



Wyong
Shire
Council
CENTRAL COAST

Planning Proposal

30 Jack Grant Ave, Warnervale



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Property Details

Real Description: Lot 26, DP 1159349

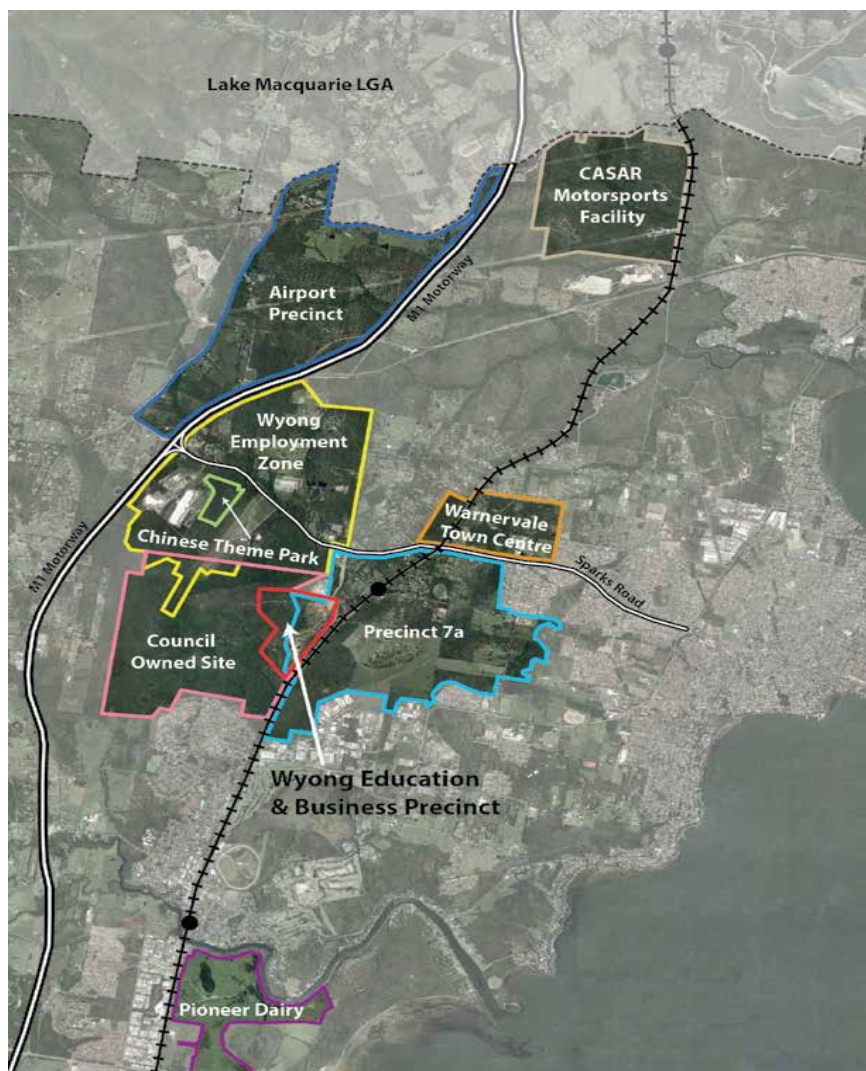
Street Address: 30 Jack Grant Ave, Warnervale

Applicant: Wyong Shire Council

Owner/s: Wyong Shire Council

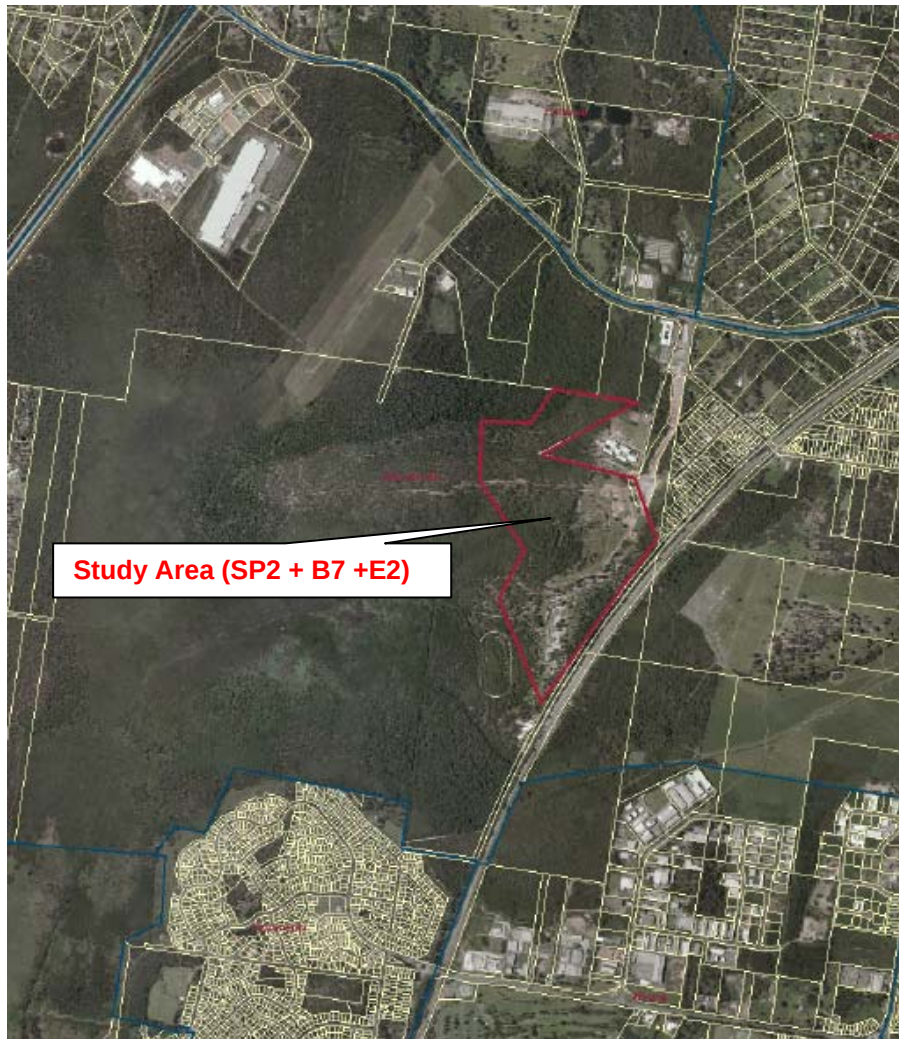
Site Area: 455ha (total). Planning Proposal covers 65ha.

Current Zoning: Part zoned SP2 – Education Establishment, Part E2 – Environmental Conservation, Part B7 – Business Park.



Map One: General Study Area Location in Strategic Context of Warnervale

The site is located approximately 4km north of Wyong Town Centre and 3.5km from the M1 Motorway via Sparks Road. The site itself is expansive covering a total area of 455ha. **For the purposes of the Planning Proposal, the study area is 65ha that is identified as the development footprint.** The site is strategically placed near Warnervale Train Station, the future residential area of Precinct 7A (**major land release area**) and the new Warnervale Town Centre. The site is well serviced by Stage 1 of the Link Road and will take full advantage of the future completion of the Link Road (Stage 2) component which would act as a catalyst infrastructure project for the Warnervale area. The developable footprint is largely confined to a dominate north-south ridge and a secondary east – west ridgeline at the northern extent of the Precinct.

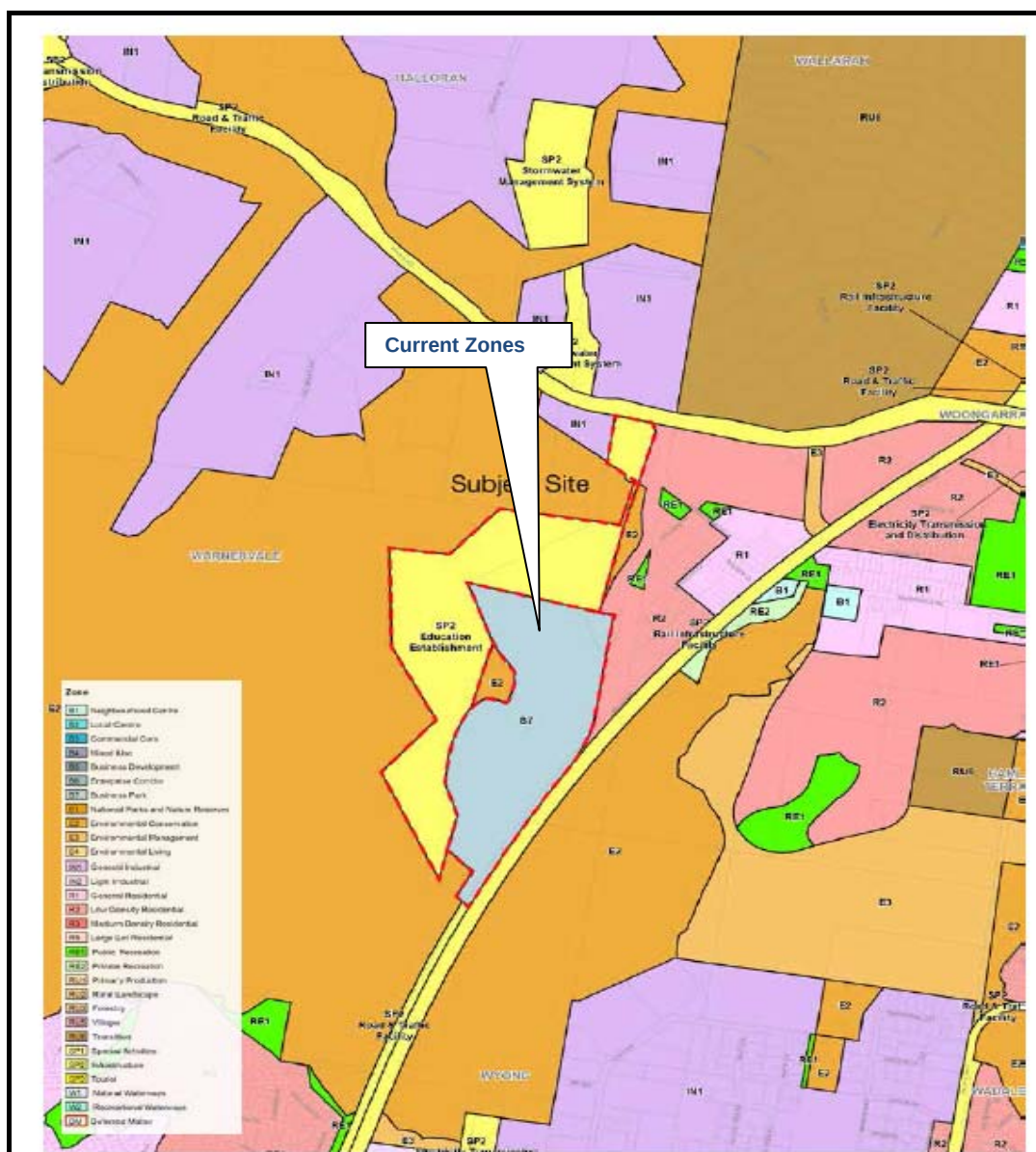


Map Two: Study Area of the Wyong Education and Business Precinct Masterplan

Part 1 Objectives or Intended Outcomes

To facilitate adjustments to the Wyong Local Environmental Plan 2013 as a Schedule 1 listing in the LEP for the Additional Permitted Uses via a Planning Proposal including matters associated with remapping heights and FSR at selected sites.

To enable the development of an integrated educational and business precinct at part of 30 Jack Grant Ave, Warnervale by amending the existing provisions in the Wyong Local Environmental Plan, 2013. This will be achieved by enabling increased building heights and floor space provisions. In addition, certain land uses will be permitted to supplement the overall intent of the education and business precinct.



Map Three: Current Zones – Wyong Local Environmental Plan 2013 (Electronic copy submitted)

Part 2 Explanation of Provisions

Wyong Local Environmental Plan 2013

The proposed outcome will be achieved by:

- Amending the Wyong LEP 2013 Height of Building Map HOB_007A in accordance with the proposed height map, shown at attachment 2, which indicates a maximum permitted height of 24 metres onsite ; and
- Amending the Wyong LEP 2013 Floor Space Ratio Map HOB_007A in accordance with the proposed floor space ratio map, shown in attachment 2, which indicates a maximum permissible floor space ratio of 2.5 :1 on the site; and
- Amending the Wyong LEP 2013 Schedule 1 to enable additional uses within the designated B7 Business Park for retail development up to 2,000m² : and
- Amending the Wyong LEP 2013 Schedule 1 to enable additional uses within the designated B7 Business Park for **highway service centre** up to 6,000m².

Part 3 Justification

Section A – Need for the Planning Proposal

1. *Is the Planning Proposal a result of any Strategic Study or report?*

The Planning Proposal is the result of the development of the draft Wyong Education & Business Precinct Masterplan which is a response to previous studies conducted (Viability and Feasibility Study for the Wyong Education & Business Precinct Masterplan - (SGS Economics & Planning 2013) as well as Feasibility Assessment of the Viability of a University campus on the Central Coast (Allen Group) that identified a shortfall in the delivery of tertiary education spaces within the Central Coast. A significant part of the site is already zoned B7 (Business Park) as part of the recently endorsed Precinct 7A. This site has been identified for business uses within the regional strategies. **It is expected that the site will be nominated within the new Regional Growth Plan for the Central Coast as a university site. This would also require amendments to the endorsed North Wyong Structure Plan.**

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

The Planning Proposal will “firm up” planning controls which will enable the facilitation and potential implementation of the Masterplan. The Planning Proposal does not seek to rezone land but to increase heights and fsr components which better align with the implementation of the masterplan. The additional permitted uses are considered to be uses that are considered to complement the primary use as an integrated education & Business park precinct. In this instance Council seeks to ensure that there is flexibility in the land use schemes to best accommodate these requirements. One possible alternate option is to rezone part of the land which has been earmarked for university uses (currently in the B7 zone) to SP2 (Special Uses – Infrastructure) however it is considered that this is too restrictive.

3. *Is there a net community benefit?*

Yes. The overarching purpose of the Planning Proposal is to ensure that appropriate planning controls are set in places which enable enough flexibility to deliver the future implementation of the draft masterplan. The planning proposal seeks to reaffirm planning consideration and controls that would enable the development and facilitation of an educational and business precinct which would meet the strategic objectives of Council's Community Plan and Economic Development Strategy.

This evaluation is further detailed below. The following table provides a summary:

Evaluation Criterion	Consistency of the Proposal
Will the proposal be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	No. The proposed Wyong Education & Business Precinct is located ~900m to the existing Warnervale Train Station. The proposed site is located just to the south west (~ 3km) of the new Warnervale Town Centre which is identified in the Central Coast Regional Strategy. It is argued that the proposed height provision will enable certainty for potential developers who will seek collaboration with tertiary providers. It is argued that the new Regional Growth Plan for the Central Coast should also incorporate a new major development corridor along Sparks Road that will be the catalyst for major job creation. This includes Wyong Employment Zone that is identified in the North Wyong Structure Plan (NWSP) and also the potential new Central Coast Regional Airport. It is argued that the expected funding and eventual construction of Stage 2 of Link Road will provide improved connections that the major centre of Wyong and also the site. The North Wyong Structure Plan (NWSP) Map 2 – Structure Plan identifies this critical piece of infrastructure.

Is the proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	No Whilst not located in a state endorsed regional strategy, it is part of the Key Strategic Major Projects identified by Wyong Shire Council. This project forms part of an overall development scheme that includes the future university, regional airport and major tourist attraction in the Chinese Theme Village. North Wyong Structure Plan The site has been identified as a Proposed Employment Area (No 4) Development Precincts (Map 2 of Structure Plan). The proposal still intends to utilise business uses but needs to firm up on planning controls relating to building heights and for development in order to better enable the realisation of the masterplan. This planning proposal is based upon the ability to facilitate the location and development of a new university on the Central Coast, that been the 9th largest region in Australia, yet is devoid of its own university. Historically this site was earmarked in 1991 as the preferred location of an international university (Japanese). Under the previous WLEP 1991, the site was zoned 5(a) Special Uses (Educational) at ~65ha. Wyong Shire Council Settlement Strategy (WSCSS) This proposal has been undertaken since the adoption and subsequent endorsement from Department of Planning & Environment. A review of the document indicates that the Planning proposal is consistent with a variety of Key Considerations and associated actions. Planning for Our Community highlights the key consideration of co-location of community facilities and complementary facilities to create "community hub". The masterplan identifies the major precinct known as the SMARTS Hub that comprises of community learning facility, limited retail, hotel and civic open space. It could be jointly funded by both public and private entities.
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	The proposal also complements the Key Consideration for improved Education by way of establishing and fostering collaboration and partnerships with key industry groups and also increasing the communities' skills base and its capacity to contribute to expanding commercial opportunities. Planning for Utilities Infrastructure The proposal will complement some of the key planning considerations including increasing possible densities around open space to maximise stormwater re-use particularly for Warnervale/Wadalba. Planning for Our Environment The Planning Proposal complements the key planning considerations in that the development footprint is not encroaching upon the SEPP 14 Wetland components and the development would be able to better manage the existing site. Given that the proposed use is for university uses that this would enable greater conservation with collaboration with possible environmental programs through university. Planning for Economy & Employment The site is able to accommodate a range of the Key Considerations in supporting and encourage opportunities for employment generating industries, minimise land use conflict with adjacent land uses such as residential land and ensure that the viability of the commercial and retail hierarchy is maintained and enhanced through appropriate built form requirements, encouraging higher density, compact form and mixed uses. Recommendation: That DoPE identifies the WEBP as a strategic centre for tertiary education in future renditions of the Regional Growth and Infrastructure Plan. It would be expected that
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	given that the proposed economic growth along Sparks Road that it be identified as a strategic land corridor in the new Regional Growth Plan.
Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landholders?	No. Land ownership is with Wyong Shire Council. The site is one of Wyong Shire Council's largest land holdings and is strategically located between Warnervale and existing township of Wyong. Due to the existing size of the allotment, ongoing management of the site is challenging. It is unlikely that this would create another precedent due to the unique nature of the proposed development (university) and is currently zoned for both the university site and also business uses. Given that the site has been already zoned for educational and business uses, the planning proposal seeks to increase the total floorspace supply within the site that would better suit the integration with tertiary providers.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. Part of this site was identified and recently zoned B7 (Business Park) as part of Precinct 7A which is a major land release area for Warnervale. Precinct 7A is located on the eastern side of the Northern Railway Line and is targeted for up to 2,000 new homes. Furthermore, most of the residential growth in the Shire will be located on the northern parts. As such the future university/business park precinct will be located in close proximity to the future population catchments. In this case it is also argued that the most southern portions of Lake Macquarie are located closer to this site than the University of Newcastle site. This includes suburbs such as Morisset and Wyee that are earmarked for future growth under the Lower Hunter Regional Strategy.

Will the proposal facilitate a permanent employment generating activity or result in a loss of employment lands?	Yes. This proposal will generate both short term and longer term employment growth in the area. The site has already been rezoned as part of the Wyong LEP 2013. SGS Economics and Planning were commissioned (October 2013) to complete an economic viability and feasibility analysis of a proposed integrated education and business/industry precinct at Warnervale. Various case studies were undertaken to identify relevant "case studies" for greenfield integrated university/business enterprises. The key findings from the study state: 1. Integration of education and business uses appear to be more successful when the university develops operates and owns its own commercial floorspace. 2. Development is physically integrated with shared buildings, facilities and infrastructure. 3. Staging will be critical. The presence of the university would help entice commercial presence into the precinct. 4. Total integration of business/industry and education to offer a range of tenant opportunity to provide appoint of difference. 5. Economic advantage in the ability to reduce operational costs.
Will the proposal impact upon the supply of residential land and therefore housing supply and affordability?	No. The Planning proposal is not associated with permanent residential but does enable the facilitation of student accommodation which may in fact act as a stimulant for future residential housing in the general vicinity of Warnervale. This will help in providing a supply of housing type that is related to university uses.

Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site?	Yes. At present the existing Link Road capacity is totally underutilised which only serves the existing Lakes Grammar School. The site is perfectly located next to the proposed Stage 2 of the Link Road. As the water & sewer provider, WSC is currently planning and earmarked construction for significant water and sewer upgrade along the Link Road corridor. Additional consultation with appropriate energy providers would be required.
Is there good pedestrian and cycling access?	No but it is expected that the future development of the site will enable better pedestrian and cycle links to the existing Warnervale Train Station.
Is public transport currently available or is there infrastructure capacity to support future public transport?	The site is located ~ 900m from the existing Warnervale Train Station. Whilst it is located on the fringe of the 800m radius for acceptable walking distances, it is considered that whilst not ideal that it is still achievable At present there is limited public transport available but it is expected that this site will become a transit orientated development which would fuel the demand for additional bus services. The masterplan has identified a bus interchange area close to the proposed core area. .
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Yes. The proposed education and business precinct will reduce travelling times and greenhouse gas emissions in that fewer students will need to travel either to Sydney or Newcastle to undertake their studies. The proposed construction of The Link Road will further increase efficiency of travelling times between the site and Wyong Town Centre. The existing Warnervale Train Station which will have increased patronage from Precinct 7A is located just on the fringe of acceptable walking distance.
Are there significant Government	Yes

investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	The site is located close to the M1 Motorway that is the major road transport line between Newcastle and Sydney. The site is less than 10 minutes' drive from the major intersection of M1 and Sparks Road which is currently subject to a \$20m upgrade for the anticipated major developments in the area including Warnervale Town Centre. Wyong Shire Council (WSC) has made representations to government (both state and federal) in relation to funding for Stage 2 of the Link Road project. The outcome of the development of this critical piece of infrastructure is that it will significantly improve accessibility and connectivity between the existing Wyong/Tuggerah area and the emerging Warnervale precinct which is earmarked for massive development. The distance between the proposed SMARTS Hub precinct (located directly off existing Link Road) and Watanobbi intersection (southern end of Link Road) is ~ 3.2km.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	No A desktop review has been undertaken as part of the masterplan process and also as part of the Precinct 7A project. The desktop review examined matters including EECs, bushfire, flooding and some topographical considerations. The purpose of the Planning Proposal is not to rezone land which has occurred as part of both Precincts 7A and also the Wyong Local Environmental Plan 2013. Section 117 Directions include consideration of matters associate with the biophysical environment as well as 03 The Site within the draft Wyong Education & Business Park Masterplan.
Will the proposal be compatible/complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	It is located immediately south of the existing Lakes Grammar School with the only developable land located to the east which forms part of Warnervale. Given the location of the future Link Road this will act as a "buffer" between the existing residential area and the education/business precinct.

Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Yes The proposal also includes a component of retail uses which will be located in the SMARTS Hub precinct.
If a stand-alone proposal and not a centre do the proposal have the potential to develop into a centre in the future?	Yes. Given the proposed student numbers (both domestic and international to total 7,000) together with the business park and the SMART Hub, that this will be key attractor both within the Shire and the region that it will enable the ability to consolidate as a centre. It is one of few sites which have enough constrained free land at reasonable grades with good connectivity to facilitate this type of proposal.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The proposal provides the ability to establish a facility which is able to meet the future needs of the region if the population targets are met as prescribed by the Central Coast Regional Strategy combined with tertiary participation rates increase to the State average. Combined with future increased population of southern Lake Macquarie and also northern Sydney that this catchment area is over 1 million people.

The draft Wyong Education & Business Precinct Masterplan had made the following recommendations in relation to existing planning controls under the Wyong Local Environmental Plan 2013:

Building Heights

Height and Density Controls

- Height and density controls apply in the B7 zone, but may require review following adoption of the Master Plan. No height or density controls are applicable of the SP2 or the E2 zones.
- Under the LEP, a 12m height limit applies across the B7 zone whilst the same area is subject to a density (FSR) control of 0.8:1.
- Clause 4.6 of the LEP allows for exceptions to development standards, including height and FSR controls. Whilst this provides flexibility, it may not provide sufficient scope to allow Council to approve more significant departures from these standards.

In this instance, the greatest concentration of activity will occur in the SMARTS Hub precinct (core) which includes the highest concentration of mixed activities including the anticipated tallest building (hotel). This will be the landmark feature which will take full advantage of the topography on the site and will be easily recognisable. It is considered appropriate to insert a blanket building height and fsr across the whole site due to variances with existing land levels and proposed land uses, existing controls and impacts upon recently endorsed business park developments as part of North Wyong. This will allow up to 6 or 7 storeys to be accommodated flexibly, including at the Central Core of the Precinct at the northern extremity near the existing Link Road roundabout, as well as any multi-deck car parks that may be required in later stages of development. The height of the student accommodation precinct is set as a response to examination of together campuses as the need to maximise density as close to the SMARTS Hub as possible.

Comment

- **The planning proposal seeks to increase building heights to (24m) and FSR (2.5:1) to provide a greater level of certainty for prospective investors over development potential. It is intended to eliminate some planning risks.**

Floor Space Ratio

- The existing precinct-wide FSR of 0.75:1 may concurrently requires revision upwards to further provide flexibility into the future and assist in allowing the increased heights in various locations.
- The Central Core of the Precinct (SMARTS Hub) is to accommodate a landmark height (or heights), including a hotel, university library, and the integrated community building.
- If the car parks are counted as having some form of GFA, then the FSR may need to correspondingly be revised upwards to cater for them, while at the same time not diminishing the development opportunity for the wider precinct.
- Clause 4.6 of the LEP can be utilised to “object” to development standards where adherence to height or FSR controls may be deemed to be unreasonable or unnecessary in the circumstances. This clause typically allows a notional +10% variation to the standard as an unwritten rule-of-thumb. This would only allow development to heights of in the order of 13.2m and a FSR of 0.825:1. Generally, this would not allow the type of in-built certainty required of the LEP to facilitate certain buildings or development of type envisaged in the draft Master Plan.

Comment

In order to achieve the overall development options for the site as detailed above, it is considered that a blanket FSR of 2.5:1 be placed over the whole site. This is to allow greater flexibility and certainty in the development phase for the site. Clause 4.6 of the LEP is problematic for this site as the 10 % variation would not be adequate in order to achieve the desired outcomes of the masterplan. JBA/Cox as part of the draft masterplan provided analysis for both FSR and Building Height formulation (06 Master Plan 6.2 Relationship to Wyong LEP page 31).

Comment

The existing dictionary of the Standard LEP provision does not list “student accommodation” as a prescribed activity and as such required to identify the “best fit” definition. It is argued that given the changing nature of tertiary education providers that **accommodation uses are expected to be part of the operational function of a university and thus should be ancillary uses to the university.**

As part of the eventual construction of Stage 2 of the Link Road that it is considered appropriate to consider the inclusion of a single allocated Highway Service Centre which is to be located next to one of the off ramps. The eventual location of the service centre will be determined after the final detailed designs for Stage2 of Link Road are completed.

Section B – Relationship to strategic planning framework

4. *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 purpose of the CCRS is to ensure that this population growth is accommodated in a manner that Preserves and enhances quality of life whilst protecting the natural environment and providing Improved opportunities for employment self-containment by creating more local jobs closer to home.

The CCRS provides a strategic framework that will guide growth within the Region over the next 25 years. By 2031 the Central Coast region will have:

- A population of over 400,000 people.
- 70% of the additional 56,000 dwellings forecast for the region will be provided within the Wyong Shire.
- Of the 39,500 additional dwellings to be provided in the Wyong LGA:
 - o 4,000 will be located within the Tuggerah-Wyong major centre;
 - o 14,500 will be located within other centres, including the Warnervale town centre;

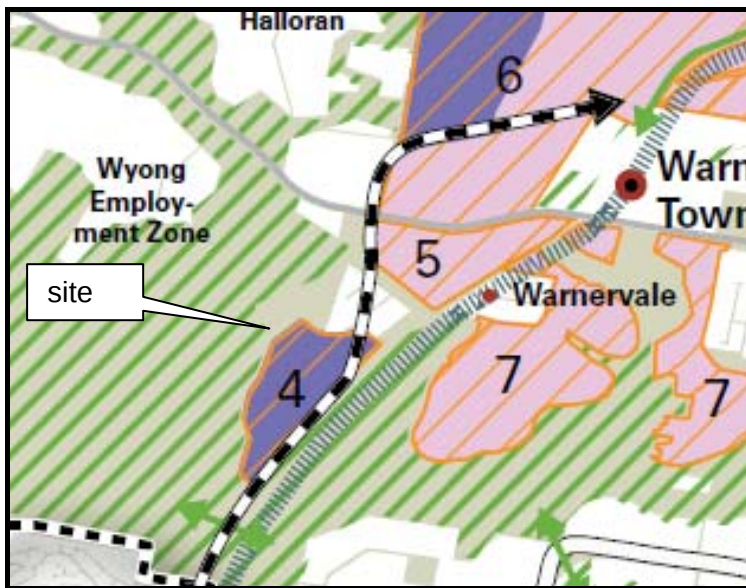
Comment

The CCRS identifies specific population and employment targets over prescribed time frames. Upon the fulfilment of these population targets set at the need to accommodate for up to 100,000 people the need for another major education precinct will be paramount. This will be further reinforced by the

projected population increases earmarked for both the southern parts of Lake Macquarie as under the Lower Hunter Regional Strategy and also the Metropolitan Strategy for the northern portions of Sydney. Most of the Greenfield development for the Central Coast will occur in the Wyong LGA and furthermore will occur north of Wyong Township. Thus the site is well placed for accessibility and will further attract people and investors into the Warnervale precinct.

North Wyong Structure Plan

The subject site is located within the endorsed North Wyong Structure Plan.



Map Four: Extract from endorsed North Wyong Structure Plan

The North Wyong Shire Structure Plan was released by the NSW Department of Planning and Infrastructure on 18 October 2012. The Structure Plan builds on the principles set down in the CCRS which identified the North Wyong Structure Plan area as the focus for Greenfield development within the region, and informed adopted Council's LGA-wide Settlement Strategy.

1.1 Objectives of the Structure Plan

The Structure Plan project objectives were developed from the Regional Strategy and are to:

- Identify sufficient land for regional Greenfield housing and employment targets to be met, as a minimum;
- Identify and protect important environmental assets, landscape values and natural resources;
- Provide greater certainty for the community, local government, industry groups and commerce on the location of future development and conservation areas; and
- Consider key infrastructure requirements to support new precincts and ensure that new urban land release contributes to infrastructure costs.

Other aims and objectives for the Structure Plan are to:

- Focus initial development on areas that support the development of Warnervale Town Centre and the Wyong Employment Zone (WEZ);
- Provide a staging and sequencing plan to inform planning, and infrastructure investment;
- Ensure developable areas are serviced by a hierarchy of centres which can support a range of services and medium density residential development;
- Identify opportunities for new and expanded employment nodes which support existing employment area and/or which have good access to transport infrastructure;
- Concentrate new development in areas that allow for efficient infrastructure servicing;
- Ensure that future development takes account of current and potential future mining and quarrying issues;
- Ensure future development takes account of cultural heritage and values; and
- Ensure future development takes into account regional planning for the adjoining Lower Hunter.

Comment

The site has been earmarked as a medium term development area for future business park uses. This is verified by Table 1 (Preferred Staging and Estimated Yield) for medium term for rezoning. The site was zoned as part of Precinct 7A. The site also includes land set aside for green corridor and habitat networks. The planning of this precinct has ensured that minimal environmental impacts occur. Masterplan development has ensured that the overall development footprint has considered all biophysical elements and that as close as possible that the development is within the B7 Business Park component. At present Council has engaged the services of Ecological Consultants to undertake a 12 month seasonal survey work for the site with the intention of Council to lodge a development application for the first stage of the masterplan. **It is considered that a revision of the North Wyong Structure Plan is required that examines the proposed major projects (including the education and business precinct) to identify lands along Sparks Road as a major employment strategic corridor. This would also require amendments to the Employment Lands Study that was completed before the advent of these major proposals. Whilst Wyong Employment Zone (WEZ) is included, the proposed Central Coast Regional Airport, Chinese Theme Village along with this proposal would be major attractors to development and would also possible alters the projected employment and population targets for the northern portion of the Shire.**

Adopted Wyong Shire Retail Strategy

The primary objective of the Strategy is to ensure a viable centre network is provided so that the community has equitable access to goods and services.

The secondary objectives of the Strategy are:

- To establish a hierarchy for the Wyong centres.

- To consider the scale and mix of uses within a centre and opportunities to promote activity through uses such as higher-density housing, offices and employment-generating land uses in centres.
- To identify where demand for additional retail floorspace may be required in response to population growth.
- To provide a basis for an integrated approach to centre planning throughout Wyong.

Comment

It is proposed to allow for a small retail centre (up to 2,000m²) to cater for the expected demands from the location of up to 7,000 students, 1500 residential accommodation sites and future employment areas within the business park.

It is proposed to locate within the SMARTS Hub precinct a retail area to **complement the proposed university uses (7,000 students) plus student accommodation for up to 1,500 students.**

Consideration has been given to the relevant chapters 4.6 Promoting Economic Growth and Competition through the Planning System and also the overall objectives of 4.7 Draft Competition SEPP.

It is considered reasonable that 2,000sqm of retail floorspace be allocated to this site. This represents only 10% of the total floorspace allocated for the proposed Warnervale Town Centre. It is considered that the proposal will consistent with the secondary objectives of the Retail Strategy in that the additional demand for retail floorspace will be triggered by the university and student accommodation uses and that consideration should be on the eventual opportunities to promote activity though employment generating activities. It is considered that the proposal will eventually create a new smaller centre in the overall planning hierarchy. Chapter 8 "The Planning Approach for a Retail Network" considers the changing nature of retail and highlights the limitations of competition in the retail market. The adopted Retail Centres Strategy is attached.

A copy of the adopted Retail Centres Strategy is attached.

Warnervale Town Centre

There has been significant investigation with respect to the likely support for a comprehensive town centre development as part of the land release in the Warnervale area. Recent development consent approval have been granted under Part 3A of the EP & A Act 1979 (DA_PAC_D238/13) which now enables the ability to develop a retail facility with a total Gross Floor Area of 33,112m² that consists of the following elements.

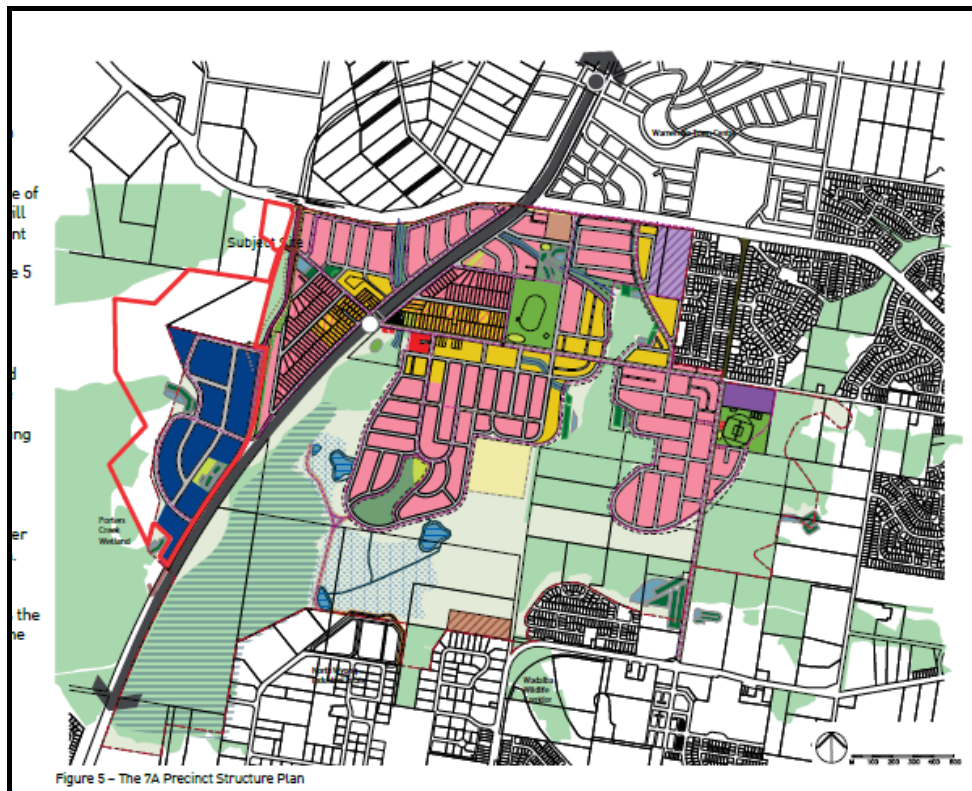
- a total of 20,200 m² of retail floorspace (including a supermarket, discount department store and specialty retail floorspace).
- ancillary commercial uses of 3,608m².
- Bulky goods uses of 1,892m², and
- 3,742m² of entertainment/leisure uses.

Comment

To this effect, a restriction on the amount of retail floor space could be applied. It is considered that this would not impede on the viability for Woolworths to proceed with their existing development approval as the proposal seeks a small retail centre at 10% the floorspace of Woolworths.

Precinct 7A

The subject area contains the entirety of the zoned Business Park (B7) that was part of the recent Precinct 7A project which is earmarked as a major land release area for the Warnervale area. As part of the planning process, significant constraint analysis was completed for the site including bushfire, ecological, flooding and topographical considerations. Attached to this planning proposal is the Planning Proposal for Precinct 7A. In addition a detailed desktop assessment has been completed by JBA/COX regarding biophysical consideration which forms part of Section 3 (The Site) within the draft Wyong Education & Business Precinct Masterplan (attached).



Map Five: Precinct 7A with identified Subject Site

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

The Community Strategic Plan identifies 8 priority objectives, each supported by a range of actions. The Planning Proposal is assessed as follows.

1. Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood
2. There will be ease of travel within the Shire and to other regional centres and cities.
3. Communities will have access to a diverse range of affordable and coordinated facilities, programs and services

4. The community will be well educated, innovative and creative.
5. Areas of natural value in public and private ownership will be enhanced and retained to a high level
6. There will be a sense of community ownership of the natural and built environment through direct public involvement with programs and services.
7. There will be a strong sustainable business sector and increased local employment built on the Central Coast business strengths
8. Information communication technology will be consistent with world's best practice and adaptive to technological advances.

The Planning Proposal is consistent with all of the abovementioned objectives in particular with Objective 1, 4, 6, 7 and 8.

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

State Environmental Planning Policy No 44 – Koala Habitat

This Policy aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- (b) by encouraging the identification of areas of core koala habitat, and
- (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.

Comments

Wyong Shire Council has currently engaged the services of Ecological to undertake a 12 month seasonal survey for the subject site. At present the spring survey has been completed. To date there has been no firm evidence associated with Koala Habitat. If in the event that there is evidence of existence of koala habitat then the appropriate land management practises will be implemented.

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

The proposal has been considered against the relevant Ministerial Section 117 Directions (included as an attachment) and is considered to be consistent with the relevant Directions. The Table below provides a summary of this consideration.

Number	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	Yes	No

1.2	Rural Zones	No	NA
1.3	Mining, Petroleum Production and Extractive Industries	No	NA
1.4	Oyster Aquaculture	No	NA
1.5	Rural Lands	No	NA
Environment & Heritage			
2.1	Environmental Protection Zones	Yes	Yes
2.2	Coastal Protection	No	NA
2.3	Heritage Conservation	Yes	Yes
2.4	Recreation Vehicle Areas	No	NA
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks and Manufactured Home Estates	No	NA
3.3	Home Occupations	No	NA
3.4	Integrating Land Use & Transport	Yes	No
3.5	Development Near Licensed Aerodromes	Yes	Yes
3.6	Shooting Ranges	No	NA
Hazard & Risk			
4.1	Acid Sulfate Soils	No	NA
4.2	Mine Subsidence and Unstable Land	No	NA
4.3	Flood Prone Land	Yes	NA
4.4	Planning for Bushfire Protection	Yes	Yes
Regional Planning			
5.1	Implementation of Regional Strategies	Yes	No
5.2	Sydney Drinking Water Catchments	No	NA
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	NA
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	NA
5.5 to 5.7	Revoked	No	NA
5.8	Second Sydney Airport: Badgerys Creek	No	NA
Local Plan Making			
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	No	NA
6.3	Site Specific Provisions	Yes	No
Metropolitan Planning			
7.1	Implementation of the Metropolitan Strategy	Yes	NA

6.3 Site Specific Provisions

Objective

(1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.

Where this direction applies

(2) This direction applies to all relevant planning authorities.

When this direction applies

(3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.

What a relevant planning authority must do if this direction applies

(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:

- (a) allow that land use to be carried out in the zone the land is situated on, or
- (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or
- (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.

(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.

Consistency

(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

Comment

Whilst the masterplan provides the planning considerations including relevant maps, staging plan and graphical representations, it is at a high level only and does not provide specific site related detailed designs and drawings. The drawings are only possible visual representations and are not linked to either a development application or a rezoning proposal.

Section C – Environmental, Social and Economic Impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

A significant portion of the total 455ha site is understood to be subject to SEPP 14 Wetlands and Ecological Endangered Communities (EEC). The SEPP 14 Wetland area is part of the Porters Creek Wetland which is located on the western portion of the site. Within Education & Business Precinct only two small pockets of Alluvial Melaleuca Sedge Forest (EEC) were identified. These are located along the rail line at the easternmost boundary of the site and are affected by the Link Road Stage 2. Section 3.3 (Ecology and Biodiversity) (Page 12) of the draft Wyong Education & Business Precinct Masterplan provides greater detail as to the ecological constraints.

Council has recently engaged Ecological (August 2014) to undertake a 12 month seasonal survey of the designated Precinct to ascertain any threatened species. As part of this project the consultants will provide guidance as to the most appropriate development approval path to undertake given that Council will wish to start more detailed planning for the SMARTS Hub Precinct.

Refer to draft Wyong Education & Business Precinct Masterplan Section 03 that provides detailed desktop analysis of environmental and biophysical considerations.

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

It is expected that there will be no environmental effects as a result of the planning proposal. Any future development consent for the provision of a new car park will require the application of particular conditions of consent associated with sediment erosion control and also Stormwater runoff.

9. *How has the planning proposal adequately addressed any social and economic effects?*

Social

It is anticipated that a range of socio-economic benefits will flow to the local community such as:

- The opportunity for major investment into Wyong
- Increase profile of Wyong and thus increase investment opportunities given the existing low development demand at present.
- The achievement of various goals in Wyong's Community Strategic Plan, in particular delivering a balance sustainable development which providing access to higher education opportunities.
- Establishing a major employment generator with a diverse range of job opportunities of the construction and operation of a University and related activities.
- The establishment of a university campus which a core focus is also towards the location of a major vocation education and training facility to service the ongoing demands of existing and future population needs especially in the northern parts of The Shire.
- Ability to promote and have presence in educational attainment levels which are at present unacceptable.

Economic

Council engaged the services of SGS Economics and Planning to undertake an Economic and Viability report which outlines the opportunities and challenges associated with the delivery of this important project.

The project comprised three distinct phases:

1. Background report and demand analysis
2. Quantification of economic benefits and constraints
3. Economic feasibility and viability of development of an education and business precinct.

The overarching findings of the Viability Study are:

Education Demand – Based upon benchmarking exercises conducted in relation to future population forecasts, tertiary intakes per capita and catchment areas between Northern Sydney and the Hunter Valley, there is an estimated shortfall of 7,600 University places within the Central Coast and Hunter Valley. Based on existing data on population increase and tertiary uptake it is expected that this will increase to 8,600 by 2031. This situation is causing students to travel outside the region for study (or not to study) and then they often do not return to the Shire. The overall estimated demand floor space required to accommodate the forecast demand for education/university uses is 101,546m².

Economic Impact – Construction Phase (assuming a construction project of \$246 million over 16 years from commencement):

Operational Phase	
Total Value Added	\$229.80 million
Annual Average	\$9.19 million
Annual Direct Jobs	339
Annual Indirect Jobs	125
Estimated Total Annual Jobs	464

Project Value

University:	\$240m (339 Operational Jobs)
Student Accommodation:	\$200m (1500 beds)
Knowledge & Community Centre:	\$10m
Business Park Assets:	\$200m (1,000 jobs)

Total \$650m

Section D – State and Commonwealth Interests

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

The Proposal is expected to create an increase for essential infrastructure requirements. As part of the consultation process, Council will endeavour to seek engagement with essential infrastructure and energy providers.

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

The Planning Proposal will be forward to relevant statutory authorities under the guidance of the Gateway Determination. At this point in time representation has been made to Federal and State Ministers in relation to possible funding and also gaining in principle support.

The following state government agencies will be consulted:

- NSW Roads & Maritime Service (RMS)
- NSW Office of Environment & Heritage
- NSW Rural Fire Service
- NSW Premier & Cabinet
- NSW Trade and Investment
- Transport for New South Wales (TfNSW)

Part 4 Community Consultation

It is expected that the DoPI Gateway Determination will classify the planning proposal as medium impact and requires that community consultation be undertaken by placing the proposal on public exhibition for a period of 28 days.

Notification of the public exhibition will be placed in the Central Coast Express Advocate and written notification sent to owners adjacent to the site. A Notice of the public exhibition and submission dates will be placed on Council's website.

The Planning Proposal will be made available on Council's website, and at Council's Administration Building in Hely Street Wyong.

The Planning Proposal will be exhibited concurrently with the draft Wyong Education & Business Park Masterplan.

A public hearing is considered unlikely to be necessary.

Attachments and Supporting Documentation

Draft Documentation	Attached
1. Amendment of Wyong LEP 2012 – Schedule 1	Yes
2. Draft LEP FSR and Building Heights Maps	Yes
3. Council Reports and Minutes	Yes
4. Draft Wyong Educational & Business Precinct Masterplan	Yes
5. Draft LEP – APU Map	Yes