

3.5 North Wyong Industrial Estate

TRIM REFERENCE: RZ/1/2011 - D03068587

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SUMMARY

Council is in receipt of a Planning Proposal (rezoning application) which seeks to rezone approximately 88 hectares of general industrial and light industrial land comprising part of the existing North Wyong Industrial Estate to a Business Enterprise Zone (B6).

A review of the proposal has established that it has merit and should be advanced to the "Gateway" of the Department of Planning and Infrastructure it being noted that further investigations and consultation will be required as the Planning Proposal is advanced.

Applicant	Henry Kendall Group
Owners	Henry Kendall Group and Others (including Wyong Shire Council).
Description of Land	Land generally fronting Pacific Highway (Refer to Attachment "1")
Site Area:	Approximately 88.7 hectares
Zoning	4(a) Industrial 4(b) Light Industrial 5(a) Special Uses (Electricity Substation)
Existing Use	Principally mixed industrial and vacant industrially zoned land. Some limited commercial/retail activity.

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RECOMMENDATION

- 1 That Council initiate Planning Proposal to amend Wyong Local Environmental Plan 1991, pursuant to Section 55 Environmental Planning and Assessment Act, 1979 by endorsing the Planning Proposal at Enclosure "1".***
- 2 That Council forward the Planning Proposal to the Department of Planning and Infrastructure requesting a "Gateway" determination, pursuant to Section 56(1) Environmental Planning and Assessment Act.***
- 3 That subject to the Director General's approval, Council undertake community consultation in respect of the Planning Proposal, subject to the determination of the "Gateway" process and Director General's approval.***

BACKGROUND

The North Wyong Industrial Estate (The Estate) is located approximately 2.5km north of the Wyong Town Centre and has extensive frontage to the Pacific Highway. The Estate comprises approximately 143 hectares, is composed of 137 allotments and has been developed incrementally since the mid 1960's.

Approximately 67 hectares, (comprising some 57 lots) of The Estate or 47 per cent remains vacant. However, The Estate it remains well located, supported by significant service infrastructure and has experienced minor transformational change toward technology and service industrial activities. The Verb Data Centre situated toward the south west corner of The Estate bears testimony to some of the future prospects for the land if an appropriate planning regime is developed.

The Planning Proposal submission has been revised and reformatted to form Enclosure (1).

CURRENT STATUS

As described above the precinct is a partially developed industrial precinct.

THE PLANNING (REZONING) PROPOSAL

Overview

MacroPlan Dimasi have compiled a Planning Proposal Submission (rezoning application) on behalf of the Henry Kendall Group and others which seeks to rezone approximately 88 hectares of The Estate from the prevailing 4(a) General Industrial and 4(b) Light Industrial zoning, under Wyong Local Environmental Plan, 1991 (WLEP 1991) refer to Attachment 2 to an Enterprise Corridor – B(6) zoning. (Refer to Attachment 3)

The Planning Proposal Submission has been compiled having regard to the context described in the Background to this Report (refer above) and liaison with Council staff. It expressly seeks to optimise the economic use of strategically located serviced and underutilised industrial land stock by fostering/accommodating emerging technology enterprise and associated uses. In doing so it seeks to strengthen Wyong's employment retention capacity, by more fully reflecting local workforce qualifications and demands, whilst not competing with other existing/planned business precincts.

Vision

A draft vision of the redeveloped precinct is detailed in Enclosure (1).

Business Enterprise zone B(6)

The proposed landuse objectives for the B(6) zone, as contained in the Draft Wyong LEP, 2012 are detailed below, whilst the relevant Landuse Table forms Attachment 4

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To accommodate emerging technology enterprise in appropriate locations along key corridors.
- To promote the sustainable use of public transport, and to provide relevant employment opportunities closer to home.
- To provide for residential uses, but only as part of a mixed use development.

Beyond the emerging technology focus and the continuation of light/service industry, provision exists for shop top housing, in a limited range of circumstances, in a mixed use development scenario.

Development Standards

A maximum building height map is promoted by the Proponents and reproduced as Attachment 5. Maximum building heights ranging from 10 metres to 20 metres are proposed (approximately 3 storeys to 6 storeys).

The proposed building heights have been subject to preliminary testing in an urban design context having regard to “secondary” development controls/provisions comprising: building bulk/massing, carparking provision, manoeuvring requirements, landscaping requirements, water sensitive urban design; at the request of Council staff. Further, preliminary feasibility analysis of typical resultant development, having regard to the Central Coast development/investment market, was undertaken at the request of Council staff. (Refer to Enclosure 1).

The projected provisions have been demonstrated conceptually to be solidly founded, both in a design and market sense. It should be noted, however, that some of the material comprising Enclosure 1 requires refinement.

Utilising Existing Infrastructure

Additionally, the following circumstances potentially contribute positively to realising the vision of a technology business focussed corridor.

- Direct proximity to the North Wyong Energy Australia substation.
- Good fibre optic access from key carriers in the area.
- Presence of the Infrastructure Data Centre with capacity and capability to support business with significant data security, processing and storage requirements.
- Significant supply of vacant serviced land, with limited ownership fragmentation.
- Situated in a growth area with a significant potential labour force.

Supporting Information

It is noted that the information accompanying the Planning Proposal Submission needs to be further supplemented in several areas prior to proceeding to post “Gateway” consultation. Importantly, the lack of such information does not detract from the ability to recommend support for the advancement of the Planning Proposal (presented as Enclosure 1) to the “Gateway”. The additional information required relates to;

- service infrastructure;
- flooding details;
- traffic, transport and accessibility information; and
- additional information concerning how the proposal will integrate with existing development and uses. For more information, refer to Attachment 6.

Inclusion of residential properties fronting Pacific Highway

The Planning Proposal prepared by the proponents excludes residentially zoned land containing dwelling houses fronting the Pacific Highway. Having regard to the long term strategic nature and importance of the Planning Proposal, and that Dwelling Houses are a permissible use with the Enterprise Corridor – B(6) zoning, it is intended to amend the Planning Proposal prepared by the proponents to include these sites.

STRATEGIC CONTEXT**General**

The Proposal is not expressly identified in any strategic plans or reports. It does, however, potentially assist in realising the Central Coast Regional Strategy overarching objective of enhanced employment self containment and in doing so contribute to the strategy target of an additional 45,000 jobs on the Central Coast the period 2006 – 2031 and more specifically 12,000 additional jobs in the North Wyong Shire Structure Plan area (by 2031).

Draft North Wyong Shire Structure Plan, 2010

The Draft North Wyong Shire Structure Plan Plan reinforces the Regional Strategy objective of 12,000 additional jobs by 2031 cited above. In this regard the Estate is identified as an existing urban area and by inference subject to the established industrial land employment generation rate of 10 to 20 jobs per hectare.

Draft Central Coast Regional Transport Strategy

The Estate benefits from proximity to the Wyong and Warnervale train stations and frequent bus services on the Pacific Highway.

Regional Economic Development and Employment Strategy

The Planning Proposal is consistent with the pertinent broad ranging strategies detailed in the Strategy. The Central Coast Regional Economic Development and Employment Strategy 2009 identifies a number of priorities that this Planning Proposal supports; including:

- To develop a more robust and sustainable regional economy;
- To deliver more than 45,000 new jobs by 2031, to increase the region's level of employment self containment and to provide jobs for a growing population;
- To shape new areas of advantage and business opportunity through increasing the level of research and innovation in the region.
- To encourage employment growth in key employment nodes, including strategic centres, employment lands and smaller centres.

Employment Lands Development Program 2010 (Report 11 Central Coast Sub Region)

The significant stock of industrially zoned lands is highlighted. This has been reaffirmed more recently in the draft findings of the Wyong Shire Employment Lands Study which established the existence of approximately 1100 hectares of industrially zoned land. Whilst a percentage of this land is constrained to varying degrees, adequate supply of industrially zoned land will remain should this Planning Proposal proceed to gazettal. Furthermore, the nature of the Enterprise Corridor Land Uses will not compete directly with traditional Industrial Land Uses.

Wyong Shire Community Strategic Plan

The proposal is consistent with the Community Strategic Plan objectives in respect of:

- Local travel
- A sustainable business sector
- Information and communication technology
- Community education and innovation

Draft Wyong Shire Employment Lands Study

The subject study has not been finalised. Notwithstanding this, the Study has clearly established that there is a significant supply of existing Industrial land as cited above.

STATUTORY PLANNING CONTEXT

Wyong Local Environmental Plan, 1991

The prevailing local planning instrument in zoning the subject land 4(a) General Industrial and 4(b) Light Industrial generally precludes development of the nature proposed in the new enterprise corridor vision and has led to the submission of the subject Planning Proposal.

Wyong Development Control Plan 2005 (Chapter 36)

This DCP Chapter provides specific guidelines for the development of the area for industrial purposes. It has an industrial focus and seeks to ensure appropriate functionality, compatibility, accessibility, environmental sensitivity and visual attractiveness.

Some of the principles remain relevant. However, some of the controls will need to be reviewed to ensure consistency with a new Enterprise Corridor vision. It is proposed that this will occur concurrent to the Planning Proposal process.

State Environmental Planning Policy (SEPP) No 14 (Coastal Wetlands)

Part of The Estate drains through environmentally sensitive lands and toward the Porters Creek floodplain and associated wetlands.

The water management principles contained in Chapter 36 of Wyong Development Control Plan, 2005 are critical to ensuring acceptable wetland impacts. The relevant management strategies, however, need to be revised and integrated with the Precinct 7A Integrated Water Cycle Management Strategy.

State Environmental Planning Policy (SEPP) No 55 (Remediation of Land)

The land is importantly zoned for urban purposes and indicative of acceptance of the suitability of the land for such purposes, having regard to potential contamination. It should be noted, however, that in the event of transformation (redevelopment) of existing industrial premises it may be necessary for Phase 1 preliminary contamination investigations to be undertaken on an individual site/precinct basis.

State Environmental Planning Policy (SEPP) No 33 (Hazardous and Offensive Development)

The prevailing zoning is noted to prohibit hazardous industries and hazardous storage establishments and offensive industries and offensive storage establishments. Similarly, the proposed landuse provisions attached to the proposed B6 zone preclude such uses/activities.

State Environmental Planning Policy (SEPP) (Exempt and Complying Development Codes, 2008)

The Planning Proposal does not include any specific provisions relating to Exempt and Complying Development, nor does it contradict or reflect any provision in the Codes SEPP.

State Environmental Planning Policy (SEPP) (Infrastructure, 2007)

The Planning Proposal does not contradict or repeat any provisions in the Infrastructure SEPP.

It should be noted that although certain landuses are not specified in the proposed B6 landuse table, they are permitted under the Infrastructure SEPP.

State Environmental Planning Policy (SEPP) (Mining, Petroleum Production, and Extractive Industries, 2007)

This policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State.

The Planning Proposal does not contravene the SEPP.

Ministerial Directions (Section 117 EP& A Act)

The Directions issued by the Minister for Planning and Infrastructure must be addressed, where relevant, in Planning Proposals.

The following table identifies the applicability and consistency of the proposed rezoning with the current Section 117 Directions. A more detailed assessment is contained within Attachment 7.

Number	Direction	Applicable	Consistent
Employment and Resources			
1.1	Business and Industrial Zones	Yes	Yes
1.2	Rural Zones	No	N/A
1.3	Mining, Petroleum production and Extractive Industries	Yes	No (Justified)
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
Environment and Heritage			
2.1	Environment Protection Zones	Yes	Yes

3.5 North Wyong Industrial Estate (contd)

2.2	Coastal Protection	No	N/A
2.3	Heritage Conservation	Yes	Yes
2.4	Recreation Vehicle Areas	No	N/A
Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks and Manufactured Home Estates	Yes	Yes
3.3	Home Occupations	Yes	Yes
3.4	Integrating Land Use and Transport	Yes	Yes
3.5	Development Near Licensed Aerodromes	Yes	Yes
6.3	Shooting Ranges	No	N/A
Hazard and Risk			
4.1	Acid Sulphate Soils	Yes	Yes
4.2	Mine Subsidence and Unstable Land	No	N/A
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	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North coast	No	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked)	No	N/A
5.6	Sydney to Canberra Corridor (Revoked)	No	N/A
5.7	Central Coast (Revoked)	No	N/A
5.8	Second Sydney Airport: Badgerys Creek	No	N/A
Local Plan Making			
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	Yes
6.3	Site Specific Provisions	Yes	Yes

OPTIONS

Option 1

The Planning Proposal Submission is considered to present a substantive case for rezoning and as such the progression of the Planning Proposal presented in Enclosure 1 to the “Gateway” for determination is recommended.

Option 2

If Council were to choose to not progress the Planning Proposal, to the “Gateway” for determination, it could be confronted with the prospects of an “underperforming” industrial precinct and fail to potentially capitalise on the transformational opportunity anchored by the substation, available technological fibre infrastructure, secure data management services, accessible transport and burgeoning labour force.

Option 3

A third option exists to request that the existing information provided with the Planning Proposal submission be supplemented now prior to forwarding to the Gateway. This option is not favoured as it is considered that adequate information has been furnished to support consideration by the DP&I Gateway. Further information requirements may be identified at “Gateway” and possibly during subsequent consultation within Government Agencies. It is preferable that this identified additional information requirements are addressed in an integrated manner.

STRATEGIC LINKS**Annual Plan**

<u>Principal Activity</u>	<u>Strategy or Program</u>
A More Sustainable Community	Nil Impact
A More Sustainable Economy	- Increased employment options in the Shire and reduced dependence on commuting to the Sydney and Hunter regions for employment, further reducing commuting times and improving work/life balance. - Planning Proposal provides the flexibility in the range of employment uses along this corridor and potentially facilitates the establishment of new business in the Shire. - The Planning Proposal facilitates more efficient use of existing urban land for additional, employment while minimising the impact to the Shire’s environmental footprint.
A More Sustainable Environment	Nil Impact
Infrastructure	As discussing in the report, the Proposal will have access to existing road, water, sewer, electricity and optic fibre infrastructure. Upgrades funded by the development, will be necessary for some existing infrastructure.

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Organisation	Nil Impact
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Link to Shire Strategic Vision (Community Strategic Plan – 2030)

The following comments are made with respect to the 8 priority objectives:-

- Communities will be vibrant, caring and connected.
- There will be ease of travel.
- Communities will have a range of facilities and services.
- Areas of natural value will be enhanced and maintained.
- There will be a sense of community ownership of the natural environment.
- There will be a strong sustainable business sector.
- Information and communication technology will be world's best.
- The community will be educated, innovative and creative.

Travel

Access to public and private bus services

Access is available to the local bus service, with opportunities for enhanced services to be further pursued.

Enhancement of local bicycle/shared pathway and on-road cycle way opportunities.

Opportunities for linkages to existing pedestrian and cycleway networks should be further explored as the Planning Proposal is advanced.

Facilities and Services

Maximising access to, and potential for, new and existing facilities/infrastructure to support growth.

The potential exists to capitalise on existing community neighbourhood infrastructure. The prospects of onsite community facilities to service an expanded and more diverse workforce, such as childcare centre and limited commercial premises are possible.

Education

Creating programs that encourage lifelong learning for everyone.

There are prospects of technologically focused educational and training opportunities.

Natural Areas

Preserving threatened and endangered species as well as ecological communities and biodiversity.

Nearby areas of environmental sensitivity will be further protected by contemporary environmental management practices, including water sensitive urban design initiatives, as they are implemented with new development.

Developing and introducing strategies to reduce the Shire's Environmental Footprint.

The proposal represents a logical opportunity of optimising the urban outcome from a parcel of land, thereby minimising the impact on the Shire's environmental footprint.

Employment

There will be a sustained increase in local jobs.

Short term employment opportunities will be provided during a potentially expansive development phase. The prospects of enhanced diverse permanent employment opportunities are significant as outlined in this report and detailed in Enclosure 1.

Asset Management Strategy

There are no immediate implications for the Asset Management Strategy. Ultimately the servicing and dedication of any modified or expanded public infrastructure will need to observe Council's relevant standards and integrate with the Asset Management Strategy.

Workforce Management Strategy

The advancement of the Planning Proposal is being funded by the proponents. Future workforce implications beyond the processing phase will be addressed as Council reviews its Revenue Policy annually and the Service Unit Business Plan.

Budget Impact

There are no immediate budget impacts.

Financial Implications

Advancement of the Planning Proposal will continue to be fully funded by the Proponents (in accordance with Section 54(3) of the EP&A Act and Council's Planning Proposal Procedure).

Should the land be rezoned it will attract development application fees, Section 94 contributions and Developer Servicing Charges (water and sewer contributions) and relevant rates from landholders.

Council will ultimately be assuming a management/maintenance responsibility for limited additions to the public road network and amendments to the public domain generally.

Major intersection enhancements with the Pacific Highway will be largely funded by future development.

Sustainability

The Planning Proposal has the potential of contributing to a more sustainable employment precinct, in terms of the range and profile of activities proposed and their attendant employment generating capacity.

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The prospects of a further internal road linkage will enhance permeability of the Estate and its attendant positive impacts.

The redevelopment of the precinct also provides opportunities for the implementation of leading edge building sustainability and water sensitive urban design initiatives.

Material Risks and Issues

Corporate Risks

There are no immediately identifiable corporate risks. It will, however, be critical to ensure that infrastructure is enhanced (at developer cost) and where necessary commensurate amendments to the various contribution/funding plans.

CONSULTATION

It is recommended that the Planning Proposal be subject to broad ranging local consultation. Additionally, council will need to consult a range of Government Agency nominated in the “Gateway” determination.

GOVERNANCE AND POLICY IMPLICATIONS

These have been addressed elsewhere in the report.

MATERIAL RISKS AND ISSUES

Corporate exposure to Council would potentially occur if all relevant planning issues associated with the Planning Proposal are not resolved prior to the rezoning being finalised.

CONCLUSION

The Planning Proposal provides prospects of adding an important dimension to the local employment base as part of the existing Estate (including significant vacant land) is transformed and assumes a technology and enterprise focus.

In doing so, Wyong Shire’s employment retention capacity will be strengthened and more fully reflect local workforce qualifications and demands, whilst importantly not competing directly with other existing/planned business precincts.

A change in development focus will also be further reflected in enhanced building design and urban design along the Pacific Highway and more sustainable building practices, pursuit of water sensitive urban design initiatives, improved accessibility and greater environmental sensitivity generally.

It is important that appropriate consultation occurs and existing development is facilitated to co-exist as the precinct is redeveloped.

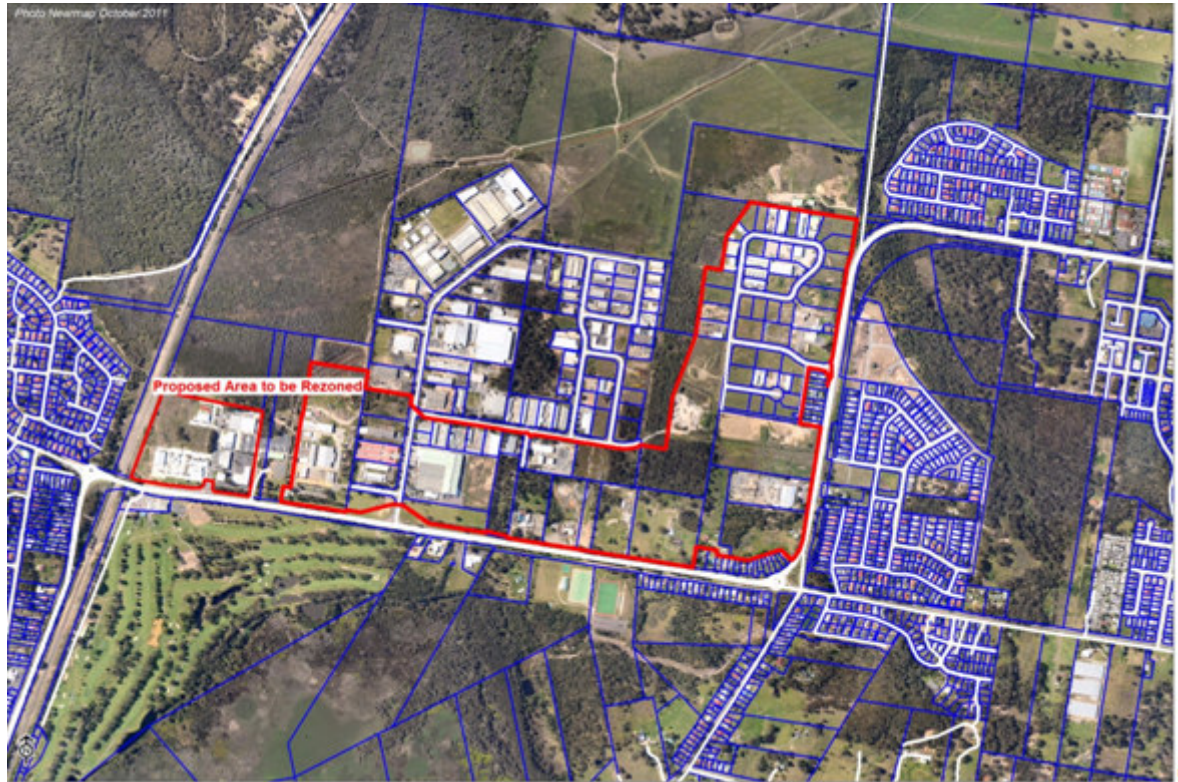
It is recommended that the Planning Proposal be endorsed by Council for submission to the DoPI, accompanied by a request for a “Gateway” determination.

ATTACHMENTS

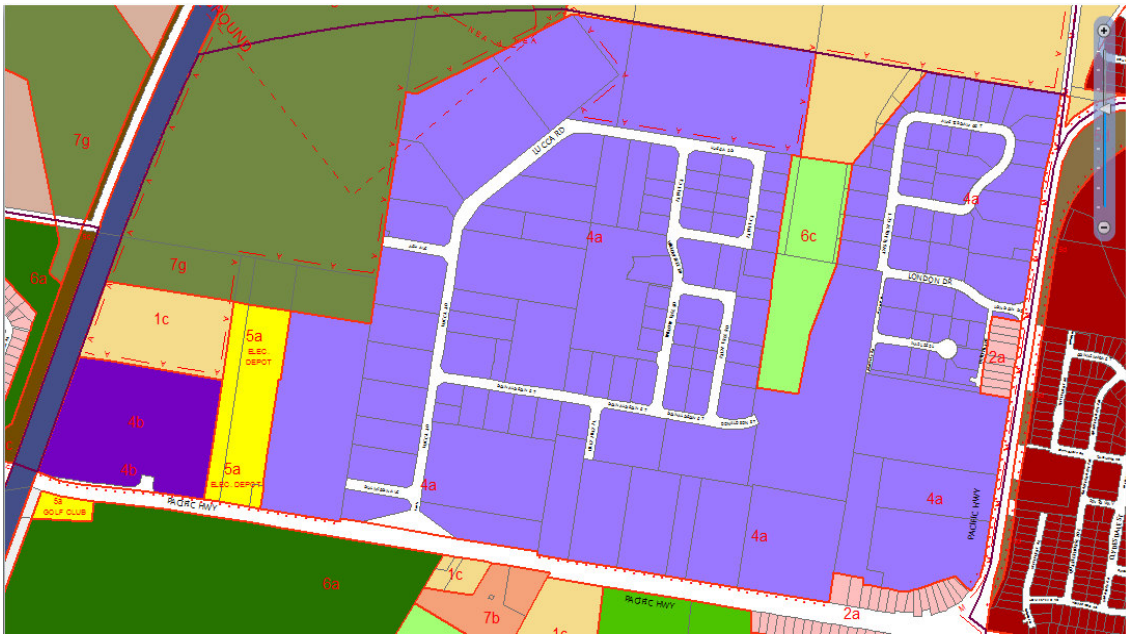
1	Plan of Land Subject to Rezoning Proposal	D03071313
2	Prevailing Zoning Wyong LEP 1991	D03080870
3	Proposed B(6) Enterprise Corridor	D03071319
4	Landuse Table Proposed b (6) Business Enterprise Zone	D03071320
5	Maximum Height of Buildings	D03071321
6	Additional Supporting Information Requirements	D03077372
7	Consistency with Ministerial Directions - Section 117 - Environmental Planning and Assessment Act	D03077373
8	Planning Proposal (distributed under separate cover)	

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PLAN OF LAND SUBJECT TO REZONING PROPOSAL



PREVAILING ZONINGS UNDER WYONG LEP, 1991

**1. RURAL**

- | | |
|-----------|--------------------------------------|
| 1a | (a) Rural Zone |
| 1c | (c) Non Urban Constrained Lands Zone |
| 1d | (d) Village Zone |
| 1f | (f) Forestry Zone |

2. RESIDENTIAL

- | | |
|-----------|--|
| 2a | (a) Residential Zone |
| 2b | (b) Multiple Dwelling Residential Zone |
| 2c | (c) Medium Density Residential Zone |
| 2d | (d) High Density Residential Zone |
| 2e | (e) Urban Release Area Zone |
| 2g | (g) Residential Tourist Zone |

3. BUSINESS

- | | |
|-----------|---------------------------|
| 3a | (a) Business Centre Zone |
| 3b | (b) Centre Support Zone |
| 3c | (c) Tourist Business Zone |

4. INDUSTRIAL

- | | |
|-----------|---|
| 4a | (a) General Industrial Zone |
| 4b | (b) Light Industrial Zone |
| 4c | (c) Business Park Zone |
| 4e | (e) Regional Industrial & Employment Development Zone |

5. SPECIAL USES

- | | |
|-----------|------------------------------------|
| 5a | (a) Special Uses Zone |
| 5b | (b) Railways Zone |
| 5c | (c) Local Road Reservation Zone |
| 5d | (d) Arterial Road Reservation Zone |

6. OPEN SPACE

- | | |
|-----------|---|
| 6a | (a) Open Space & Recreation Zone |
| 6b | (b) Regional Open Space & Recreation Zone |
| 6c | (c) Proposed Open Space & Recreation Zone |

7. ENVIRONMENTAL PROTECTION

- | | |
|-----------|--|
| 7a | (a) Conservation Zone |
| 7b | (b) Scenic Protection Zone |
| 7c | (c) Scenic Protection: Small Holdings Zone |
| 7d | (d) Coastal Lands Protection Zone |
| 7e | (e) Coastal Lands Acquisition Zone |
| 7f | (f) Environmental Protection Zone |
| 7g | (g) Wetlands Management Zone |

8. NATIONAL PARKS

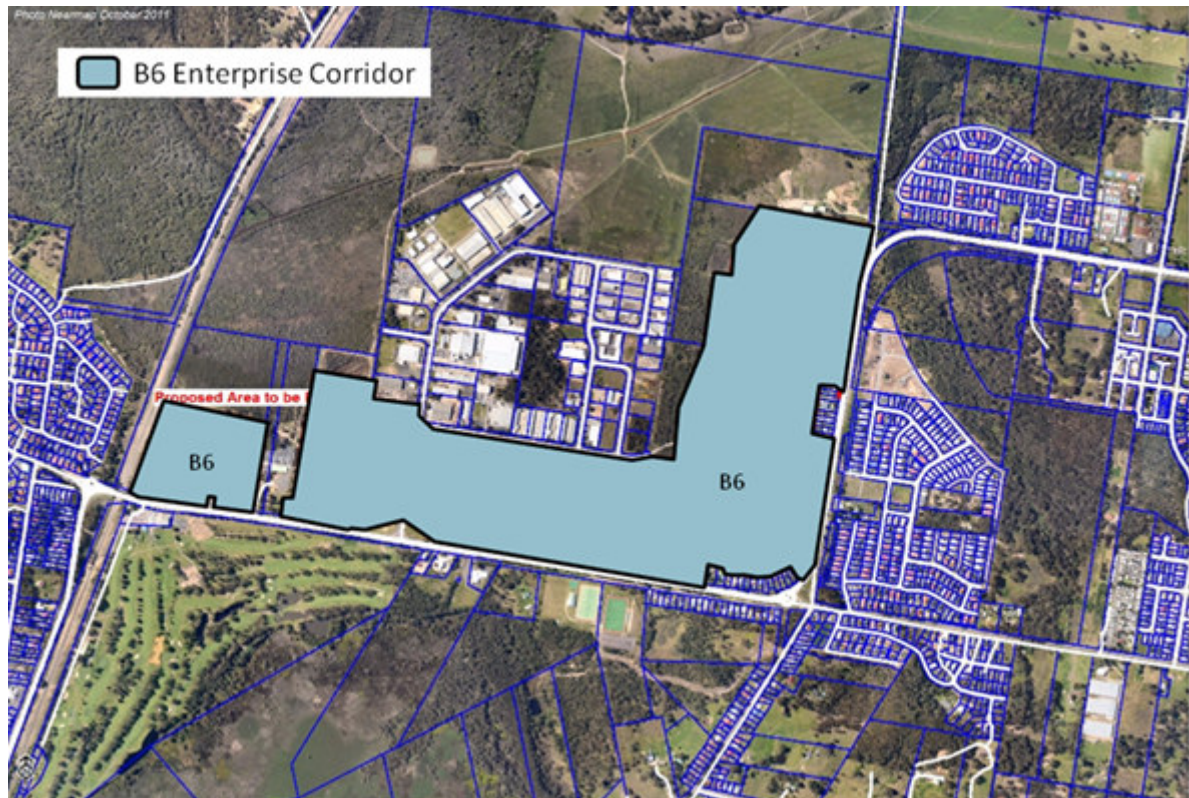
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| 8a | (a) National Parks Zone |
|-----------|-------------------------|

10. INVESTIGATION

- | | |
|------------|---------------------------------|
| 10a | (a) Investigation Precinct Zone |
|------------|---------------------------------|

- | | |
|------|--|
| NEA | Warnervale Aerodrome Control - Noise Effect Area |
| --- | Warnervale Aerodrome Control - Height Limitation |
| | Boundaries Across which Direct Access is Denied |
| A | Lot Amalgamation |

PROPOSED B(6) ENTERPRISE CORRIDOR



LANDUSE TABLE PROPOSED B(6) BUSINESS ENTERPRISE ZONE

(Draft Wyong LEP, 2012)

Objectives of zone

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To provide for residential uses, but only as part of a mixed use development.
- To provide primarily for businesses along key corridors entering the Wyong Tuggerah regional centre, major local centres or retail centres.

Permitted without consent

Home occupations

Permitted with consent

Bulky goods premises; Business premises; Child care centres; Community facilities; Depots; Environmental Protection Works; Food and drink premises; Freight transport facilities; Garden centres; Hardware and building supplies; Highway service centres; Hotel or motel accommodation Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Markets; Neighbourhood shops; Office premises; Passenger transport facilities; Places of public worship; Plant nurseries; Public administration buildings; Roads; Rural supplies; Services apartments; Sewage reticulation systems; Shop top housing Signage; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water reticulation systems; Water storage facilities; Any development not specified in item 2 or 4.

Prohibited

Agriculture; Airstrips; Air transport facilities; Animal boarding or training establishments; Boat building or repair facilities; Camping grounds; Caravan Parks; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishment; Industrial retail outlets; Industries; Marinas; Mortuaries; Open cut mining; Port facilities; Residential accommodation; Retail premises; Rural industries; Sewerage systems; Storage premises; Tourist and visitor accommodation; Vehicle body repair workshops; Waste or resource management facilities; Water supply systems; Wharf or boating facilities.

MAXIMUM HEIGHT OF BUILDINGS



0 100 200 300 400 Metres

Proposed B6 Enterprise Corridor
Maximum Height of Buildings - Plan

Revision: B
Date: 10 July 2012

Tzannes Associates ARCHITECTURE URBAN DESIGN

ADDITIONAL SUPPORTING INFORMATION REQUIREMENTS

The substantive material informing the Planning Proposal at Enclosure 1 was prepared by the Proponents. Accompanying, such submission were a series of preliminary investigations. It is noted that the subject investigations need to be embellished and supplemented by additional information.

A brief overview of investigations considered necessary include:

Service Infrastructure

An outline strategy in respect of civil infrastructure augmentation/embellishment shall be prepared.

Flooding

The precinct is on the fringe of the floodplain and is the subject of an existing levee scheme/levee scheme proposal. The submitted flood report has significant deficiencies many of the assumptions and interpretations of past reports need to be revised and a preferred, integrated strategy advanced.

Traffic/Transport/Accessibility

A comprehensive traffic transport/accessibility report is to be prepared identifying the nature and extent of impacts likely to be attributable to increased employment projections in particular. The report should include:

- Traffic generation projections
- Parking requirements analysis and projected enhancement strategy.
- SIDRA intersection analysis and projected enhancement strategy.
- A public transport statement, including identification of enhanced opportunities.
- Pedestrian/cycle enhancement opportunities.

Integration with Existing Development/Existing Uses

An outline strategy shall be prepared detailing the principles to be observed to ensure the compatible integration of existing industrially focussed operations and neighbouring residential development.

CONSISTENCY WITH MINISTERIAL DIRECTIONS – Section 117
Environmental Planning and Assessment Act

Direction	Comment
1. Employment & Resources	
1.1 Business & Industrial Zones	
• Aims to encourage employment growth in suitable locations, protect employment land in business and industrial zones and to support the viability of identified strategic corridors. • Applies when a draft LEP affects land within an existing or proposed business or industrial zone.	• Applicable • The Planning Proposal is importantly consistent with the Directions underpinning objectives as summarised below: • Encourage employment growth in suitable locations. Diversification of business, commercial and industrial land uses along the Pacific Highway will contribute to employment and job density on unconstrained land, which is serviced by existing infrastructure connections. • Protect employment lands and create jobs. Various industries and high technology land uses will remain permissible and a number of higher density commercial uses will create more diverse jobs and business opportunities. Although, the proposal will reduce the amount of land zoned solely Industrial it will fundamentally not detract from the supply of lands, which generate employment opportunities and growth. In effect, the proposal will increase the number of potential jobs created; contributing to the overall target of 45,000 jobs by 2031 in the Central Coast Regional Strategy 2008. It will increase jobs density and is projected to exceed the local target of 2000 jobs in North Wyong Employment Lands by more than 1200 (About 3,250 jobs by 2031.¹ • Support viability of centres. The proposal limits retailing activity, thereby supporting the viability and function of identified Strategic Centres at Wyong-Tuggerah and Gosford. This also recognises the role of a range of smaller towns and villages nearby, identified in the Central Coast Regional Strategy, including the nearby planned Warnervale Town Centre and Wadalba (Village) Neighbourhood Centre, that will provide a different mix and offer of commercial activity to this land.

¹ Source: Wyong Shire Residential Land Monitor (June 2009); MacroPlan Australia (2010)

	It will also not be a direct competition with the Business Park proposed for Precinct 7A (Warnervale) It should be noted that the PP only relates to the land that has a high vacancy level along the Pacific Highway. 36 % (31.5ha) is long term vacant and undeveloped due largely to a lack of market demand for traditional industrial format lands. Notably, over 54 hectares will remain zoned general industrial to the north of the Industrial Estate. The proposed land use table will still permit light industrial uses, albeit, many of the existing land uses already on site are not defined 'industries'. An increase in gross floor space and higher job density will also ensure that the overall potential for employment increases. The Central Coast Regional Economic Development & Employment Strategy 2009 identifies a number of priorities that this PP supports ,including: • <i>To develop a more robust and sustainable regional economy.</i> • <i>To deliver more than 45,000 new jobs by 2031, to increase the region's level of employment self-containment and to provide jobs for a growing population.</i> • <i>To shape new areas of advantage and business opportunity through increasing the level of research and innovation in the region.</i> • <i>To encourage employment growth in key employment nodes, including strategic centres, employment lands and smaller centres.</i> Additionally, the Employment Lands Development Program 2010 identifies that 57% of all Employment Lands in the Central Coast Region are undeveloped. This equates to 64 % in Wyong Shire. The land is similarly under occupied and the uptake for industrial purposes is consistently low. It is anticipated that this trend will be further validated by the Shire Wide Employment Lands Study and Industrial Audit, yet to be finalised by Council. (Consistent)
1.2 Rural Zones	
• Aims to protect the agricultural production value of rural land.	• Applicable

Applies when a draft LEP affects land within an existing or proposed rural zone.	The draft PP does not affect land within an existing or proposed rural zone.
1.3 Mining, Petroleum Production and Extractive Industries	
- Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development. - Applies when a draft LEP would have the effect of prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, OR restricting the potential of development resources of coal, other mineral, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.	Applicable. The PP will have the effect of: Prohibiting extractive industries and open cut mining (It is noted that the extent of current industrial development and nearby residential development (in accordance with the prevailing zoning) is considered to negate the prospects of extractive industries and/or open cut mining; as do the impinging environmental sensitive constraints. (Inconsistent - Justified)
1.4 Oyster Aquaculture	
- Aims to ensure that priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered, and to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and the health of oysters and consumers. - Applies when a draft LEP could result in adverse impacts on a priority Oyster Aquaculture Areas or current oyster aquaculture lease in the national parks estate or results in incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or current oyster aquaculture lease in the national parks estate and other land uses.	- Not applicable. - The PP does not affect Priority Oyster Aquaculture Areas and other aquaculture outside areas identified in the <i>NSW Oyster Industry sustainable Aquaculture Strategy (2006)</i>.
1.5 Rural Lands	
- Aims to project the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related proposed. - Applies when a PP (draft LEP) affects land within an existing or proposed rural zone.	- Not applicable. - Wyong Shire Council local government area is not subject to SEPP (Rural Lands), 2008.
2. Environment and Heritage	
2.1 Environmental Protection Zones	
Aims to protect and conserve environmentally sensitive areas	Applicable

• Applies when Council prepares a PP (draft LEP).	• The PP is not considered to be inconsistent with this Direction. It should be noted, however, that the subject land is contiguous with an area of environmental sensitivity. This offsite environmentally sensitive land is currently zones Non Urban Constrained land 1(c) and 7(g) Wetlands Management Zone. Additionally, there is a precinct of land comprising substantial vegetation, currently zoned 6(c) Proposed Open Space and Recreation Zone. This latter vegetation community extends onto the subject land, but is currently zoned for General Industrial purposes (4(a)). The proposed rezoning will not adversely impact the prevailing situation in respect of environmental sensitivity. Indeed, there exist the prospects of enhanced water management and offsite impacts through the installation and integration of stormwater management practices embracing in particular the principles of Water Sensitive Urban Design. (WSUD). Further, both onsite and offsite impacts on environmental systems will be comprehensively addressed, pursuant to Section 79(c) of the Act. Advancement of the PP will likely entail consultation with the Office of Environment and Heritage. (Consistent)
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2.2 Coastal Protection

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| <ul style="list-style-type: none"> • Aims to implement the principles in the NSW Coast Policy. • Applies when a draft LEP applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>. | <ul style="list-style-type: none"> • Not applicable • The PP does not include land located within the coastal zone, as defined by the <i>Coastal Protection Act, 1979</i>. |
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2.3 Heritage Conservation

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| <ul style="list-style-type: none"> • Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. • Applies when council prepares a PP (draft LEP). | <ul style="list-style-type: none"> • Applicable. • There are no heritage items located on the subject land or on land proximate. Further, no cultural landscapes are adversely impacted. • Further indigenous heritage matters have not constrained the past adoption and implementation of the industrial zone provisions. |
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	(Consistent)
2.4 Recreational Vehicle Areas	
- Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles. - Applies when council prepares a PP (draft LEP).	- Not Applicable. - The PP does not propose that land be developed for the purpose of a recreation vehicle area. (Consistent)
3. Housing Infrastructure and Urban Development	
3.1 Residential Zones	
- Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimize the impact of residential development on the environmental and resource lands. - Applies when a PP (draft LEP) affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.	- Applicable. - The PP makes provision for shop top housing, but only where part of a mixed use development (as is inherent given the definition of shop top housing). - It will importantly expand the range of housing opportunities within the existing urban footprint, thereby minimising impacts on the environment and optimising use of existing infrastructure and services (Consistent)

3.2 Caravan Parks and Manufactured Home Estates	
- Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates. - Applies when council prepares a PP (draft LEP).	- Applicable - The PP does not seek to rezone land to provide for caravan parks or manufactured home estates. Further, there are no existing caravan parks within the area, the subject of the PP. (Consistent)
3.3 Home Occupations	
- Aims to encourage the carrying out of low impact small business in dwelling houses. - Applies when Council prepares a PP (draft LEP).	- Applicable - Home occupations are permitted without consent in the Proposed B6 zone, in accordance with the standard Instrument. (Consistent)
3.4 Integrating Land Use & Transport	

- Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight. - Applies when a PP (draft LEP) creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.	Applicable The subject site has frontage to the Pacific Highway and all Highway based transport services, including in particular bus services. It is also proximate to the rail and opportunities that its future enhancement will afford. Opportunities for integration with future cycleway/pedestrian pathways will also be possible. The prospects of shop top housing also support the principles of integrated landuse and transport, potentially minimising some journey to work movements and making some alternative transport means more attractive. (Consistent)
3.5 Development near Licensed Aerodromes	
- Aims to ensure the effective and safe operation of aerodromes, their operation is not compromised by development which constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, development for residential purposes or human occupation (within the ANEF contours between 20 & 25) incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. - Applies when a PP (draft LEP) creates, alters or removes a zone or provision relating to land in the vicinity of a licensed aerodrome.	- Applicable. The site is significantly removed from the zone of influence of the Warnervale Airport, situated some 3 Kilometres to the north west of the subject land. Specifically, it is not impacted by flightpaths associated with the runway nor is it impacted by height or noise controls attached to the Airport operation. - The PP does not propose to create, alter or remove a zone or provision relating to land in the vicinity of a licensed aerodrome. (Consistent)
3.6 Shooting Ranges	
Aims to ensure appropriate levels of public safety and amenity and minimization of landuse conflict when rezoning land adjacent to an existing shooting range.	- Not applicable. - Not proximate to an existing shooting range.
4. Hazard & Risk	
4.1 Acid Sulphate Soils	
- Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils. - Applies when a PP (draft LEP) applies to land having a probability of containing acid sulphate soils on the Acid Sulphate Soils Planning Maps.	Applicable. The site contains some limited Acid Sulphate Soils (Class 5). The adjoining land (not subject of the PP) also contains Acid Sulphate Soils (Classes 1-4). The proposed zoning amendment will not result in major changes to impervious areas. Further, the standard model clause requirements in respect of Acid Sulphate

	soils (Clause 7.1) will be relevant. (Consistent)
4.2 Mine Subsidence & Unstable Land	
- Aims to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. - Applies when a PP (draft LEP) permits development on land which is within a mine subsidence district, or identified as unstable in a study or assessment undertaken by or on behalf of Council or other public authority and provided to Council.	- Not applicable. - The PP is not located within a Mine Subsidence District proclaimed pursuant to Section 15 of the Mine Subsidence Compensation Act, 1961 or on unstable land.
4.3 Flood Prone Land	
- Aims to ensure: development on flood prone land is consistent with NSW government's flood Prone Land Policy and principles of the <i>Floodplain Development Manual 2005</i>; and provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. - Applies when a PP (draft LEP) creates, removes or alters a zone or provision that affects flood prone land.	- Applicable. - The PP applies to a site currently zoned for industrial purposes and is subject to an existing flood mitigation strategy in respect of part of its northern fringe. - Further, the standard model clause requirements in respect of Flood Planning (Clause 7.3) will be relevant. (Consistent)
4.4 Planning for Bushfire Protection	
- Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas. - Applies when a PP (draft LEP) affects or is in proximity to land mapped as bushfire prone land.	- Applicable. - The PP applies to land which is identified to contain bushfire prone vegetation or is impacted by the buffer zone to such vegetation. A review having regard to the provisions of Planning for Bushfire Protection, 2006 has established that acceptable management elements in respect of Asset Protection Zones/Defendable Space, access and water supplies for fire – fighting purposes, construction standards of buildings, bushfire hazard management and emergency management, can be achieved. Council will consult with the Commissioner of the NSW Rural Fire Service (RFS) following receipt of a “Gateway” determination under Section 56 EP & A Act. In accordance with Clause 5.11 of the

	Standard Instrument Bushfire Hazard Reduction is permissible without development consent. (Complies)
5. Regional Planning	
5.1 Implementation of Regional Strategies	
• Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies. • Applies when council prepares a PP (draft LEP).	• Applicable. • The PP is not directly affected by the Central Coast Regional Strategy. Such strategy, however, provides a broader contextual setting. • The PP is consistent with the vision and aims of the Strategy. The outcome of the PP will be to facilitate an increase in the number and diversity of employment opportunities and general vitality of the precinct. • The PP is also generally consistent with the following actions identified in the Strategy: ○ Action 5.1 – Promotion of economic and employment growth. ○ Action 5.2 – LEPs consistent with Strategy and employment targets. ○ Action 5.3 – Provision for comparatively low cost premises. ○ Action 5.4 – Regional Economic and Employment Strategy ○ Action 5.6 – Retention of employment lands. ○ Action 5.7 – Focus on existing employment lands. ○ Action 5.8 – Impact of residential development. ○ Action 5.9 – Retail Bulky Good trading. ○ Action 5.11 – Retail and commercial focus ○ Action 5.17 – Interface issues ○ Action 5.18 – Enterprise corridors ○ Action 6.2 – Mining compatibility ○ Action 6.5 – Appropriate buffers ○ Action 6.8 – Aboriginal heritage ○ Action 6.9 – Rural and resource lands ○ Action 6.10 – Off site impact management ○ Action 6.14 – Waste management ○ Action 6.19 – Sustainable transport ○ Action 8.2 – Water management ○ Action 9.6 – Waste management ○ Action 10.1 – Strategic Bus Corridors ○ Action 10.4 – Upgrades to Pacific Highway ○ Action 10.9 – Integration employment and Transport nodes. ○ Action 10.10 – Optimise integration employment and Transport.

	○ Action 11.3 Consistency with Regional Strategy • The draft LEP will not rezone land that will diminish the ability of future employment generating areas.
5.2 Sydney Drinking Water Catchments	
• Aims to protect water quality in the hydrological catchment. • Applies when council prepares a PP (draft LEP) that applies to the hydrological catchment.	• Not applicable. • This direction does not apply to Wyong LGA.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	
• Aims to: ensure that the best agricultural land will be available for current and future generations to grow food and fibre; provide more certainty on the status of the best agricultural land, assisting councils with strategic settlement planning; and reduce land use conflict arising between agricultural use and non-agricultural use of farmland caused by urban encroachment into farming areas. • Applies Ballina, Byron, Kyogle and Tweed Shire Councils, Lismore city council and Richmond Valley Council.	• Not applicable. • This direction does not apply to Wyong LGA.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	
• Aims to manage commercial and retail development along the Pacific Highway, North Coast. • Applies to all councils between and inclusive of Port Stephens and Tweed Shire Councils.	• Not applicable. • This direction does not apply to Wyong LGA.
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	
• Aims to ensure that development in the vicinity of the villages of Ellalong, Paxton and Millfield is consistent with the Cessnock City Wide Settlement Strategy and Lower Hunter Regional Strategy. • Applies to land in the vicinity of the villages of Ellalong, Paxton and Millfield in the Cessnock LGA.	• Not applicable. • This direction does not apply to Wyong LGA.
5.6 Sydney to Canberra Corridor	
• Aims to ensure that PPs (draft LEPs) are	• Not applicable.

prepared in accordance with the Sydney to Canberra Corridor. Applies to land within the local government areas described as the 'Sydney to Canberra Corridor'.	This direction does not apply to Wyong LGA.
5.7 Central Coast	
- Aims to ensure that land is zoned in accordance with the appropriate regional strategy for the Central Coast. - Applies to Wyong Shire council when council prepares a PP (draft LEP).	See Section 5.1
5.8 Second Sydney Airport: Badgerys Creek	
- Aims to avoid incompatible development in the vicinity of any future second Sydney Airport at Badgerys Creek. - Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council Local Government Areas.	- Not applicable. - This direction does not apply to Wyong LGA.

6. Local Plan Making	
6.1 Approval and Referral Requirements	
- Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development. - Applies when council prepares a PP (draft LEP).	- Applicable. - The PP does not propose amendments which require concurrence, consultation, or the referral of development applications to an appropriate Minister or public authority; and - The PP does not identify any development as designated development. (Consistent)
6.2 Reserving Land for Public Purposes	
- Aims to facilitate the provision of public services and facilities by reserving land for public purposes, and facilitate the removal of reservations of land for public purposes where land is no longer required for acquisition. - Applies when council prepares a PP (draft LEP).	- Applicable. - The PP does not propose the reservation of any additional lands for public purposes nor are there any obsolete reservations which need to be addressed. (Consistent)

6.3 Site Specific Provisions

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| <ul style="list-style-type: none">• Aims to discourage unnecessarily restrictive site specific planning controls.• Applies when Council prepares a PP (draft LEP) to allow particular development to be carried out. | <ul style="list-style-type: none">• Applicable.• The PP is consistent with the <i>Direction</i> as the PP will rezone various parcels of land consistent with standard Instrument Provisions. <p>(Consistent)</p> |
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