



WYONG TOWN CENTRE PLANNING PROPOSAL

As part of the implementation program of the Wyong/Tuggerah Planning Strategy

August 2010



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PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The proposed outcome of this Planning Proposed is to:

To enable the rezoning of certain lands to enable the permissibility of increased residential and densities within Wyong Town Centre.

PROJECT BACKGROUND AND HISTORY

Wyong Town Centre Planning Proposal (WTCPP) is the mechanism that provides the appropriate planning framework in order to facilitate increased commercial and residential development within the Wyong town centre. At present, the town centre is suffering due to the high exposure and development occurring at Tuggerah and in particular recent planning proposals including the Tuggerah Gateway site, Part 3A development at the Tuggerah Town Centre and also the recent approval and funding for the Central Coast Mariners facility. Whilst these developments are important to the economic sustainability of Wyong Shire, it is considered that it is equally important to focus more attention towards the development of Wyong Town Centre as a place that provides opportunities for business, residential and community growth.

Presently there are several projects underway that are contributing towards the revitalisation of the Wyong Town Centre. These include:

- The planning and designs associated with the development of the CCACC. It is expected that Council will be lodging a development application in the near future.
- Construction of the Wyong Regional Police Station.
- The proposed future Shire Civic Garden at Frank Balance Park.
- Proposed development of an Aldi Store at the intersection of North Road and Pacific Highway.



Map One: Wyong Town Centre Planning Proposal (WTCPP) Study Area

Part 2 - Explanations of Provisions

The following provisions are proposed in order to meet the objectives of the Planning Proposal:

1. *To implement the directions of the Central Coast Regional Strategy and also the adopted Wyong/Tuggerah Planning Strategy that facilitates:*

2. *Increased residential and commercial densities within the town centre core and periphery areas within reasonable walking distance to Wyong Train Station.*
3. *To enable the reclassification of land from community to operational.*
4. *To enable the acquisition of certain properties to facilitate the extension of Frank Balance Park.*
5. *To facilitate the development of the Business Development Site.*

Explanation of Provisions

The following provisions are an explicit statement of how the objectives are to be achieved via the means of the new controls imposed by the Planning Proposal.

Amendment of the Wyong Local Environmental Plan 1991 Land Zoning Map in accordance with the proposed zoning map shown at Attachment 1;

Amendment of the Wyong Local Environmental Plan 1991 to include Floor Space Bonus provisions for selected sites within the town centre associated with lot amalgamations.

Amendment of the Wyong Local Environmental Plan 1991:

- (a) *to rezone part of the land to which this plan applies from 2(a) (Residential Zone) to 2(c) (Medium Density Residential Zone)*
- (b) *to rezone part of the land to which this plan applies from 2(b) (Multiple Dwelling Residential Zone) to 2(c) (Medium Density Residential Zone)*
- (c) *to rezone part of the land to which this plan applies from 2(c) (Multiple Dwelling Residential Zone) to 3(a) (Business Centre Zone)*
- (d) *to rezone part of the land to which this land applies from 2(a) (Residential Zone) to 6(c) (Proposed Open Space and Recreation Zone)*
- (e) *to rezone part of the land to which this land applies from 6(a) (Open Space and Recreation Zone) to 3(a) (Business Centre Zone).*

Inclusion of the Wyong Town Centre Height Map, shown as Attachment 2, which indicates a maximum permissible height of 6 storeys within the town centre.

Inclusion of the Wyong Town Centre Floor Space Ratio Map, shown at Attachment 3, which indicates a maximum permissible floor space ratio of 3:1 within the town centre. (Refer to Attachment Four Planning Proposal Written Instrument).

Justification

Zones

The proposed draft Wyong Town Centre Planning Proposal (WTCPP) Zoning Map has been devised in order to allow for orderly and efficient development in the town centre. The Zoning Map reflects the objectives and prescribed population and employment targets identified in the Central Coast Regional Strategy. The Zoning Map is the result of extensive studies, consultations and examination of the constraints and opportunities that exist in the town centre. The WTCPP zones reflect the overall intent of the objectives of the Wyong/Tuggerah Planning Strategy. Refinement has been undertaken throughout the planning process to ensure that the proposed zones are compatible with the constraints and opportunities of the study area. (Refer to Attachment One Planning Proposal Zoning Map)

Floor Space Ratio Map

The *Wyong Town Centre: FSR and Building Height Study*, undertaken by Jackson Teece examined the FSR and Building Height controls proposed in the Section 54 (4) Notification of the draft LEP Amendment (No 178). Five representative sites were selected from a cross section of recommended zones various building types and strategic sites.

The report focused on the relationship with proposed FSR's, height, car parking requirements (with attention drawn to basement car parking) and the economic viability of development. The report identified for residential, commercial and mixed use development, that if FSR warranted more than one level of basement car parking, then development became unfeasible.

The recommendations in the study relating to FSR, car parking, building heights and economic feasibility include:

- If the FSR (proposed under the draft LEP) were to be achieved, each site would require significant multilevel basement car parks which would make development unviable
- That consideration for a height bonus or concessions in car parking requirements be given to existing heritage items due to limited space
- Enhanced yield and height usually mean increased construction costs and higher end sales prices that do not necessarily translate to feasible development
- While it is necessary to have flexible development controls, as well as provide incentive for consolidation and amalgamation, in order to limit speculation an amount of certainty with respect to height and yield is required in order to reduce speculation and inflated property value based on unviable FSRs
- Reduction in high FSRs to the Town Centre will ensure longer term sustainable development with more consistent built outcomes

The Wyong Town Centre Planning Proposal (FSR Map) has been developed taking in consideration the above-mentioned recommendations as well as ensuring that the proposed Floor Space Ratio Map provides opportunities for the commercialisation of development in the town centre. It is considered that the proposed FSR Map is complementary to the Building Height Map proposed. The justification behind the amendment is to ensure that Council provides sustainable and economically viable planning schemes that account for the constraints and costs associated with the construction of development. (*Refer to Attachment Three Planning Proposal Floor Space Ratio Map*)

Building Height

The Wyong Town Centre Planning Proposal provides a foundation for the formulation of the FSR Map, however a range of other factors such as land use, heritage and implications of current planning controls have been considered.

The conclusions contained in the *Wyong Town Centre: FSR & Building Height Study* by Jackson Teece indicate that certainty is required in order to limit property speculation including proposed building heights. Enhanced height usually means increased construction costs and higher ends a sales price which does not necessarily translate to feasible development.

The residential component of the Building Height Map that will be zoned 2(c) (Medium Density Residential) will vary from 9m to 13m depending on topography essentially to facilitate 3 storey developments.

The *Urban Design and Vision Masterplan*, prepared by DEM, includes concept masterplans of the Wyong Town Centre, Business/Administration and Mixed Density. These include a draft building configuration, proposed heights and land uses. In the commercial areas to the north of Anzac Ave, emphasis is placed on building separation, open space and utilisation of the existing laneways and pedestrian movements. Future development in these areas will be developed through the DCP Chapter 7; reduced site coverage in calculating the floor space ratio in this area into account for the impacts of car parking, setbacks and the strategic urban form for the precinct. This is reiterated through the outcomes of the Detail Stormwater Drainage Investigation together with the recommendations and outcomes of the Jackson Teece Study that the reduced FSR development is justified. (*Refer to Attachment Two Planning Proposal Building Height Map*)

Reclassification of Land

In order to facilitate the planning for the business development site there is the need to reclassify a parcel of land that is currently community land. Presently lot 2 DP 1108419 is zoned 6(a)(Open Space and Recreational Zone) under community ownership.

The subject lot is rectangular in shape and has a total land area of Approx 400sqm. The site has a gradual fall towards the north east and forms part of Frank Balance Park. The site is affected by localised flooding. It is considered that whilst it currently forms part of Frank Balance Park, in reality it is used as a pedestrian linkage between the informal car park located at Lot 10 DP 3136 and the administration centre. This is due to the current high demand for parking spaces within the immediate precinct. This is expected to increase significantly with the construction of the Wyong Regional Police Station.

The reclassification of Lot 2 DP 1108419 will facilitate the rezoning of the land at 3(a) (Business Core Centre) to enable the construction of a car park subject to development consent. Rezoning the land to 3(a) (Business Core Centre) will allow greater flexibility with the future planning of the business incubator.

In order to facilitate the reclassification, Council will be required to follow the mandatory procedure prescribed under the LEP Practice Note (PN 09-003) titled "Classification and reclassification of public land through a local environmental plan". The guidelines provide the sequential steps to follow in order to progress the reclassification in accordance with statutory obligations.

Subsequent advice from the DoP has indicated that the reclassification of the land together with the incubator site and the original draft LEP Amendment (No 178) – Wyong Town Centre should be combined into a Planning Proposal. (*Refer to Attachment Eight Council Meeting Confidential Item Planning Proposal*)



Map Four: Business Incubator and Reclassification Site

Frank Balance Park

At the ordinary meeting 26 May 2010 Council resolved:

- 1 That Council give further consideration to the creation of a Civic Garden as part of its deliberations on the Wyong Town Centre Civic precinct Masterplan to be undertaken during 2010-2011.
- 2 That Council, where appropriate, include in the master Plan the use of native plantings as part of the overall design of the Civic Garden.
- 3 That Council consider establishing lower scale civic gardens in other Town Centres within the Shire as part of their redevelopment subject to capital and operational funding issues being addressed.

Frank Balance Park plays an important role in the provision of open space and public domain in the administration precinct of the town centre. One of key aims of the proposed masterplan will be the redevelopment of Frank Balance Park that includes provision for a possible stormwater management.

A Detailed Stormwater Drainage Investigation Study completed by Cardno Treloar Lawson investigated the impacts and suggested solutions associated with stormwater drainage in Wyong. Part of the study area included Frank Balance Park. The report identifies the potential for the area occupied by Frank Balance Park to accommodate a stormwater detention as part of the management of stormwater. The potential impacts will require a lower central level, but does not preclude the development of the site as a Civic Garden.

The WTCPP identifies the importance of Frank Balance Park both as a place of civic open space as well as its potential for future stormwater mitigation measures. The draft instrument will increase the overall footprint of Frank Balance Park by 2757m² by rezoning 12 and 14 Hope Street as well as 7 and 9 Anzac Ave from 2(b) (Multiple Dwelling Residential Zone) to 6(c)(Proposed Open Space and Recreation Zone). This will:

- 1 To facilitate possible development of a Civic Park at Frank Balance Park.
- 2 Provide increase open space to address increased demand for future growth.
- 3 To utilise Frank Balance Park for possible stormwater mitigation measures as recommended in the Detail Stormwater Drainage Investigation and Options Analysis Report. The draft WTCPP is consistent with the recommendations contained in the report.

Part 3 Justification

Section A – Need for the Planning Proposal

1. Is the planning proposal a result of any strategic study or report?

WYONG/TUGGERAH PLANNING STRATEGY

The adopted Wyong/Tuggerah Planning Strategy includes development strategies that apply to each precinct. It states that rezoning and amendments to the existing planning framework are required for the visions to be realised. There are a host of actions listed to be achieved the desired visions of the strategy that are linked to the planning proposal (*Refer to Attachment Nine Adopted Wyong / Tuggerah Planning Strategy*).

The goals of this Planning Strategy are as follows:

- Encourage development that complements Council's vision for Wyong/Tuggerah and its visual and cultural characteristics
- Enable the area to fulfil its role, over the longer term, as the capital for Wyong Shire.
- Strengthen linkages to other areas within and surrounding the Shire
- Ensure that Wyong and Tuggerah, linked by the activity core of Tuggerah Straight form a recognisable whole.
- Secure the economic viability of each centre and each precinct within that centre.
- Provide opportunities for development that generates new jobs.

- Ensure that the centre has the services it needs: community, recreational, public and private transport and infrastructure
- Encourage and support development that is easily accessible by walking, cycling and public transport.
- Establish a high quality of building design, signage and landscaping.
- Build on existing cultural and heritage assets of the Wyong Town Centre to enable it to develop as the “hub” of cultural activity in Wyong Shire.

The Planning Proposal is consistent with all of the goals of the Wyong / Tuggerah Planning Strategy.

The Wyong Town Centre Planning Proposal (WTCP) is consistent with the objectives and key steps in achieving its vision by:

- Wyong’s administrative, commercial, civic functions will strengthen as a range of quality commercial floor space is developed and more administrative and services commensurate with its central role are developed.
- The development of long term potential medium density residential development, particularly:
 1. in association with retail and commercial uses in the Town Centre (mixed use)
 2. adjoining and overlooking high quality public places;
 3. in areas that are less visually prominent and within a 10 minute walk of the train station and town centre;
 4. in areas that are not flood liable or that provide pedestrian access.

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

It is considered that the Wyong Town Centre Planning Proposal is the most appropriate mechanism that provides the appropriate planning framework in order to facilitate increased commercial and residential development within the town centre. At present, the town centre is suffering due to the high exposure and development occurring at Tuggerah and in particular recent planning proposals including the Tuggerah Gateway site, part 3A development at Tuggerah Town Centre and also recent funding and approval for the Central Coast Mariners facility. Whilst these developments are important to the economic sustainability of Wyong Shire, it is considered that it is equally important to focus more attention towards the development of Wyong Town Centre as a place that provides opportunities for business, residential and community growth. At present Council is preparing the Comprehensive LEP

During the project lifecycle of the draft LEP Amendment (No 178) – Wyong Town Centre, the Department of Planning instigated planning reforms to increase the efficiency in determining draft LEP amendments. Below is an analysis of the project progression:

- Council received advice from the Department of Planning (16 March 2010) in regards to the progression and finalisation of draft LEP instruments. The advice states that those LEP where a Section 65 Certificate was issued before 1 July 2009, these must be finalised by 1 July 2010 or they will cease to have any status as draft LEPs. This date is extended to 1 January 2011 in cases where there is no Section 65 Certificate issued. In the case of draft LEP Amendment (No 178), a Section 65 Certificate has not been issued and therefore the date of 1 January 2011 applies. Where Council may not be able to finalise a draft LEP according to the timelines mentioned above, it may wish to consider incorporating the draft plan into its Principal LEP.
- The Department requested that the information be submitted no later than 30 September 2010 for those LEP Amendment s that need to be finalised by 1 January 2011. Council has undertaken consultation with the Department regarding progression of the draft LEP. The Department has indicated willingness to either progress the draft instrument under the auspices of the Gateway process or to integrate the draft instrument within the contents of the Comprehensive LEP.

Verbal advice from Department of Planning (DoP) has indicated that the reclassification of land, incubator site rezoning and also draft LEP Amendment (No 178) – Wyong Town Centre should be combined into a Planning Proposal for the Wyong Town Centre and that Council was able to proceed under the current LEP Instrument (Wyong Local Environmental Plan 1991).

This represents a variation in the current way forward for progression of the draft instrument that will now be repackaged as a planning proposal and forwarded to the Gateway process that will include the proposal to reclassify the land at the rear of the proposed incubator site from community to operational land.

The preparation of the original draft LEP Amendment (No 178) – Wyong Town Centre has been impacted by a number of constraints and developments during the past three years. These include:

- The changed locality of the Central Coast Arts and Conference Centre from Church Street to the Memorial Hall site;
- Drainage and stormwater management issues that extend from Hope Street through to the intersection of North Road and Pacific Highway.
- The present and future demand for location of off street car parking requirements
- Construction and implications of the Wyong Regional Police Station
- Heritage provisions
- Future uses of Council owned land;
- Economic feasibility of development in the town centre
- Climate change implications

3. *Is there a net community benefit?*

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)?	Yes. The proposal is located within the existing Wyong Town Centre including Wyong Train Station. Wyong is identified in the Central Coast Regional Strategy as part of the Major Centre with prescribed population and employment targets. The study area is located within 800m west of Wyong Rail Station. Wyong Train Station is also complemented by a regional bus hub that links the northern and southern precincts of the Shire.
Is the proposal located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes. The proposal is located in the major centre identified in the Central Coast Regional Strategy. Wyong is jointly linked to Tuggerah via Tuggerah Straight. Wyong is identified as providing administrative, commercial, civic and residential purposes.
Is the proposal likely to create a precedent or create or change the expectations of the landowner or other landholders?	Yes. The objective of the planning proposal is to upzone certain parcels of land and increases both residential and commercial densities within the town centre. This will impact upon the ability to redevelop subject parcels of land and potentially increase the economic values. The town centre is clearly identified in the Planning Proposal that is consistent with the Central Coast Regional Strategy.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. There are no other spot rezoning in the immediate vicinity of the Planning Proposal. Other significant rezoning proposals are located within the Tuggerah Town Centre and also part of the Westfield Gateway proposal. At present there are significant projects associated with Tuggerah. It is considered critical in ensuring Wyong viability that this proposal proceed immediately.
Will the proposal facilitate a permanent	Yes. It is expected that the Planning

employment generating activity or result in a loss of employment lands?	Proposal will enable the potential facilitation of up to 1348 jobs based upon the prescribed calculations of total net floor space generated. There will be no net loss of employment lands. The Planning Proposal includes rezoning land to enable both commercial and mixed use developments close to the town core. Complementing this is the facilitation of increased FSR and Building Height densities.
Will the proposal impact upon the supply of residential land and therefore housing supply and affordability?	Yes. It is expected that the planning proposal will generate up to 1122 new dwellings (medium density development). The Planning Proposal seeks to rezone lands to 2(c)(Medium Density Residential Zone). It is expected that there will also be a mixture of stand alone residential developments as well as mixed use developments. All of these are located within 800m of Wyong train Station and major bus routes.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site?	Yes. Council has completed extensive internal referral and also as part of the previous Section 62 Consultation process has obtained verification from the relevant statutory authorities.
Is there good pedestrian and cycling access?	On 22 September 2010n Council adopted the Wyong Shire On –Road Bicycle and Shared Pathway Strategy. The Strategy sets a direction and policy framework to achieve an improved on road cycling and shared pathway method and environment over the next 10 years. It established a long term vision for formed on road bicycle
Is public transport currently available or is there infrastructure capacity to support future public transport?	The Planning Proposal is focused on the advantages of development adjoining major transport hubs. Wyong Train Station is the second largest train station on the Central Coast and links Newcastle to Sydney. Also the bus terminal links Wyong Train Station both to Tuggerah and also the northern precincts of the Shire.
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 Planning Proposal promotes the intensification of commercial and residential activities close to existing key infrastructure and markets. Wyong Town Centre is a compact urban form with the inclusion of retail, transport, education, recreational and commercial activities within 800m. Increased building densities and heights are proposed with access to railway and bus services. There are also plans afoot to upgrade the Pacific Highway. The Planning Proposal study area is linked by significant public transport to the regional city of Gosford (less than 30 min train time) and also Newcastle (1 hr) and the global city of Sydney (1.5 hrs).
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?	Yes. At present the State government is constructing the Wyong Regional Police Station that will provide in excess of 100 jobs. It is considered that this will have a flow on effect in attracting other public and

	eventually private investment.
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?	Part of the Planning Proposal Study Area is affected by localised flooding events. The end result is that the proposal does not seek to upzone any parcels affected by this. Furthermore, in order to minimise the impacts of localised flood events, Council seeks to maintain the existing FSR provisions but increased building heights. The intent of this is to provide opportunities for future development to reduce the development footprint whilst allowing increased heights.
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?	The Planning proposal is part of the implementation program of the Wyong/Tuggerah Planning Strategy. The proposed rezoning is consistent with the Development Strategy identified in the Wyong/Tuggerah Planning Strategy. Concurrently with the planning proposal, Council is undertaking planning for the masterplanning of the Civic and Cultural Precinct and also is revising Chapter 7 – Wyong Town Centre. This includes revision of current planning controls including heritage provisions. It is considered that the intensification of residential and commercial densities in the town core will complement the existing services on offer and will ignite interest for future public and private investment.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Yes. The Planning Proposal will increased the net floor space for retail and commercial purposes. One of the key objectives of the Wyong Town Centre Planning Proposal is to reinforce the role of the town centre as a civic and administrative hub for the Shire. It is expected that there will be minor increase in retail premises with a greater demand for commercial space.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	Not Applicable. Wyong Town Centre is identified as a major town centre under the Regional Plan, Central Coast Regional Strategy.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The Planning proposal is a critical plan that contributes to the implementation of the Central Coast Regional Strategy (CCRS). The draft plan has the potential to increase the commercial floor space to allow for up to 1400 future jobs and the development of up to 1122 dwellings. This is also consistent with the adopted Wyong/Tuggerah Planning Strategy and also other strategic initiatives that encourage development within existing centres close to significant public transport.

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)?**



Figure Two: Central Coast Regional Strategy Map – Wyong Town Centre is part of the major centre of the Central Coast.

CONSISTENCY WITH THE CENTRAL COAST REGIONAL STRATEGY

The primary purpose of the Central Coast Regional Strategy (CCRS) is to ensure that adequate land is available and appropriately located to sustainably accommodate the projected housing needs and promote local employment opportunities over the next 25 years. The Strategy refocuses development to strengthen and increase the vibrancy of centres and to support the roles of Gosford city centre as a regional city and Tuggerah / Wyong as a major centre. Wyong Town Centre plays a pivotal role in the centres hierarchy of the Central Coast. At this point of time Wyong is part of the major centre of the Central Coast and is a major service provider for the northern portion of the Shire.

Population Capacity Targets

The CCRS requires any new LEP's demonstrate that the population, housing and employment capacity targets set by the Strategy can be achieved. Furthermore, detailed local planning will facilitate possible flexibility in the delivery of the population targets provided that they are consistent with the requirements of the CCRS and centres hierarchy.

The Wyong Town Centre Planning Proposal (WTCPP) proposes to increase the overall dwelling capacity of the town centre by approximately 1120 dwellings (potential infill development) that equates to a total population increase of 2244 persons (based on the occupancy rate of 2 persons per dwelling). The overall dwelling target stipulated in the CCRS for the Wyong/Tuggerah Major Centre is 4000 dwellings. The draft LEP Amendment (No 178) equates to 28% of the capacity targets identified in the CCRS. The boundaries of the draft LEP Amendment focus on the town centre only and do not include the precinct areas of Baker Park, Active River Foreshore and North Wyong. The Tuggerah area including significant sites such as Westfield Gateway site and the Tuggerah Town Centre form part of the population and employment catchment. It is expected that these precincts will absorb a significant portion of the capacity targets. Based on the above it is considered that WTCPP will contribute appropriately to population and dwelling growth targets outlined in the CCRS. (*Refer to Attachment Five Planning Proposal Population Targets*)

Employment Capacity Targets

A key issue for the Central Coast over the next 25 years is to increase the current level of employment self containment. Any new LEP's are to be consistent with the CCRS, the related employment capacity targets and provide a distribution that reflects the centres hierarchy.

Under the CCRS the Tuggerah-Wyong major centre is to accommodate 5500 new jobs. The draft LEP Amendment (No 178) provides for approximately 1350 additional jobs based on the net overall increase in commercial floor space of 26900m². The draft LEP Amendment (No 178) provides 24% of the employment targets' identified in the CCRS. In determining the expected population and employment capacity targets, assumptions were based upon a projected mixed use development uptake rate of 40% in the 3(a) (Business Core Zone). (*Refer to Attachment Six Planning Proposal Employment Targets*).

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

The Wyong Shire Strategic Vision was adopted by Council in 2009 to provide future direction for the future direction for the community.

There are eight (8) priority objectives. These are focus areas which will provide the biggest improvements to our lives when we focus on them over the next 20 years and hard work and consistently towards achieving them. The eight objectives are:

- Communities are vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood
- There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable
- Communities will have a range of facilities and services
- Areas of high natural value will be enhanced and retained to a high level in the context of ongoing development.
- There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.
- There will be a strong sustainable business sector and increased local employment built on the Central Coast business strengths
- Information and communication technology will be worlds best practice and adaptive to technological advances across all sectors
- The community will be educated, innovative and creative. People will attain full knowledge potential at all stages of life.

The Planning Proposal is consistent with these objectives. (*Refer to Attachment Twenty Four Wyong Shire Strategic Vision – Web Link*)

6. Is the planning proposal consistent with applicable State Environmental Planning Policies

The Planning Proposal is consistent with all relevant State Environmental Planning Policies at the time of writing this proposal.

SEPP 71 Coastal Protection

Whilst theoretically the planning proposal triggers this SEPP due to the locality of the Wyong River, in effect the proposal has minimal impacts upon the river foreshore. Any development application would be required to comply with Wyong Development Control Plan 2005 – Chapter 67 – Engineering Requirements for Development including prescribed standards listed in Chapter 6.0 (Stormwater Drainage Design), Chapter 7.0 (Drainage Construction), 14.0(Sewerage)

SEPP 65 Residential Flat Building

This SEPP applies as one of the core objectives of the Planning Proposal is to increase residential densities close to the town of Wyong. The prescribed 2(c) (Medium Density Development) zoning will trigger the potential for 3 storey development. Under Part 1 (3) (1) Definitions a Residential Flat Buildings means a building that comprises or includes (a) 3 or more storeys.

It is expected that under the proposed zoning provisions for both 2(c)(Medium Density Development) and also 3(a) (Business Core Zone) that permits residential dwellings that are attached to a commercial development. (*Refer to Attachment Ten State Environmental Planning Policies*)

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

The proposal is considered consistent against the relevant Section 117 Ministerial Directions and is outlined below. This criteria was submitted with the original Section 54(4) under the previous draft LEP Amendment (No 178) – Wyong Town Centre (*Refer to Attachment Eleven Section 117 Ministerial Directions*).

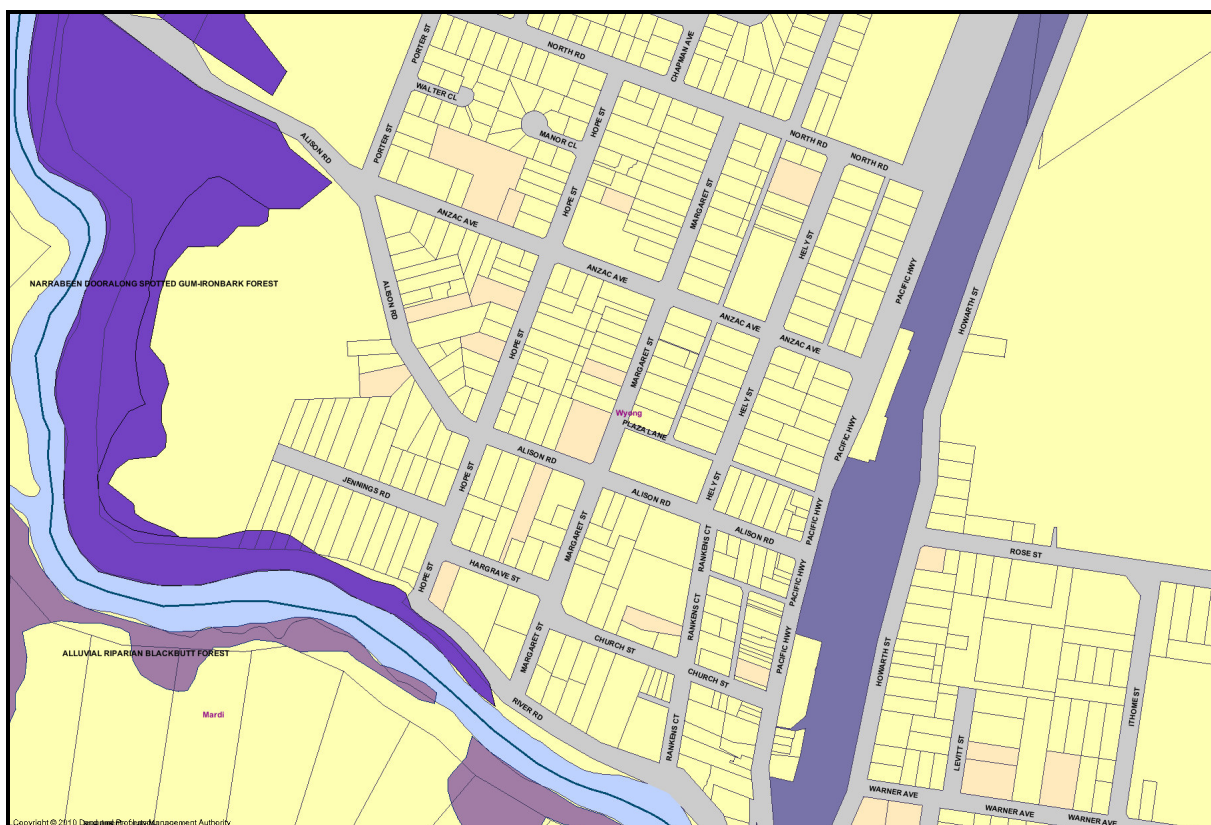
Number	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	Yes	Yes
1.2	Rural Zones	No	NA
1.3	Mining, Petroleum Production and Extractive Industries	No	NA
1.4	Oyster Aquaculture	No	NA
1.5	Rural Lands	No	NA
Environment & Heritage			
2.1	Environmental Protection Zones	No	NA
2.2	Coastal Protection	Yes	YES
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	Yes	YES
3.4	Integrating Land Use & Transport	Yes	YES
3.5	Development Near Licensed Aerodromes	No	NO
Hazard & Risk			
4.1	Acid Sulphate Soils	YES	YES
4.2	Mine Subsidence and Unstable Land	No	NA
4.3	Flood Prone Land	Yes	YES
4.4	Planning for Bushfire Protection	Yes	YES
Regional Planning			
5.1	Implementation of Regional Strategies	Yes	YES
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	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	No	NA
5.6	Sydney to Canberra Corridor	No	NA
5.7	Central Coast	Yes	YES
5.8	Second Sydney Airport: Badgerys Creek	No	NA
Local Plan Making			
6.1	Approval and Referral Requirements	No	NA
6.2	Reserving Land for Public Purposes	Yes	YES
6.3	Site Specific Provisions	Yes	YES

Section C Environmental, Social and Economic impact

8. 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?

The Planning Proposal study area will not adversely affect any threatened species populations or ecological communities. Map Two demonstrates that the Planning Proposal is located well outside the location of Narrabeen Dooralong Spotted Gum Ironbark Forest that exist along the northern embankment of Wyong River.



Map Two: Endangered Ecological Communities

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

Flooding

The area is subject to localised flooding, generally caused by the inability of the existing drainage system to capture and convey stormwater runoff during rainfall events. Presently Council has engaged consultants to undertake a Stormwater Drainage Options Study that will provide mitigation options to help alleviate the impacts of localised flooding currently experienced at the Pacific Highway, as well as through the catchment.

Stormwater runoff has an impact on the ability to develop within the town centre. These flows vary depending on factors such as the length and intensity of the rainfall event, as well as local factors, such as existing developments within the floodplain. The relationship between the topography and overland stormwater flows must also be noted, with the steep grades of the lands and roads to the north of Anzac Ave promoting significant volumes of stormwater flows that are redirected towards land around the Cultural Centre site (*Refer to Attachment Twenty Wyong Detailed Drainage and Stormwater Study*). The low points through the catchment have historically been built over and existing and/or proposed buildings include Cultural Centre, Police Station and Wyong RSL. As a result, any future planning will be required to factor in the flooding constraints of the area and ensure appropriate factors for development control, such as floor levels and access locations to buildings are considered at an early stage of the planning. Frank Balance Park has the potential to play a vital role in the detention of some stormwater flows through the study area.

Implications for the draft Wyong Town Centre Planning Proposal

Due to the constraints imposed by localised stormwater management issues, both the draft FSR and Building Height Map will not intensify existing land use capabilities and will encourage the reduction of the development footprint. At present the current FSR in this precinct varies between 0.7 – 1.1:1 many of the individual lots have a site coverage in excess of 80% whilst a height of 1-2 storeys. The draft LEP Building Height and FSR Maps will facilitate development by providing a realistic FSR of 1:1 but

allowing for up to 6 storey developments. The end effect will be to reduce the overall development footprint of sites but allow increase heights and development. This will better facilitate parking at grade, increased use of soft landscaping and provision for overland flow paths.(Refer to Attachment Nineteen DEM Vision and Character Statement).

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

In order to meet these requirements, Council undertook several external studies, which provide the relevant specialist advice and information to underpin the draft LEP instrument. The relevant studies covered a range of matters including those raised by Department of Planning (*Refer to Attachment Twelve Written Authorisation to Exercise Delegation*) and are elaborated upon in the report below. In order to facilitate increased residential and commercial densities in the town core, several studies were undertaken to ascertain the economic viability of development. The following provides an outline of studies undertaken and key considerations and recommendations.

Wyong Town Centre: FSR & Building Height Study (November 2009) Jackson Teece.

The purpose of this report was to assess the validity and robustness of the draft LEP FSR and Heights Map through the selection of five typical sites within Wyong Town Centre. The analysis examine a range of height and FSR scenarios and included consideration of economic feasibility of these scenarios.

Three key recommendations eventuated from the study.

- in order to limit speculation in the marketplace a high degree of certainty is required with respect to height and yields. This will reduce speculation and inflated property values that are based upon unviable FSRs.
- that enhanced yield and height equates to higher construction costs and increased price pressure that does not necessarily translate to feasible development.
- the cost of basement car parking is inhibitive to feasible development.

Conceptual Design and Economic Viability 2008 (SGS Economics and Planning)

This study was undertaken to underpin the recommendations of the draft Toukley Planning Strategy in terms of economic viability, however the key finding are considered relevant to Wyong Town Centre.

The purpose of this report was to evaluate four nominated sites in the Toukley area and to asses their economic viability for future development. These are based on the broad planning recommendations contained in the draft Toukley Planning Strategy and according to existing built form controls.

Four key findings and recommendations were presented. Firstly in order to limit land speculation an amount of certainty is necessary with respect to heights and yields. By developing more specific controls, Council can minimise speculation and inflated property prices. Secondly, an enhanced yield and height usually mean enhanced construction costs that flow onto the consumer through higher sales prices. This potentially makes projects unfeasible. Third, the cost of basement car parking is higher due to the water table that exists in Toukley. Last, Council considers changes to some of its development controls associated with residential and mixed use car parking.

Wyong / Tuggerah Economic Feasibility Study 2004 (Hill PDA)

The purpose of the report was to conduct a review of the economic viability of current planning controls and identify the thresholds required to obtain redevelopment.

Three key recommendations were presented. Firstly, in order to facilitate development, that Council investigate reducing car parking requirements for residential construction. This was inhibitive costs associated with basement car parking. Secondly that Council should encourage the consolidation of sites. Thirdly, increasing the potential density of development, through the introduction of modest adjustments made to the building height and FSR.

D State and Commonwealth interests.

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

Internal referrals were conducted as part of the draft LEP Amendment (No 178) – Wyong Town Centre process. The referral process included discussions and analysis from the following specialist inputs:

- Traffic and transport to ascertain the present and future needs of off street car parking requirements.
- Hydrology including the capacity of the existing drainage system to cater for increased residential and commercial development.
- Water and Sewer provisions. Council has allocated within the works program for local upgrades.
- Development Engineering including proposed upgrades to existing roads including surface replenishment and also any proposed road realignment works.
- WSUD provisions. Council is currently completing the completion of the WSUD DCP. Any future development would be required to comply with the proposed prescribed regulations.

12. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination, and have they resulted in any variations to the planning proposal?

Under Section 62 of the Environmental Planning and Assessment Act 1979, draft LEP Amendment (No 178) was referred to relevant statutory authorities for review and comment. The Section 54(4) Written Authorisation for Delegated Authority included prescribed Schedule 1 that outlines certain matters to be addressed. Listed within the contents of such advice was that Council was required to refer to both the RTA and also Railcorp. Council referred the draft LEP Amendment (No 178) – Wyong Town Centre to the following public authorities:

- Roads and Traffic Authority

The RTA has no objection to the draft LEP Amendment (No 178) – Wyong Town Centre. (*Refer to Attachment Thirteen – RTA*).

- Department of Water and Environment

The previous Department of Water and Energy has no objection to the draft LEP Amendment (No 178) – Wyong Town Centre. (*Refer to Attachment Fourteen – DWE*)

- Ministry of Transport

The Ministry of Transport has no objection to the draft LEP Amendment (No 178) – Wyong Town Centre. (*Refer to Attachment Fifteen – Ministry of Transport*)

- Railcorp

Railcorp has no objection to the draft LEP Amendment (No 178) – Wyong Town Centre. (*Refer to Attachment Sixteen – Railcorp*)

- NSW Rural Fire Service

The NSW Rural Fire Service has no objection to the draft LEP Amendment (No 178) – Wyong Town Centre. (*Refer to Attachment Seventeen – Rural Fire Service*)

- Catchment Management Authority

The CMA has no objection to the draft LEP Amendment (No 178) – Wyong Town Centre. (*Refer to Attachment Eighteen – Catchment Management Authority*)

- Heritage Office

The NSW Heritage Office has no objection to the draft LEP Amendment (No. 178) (*Refer to Attachment Twenty Two*)

Apart from internal amendments there have been no variations to the draft LEP as a result of the previous Section 62 Consultation process. It is considered that the Planning Proposal will not be required to be resubmitted to the relevant statutory authorities given the high degree of consistency with all state and local planning policies and the need to progress with the planning proposal independent of the Comprehensive LEP.

4. Details of community consultation that is to be undertaken on the planning proposal.

It is anticipated that the Wyong Town Centre Planning Proposal will be placed on public exhibition for up to 28 days. In order to fulfil the requirements of Practice Note PN 09-003, a public hearing will be conducted. This will occur at the conclusion of the exhibition period..

Consultation will be consistent with the prescribed information contained within:

- “ A guide to preparing local environmental plans”
- LEP Practice Note PN 09-003 “ Classification and reclassification of public land through a local environmental plan”
- Best Practice Guideline 1997 “ LEPs and Council Land”

Attachments and Supporting Documentation

The following documentation is attached in support of the Planning Proposal.

<i>Attachment One</i>	<i>Planning Proposal Zoning Map</i>
<i>Attachment Two</i>	<i>Planning Proposal Building Height Map</i>
<i>Attachment Three</i>	<i>Planning Proposal Floor Space Ratio (FSR) Map</i>
<i>Attachment Four</i>	<i>Planning Proposal Written Instrument</i>
<i>Attachment Five</i>	<i>Central Coast Regional Strategy (CCRS) Population Targets</i>
<i>Attachments Six</i>	<i>Central Coast Regional Strategy (CCRS) Employment Targets</i>
<i>Attachment Seven</i>	<i>Council Report October 2007(Adoption of the Wyong / Tuggerah Planning Strategy)</i>
<i>Attachment Eight</i>	<i>Council Report August 2010 (Confidential Wyong Town Centre Planning Proposal)</i>
<i>Attachment Nine</i>	<i>Wyong/ Tuggerah Planning Strategy (DoP Funded)</i>
<i>Attachment Ten</i>	<i>State Environmental Planning Policies</i>
<i>Attachment Eleven</i>	<i>Section 117 Ministerial Directions</i>
<i>Attachment Twelve</i>	<i>Section 54 Written Authorisation to Exercise Delegation</i>
<i>Attachment Thirteen</i>	<i>Section 62 Consultations (Roads and Traffic Authority)</i>
<i>Attachment Fourteen</i>	<i>Section 62 Consultations (Department of Environment, Water and Climate Change)</i>
<i>Attachment Fifteen</i>	<i>Section 62 Consultations (Ministry of Transport)</i>
<i>Attachment Sixteen</i>	<i>Section 62 Consultations (Railcorp)</i>
<i>Attachment Seventeen</i>	<i>Section 62 Consultations (Rural Fire Service)</i>
<i>Attachment Eighteen</i>	<i>Section 62 Consultations (Catchment Management Authority)</i>
<i>Attachment Nineteen Affected</i>	<i>DEM Vision and Character Statement for Localised Flood Area (Web Link)</i>
<i>Attachment Twenty</i>	<i>Wyong Overland Flow Flood Study</i>
<i>Attachment Twenty – One</i>	<i>Jackson Teece FSR + Building Height Study</i>
<i>Attachment Twenty – Two</i>	<i>Section 62 Consultations (Heritage Office)</i>

