: *"The heights of the key iconic development buildings will be greater than the surrounding development to assist in the creation of public spaces such as plazas, parks and other facilities for community benefit."*

The nature of the proposal with its iconic form and proposed integration with the public domain will allow it to fulfil the role envisaged by the Master Plan.

Paths and Destinations – the site adjoins the primary waterfront location which links the site to the main focal points of Memorial Park and the town centre. The proposal will provide a high quality response to this important context and funds provided through the Voluntary Planning Agreement (VPA) will facilitate the upgrade of the adjoining public domain, allowing the vision of the Master Plan to be achieved.

Hotspots and Quiet Places – the site contains both 'hotspots' and a quiet place (see **Figure 7**). The proposal and treatment of the adjoining public domain will ensure that such places are able to be created.

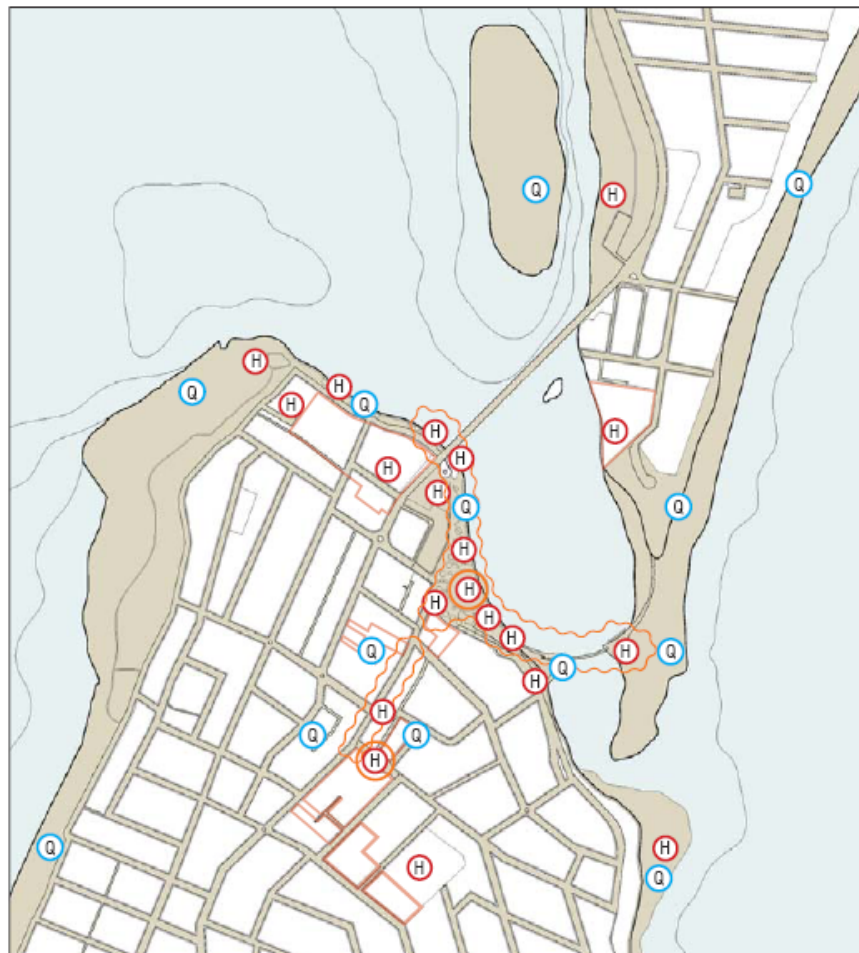


Figure 7 – Hotspots and Quiet Places-The Entrance Town Centre Master Plan

Vehicular Movement Framework – the proposal intends to provide access directly from The Entrance by-pass road which will ensure that impact from the associated traffic on surrounding streets will be minimal.

Public Parking zone – the site is within the designated public parking zone as shown on **Figure 8**. The indicative scheme provides for over 400 publicly accessible car spaces which will facilitate public use of the site and in particular the regional water park. Also, Council intends to develop a multi-level public car parking adjoining the site on Manning Road

Key Sites and Precinct Formation/Developing Precincts – The site is a Key Site within the Waterfront & Tourism Precinct (see **Figure 9**). In this regard the proposal provides an appropriate balance between the two precincts, providing tourism related retailing along the main frontages and residential accommodation above.

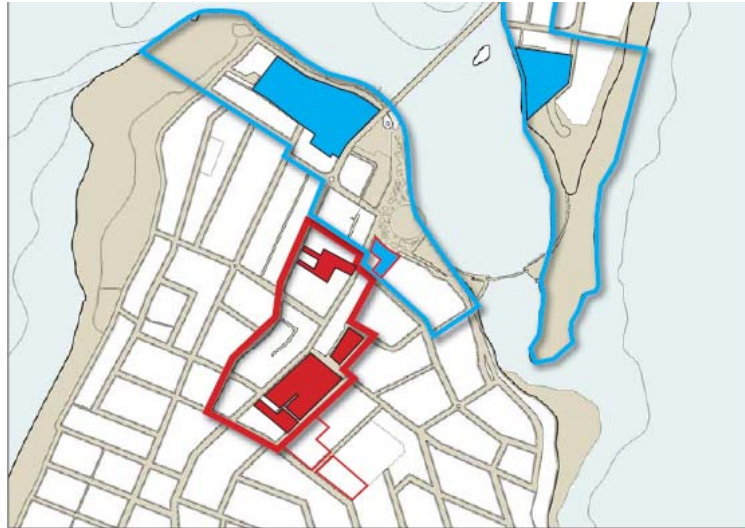
The Master Plan – the site is identified as site 23 in the overall Master Plan, an extract of which is shown at **Figure 10**. The provision of a major tourism use in the form of a regional water park, 5 star hotel and associated retail and leisure uses is of critical importance to achieving the Master Plan. The scale of buildings envisaged is indicated in the 3D aerial views (see **Figure 11**). As can be seen here the proposed tower forms of various heights sit well in the context of higher buildings proposed elsewhere in the town centre.



PUBLIC PARKING ZONE

- | | | | |
|---|-----------------------|---|--|
|  | By Pass |  | Parking Zone and Pedestrian Filter |
|  | The Entrance Circuit |  | Pedestrian Filtering onto the Paths and Destinations Layer |
|  | Primary Intersection |  | Parking Directional Signs - directs north/south bound traffic into parking station precinct. |
|  | Laneways | | |
|  | Main Pedestrian Links | | |

Figure 8 – Public parking zone-The Entrance Town Centre Master Plan



KEY SITES AND PRECINCT FORMATION



Figure 9 Key sites and Precincts-The Entrance Town Centre Master Plan



Figure 10 Extract from Master Plan drawing-The Entrance Town Centre Master Plan



Figure 11 Extract from Master Plan image-The Entrance Town Centre Master Plan (3D view)

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

Yes. Although the proposal could form part of the draft Composite LEP 2012, the community and Council want the objectives of the recent revitalisation studies to be achieved as soon as possible. As the proponent of the proposal is committed to the development of the site in the short term (demonstrated by the intention to exhibit a draft DCP simultaneously with the Planning Proposal), it would be counterproductive to require the proposal to be part of the draft Composite LEP 2012, particularly as such LEP's are notoriously drawn out processes that may take years to complete (as has been the case with Gosford Composite LEP which is still not gazetted).

4.1.3 Is there a net community benefit?

Yes. The subject site can accommodate large scale development under the existing zoning and in fact a development consent for around 500 units in buildings up to 9 storeys was granted in 2009. The Planning Proposal will facilitate additional development potential but as detailed in this report, this can be done without any significant adverse impacts. This additional potential will allow the objectives for The Entrance Town Centre (which have been developed through extensive public consultation) to be achieved. In this regard a truly iconic form is envisaged which will accommodate a significant tourist facility and accommodation which is vital to the overall function of the Master Plan.

A draft VPA will be prepared which ensures that the public benefit of the regional water park and other public benefits such as public domain improvements are delivered.

4.2 Relationship to strategic planning framework

4.2.1 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 by the Department of Planning in July 2008. The CCRS provides the framework for preparing new local environmental plans.

The CCRS identifies the population, dwelling and employment targets of the Central Coast over the next 25 years. The CCRS 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.

The site is located within The Entrance which is designated as a 'Town Centre' under the CCRS (see **Figure 12**). The proposal is consistent with the broad aims of the CCRS which include the provision of additional housing and jobs in identified centres. The proposal provides both of these elements in an appropriate town centre location.

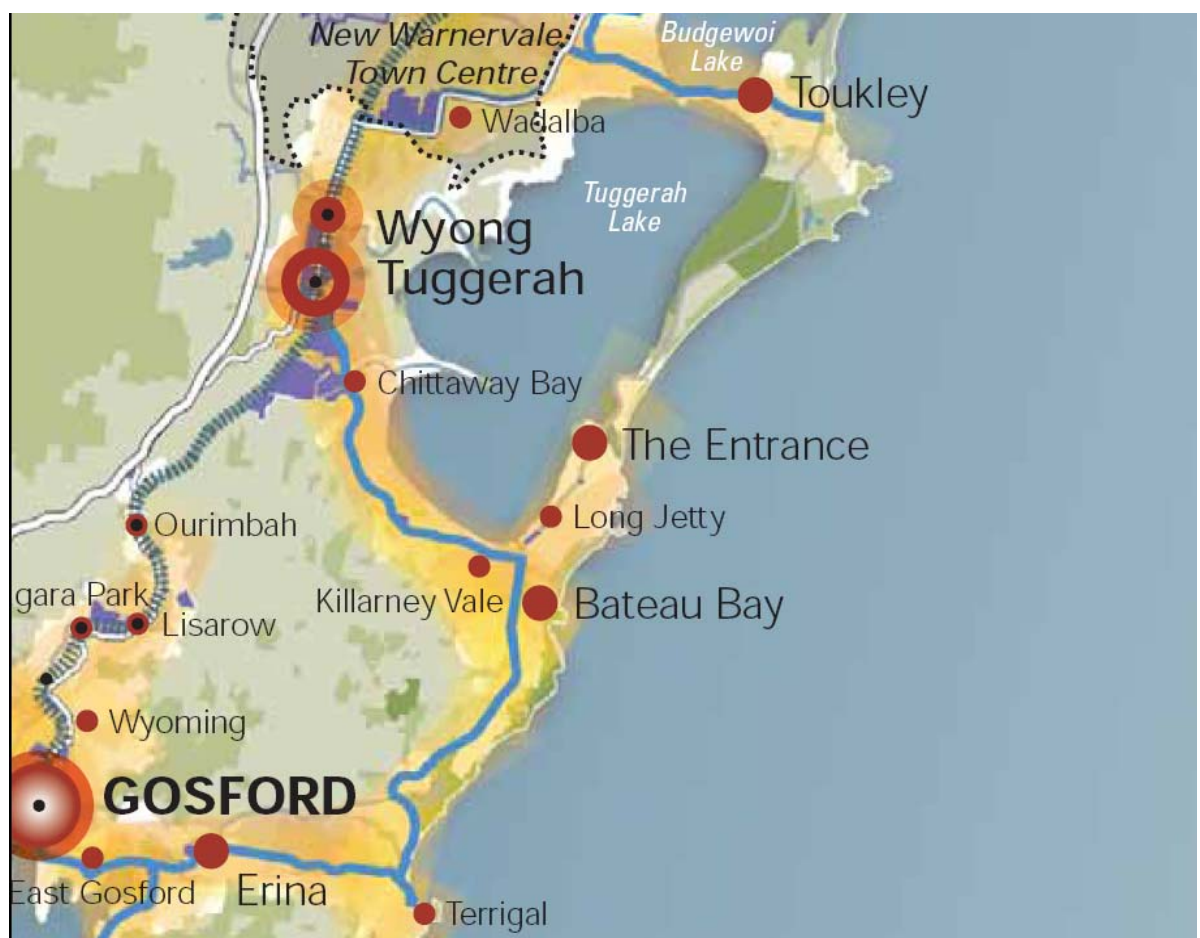


Figure 12 – Central Coast Regional Strategy

4.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Wyong Local Environmental Plan 1991 ('the LEP')

Clause 10 Zone and zone objectives - the subject lands are zoned 2(g) Residential Tourist under the LEP. As noted in **Section 3.1** above, the majority of proposed uses are permitted within this zone however, the Planning Proposal seeks to make additional uses permitted including recreation facilities and shops.

Further they are considered to be supportive of the objectives of the zone which are:

*"(a) to encourage residential development of various types primarily intended to accommodate tourists and visitors and not exceeding a height of 3 storeys (except as otherwise provided for in clause 42B), and
(b) to accommodate other types of development which complement tourist uses, and
(c) to ensure that tourist development does not significantly adversely impact on the amenity of residential areas in adjacent zones, and
(d) to ensure that the scale and function of tourist development is appropriate in the context of the form of development which might occur in the zone for tourist purposes."*

In regard to (a), the proposed accommodation will provide for both tourists and permanent residents, albeit in buildings higher than 3 storeys.

In regard to (b), the other proposed uses will complement the tourist uses.

In regard to (c), as indicated in the submitted shadow diagrams, the indicative scheme will not unreasonably impact on the adjacent residential zones (see **Appendix A**).

In regard to (d), the scale of the development and its tourist function is reflective of the delivery of a world class mixed use tourism and residential development.

Clause 15 Acid sulfate soils – the site is not in a high risk area in this regard and this matter will be addressed in detail as part of any future DA.

Clause 19 Development near lakes, rivers and creeks – the site is within 100m of MHWM of Tuggerah Lake however the proposal will not have any impacts on the marine environment subject to appropriate control of stormwater which will be detailed with the DA.

Clause 23 Flood prone land – as noted above the indicative scheme shows that the development can be protected from flooding now and into the future.

Clause 29 Services – we understand that adequate services are available for the proposal.

Clause 32 Development of Heritage Items - it is intended to undertake alterations and additions to the existing Thai restaurant building located at the south-west corner of The Entrance Road and Oakland Avenue, which is identified as a heritage item of local significance in Schedule 1 of the LEP. These will be consistent with the works that formed part of the previous DA approval and more detailed assessment will form part of the draft DCP process.

Clause 34 Development of known or potential archaeological sites – the site is not a known archaeological site. Appropriate conditions of consent can address any potential relics that may be discovered through the construction process.

Clause 35 Development in the Vicinity of Heritage Items - Proposed new buildings and facilities are located near the curtilage of The Entrance Hotel, located on the eastern side of Wilfred Barrett Drive. The development site is separated from this building by the road ramp leading up to The Entrance bridge and a car park. Accordingly, there is substantial physical separation between The Entrance Hotel heritage item and the development site. It is considered that the proposed development is outside both the curtilage and the visual catchment of this heritage item and hence will have no adverse impacts on the heritage significance of The Entrance Hotel.

Clause 42B Development in Zones Nos 2(c) and 2 (g)) at The Entrance – this clause limits building heights and would not facilitate the development or the achievement of Council's visions for The Entrance Town Centre as detailed in the Entrance Peninsula Planning Strategy, the Master Plan and draft Iconic Sites DCP/LEP provisions. Accordingly it is proposed to 'switch off' this clause in respect to the subject lands.

Clause 42CA Setbacks for certain buildings fronting The Entrance Road – the proposal does not comply with these setbacks which are not considered appropriate in the context of recent strategic planning for the area. . Accordingly it is proposed to 'switch off' this clause in respect to the subject lands.

Clause 68 Managed resort facilities—The Entrance – whilst the indicative scheme provides a substantial proportion of tourist accommodation, the requirements of this clause are overly restrictive and would reduce the financial viability of the redevelopment of the site. Accordingly it is proposed to 'switch off' this clause in respect to the subject lands.

Wyang Development Control Plan (DCP) 2005: Development Controls for Wyong Shire

Any development application on the subject lands will be required to comply with the relevant controls of Wyong Development Control Plan 2005, in particular, Chapters 60 The Entrance, 61 Car parking, 64 Multiple Dwelling Residential, 67 Engineering Requirements for Development, 69 Waste Management, 76 Conservation of the Built Environment and 77 Coastal Hazards.

The provisions of the DCP will be considered in further detail as part of the site specific DCP process.

4.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

State Environmental Planning Policies

The only State Environmental Planning Policies (SEPPs) relevant to this planning proposal are:

SEPP	Consistency
SEPP 55 – Remediation of [contaminated] Land This SEPP aims to promote the remediation of contaminated land for the purposes of reducing risk to human health and/or the environment.	Given the historical use of the land, it is unlikely to contain contaminated material and reports prepared for the previous DA's indicated that the land was suitable for the proposed retail/residential use.
SEPP 64 – Advertising and Signage Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP also regulates outdoor advertising in transport corridors. The SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors.	This matter will be addressed as part of the site specific DCP.
SEPP 65 - Design Quality of Residential Flat Development	The proposal has been designed to have regard to the provisions of this SEPP and the related Design Code (see Appendix A). However full consideration of the detailed provisions of the Residential Flat Design Code will be undertaken at DA stage.
SEPP 71 – Coastal Protection The policy has been made under the Environmental Planning and Assessment Act 1979 to ensure that development in the NSW coastal zone is appropriate and suitably located, to ensure that there is a consistent and strategic approach to coastal planning and management and to ensure there is a clear development assessment framework for the coastal zone.	The site is within a sensitive coastal location (being within 100m of MHW of Tuggerah Lake) and at some point subdivision of the site will be required. Under SEPP 71 this necessitates the preparation of a Masterplan. However in this case, as a detailed planning exercise is being undertaken it is requested that the Minister waive this requirement subject to gazettal of the draft LEP outlined in this planning proposal.
SEPP (BASIX) 2004	This SEPP will apply to the proposed dwellings and appropriate documentation will be submitted with the DA.

Regional Environmental Plans

There are no Regional Environmental Plans that are relevant to the Planning Proposal.

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

This planning proposal has been assessed having regard for the Section 117 Directions [issued to Councils under s117(2) of the *Environmental Planning & Assessment Act 1979* (EP&A Act)], relevant to this planning proposal. The findings were as follows:

Direction	Consistency
1.1 Business and Industrial Zones The objectives of this direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones, and support the viability of identified strategic centres	This planning proposal is consistent with this direction as the Planning Proposal does not alter the current zoning and maintains the employment generating capacity of the site. In a practical sense it will unlock this potential as the site has been under-developed and under-utilised for many years.
2.2 Coastal Protection To give effect to the NSW Coastal Policy, Coastal Design Guidelines and Coastline Management Manual	Consistency This planning proposal is considered generally consistent with this direction.

Direction	Consistency
	The planning proposal is considered to be generally consistent with the principles, goals and objectives of all State and local planning strategies, guidelines and manuals, including the Central Coast Regional Strategy and The Entrance Peninsula Planning Strategy, The Entrance Town Centre Masterplan, the NSW Coastal Policy, Coastal Design Guidelines and Coastline Management Manual, as it: (a) Will contribute to natural environmental values and aesthetic qualities by encouraging future development that will complement environmental, ecological or visual character values in the vicinity. (b) Will contribute to natural processes by not interfering with or adversely impacting or adversely being impacted by natural processes, hazards, coastal area management or climate change scenarios. (c) Will contribute to ecologically sustainable development and use of resources by requiring future development to comply with sustainable development principles, design excellence parameters and green building criteria. (d) Will contribute to ecologically sustainable human settlement by consolidating future growth in an existing compact urban centre, where infrastructure, services, buildings and a pedestrian friendly public domain, presently being under-utilised, will potentially be better and more fully utilised in the future. By consolidating future growth in the existing compact The Entrance Town Centre, will avoid contributing to ribbon development, unrelated cluster development and continuous urban areas on the coast. Will contribute to/complement an attractive urban environment, by ensuring that a future mix use building, promoting retail and commercial employment and higher density residential development, on this site will have design excellence appropriate to the vicinity in which it is located, enhancing an area of high natural and built aesthetic quality and reinforcing The Entrance Town Centre's coastal character/ identity. (e) Will contribute to cultural heritage values by complementing the Anzac Memorial heritage item on the corner of The Entrance Road and Marine Parade through contrast and supporting the vicinity as a stronger activity node via public domain improvements funded by public benefit contributions by the development. (f) Will contribute to public access and use by not interfering with physical access to the foreshore and by increasing public enjoyment of the foreshore by providing outdoor spaces that can be accessed by the public, orientated towards The Entrance Channel.

Direction	Consistency
	(g) Complies with The Entrance Peninsula Planning Strategy and The Entrance Town Centre Masterplan. Both these documents were prepared with State Government and Community/Stakeholder participation and reflect the provisions in the Central Coast Regional Strategy, prepared by the Department of Planning and Infrastructure. Potential Inconsistency The planning proposal could be considered to be inconsistent with the Coastal Design Guidelines 2003, as it includes a maximum building height of greater than the general four storeys indicated in the guidelines. However, the planning proposal is generally consistent with the majority of principles, goals and objectives of all relevant State and local planning strategies, guidelines and manuals, including the Central Coast Regional Strategy (a regional strategy prepared by the Department of Planning and Infrastructure) and The Entrance Peninsula Planning Strategy, The Entrance Town Centre Masterplan, the NSW Coastal Policy, Coastal Design Guidelines and Coastline Management Manual, as described above. Also, the planning proposal is aimed at encouraging / requiring development to have design excellence, green building solutions and comply with sustainable development principles, elements that are not currently specifically encouraged or required to the same degree under current Wyong LEP provisions. Buildings higher than 4 storeys are already part of the urban fabric of The Entrance Town Centre (many are up to 8 to 9 storeys with one being 15 storeys high) and continuation of this trend has been contemplated as part of The Entrance Town Centre Masterplan and also the Iconic Sites process undertaken by Council. The nominated maximum height in the planning proposal has been established from a specific urban design study, which accompanies the planning proposal. Visual analysis (accompanying the planning proposal) indicates that a new development, of the maximum height nominated, is appropriate to the predominant form and scale of surrounding development (either present or future), surrounding landforms and the visual setting of the settlement. Analysis (accompanying the planning proposal) also demonstrates that a building, of the maximum height nominated, can avoid unreasonable overshadowing of neighbouring properties and public domain spaces, in The Entrance Town Centre before 3pm midwinter and 6.30pm Summer Daylight Saving Time (times nominated in the Coastal Design Guidelines).

Direction	Consistency
2.3 Heritage conservation The objection of this direction is “to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.”	The Planning Proposal does not affect the heritage status of the item on the land (ie, the existing restaurant building) and it is intended that it be retained and incorporated into any future development.
3.1 Residential Zones - To encourage a variety and choice of housing types to provide for existing and future housing needs. - To Make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services. - To minimise the impact of residential development on the environment and resource lands.	This planning proposal is consistent with this direction. Will potentially broaden the choice of accommodation to provide for a range of high quality apartments of differing sizes, currently not available in The Entrance Town Centre. Being located within The Entrance Town Centre, will potentially make more efficient use of existing infrastructure, which has existing capacity to cater for future development of the site and will make use of available services. Is assessed as having minimal impact on the environment, utilising existing infrastructure with environmental impact mitigation measures already installed. There are no resource lands in the vicinity of the site.
3.4 Integrating Land Use and Transport - To improve access to housing, jobs and services by walking, cycling and public transport. - Increasing the choice of available transport, reducing the dependence on cars. - Reducing travel demand, including the number of trips generated by development and the distances travelled, especially by car. Supporting the efficient and viable operation of public transport services.	This planning proposal is consistent with this direction. An objective of this planning proposal is to stimulate economic development, including the provision of residential development close to self-contained employment growth, in an existing town centre, which will improve opportunity for walking, cycling and public transport use and viability, choice of these modes, reducing travel demand and use of private cars. This planning proposal includes provisions to give effect to the aims, objectives and principles of the documents ‘Improving Transport Choice’ and ‘The Right Place for Business and Services’. A traffic assessment report is included as Appendix D to the Planning Proposal.
4.1 Acid Sulfate soils The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.	As noted above the site is not high risk in this regard and as such this issue will be detailed with as part of the DA.
4.3 Flood Prone Land The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy, the principles of the Floodplain Development Manual 2005, and to ensure that the provisions of an LEP on flood prone land is commensurate with the flood hazard.	As noted above the indicative scheme shows that the development can be protected from flooding now and into the future.
5.1 Implementation of Regional Strategies The objective of this Direction is to ensure that draft LEPs are consistent with regional strategies, such as the Central Coast Regional Strategy.	As noted above, the planning proposal is considered consistent with the Central Coast Regional Strategy (CCRS).

Direction	Consistency
6.3 Site Specific Provisions To discourage unnecessary restrictive site specific planning controls.	This planning proposal is considered to be not inconsistent with the objective of this direction. However, it is acknowledged that the planning proposal could be interpreted as inconsistent with this direction. If so, such inconsistency is considered to be of minor significance for the following reasons: (a) The planning proposal's prime purpose is to insert a generic (non site specific) framework under which future development applications for all Key (Iconic) Development Sites [identified under Council's Key (Iconic) Development Sites Program] can be considered. However, the opportunity is being taken to embed maximum floor space ratio and height parameters for this particular site into the framework as a component of this planning proposal. (b) An objective of the planning proposal is to remove what are considered to be current unnecessarily restrictive site specific planning controls and replace them with a more flexible option by inserting the generic framework. (c) The planning proposal is generally consistent with the majority of principles, goals and objectives of all relevant State and local planning strategies, guidelines and manuals, including the Central Coast Regional Strategy (a regional strategy prepared by the Department of Planning and Infrastructure) and The Entrance Peninsula Planning Strategy, The Entrance Town Centre Masterplan, the NSW Coastal Policy, Coastal Design Guidelines and Coastline Management Manual, as described above. (d) The planning proposal is aimed at encouraging / requiring development to have design excellence, green building solutions and comply with sustainable development principles, elements that are not currently specifically encouraged or required to the same degree under the current Wyong LEP provisions. (e) The nominated maximum height in the planning proposal has been established from a specific urban design study, which accompanies the planning proposal. (f) Visual analysis (accompanying the planning proposal) indicates that a new development, of the maximum height nominated, is appropriate to the predominant form and scale of surrounding development (either present or future), surrounding landforms and the visual setting of the settlement. (g) Analysis (accompanying the planning proposal) also demonstrates that a building, of the maximum height nominated, can avoid

Direction	Consistency
	unreasonable overshadowing of neighbouring properties and public domain spaces in The Entrance Town Centre.

Department of Planning's Criteria for Spot Rezoning

This planning proposal has been assessed having regard for the Department of Planning's *LEP Pro-forma Evaluation Criteria-Category 1: Spot Rezoning LEP*, which provides criteria for consideration for any draft LEP. This LEP Amendment request is assessed against these criteria in the table below.

Criteria	Consistency
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	This planning proposal will not reduce employment lands and will facilitate employment generating activities.
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg, land release, strategic corridors, development within 800m of a transit node)?	As noted above, this planning proposal is compatible with the Central Coast Regional Strategy. It is ideally located in an existing town centre and will play a crucial role in the revitalisation of the area.
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	As mentioned above this planning proposal will support the objectives of the Central Coast Regional Strategy and also the more detailed work that has recently been undertaken for The Entrance. As detailed above it is consistent with the relevant s117 directions.
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the metropolitan Strategy or other regional / sub-regional strategy?	No, but it is located in an important town centre.
Will the LEP deal with a deferred matter in an existing LEP?	No.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. There are other proposals similar to this proposal in The Entrance town centre. Council has considered the cumulative impacts these proposals as part of the recent The Entrance Peninsula Planning Strategy, Master Plan and Iconic Sites DCP/draft LEP process and remain supportive of the proposals.
Is the LEP likely to create a precedent, or create or change in the expectations of the landowner or other landowners?	No. The site has been specifically identified for increased development as part of The Entrance Peninsula Planning Strategy, the recent Master Plan and Iconic Sites DCP/LEP process. The feedback from this process is that the community understands that in order to achieve the desired outcome for The Entrance that appropriate key sites should be permitted to provide 'iconic' development that may allow for greater development potential than on other sites.
Will the LEP be compatible / complementary with surrounding land uses?	Yes. The proposal does not fundamentally change the existing zoning of the land and it will remain a compatible part of the fabric of the town centre.

4.3 Environmental, Social and Economic Impact

4.3.1 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?

No.

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

The following issues have been identified as being relevant to this planning proposal.

Hazard Issues

The only hazard issue of any significance is water inundation related to climate change. As previously noted the indicative scheme shows that the development can be protected from flooding now and into the future.

Acid sulfate soils are a potential hazard that will be investigated in further detail as part of the DA process, in accordance with the requirements of Clause 15, Wyong LEP 1991.

Environmental Issues

Significant vegetation

There is minimal vegetation on the site and nothing of significance.

Visual Amenities

The site is presently developed with low scale residential and tourist development and as such any redevelopment will have a visual impact. However the Planning Proposal will facilitate a development of far greater visual quality than is likely to occur under the existing controls. The quality of existing development approved under these controls can be seen in the surrounding area (refer to images in the Urban Design Report at **Appendix A**). Whilst higher in form than existing development, the iconic quality that Council is attempting to achieve in its Iconic Sites DCP and Town Centre Master Plan is demonstrated in the montages of the proposal. In terms of height, the proposed building is consistent with the overall vision for The Entrance that is described in these recent strategic plans and with other Iconic Sites in the town centre, where buildings of similar height are being proposed. The appropriateness of the proposed height in this context is shown in **Figure 11** above and is discussed in greater detail in the Urban Design Report (see **Appendix A**).

Impacts on surrounding properties

The indicative scheme has been designed with the higher buildings in the northern part of the site where there is less potential for impact. The southern part of the site will contain the water park which will be a lower scale structure with lesser potential for impact. The main impacts on adjoining development will be visual impacts, overlooking and overshadowing. Whilst these impacts have been considered in the preparation of the Planning Proposal (see **Appendix A** which includes shadow diagrams), a more detailed analysis of these impacts will be undertaken as part of the draft DCP process.

4.3.3 How has the planning proposal adequately addressed any social and economic effects?

Social Issues

The proposal will not result in any unexpected social issues as the proposed development remains consistent with the existing zoning of the land. The proposal forms part of the overall revitalisation strategy of Wyong Council for The Entrance Town Centre that has been widely workshopped and discussed with the local community, business owners and other relevant stakeholders. The proposal is seen as a major catalyst in this revitalisation and therefore it will be of great social benefit.

Economic Issues

The proposal will not result in any unexpected economic issues as the proposed development remains consistent with the existing zoning of the land. No major retail space will be provided ensuring that the development will not compete with the role of the more central precincts of the town centre. The proposal will result in significant creation of local jobs both during construction and in the longer term. Bringing in more permanent residents and catering for tourists will increase the amount of spending in the town centre.

The proposed development has an estimated construction cost in the order of \$350 million. Using the Australian National Accounts Input-Output data, this construction investment would generate direct employment of 1,934 full-time and part time jobs for one year. These construction jobs would be spread over the development timeframe for the subject site. It would also generate a additional jobs in supporting industries and other businesses servicing the expenditure by the employed workers. This is the indirect employment generated by the construction phase of the subject site.

The proposal is estimated to generate over 1000 full-time and part-time jobs during operation phase from the proposed retail areas, tavern, retail uses, regional water park and 5 star hotel accommodation. New residents and visitors will also increase demand for goods and services in the local area and thus create indirect employment.

4.4 State and Commonwealth Interests

4.4.1 Is there adequate public infrastructure for the planning proposal?

Services (Water, Sewer and Drainage)

The site is located within an existing developed area that is well catered for in terms of infrastructure. We understand that there is capacity within existing systems for the proposal subject to appropriate augmentation as necessary.

Roads, Traffic and Transport

A detailed analysis of traffic impacts will be undertaken as part of the draft DCP process.

In relation to the cumulative impacts of other iconic site development, we understand that Council has already considered this and is continuing to do further analysis based on changes to the road network envisaged in the Town Centre Master Plan.

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

Under the Gateway process the views of State and Commonwealth public authorities are not known until after the initial Gateway determination. This section of the planning proposal will be completed following consultation with those public authorities nominated by the Gateway Determination.

4.5 Community Consultation

Under the Gateway process the level of community consultation is tailored for each planning proposal by the initial Gateway determination.

This Planning Proposal can be seen as a key part in the next step in the planning process that aims to achieve the revitalisation of The Entrance town centre. It follows considerable work by Council with the preparation of The Entrance Peninsula Study, the Iconic Sites DCP/draft LEP and The Entrance Town Centre Master Plan. This work has involved significant community, business owner and other stakeholder consultation. As discussed in detail in this report, the Planning Proposal is fully consistent with these documents and also the relevant regional planning strategies and state policies.

Whilst the overall intent is to facilitate the necessary planning changes through Council's draft Composite LEP, this is a complex process that may take a long time to resolve. As all the key players in the process, being the land owner, Council and the local community, want to see positive and real action to implement the stated vision for The Entrance, it is considered that it would be more certain to meet the desired timeframes if this Planning Proposal to amend Wyong LEP 1991 were lodged and processed prior to the draft Composite LEP process. The land owner's genuine commitment to the development of this vacant site (which has been unused for around 20 years), is demonstrated by the intention to prepare a site specific DCP and VPA so that they can be exhibited concurrently with the Planning Proposal.

