



**Wyong
Shire
Council**
CENTRAL COAST

Wyong Local Environmental Plan 2013 – Major Amendment 1

Council-owned Land Zoning Review Discussion Paper

This discussion paper describes Council's interest in each parcel of land, the purpose of the proposed rezoning and the type of future development anticipated, and a justification for the proposed rezoning. For each rezoning, the discussion paper demonstrates how consistency has been achieved between the Wyong Local Environmental Plan 2013 (Wyong LEP 2013) – Major Amendment 1 and the following plans/policies:

- The Central Coast Regional Strategy;
- State Environmental Planning Policies and Regional Environmental Plans;
- Section 117 Ministerial Directions;
- Relevant Practice Notes; and
- *LEPs and Council Land – Best Practice Guideline* (Department of Urban Affairs and Planning, 1997): When Council is exhibiting a draft LEP that applies to Council-owned land which is proposed to be rezoned, additional information needs to be provided in accordance with the document titled *LEPs and Council Land – Best Practice Guideline*. *LEPs and Council Land – Best Practice Guideline* will also be publicly exhibited with Wyong LEP 2013 – Major Amendment 1.

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1. 121 Church Road, Tuggerah, 74 Delamere Avenue, Tuggerah and 5-11 Second Avenue, Tuggerah

Lot 60 DP 4008; Lots 61-64, 71-73, 80-89 DP 4008; Lot 74 DP 4008 and Lot 75 DP 4008

CURRENT ZONING SP2 Infrastructure – Sewerage Systems	PROPOSED ZONING No rezoning proposed. Instead, additional permitted uses of Recreation Area and Recreation Facility – Outdoor is proposed.
CURRENT FLOOR SPACE RATIO N/A	PROPOSED FLOOR SPACE RATIO N/A
CURRENT HEIGHT N/A	PROPOSED HEIGHT N/A

BACKGROUND

Lot 60 DP 4008; Lots 61-64, 71-73, 80-89 DP 4008; Lot 74 DP 4008 and Lot 75 DP 4008 are Council-owned sites leased for use as sporting fields as part of the Central Coast Mariners Centre for Excellence Sporting and Community Centre. These sites are zoned SP2 Infrastructure – Sewerage Systems. Sporting fields are not permissible in the SP2 zone. It is therefore necessary to include the following additional permitted uses on these sites in order to permit the proposed use.

- Recreation Facility – Outdoor
- Recreation Area



Figure 1 - Subject Sites

OBJECTIVE

- To add Recreation Facility – Outdoor and Recreation Area as additional permitted uses on the sites listed above.

SITE CHARACTERISTICS

Potential Constraint	Comments
Vegetation	Scattered trees surrounded by urban development and sewerage works.
Bushfire prone land	Yes
SEPP 71 Coastal Protection	No
SEPP 71 Sensitive Coastal Location	No
Acid Sulfate Soils	Yes
Flood prone land / drainage issues	Yes
Slope, topography	No
Mine subsidence	No
Conflicts with adjoining use	No, recreation land to the west of the development and sewerage works to the south. Vacant land to the east and north. Suitable proposed land uses for existing adjoining land uses.

- There are no physical impediments – The site is capable of supporting, and suitable for, recreation uses.
- No studies are required to establish the characteristics or values of the land.

EVALUATION

Evaluation Criteria Summary:

	EVALUATION CRITERIA	RESPONSE
1	Is the planning proposal a result of any strategic study or report?	NO
2	Is the planning proposal consistent with applicable Ministerial Directions (section 117)?	YES
3	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	YES
4	Is there a net community benefit?	YES
5	Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?	YES
6	Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	YES
7	Is the planning proposal consistent with applicable State Environmental Planning Policies?	YES
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?	NO
9	Are there any other likely environmental effects as a result of the planning proposal?	YES
10	Has the planning proposal addressed any social and economic effects?	YES
11	Is there adequate public infrastructure for the planning proposal?	YES

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

No.

2. Is the planning proposal consistent with applicable Section 117 Ministerial Directions?

The planning proposal satisfies Section 117 Directions.

Relevant 117 Direction	Compliance
2.2 Coastal Protection	N/A
3.1 Residential Zones	N/A
4.1 Acid Sulfate Soils	Consistent.
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	N/A
4.4 Planning for Bushfire Protection	N/A
5.1 Implementation of Regional Strategies	The proposal is generally consistent with the vision and objectives of the Central Coast Regional Strategy.
6.2 Reserving Land for Public Purposes	Consistent.

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

The planning proposal will accompany the Wyong LEP 2013 – Major Amendment 1 which is considered the best way forward. Council has identified a higher and better use for the land. The current land uses within the SP2 zone do not allow this use to be achieved. The preferred use can best be achieved via additional permitted uses.

4. Is there a net community benefit?

The development of surplus land into sporting fields as part of the Mariners Centre for Sporting Excellence will enable Council to redirect funding to other more important community issues. Due to the proximity of the site to the sewerage treatment plant, it is likely that this use is the highest and best use of the site for the community.

Net Community Benefit Test

Draft Centres Policy Criteria	Planning Response
Will the LEP 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)?	Recreation – N/A
Is the LEP 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 Tuggerah, which is part of the Wyong-Tuggerah Major Centre identified within the Central Coast Regional Strategy.
Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	No, the land owner is the Council. There is only limited land in private ownership zoned for open space.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of	Yes – The cumulative effect of encroachment upon Council's sewerage treatment facility and therefore the odour buffer area has been

these considerations?	considered. This has been addressed as part of the lease between Council and the Mariners.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Yes – The proposal will facilitate the expansion of the Mariners Centre for Sporting Excellence and as a result increased employment opportunities in both the sporting and event side of this business. The land is currently vacant odour buffer land, therefore no loss of employment lands will result.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No – The proposal will not add to or detract from the supply of residential land.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes – Existing infrastructure has adequate capacity. There is local public transport with ready access to Tuggerah Railway Station.
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?	No – The proposal will not change car distances travelled to utilise the sporting fields.
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?	No, there are no known significant Government investments in infrastructure within the locality whose patronage could be affected by the proposal. The proposal takes advantage of existing infrastructure 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?	No – Only the cleared area of land is proposed to be utilised for training fields and carparking at this stage. The additional areas have been included in the proposal in order to permit further expansion at a later date.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Yes – Due to the location of the site adjacent to Council's sewerage treatment facility, it is considered that this use is the highest and best use of the site as it is compatible with the odour buffer.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A. The proposal will simply allow for additional sporting fields associated with the Mariners sporting complex.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The proposal will facilitate the financially efficient management of Council's land holdings and income streams. Not proceeding with preparation of the draft plan will reduce the capacity to meet the objectives of

5. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

The land is identified as being within an urban area under the Central Coast Regional Strategy. The vision for the Strategy has three (3) relevant components prosperity, sustainability and liveability. The proposal is consistent with all three (3) as it will result in additional recreation opportunities in established urban areas. The proposal is consistent with the overall aims of the strategy.

6. Is the planning strategy consistent with the local council's Community Strategic Plan or other local strategic plan?

Council's Community Strategic Plan 2030 (adopted June 2011) provides the vehicle for the delivery of the community's vision. Part of this vision is the strengthening of Council's economic base through its economic and property development activities. The planning strategy is consistent with the objectives and strategies of the Community Strategic Plan.

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

The planning proposal is consistent with the applicable SEPP's:

SEPP	Applicability
14 - Coastal Wetlands	No wetlands on the site.
26 - Littoral rainforest	No littoral rain forest on the site.
44 - Koala habitat protection	No suitable habitat on the site.
55 - Remediation of land	There is no evidence of fill or a site history consistent with potential contamination.
71 - Coastal Protection	The site is not within the coastal zone.

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 site is identified as containing Swamp Sclerophyll Forest on Coastal Floodplains endangered ecological community (EEC). However, only the cleared area of land is proposed to be utilised for training fields and carparking at this stage. The additional areas have been included in the proposal in order to permit further expansion at a later date. If further expansion is warranted, the EEC will need to be addressed. As the proposal currently stands. there are no likely ecological issues for the site.

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

There are no significant environmental management issues for the site. Site specific and development issues would be addressed during the course of a development application.

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

The planning proposal will have positive social and economic outcomes for the community by providing an improved recreation facility in the Tuggerah locality. The strategic broader

implications of new development, including social and economic effects are addressed, with provision for management, via Councils Community Strategic Plan 2030.

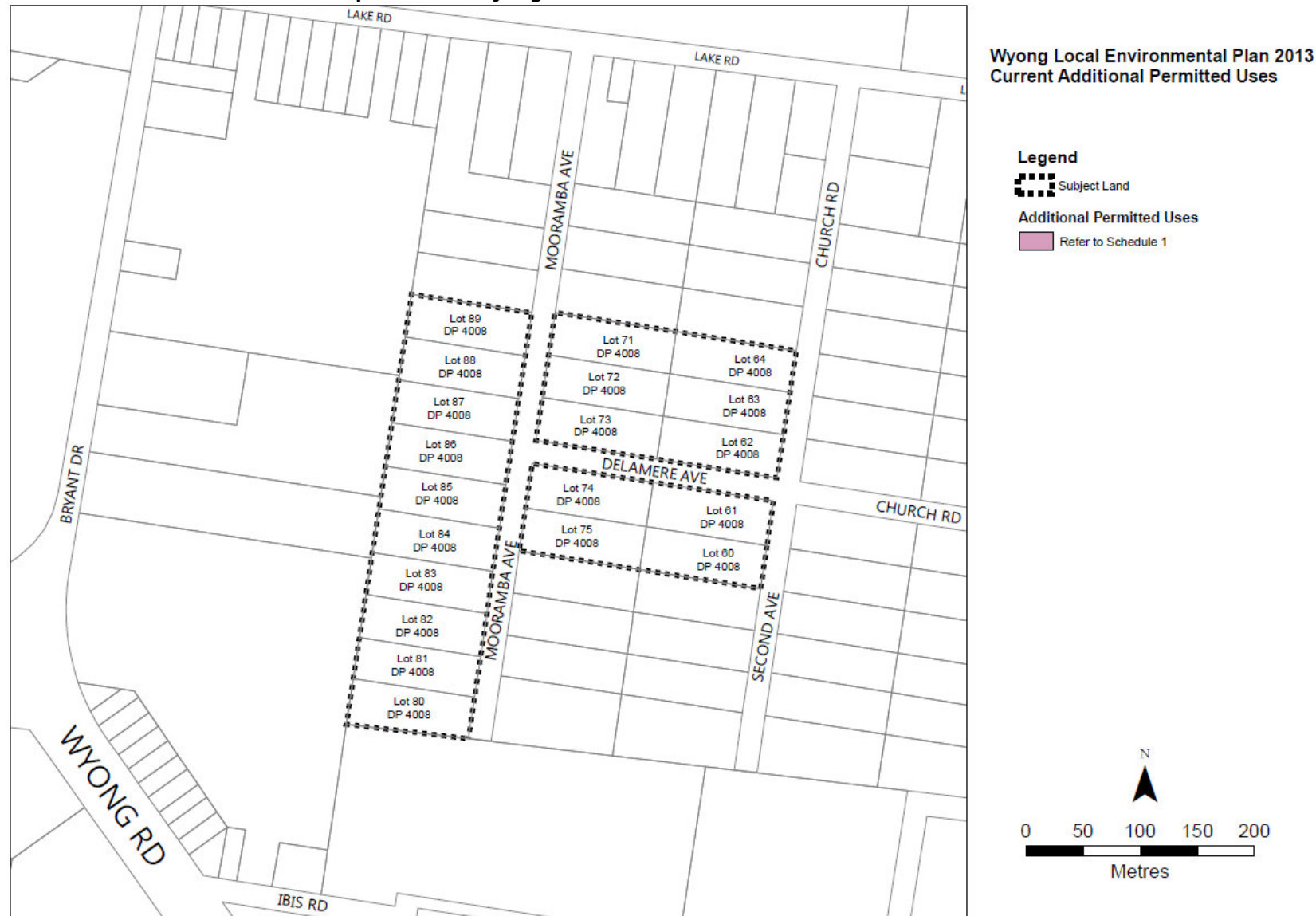
11. Is there adequate public infrastructure for the planning proposal?

Infrastructure is available to service the allotment.

CONSULTATION

There are no specific or additional consultation needs for this proposal.

Current Additional Permitted Uses provision – Wyong LEP 2013



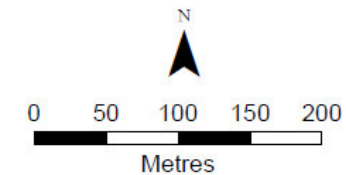
Proposed Additional Permitted Uses provision – Wyong LEP 2013 – Major Amendment 1



Wyong Local Environmental Plan 2013 Proposed Additional Permitted Uses

Legend

-  Subject Land
-  Additional Permitted Uses
-  Refer to Schedule 1



2. Iconic Development Site No.24 (Wyong Swimming Pool & Tennis Club Site)

Addition of Lot 103 DP 788404, Lot 102 DP 635277 and Lot 1011 DP 831978

CURRENT ZONING RE1 Public Recreation	PROPOSED ZONING No rezoning proposed. Instead, addition of these properties to the Key Sites map is proposed.
CURRENT FLOOR SPACE RATIO Lot 103 DP 788404: 0.9:1 Lot 102 DP 635277 & Lot 1011 DP 831978: N/A	PROPOSED FLOOR SPACE RATIO No amendment proposed.
CURRENT HEIGHT Lot 103 DP 788404: 12 metres maximum. Lot 102 DP 635277 & Lot 1011 DP 831978: N/A	PROPOSED HEIGHT Lot 103 DP 788404: 40 metres maximum. Lot 102 DP 635277 & Lot 1011 DP 831978: 40 metres maximum.

BACKGROUND

7 Rose Street WYONG (Lot 103 DP 788404); 10 Levitt Street WYONG (Lot 102 DP 635277) and 8 Levitt Street WYONG (Lot 1011 DP 831978) are Council-owned sites that are located adjacent to Iconic Development Site No. 24 – Wyong Swimming Pool and Tennis Club Site. These sites were not included in the IDS No.24 in error. As this site is currently being reviewed subject to preparation of a master plan, these sites need to be added to the Key Sites map under Wyong LEP 2013.



Figure 2 - Subject Site

OBJECTIVE

- To add Lot 103 DP 788404, Lot 102 DP 635277 and Lot 1011 DP 831978 to Iconic Development Site No.24 – Wyong Swimming Pool and Tennis Club site.

SITE CHARACTERISTICS

Potential Constraint	Comments
Vegetation	No
Bushfire prone land	No
SEPP 71 Coastal Protection	Yes
SEPP 71 Sensitive Coastal Location	No
Acid Sulfate Soils	Yes – Category 5.
Flood prone land / drainage issues	No
Slope, topography	No
Mine subsidence	No
Conflicts with adjoining use	No, the site is surrounded by residential and recreational land uses.

- There are no physical impediments – The site is capable of supporting the proposed land use.
- No studies are required to establish the characteristics or values of the land.

EVALUATION

Evaluation Criteria Summary:

	EVALUATION CRITERIA	RESPONSE
1	Is the planning proposal a result of any strategic study or report?	NO
2	Is the planning proposal consistent with applicable Ministerial Directions (section 117)?	YES
3	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	YES
4	Is there a net community benefit?	YES
5	Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?	YES
6	Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	YES
7	Is the planning proposal consistent with applicable State Environmental Planning Policies?	YES
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?	NO
9	Are there any other likely environmental effects as a result of the planning proposal?	NO
10	Has the planning proposal addressed any social and economic effects?	YES
11	Is there adequate public infrastructure for the planning proposal?	YES

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

No.

2. Is the planning proposal consistent with applicable Section 117 Ministerial Directions?

The planning proposal satisfies Section 117 Directions.

Relevant 117 Direction	Compliance
2.2 Coastal Protection	Consistent.
3.1 Residential Zones	N/A
4.1 Acid Sulfate Soils	Consistent.
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	N/A
4.4 Planning for Bushfire Protection	N/A
5.1 Implementation of Regional Strategies	The proposal is generally consistent with the vision and objectives of the Central Coast Regional Strategy.
6.2 Reserving Land for Public Purposes	Consistent.

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

The planning proposal will accompany the Wyong LEP 2013 – Major Amendment 1 which is considered the best way forward. Council has identified a higher and better use for the land. The current land uses within the SP2 zone do not allow this use to be achieved. The preferred use can best be achieved via additional permitted uses.

4. Is there a net community benefit?

The development of surplus land into sporting fields as part of the Mariners Centre for Sporting Excellence will enable Council to redirect funding to other more important community issues. Due to the proximity of the site to the sewerage treatment plant, it is likely that this use is the highest and best use of the site for the community.

Net Community Benefit Test

Draft Centres Policy Criteria	Planning Response
Will the LEP 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)?	Recreation – N/A
Is the LEP 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 Tuggerah, which is part of the Wyong-Tuggerah Major Centre identified within the Central Coast Regional Strategy.
Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	No, the land owner is the Council. There is only limited land in private ownership zoned for open space.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes – The cumulative effect of encroachment upon Council's sewerage treatment facility and therefore the odour buffer area has been considered. This has been addressed as part of the lease between Council and the Mariners.
Will the LEP facilitate a permanent	Yes – The proposal will facilitate the

employment generating activity or result in a loss of employment lands?	expansion of the Mariners Centre for Sporting Excellence and as a result increased employment opportunities in both the sporting and event side of this business. The land is currently vacant odour buffer land, therefore no loss of employment lands will result.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No – The proposal will not add to or detract from the supply of residential land.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes – Existing infrastructure has adequate capacity. There is local public transport with ready access to Tuggerah Railway Station.
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?	No – The proposal will not change car distances travelled to utilise the sporting fields.
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?	No, there are no known significant Government investments in infrastructure within the locality whose patronage could be affected by the proposal. The proposal takes advantage of existing infrastructure 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?	No – Only the cleared area of land is proposed to be utilised for training fields and carparking at this stage. The additional areas have been included in the proposal in order to permit further expansion at a later date.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Yes – Due to the location of the site adjacent to Council's sewerage treatment facility, it is considered that this use is the highest and best use of the site as it is compatible with the odour buffer.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A. The proposal will simply allow for additional sporting fields associated with the Mariners sporting complex.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The proposal will facilitate the financially efficient management of Council's land holdings and income streams. Not proceeding with preparation of the draft plan will reduce the capacity to meet the objectives of Councils Community Strategic Plan.

5. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

The land is identified as being within an urban area under the Central Coast Regional Strategy. The vision for the Strategy has three (3) relevant components prosperity, sustainability and liveability. The proposal is consistent with all three (3) as it will result in additional recreation opportunities in established urban areas. The proposal is consistent with the overall aims of the strategy.

6. Is the planning strategy consistent with the local council's Community Strategic Plan or other local strategic plan?

Council's Community Strategic Plan 2030 (adopted June 2011) provides the vehicle for the delivery of the community's vision. Part of this vision is the strengthening of Council's economic base through its economic and property development activities. The planning strategy is consistent with the objectives and strategies of the Community Strategic Plan.

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

The planning proposal is consistent with the applicable SEPP's:

SEPP	Applicability
14 - Coastal Wetlands	No wetlands on the site.
26 - Littoral rainforest	No littoral rain forest on the site.
44 - Koala habitat protection	No suitable habitat on the site.
55 - Remediation of land	There is no evidence of fill or a site history consistent with potential contamination.
71 - Coastal Protection	The site is not within the coastal zone.

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 site is identified as containing Swamp Sclerophyll Forest on Coastal Floodplains endangered ecological community (EEC). However, only the cleared area of land is proposed to be utilised for training fields and carparking at this stage. The additional areas have been included in the proposal in order to permit further expansion at a later date. If further expansion is warranted, the EEC will need to be addressed. As the proposal currently stands. there are no likely ecological issues for the site.

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

There are no significant environmental management issues for the site. Site specific and development issues would be addressed during the course of a development application.

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

The planning proposal will have positive social and economic outcomes for the community by providing an improved recreation facility in the Tuggerah locality. The strategic broader implications of new development, including social and economic effects are addressed, with provision for management, via Councils Community Strategic Plan 2030.

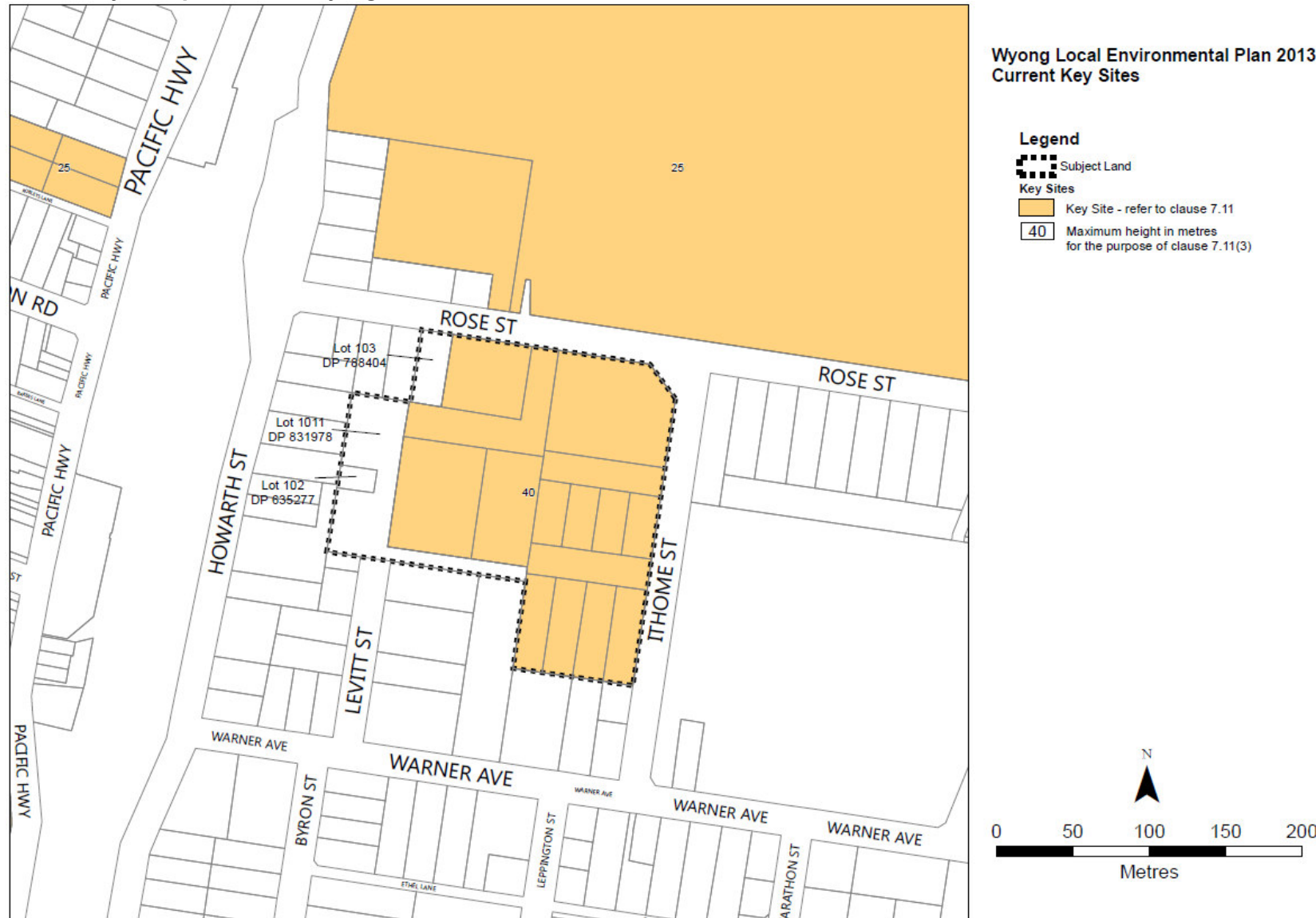
11. Is there adequate public infrastructure for the planning proposal?

Infrastructure is available to service the allotment.

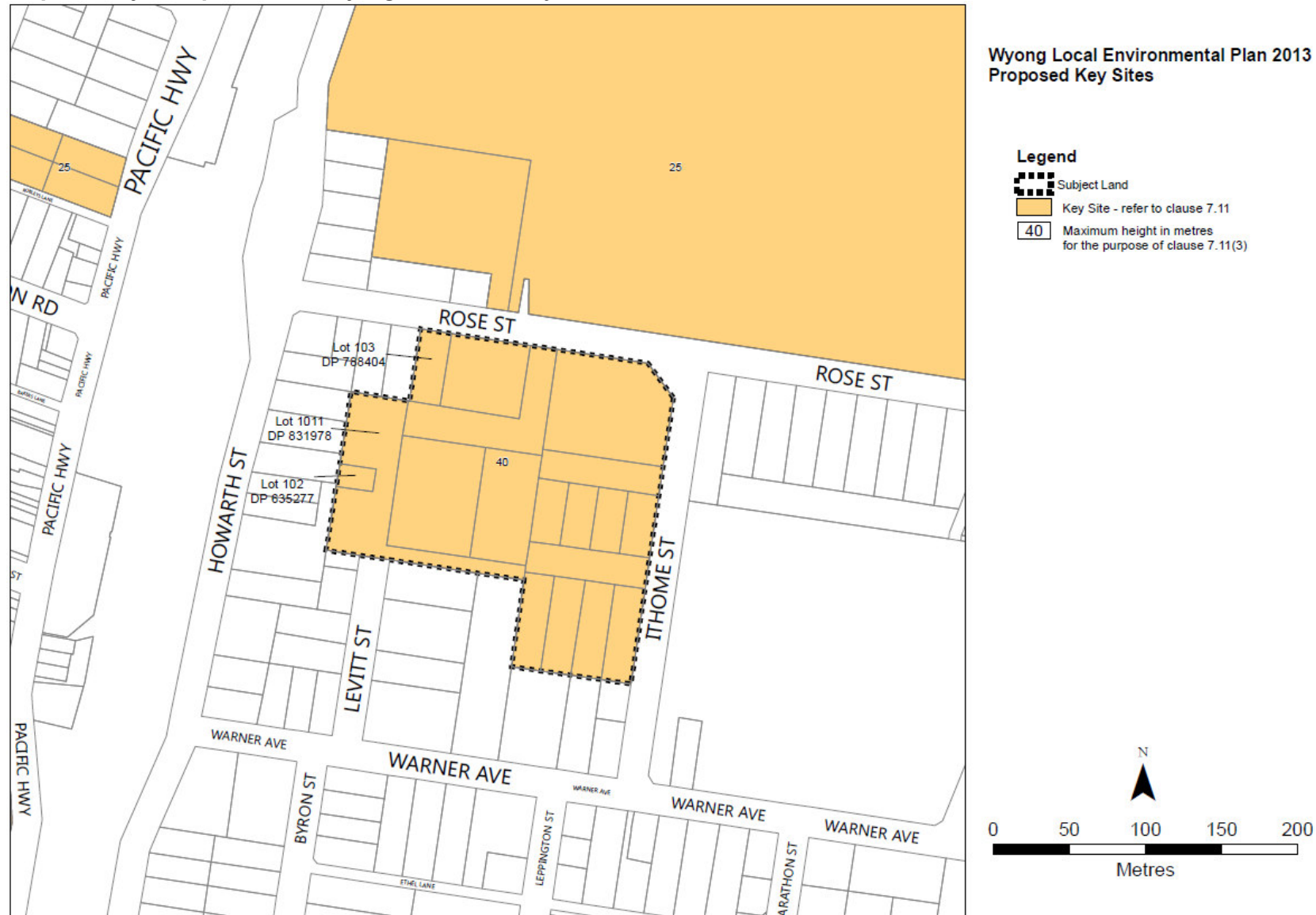
CONSULTATION

There are no specific or additional consultation needs for this proposal.

Current Key Sites provisions – Wyong LEP 2013



Proposed Key Sites provisions – Wyong LEP 2013 – Major Amendment 1



3. 17W Moola Road, Buff Point

Lot 2 DP 222801

CURRENT ZONING RE1 Public Recreation	PROPOSED ZONING R1 General Residential
CURRENT FLOOR SPACE RATIO N/A	PROPOSED FLOOR SPACE RATIO N/A
CURRENT HEIGHT N/A	PROPOSED HEIGHT N/A

BACKGROUND

17W Moola Road, Buff Point is a Council-owned site that was dedicated to council, for an undefined purpose, as part of the plan of subdivision of deposited plan 222801 in 1964. The land is currently zoned RE1 Public Recreation under Wyong LEP 2013, which is completely surrounded by land zoned for residential purposes. The land is currently used for sporting activities, however the site is now considered to be surplus to requirements for recreational purposes, particularly in light of the proposed recreation facility to be constructed in Colongra.



Figure 3 – Subject Site

It is therefore Council's intention to seek the rezoning of the portion of land identified in Figure 2 (approximately 13,000m²) to R1 General Residential under Wyong LEP 2013 – Major Amendment 1.

OBJECTIVE

- To seek the rezoning of part of the land from RE1 Public Recreation to R1 General Residential. The land parcel is currently surplus to Council's open space needs and will allow Council to pursue a variety of housing alternatives within close proximity to existing facilities.

SITE CHARACTERISTICS

Potential Constraint	Comments
Vegetation	Scattered trees surrounded by urban development.
Bushfire prone land	Yes
SEPP 71 Coastal Protection	Yes
SEPP 71 Sensitive Coastal Location	No
SEPP 14 Wetlands	No
Acid Sulfate Soils	Yes – Category 5.
Flood prone land / drainage issues	Yes – Small area of flood prone land on western boundary.
Slope, topography	No
Mine subsidence	Yes – Swansea North Entrance.
Conflicts with adjoining use	No, site is surrounded by residential land use. Suitable proposed land use for existing adjoining land uses.

- There are no physical impediments – The site is capable of supporting, and suitable for, recreation uses.
- No studies are required to establish the characteristics or values of the land.

EVALUATION

Evaluation Criteria Summary:

	EVALUATION CRITERIA	RESPONSE
1	Is the planning proposal a result of any strategic study or report?	NO
2	Is the planning proposal consistent with applicable Ministerial Directions (section 117)?	YES
3	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	YES
4	Is there a net community benefit?	YES
5	Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?	YES
6	Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	YES
7	Is the planning proposal consistent with applicable State Environmental Planning Policies?	YES
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?	NO
9	Are there any other likely environmental effects as a result of the planning proposal?	YES
10	Has the planning proposal addressed any social and economic effects?	YES
11	Is there adequate public infrastructure for the planning proposal?	YES

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

No. A recommendation of Council's recently adopted Affordable Housing Study was that further investigation be undertaken for the purpose of potential affordable housing development on land owned by Wyong Council. The study also identified potential partnership land based on size of parcel, current use and proximity to shops and public transport. While this site was not specifically identified, the site is appropriately located adjacent to the Buff Point Oval.

This site has been selected over those recommended in the Affordable Housing Study due to the appropriateness of this site for the purpose of affordable housing development. Site Assessment Criteria Methodology was utilised as described in the Wyong Shire Affordable Housing Study (2013). Development Sites for Affordable Housing were assessed with regard to the following criteria:

- (a) Ownership – is the site owned by Council or another public authority?
- (b) Zoning – Zoning is appropriate for the development of affordable housing
- (c) Current usage – The land is not currently used for other purposes
- (d) Area – The site is large enough to build a multi-dwelling housing or residential flat building development
- (e) Access to services – Whether the area is suitable for increased density with appropriate access to services such as public transport and shops

2. Is the planning proposal consistent with applicable Section 117 Ministerial Directions?

The planning proposal satisfies Section 117 Directions.

Relevant 117 Direction	Compliance
2.2 Coastal Protection	N/A
3.1 Residential Zones	Consistent.
4.1 Acid Sulfate Soils	N/A
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	Consistent.
4.4 Planning for Bushfire Protection	Consistent.
5.1 Implementation of Regional Strategies	The proposal is generally consistent with the vision and objectives of the Central Coast Regional Strategy.
6.2 Reserving Land for Public Purposes	Consistent.

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

The planning proposal will accompany the Wyong LEP 2013 – Major Amendment 1 which is considered the best way forward. Council has identified a higher and better use for the land, being residential development. The current land uses within the RE1 Public Recreation zone do not allow this use to be achieved.

4. Is there a net community benefit?

The development of surplus recreation land into residential housing will enable Council to redirect funding to other community facilities and sporting complexes. Due to the site being surrounded on all sides by residential development, it is deemed appropriate that the portion of the site that is surplus to requirements be rezoned to enable residential uses.

Draft Centres Policy Criteria	Planning Response
Will the LEP 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 provides for additional housing opportunities, consistent with the Central Coast Regional Policy.
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional / subregional strategy?	N/A
Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	No, the land owner is the Council. There is only limited surplus public open space land within Wyong LGA.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes, this part of the site has been deemed not required for recreation. A review of all Council owned land has identified the land as surplus to community open space requirements.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	There will be the economic multiplier effect of additional housing.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The LEP will add to the supply of residential land.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes, existing infrastructure has adequate capacity.
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?	No, the site is located within an existing established residential area.
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?	No – There are no known significant Government investments in infrastructure within the locality whose patronage could be affected by the proposal. The proposal takes advantage of existing infrastructure 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?	No – The land is already predominantly cleared and is free of flood constraints.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the	Yes – The proposed housing will be adjacent to an established residential area. There is adequate open space and public domain land

location and wider community? Will the public domain improve?	available locally. No adverse effects on community amenity or the public domain are likely.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Yes – The proposal will provide additional support for local businesses.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	No – The proposal does not have the potential to develop into a future centre.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The draft plan will facilitate the financially efficient management of Council's land holdings and income streams. Not proceeding with preparation of the draft plan will result in the ongoing dilution of management resources for key community sites and reduce the capacity to meet the objectives of Council's Community Strategic Plan.

5. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

The Central Coast Regional Strategy (2006-2031) establishes a planning framework to deliver a prosperous and sustainable future for the Central Coast. It is expected that over 100,000 additional residents will settle on the Central Coast by 2031 with over 70,000 choosing to settle in Wyong Shire. The strategy identifies that the majority of the new housing should be targeted towards existing urban areas and infill sites.

The land is identified as being within an urban area under the Strategy. The vision for the Strategy has three (3) relevant components prosperity, sustainability and liveability. The proposal is consistent with all three (3) as it will result in additional housing in established urban areas. The recreation provisions of the strategy focus on protection of the natural environment and natural resources. The major aim of the Strategy is to accommodate 100,000 additional more people in 56,000 new homes by 2031. The proposal is consistent with the overall aims of the strategy.

6. Is the planning strategy consistent with the local council's Community Strategic Plan or other local strategic plan?

Council's Community Strategic Plan 2030 (adopted June 2011) provides the vehicle for the delivery of the community's vision. Part of this vision is the strengthening of Council's economic base through its economic and property development activities. The planning strategy is consistent with the objectives and strategies of the Wyong Shire Strategic Vision 2009 document. In addition, the site also addresses a Council resolution that suggested aged or affordable housing be placed adjacent to sporting fields or reserves which adjoin the site.

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

The planning proposal is consistent with the applicable SEPP's:

SEPP	Applicability
14 - Coastal Wetlands	No wetlands on the site.
26 - Littoral rainforest	No littoral rain forest on the site.

44 - Koala habitat protection	No suitable habitat on the site.
55 - Remediation of land	There is no evidence of fill or a site history consistent with potential contamination.
71 - Coastal Protection	The site is not located within the coastal zone.

- 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 portion of the site proposed to be rezoned does not support any endangered ecological communities and is not critical habitat. There is no significant vegetation on the site. As managed open space in an urban setting there is a very low likelihood of significant impact on threatened species under the "7 part test" assessment criteria specified in Section 5A of the EPA Act. There are no likely ecological issues for the site.

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

The site has no significant constraints for residential development. There are no significant environmental management issues for the site. Site specific and development issues would be addressed during the course of a development application. No specific environmental studies are required to establish residential land capability or justify a rezoning.

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

The planning proposal will have positive social and economic outcomes for the community by providing a variety of development opportunities and reducing the costs experienced by open space in maintaining a large, under-utilised parcel of land. New housing opportunity is the primary goal of the regional strategy.

The loss of open space will not be significant for the broader community. The effects of new residential development will be to create additional demand for services but will also provide the economic multiplier benefits of additional population. New development will contribute to Council's open space and community facilities via developer contributions. No significant economic or social effects requiring management are likely. Any effects can be adequately assessed.

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

Infrastructure is available to service the allotment.

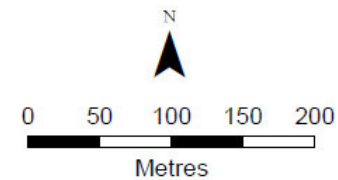
CONSULTATION

There are no specific or additional consultation needs for this proposal.

Current Zoning – Wyong LEP 2013



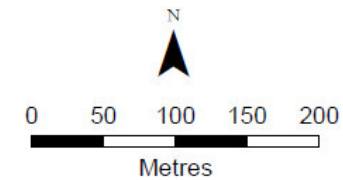
Wyong Local Environmental Plan 2013
Current Land Zoning



Proposed Zoning – Wyong LEP 2013 – Major Amendment 1



Wyong Local Environmental Plan 2013 Proposed Land Zoning



4. 155 Louisiana Road, Wadalba

Lot 1 DP 369486

CURRENT ZONING RE1 Public Recreation	PROPOSED ZONING R1 General Residential
CURRENT FLOOR SPACE RATIO N/A	PROPOSED FLOOR SPACE RATIO N/A
CURRENT HEIGHT N/A	PROPOSED HEIGHT N/A

BACKGROUND

155 Louisiana Road, Wadalba is a Council-owned site that was created as part of the plan of subdivision of deposited plan 369486 in 1949. The land is currently zoned RE1 Public Recreation under Wyong LEP 2013, and is bordered by the local High School, and residential development. The land is currently used for sporting activities, however the portion of the site proposed for rezoning is considered to be surplus to requirements for recreational purposes.

It is therefore Council's intention to seek the rezoning of the portion of land identified in Figure 3 (approximately 8,000m²) to R1 General Residential under Wyong LEP 2013 – Major Amendment 1.



Figure 4 - Subject Site

OBJECTIVE

- To seek the rezoning of part of the land from RE1 Public Recreation to R1 General Residential. This portion of the land parcel is currently surplus to Councils open space needs and will allow Council to pursue a variety of housing alternatives within close proximity to existing facilities.

SITE CHARACTERISTICS

Potential Constraint	Comments
Vegetation	Scattered trees but predominantly cleared.
Bushfire prone land	Yes
SEPP 71 Coastal Protection	No
SEPP 71 Sensitive Coastal Location	No
SEPP 14 Wetlands	No
Acid Sulfate Soils	No
Flood prone land / drainage issues	Yes – Small area of flood prone land on northern boundary, however this portion of the site is not proposed for rezoning.
Slope, topography	No
Mine subsidence	No
Conflicts with adjoining use	No, site is bordered by an educational facility, a recreation facility and residential land uses. Suitable proposed land use for existing adjoining land uses.

- There are no physical impediments – The site is capable of supporting, and suitable for, recreation uses.
- No studies are required to establish the characteristics or values of the land.

EVALUATION

Evaluation Criteria Summary:

	EVALUATION CRITERIA	RESPONSE
1	Is the planning proposal a result of any strategic study or report?	NO
2	Is the planning proposal consistent with applicable Ministerial Directions (section 117)?	YES
3	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	YES
4	Is there a net community benefit?	YES
5	Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?	YES
6	Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	YES
7	Is the planning proposal consistent with applicable State Environmental Planning Policies?	YES
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?	NO
9	Are there any other likely environmental effects as a result of the planning proposal?	NO
10	Has the planning proposal addressed any social and economic effects?	YES
11	Is there adequate public infrastructure for the planning proposal?	YES

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

No. A recommendation of Council's recently adopted Affordable Housing Study was that further investigation be undertaken for the purpose of enabling potential affordable housing development on land owned by Wyong Council. The study also identified potential partnership land based on size of parcel, current use and proximity to shops and public transport. While this site was not specifically identified, the site is appropriately located adjacent to the Wadalba Sporting Complex, Wadalba High School, and Wadalba Local Centre.

This site has been selected over those recommended in the Affordable Housing Study due to the appropriateness of this site for the purpose of affordable housing development. Site Assessment Criteria Methodology was utilised as described in the Wyong Shire Affordable Housing Study (2013). Development Sites for Affordable Housing were assessed with regard to the following criteria:

- (a) Ownership – is the site owned by Council or another public authority?
- (b) Zoning – Zoning is appropriate for the development of affordable housing
- (c) Current usage – The land is not currently used for other purposes
- (d) Area – The site is large enough to build a multi-dwelling housing or residential flat building development
- (e) Access to services – Whether the area is suitable for increased density with appropriate access to services such as public transport and shops

2. Is the planning proposal consistent with applicable Section 117 Ministerial Directions?

The planning proposal satisfies Section 117 Directions.

Relevant 117 Direction	Compliance
2.2 Coastal Protection	Consistent.
3.1 Residential Zones	Consistent.
4.1 Acid Sulfate Soils	Consistent.
4.2 Mine Subsidence and Unstable Land	Consistent.
4.3 Flood Prone Land	Consistent.
4.4 Planning for Bushfire Protection	Consistent.
5.1 Implementation of Regional Strategies	The proposal is generally consistent with the vision and objectives of the Central Coast Regional Strategy.
6.2 Reserving Land for Public Purposes	Consistent.

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

The planning proposal will accompany the Wyong LEP 2013 – Major Amendment 1 which is considered the best way forward. Council has identified a higher and better use for the land, being residential development. The current land uses within the RE1 Public Recreation zone do not allow this use to be achieved.

4. Is there a net community benefit?

The development of surplus recreation land into residential housing will enable Council to redirect funding to other community facilities and sporting complexes. Due to the site being

surrounded on all sides by residential development, it is deemed appropriate that the portion of the site that is surplus to requirements be rezoned to enable residential uses.

Draft Centres Policy Criteria	Planning Response
Will the LEP 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 provides for housing consistent with the Central Coast Regional Policy.
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional / subregional strategy?	N/A
Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	No, the land owner is the Council. There is only limited surplus public open space land within Wyong LGA.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes, there is a general over supply of open space zoned lands in this part of the LGA. A review of all Council owned land has identified the land as surplus to community open space requirements.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	There will be the economic multiplier effect of additional housing.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The LEP will add to the supply of residential land.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes, existing infrastructure has adequate capacity.
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?	No, the site is located within an existing established residential area.
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?	No, there are no known significant Government investments in infrastructure within the locality whose patronage could be affected by the proposal. The proposal takes advantage of existing infrastructure 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?	No, the land is already predominantly cleared and is free of constraints.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the	Yes, the proposed housing will be in an established residential area. There is adequate open space and public domain land available locally. No adverse effects on community

public domain improve?	amenity or the public domain are likely.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	NA. The proposal will provide additional support for local businesses.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	No – The proposal does not have the potential to develop into a future centre.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The draft plan will facilitate the financially efficient management of Council's land holdings and income streams. Not proceeding with preparation of the draft plan will result in the ongoing dilution of management resources for key community sites and reduce the capacity to meet the objectives of Councils Community Strategic Plan.

5. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

The Central Coast Regional Strategy (2006-2031) establishes a planning framework to deliver a prosperous and sustainable future for the Central Coast. It is expected that over 100,000 additional residents will settle on the Central Coast by 2031 with over 70,000 choosing to settle in Wyong Shire. The strategy identifies that the majority of the new housing should be targeted towards existing urban areas and infill sites.

The land is identified as being within an urban area under the Strategy. The vision for the Strategy has three (3) relevant components prosperity, sustainability and liveability. The proposal is consistent with all three (3) as it will result in additional housing in established urban areas. The recreation provisions of the strategy focus on protection of the natural environment and natural resources. The major aim of the Strategy is to accommodate 100,000 additional more people in 56,000 new homes by 2031. The proposal is consistent with the overall aims of the strategy.

6. Is the planning strategy consistent with the local council's Community Strategic Plan or other local strategic plan?

Council's Community Strategic Plan 2030 (adopted June 2011) provides the vehicle for the delivery of the community's vision. Part of this vision is the strengthening of Council's economic base through its economic and property development activities. The planning strategy is consistent with the objectives and strategies of the Wyong Shire Strategic Vision 2009 document. In addition, the site also addresses a Council resolution that suggested aged or affordable housing be placed adjacent to sporting fields or reserves which adjoin the site.

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

The planning proposal is consistent with the applicable SEPP's:

SEPP	Applicability
14 - Coastal Wetlands	No wetlands on the site.
26 - Littoral rainforest	No littoral rain forest on the site.
44 - Koala habitat protection	No suitable habitat on the site.
55 - Remediation of land	There is no evidence of fill or a site history consistent with

	potential contamination.
71 - Coastal Protection	The site is within the coastal zone but proposal is consistent with SEPP objectives.

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 site does not support any endangered ecological communities and is not critical habitat. There is no significant vegetation on the site. As managed open space in an urban setting there is a very low likelihood of significant impact on threatened species under the "7 part test" assessment criteria specified in Section 5A of the EPA Act. There are no likely ecological issues for the site.

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

The site has no significant constraints for residential development. There are no significant environmental management issues for the site. Site specific and development issues would be addressed during the course of a development application. No specific environmental studies are required to establish residential land capability or justify a rezoning.

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

The planning proposal will have positive social and economic outcomes for the community by providing a variety of development opportunities and reducing the costs experienced by open space in maintaining a large, under-utilised parcel of land. New housing opportunity is the primary goal of the regional strategy.

The loss of open space will not be significant for the broader community. The effects of new residential development will be to create additional demand for services but will also provide the economic multiplier benefits of additional population. New development will contribute to Council's open space and community facilities via developer contributions. No significant economic or social effects requiring management are likely. Any effects can be adequately assessed.

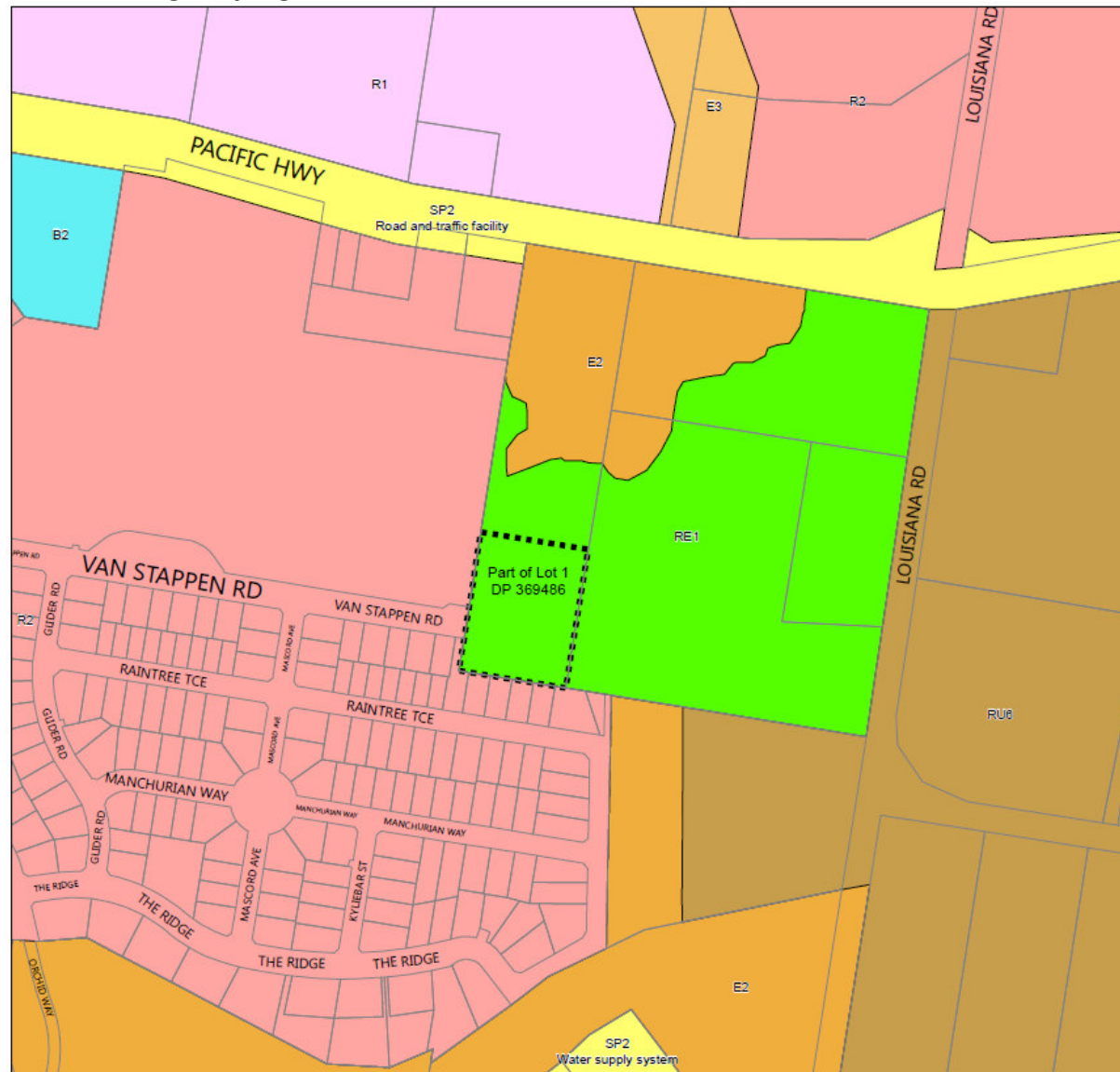
11. Is there adequate public infrastructure for the planning proposal?

Infrastructure is available to service the allotment.

CONSULTATION

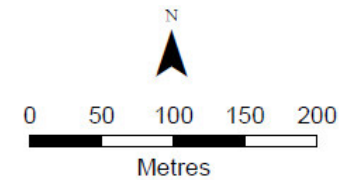
There are no specific or additional consultation needs for this proposal.

Current Zoning – Wyong LEP 2013

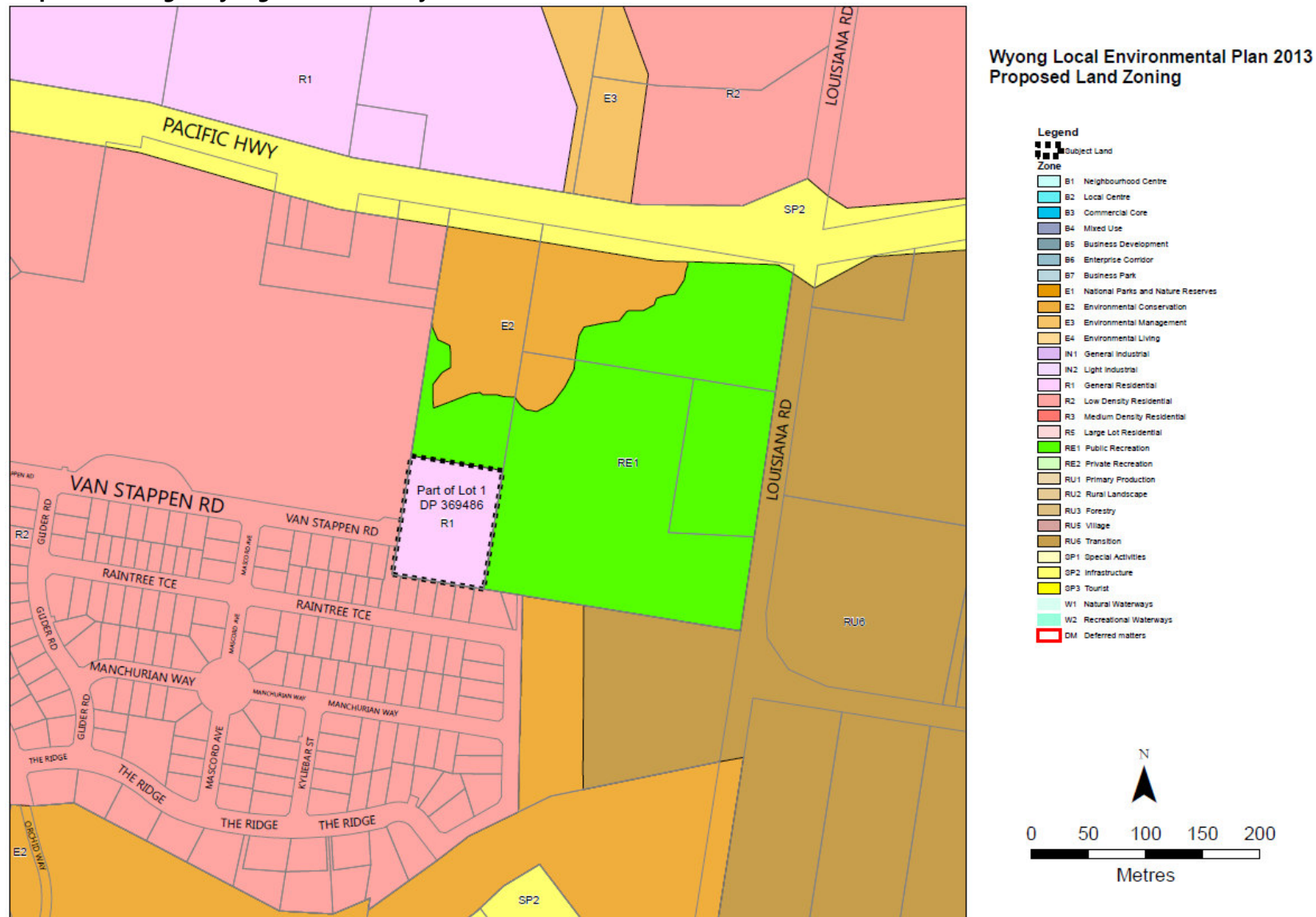


Wyong Local Environmental Plan 2013 Current Land Zoning

- Legend**
- Subject Land
 - Zone**
 - B1 Neighbourhood Centre
 - B2 Local Centre
 - B3 Commercial Core
 - B4 Mixed Use
 - B5 Business Development
 - B6 Enterprise Corridor
 - B7 Business Park
 - E1 National Parks and Nature Reserves
 - E2 Environmental Conservation
 - E3 Environmental Management
 - E4 Environmental Living
 - IN1 General Industrial
 - IN2 Light Industrial
 - R1 General Residential
 - R2 Low Density Residential
 - R3 Medium Density Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RU1 Primary Production
 - RU2 Rural Landscape
 - RU3 Forestry
 - RU5 Village
 - RU6 Transition
 - SP1 Special Activities
 - SP2 Infrastructure
 - SP3 Tourist
 - W1 Natural Waterways
 - W2 Recreational Waterways
 - DM Deferred matters



Proposed Zoning – Wyong LEP 2013 – Major Amendment 1



5. 223 Scenic Drive, Colongra; 109-111 Scenic Drive, Budgewoi and 107 Scenic Drive, Budgewoi

Lot 1 DP 1049201, Lot 1026 DP 24049, Lot 1027 DP 24049 and Lot 1 DP 385077

CURRENT ZONING Lot 1 DP 1049201: E3 Environmental Management Lot 1026 DP 24049, Lot 1027 DP 24049 and Lot 1 DP 385077: RE1 Public Recreation	PROPOSED ZONING Lot 1 DP 1049201: No zone change. Additional permitted use of 'service station' and 'food and drink premises' to be added. Lot 1026 DP 24049, Lot 1027 DP 24049: R1 General Residential Lot 1 DP 385077: B2 Local Centre and R1 General Residential
CURRENT FLOOR SPACE RATIO N/A	PROPOSED FLOOR SPACE RATIO N/A
CURRENT HEIGHT N/A	PROPOSED HEIGHT N/A

Note: The proposal involves the development of two physically separated sites identified hereafter as Colongra and Budgewoi and as identified in figure 1 above.

BACKGROUND

The rezoning has been initiated as a result of negotiations with Woolworths stemming from advice from the Joint Regional Planning Panel on 23 December 2013 in relation to the Planning Proposal RZ/8/2012 to rezone Lot 1 DP 1049201 223 Scenic Drive Colongra from E3 Environmental Management to B2 Local Centre to allow for a supermarket, liquor outlet and service station on this site.



Figure 5 - Subject Site

OBJECTIVE

- To enable commercial development on the southern portion of the Budgewoi site.
- To enable the rear portion of the Budgewoi site and two adjoining lots to the south west to be utilised for residential development.
- To allow for a service station or food and drink premises as additional permitted uses on the Colongra site.

SITE CHARACTERISTICS

Potential Constraint	Comments
Vegetation	The Budgewoi site has been extensively cleared in the past and is not vegetated. The southern portion of the Colongra site has been cleared. The northern section of the site is vegetated but has a disturbed understorey.
Bushfire prone land	The Budgewoi Site is not bushfire prone. The Colongra site is bushfire prone land. The southern portion of the site where the additional permitted uses are proposed is classified as Vegetation Buffer while the northern portion of the site is Category 1.
SEPP 71 Coastal Protection	The Budgewoi and Colongra sites are located within the SEPP 71 Coastal Protection Zone. The proposal is consistent with the provisions of SEPP 71.
SEPP 71 Sensitive Coastal Location	No
SEPP 14 Wetlands	No
Acid Sulfate Soils	The Budgewoi site is affected by Acid Sulphate Soils. The majority of the site is noted as having class 3 soils with the southern portion of the site Class 5. The Colongra site is located outside areas known to contain acid sulphate soils.
Flood prone land / drainage issues	Council's most recent and accurate information indicate that there is potential for flooding to the north of the Budgewoi site but the site itself is located outside of the probable maximum flood (PMF) level and therefore the site would not be affected by flood related development controls. The Colongra site is not recognised as being flood prone land.
Slope, topography	No
Mine subsidence	Both sites are located within a Mines Subsidence District. While there may be some restrictions, mines subsidence requirements are unlikely to preclude the development of this site. This issue will be resolved through consultation with the Mines Subsidence Board.
Conflicts with adjoining use	The Budgewoi site is bordered by commercial and residential land uses. The Colongra site is bordered by vacant land and residential land uses.

- There are no physical impediments for the proposed land uses.
- No studies are required to establish the characteristics or values of the land.

EVALUATION

Evaluation Criteria Summary:

	EVALUATION CRITERIA	RESPONSE
1	Is the planning proposal a result of any strategic study or report?	NO
2	Is the planning proposal consistent with applicable Ministerial Directions (section 117)?	YES
3	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	YES
4	Is there a net community benefit?	YES
5	Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?	YES
6	Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	YES
7	Is the planning proposal consistent with applicable State Environmental Planning Policies?	YES
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?	NO
9	Are there any other likely environmental effects as a result of the planning proposal?	NO
10	Has the planning proposal addressed any social and economic effects?	YES
11	Is there adequate public infrastructure for the planning proposal?	YES

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

No – The rezoning has been initiated as a result of negotiations with Woolworths stemming from advice from the Joint Regional Planning Panel on 23 December 2013 in relation to the Planning Proposal RZ/8/2012 to rezone Lot 1 DP 1049201 223 Scenic Drive Colongra from E3 Environmental Management to B2 Local Centre to allow for a supermarket, liquor outlet and service station on this site.

2. Is the planning proposal consistent with applicable Section 117 Ministerial Directions?

The planning proposal satisfies Section 117 Directions.

Relevant 117 Direction	Compliance
2.2 Coastal Protection	Consistent.
3.1 Residential Zones	Consistent.
4.1 Acid Sulfate Soils	Consistent.
4.2 Mine Subsidence and Unstable Land	Consistent.
4.3 Flood Prone Land	Consistent.
4.4 Planning for Bushfire Protection	Consistent.
5.1 Implementation of Regional Strategies	The proposal is generally consistent with the vision and objectives of the Central Coast Regional Strategy.
6.2 Reserving Land for Public Purposes	Consistent.

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

The planning proposal will accompany the Wyong LEP 2013 – Major Amendment 1 which is considered the best way forward. Council has identified a higher and better use for the land, being residential development. The current land uses within the E3 Environmental Management zone and RE1 Public Recreation zone do not allow this use to be achieved.

4. Is there a net community benefit?

Should the proposal be approved it is intended to relocate the existing sporting facilities on the Budgewoi site to a new sporting complex which will be located on the Colongra site and adjoining parcels owned by Delta Electricity.

Draft Centres Policy Criteria	Planning Response
Will the LEP 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 provides for housing consistent with the Central Coast Regional Policy.
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional / subregional strategy?	N/A
Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	No, the land owner is the Council. There is only limited surplus public open space land within Wyong LGA.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes, there is a general over supply of open space zoned lands in this part of the LGA. A review of all Council owned land has identified the land as surplus to community open space requirements, subject to construction of a new facility at Colongra.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	There will be the economic multiplier effect of additional housing, as well as the direct employment generation associated with the Woolworths Supermarket and service station.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The LEP will add to the supply of residential land.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes, existing infrastructure has adequate capacity.
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?	No, the site is located within an existing established residential area.
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	No, there are no known significant Government investments in infrastructure within the locality whose patronage could be affected by the proposal. The proposal takes

impact?	advantage of existing infrastructure 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?	No, the land is already predominantly cleared and is free of constraints.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Yes, the proposed housing will be in an established residential area. There is adequate open space and public domain land available locally. No adverse effects on community amenity or the public domain are likely.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	N/A. The proposal will increase competition and choice by increasing the number of retail and commercial premises operating in the Budgewoi area.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The draft plan will facilitate the financially efficient management of Council's land holdings and income streams. Not proceeding with preparation of the draft plan will result in the ongoing dilution of management resources for key community sites and reduce the capacity to meet the objectives of Council's Community Strategic Plan.

5. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

The Central Coast Regional Strategy (2006-2031) establishes a planning framework to deliver a prosperous and sustainable future for the Central Coast. It is expected that over 100,000 additional residents will settle on the Central Coast by 2031 with over 70,000 choosing to settle in Wyong Shire. The strategy identifies that the majority of the new housing should be targeted towards existing urban areas and infill sites.

The land is identified as being within an urban area under the Strategy. The vision for the Strategy has three (3) relevant components prosperity, sustainability and liveability. The proposal is consistent with all three (3) as it will result in additional housing in established urban areas. The recreation provisions of the strategy focus on protection of the natural environment and natural resources. The major aim of the Strategy is to accommodate 100,000 additional more people in 56,000 new homes by 2031. The proposal is consistent with the overall aims of the strategy.

6. Is the planning strategy consistent with the local council's Community Strategic Plan or other local strategic plan?

Council's Community Strategic Plan 2030 (adopted June 2011) provides the vehicle for the delivery of the community's vision. Part of this vision is the strengthening of Council's economic base through its economic and property development activities. The planning strategy is consistent with the objectives and strategies of the Wyong Shire Strategic Vision

2009 document. In addition, the site also addresses a Council resolution that suggested aged or affordable housing be placed adjacent to sporting fields or reserves which adjoin the site.

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

The planning proposal is consistent with the applicable SEPP's:

SEPP	Applicability
14 - Coastal Wetlands	No wetlands on the site.
26 - Littoral rainforest	No littoral rain forest on the site.
44 - Koala habitat protection	No suitable habitat on the site.
55 - Remediation of land	There is no evidence of fill or a site history consistent with potential contamination.
71 - Coastal Protection	The site is within the coastal zone but proposal is consistent with SEPP objectives.

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 site does not support any endangered ecological communities and is not critical habitat. There is no significant vegetation on the site. As managed open space in an urban setting there is a very low likelihood of significant impact on threatened species under the "7 part test" assessment criteria specified in Section 5A of the EPA Act. There are no likely ecological issues for the site.

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

The site has no significant constraints for the proposed development. There are no significant environmental management issues for the site. Site specific and development issues would be addressed during the course of a development application. No specific environmental studies are required to establish residential land capability or justify a rezoning.

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

The planning proposal will have positive social and economic outcomes for the community by providing a variety of development opportunities and reducing the costs experienced by open space in maintaining a large, under-utilised parcel of land. New housing opportunity is the primary goal of the regional strategy.

The loss of open space will not be significant for the broader community, as it is proposed to replace the Halekulani Oval with a larger and improved facility at Colongra. The effects of new residential development will be to create additional demand for services but will also provide the economic multiplier benefits of additional population, which can be met by the new supermarket development. No significant economic or social effects requiring management are likely. Any effects can be adequately assessed.

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

Infrastructure is available to service the allotment.

CONSULTATION

There are no specific or additional consultation needs for this proposal.

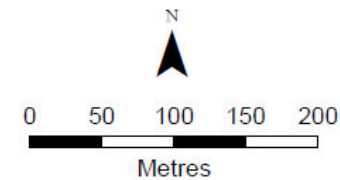
Current Zoning – Wyong LEP 2013



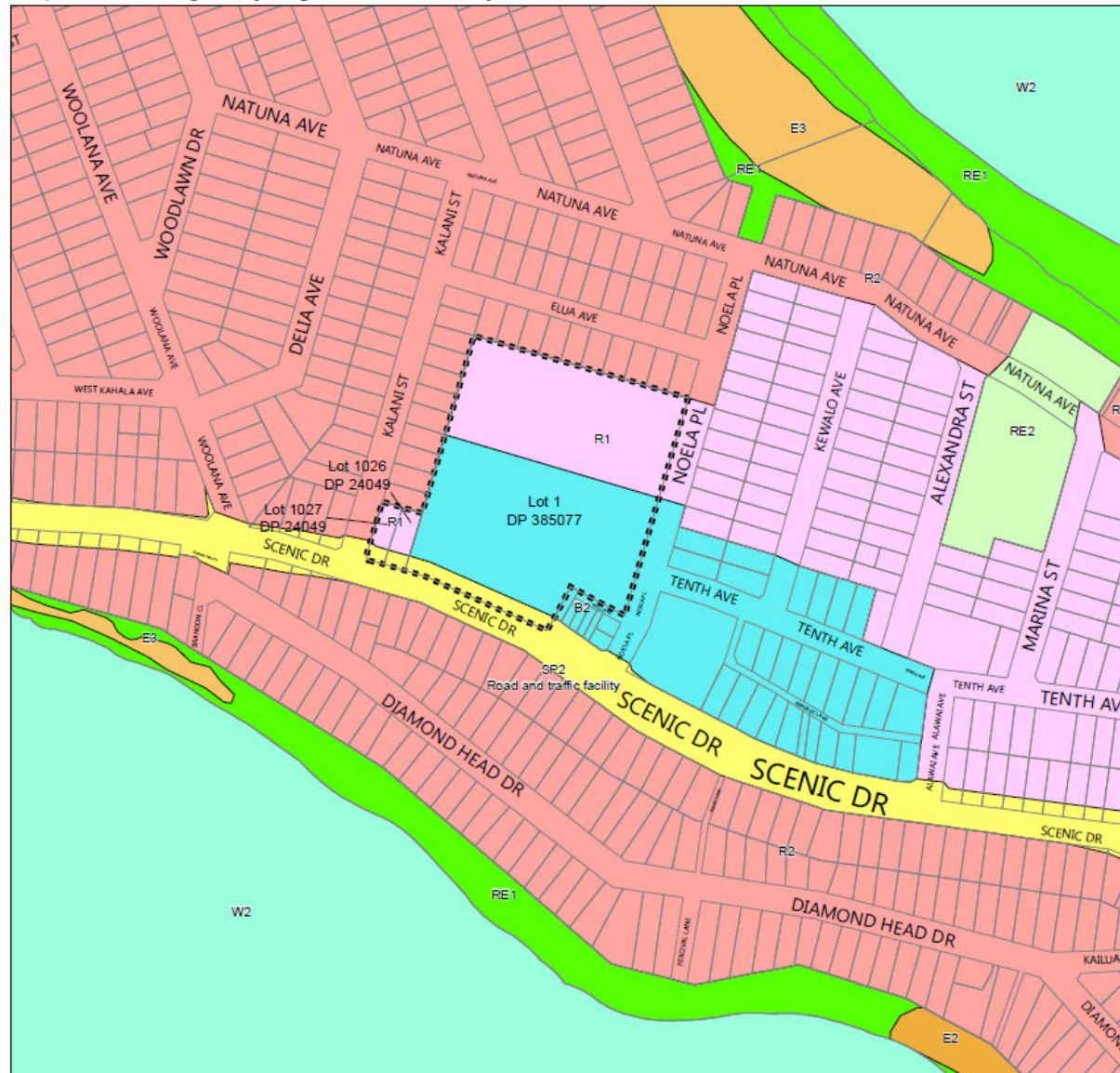
Wyong Local Environmental Plan 2013 Current Land Zoning

Legend

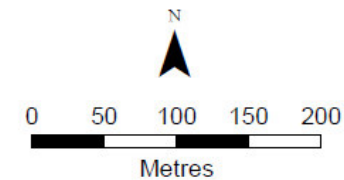
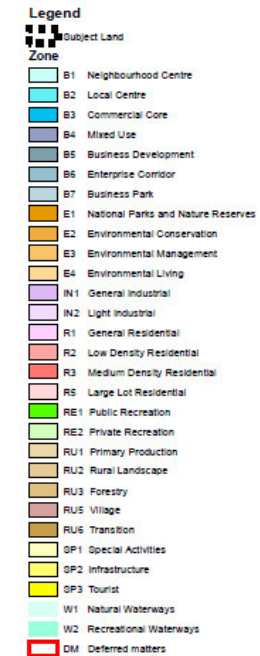
	Subject Land
Zone	
	B1 Neighbourhood Centre
	B2 Local Centre
	B3 Commercial Core
	B4 Mixed Use
	B5 Business Development
	B6 Enterprise Corridor
	B7 Business Park
	E1 National Parks and Nature Reserves
	E2 Environmental Conservation
	E3 Environmental Management
	E4 Environmental Living
	IN1 General Industrial
	IN2 Light Industrial
	R1 General Residential
	R2 Low Density Residential
	R3 Medium Density Residential
	R5 Large Lot Residential
	RE1 Public Recreation
	RE2 Private Recreation
	RU1 Primary Production
	RU2 Rural Landscape
	RU3 Forestry
	RU5 Village
	RU6 Transition
	SP1 Special Activities
	SP2 Infrastructure
	SP3 Tourist
	W1 Natural Waterways
	W2 Recreational Waterways
	DM Deferred matters



Proposed Zoning – Wyong LEP 2013 – Major Amendment 1



Wyong Local Environmental Plan 2013 Proposed Land Zoning



6. 14W Tirriki Close, Buff Point

Lot 774 DP 31830, Lot 775 DP 31830, Lot 776 DP 31830, Lot 777 DP 31830, Lot 778 DP 31830 and adjacent paper road.

CURRENT ZONING SP2 Infrastructure – Electricity Generating Works	PROPOSED ZONING R2 Low Density Residential
CURRENT FLOOR SPACE RATIO N/A	PROPOSED FLOOR SPACE RATIO N/A
CURRENT HEIGHT N/A	PROPOSED HEIGHT N/A

BACKGROUND

Lot 774 DP 31830, Lot 775 DP 31830, Lot 776 DP 31830, Lot 777 DP 31830, Lot 778 DP 31830 and adjacent paper road were zoned SP2 Infrastructure - Electricity Generating Works under Wyong LEP 2013, as the site was previously zoned 5(a) (Special Uses Zone - Power Station). The ownership of these properties was overlooked during the conversion process, as these sites are owned by Council, not Delta Electricity, and are better suited to the adjoining R2 Low Density Residential zone.

It is therefore Council's intention to seek the rezoning of these properties to R2 Low Density Residential under Wyong LEP 2013 – Major Amendment 1.



Figure 6 - Subject Site

OBJECTIVE

- To seek the rezoning of part of the land from SP2 Infrastructure – Electricity Generating Works to R2 Low Density Residential. This rezoning simply rectifies a zoning error/anomaly created as part of Wyong LEP 2013.

SITE CHARACTERISTICS

Potential Constraint	Comments
Vegetation	Site is heavily vegetated, however no recorded EECs are present on the site.
Bushfire prone land	Yes
SEPP 71 Coastal Protection	Yes
SEPP 71 Sensitive Coastal Location	Yes
SEPP 14 Wetlands	No
Acid Sulfate Soils	Yes – Category 5.
Flood prone land / drainage issues	Yes – Land is significantly flood prone.
Slope, topography	No
Mine subsidence	Yes – Swansea North Entrance.
Conflicts with adjoining use	No, site is bordered by an educational facility, a recreation facility and residential land uses. Suitable proposed land use for existing adjoining land uses.

- There are no physical impediments for the proposed land uses.
- No studies are required to establish the characteristics or values of the land.

EVALUATION

Evaluation Criteria Summary:

	EVALUATION CRITERIA	RESPONSE
1	Is the planning proposal a result of any strategic study or report?	NO
2	Is the planning proposal consistent with applicable Ministerial Directions (section 117)?	YES
3	Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	YES
4	Is there a net community benefit?	YES
5	Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?	YES
6	Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	YES
7	Is the planning proposal consistent with applicable State Environmental Planning Policies?	YES
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?	NO
9	Are there any other likely environmental effects as a result of the planning proposal?	YES
10	Has the planning proposal addressed any social and economic effects?	YES
11	Is there adequate public infrastructure for the planning proposal?	YES

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

No. The rezoning simply rectifies a zoning error/anomaly created as part of Wyong LEP 2013.

2. Is the planning proposal consistent with applicable Section 117 Ministerial Directions?

The planning proposal satisfies Section 117 Directions.

Relevant 117 Direction	Compliance
2.2 Coastal Protection	Consistent.
3.1 Residential Zones	Consistent.
4.1 Acid Sulfate Soils	Consistent.
4.2 Mine Subsidence and Unstable Land	Consistent.
4.3 Flood Prone Land	Consistent.
4.4 Planning for Bushfire Protection	Consistent.
5.1 Implementation of Regional Strategies	The proposal is generally consistent with the vision and objectives of the Central Coast Regional Strategy.
6.2 Reserving Land for Public Purposes	Consistent.

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

The planning proposal will accompany the Wyong LEP 2013 – Major Amendment 1 which is considered the best way forward. Council has identified a higher and better use for the land, being residential development. The current land uses within the SP2 Infrastructure Zone do not allow this use to be achieved.

4. Is there a net community benefit?

The rezoning simply rectifies a zoning error/anomaly created as part of Wyong LEP 2013. Although this land is heavily constrained by flooding and vegetation (not EECs), the zoning of these sites to R2 Low Density Residential provides Council with the opportunity to consider a range of options for this site. Any profit generated from these sites will enable Council to redirect funding to other community facilities.

Draft Centres Policy Criteria	Planning Response
Will the LEP 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 provides for housing consistent with the Central Coast Regional Policy.
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional / subregional strategy?	N/A
Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?	No – The land owner is the Council.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of	No – The rezoning simply rectifies a zoning error/anomaly created as part of Wyong LEP 2013.

these considerations?	
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	There will be the economic multiplier effect of additional housing.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The LEP will add to the supply of residential land.
Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes, existing infrastructure has adequate capacity.
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?	No, the site is located within an existing established residential area.
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?	No, there are no known significant Government investments in infrastructure within the locality whose patronage could be affected by the proposal. The proposal takes advantage of existing infrastructure 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?	No.
Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?	Yes, the proposed housing will be in an established residential area. There is adequate open space and public domain land available locally. No adverse effects on community amenity or the public domain are likely.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	No.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	No – The proposal does not have the potential to develop into a future centre.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The draft plan will facilitate the financially efficient management of Council's land holdings and income streams.

5. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

The Central Coast Regional Strategy (2006-2031) establishes a planning framework to deliver a prosperous and sustainable future for the Central Coast. It is expected that over 100,000 additional residents will settle on the Central Coast by 2031 with over 70,000 choosing to settle in Wyong Shire. The strategy identifies that the majority of the new housing should be targeted towards existing urban areas and infill sites.

The land is identified as being within an urban area under the Strategy. The vision for the Strategy has three (3) relevant components prosperity, sustainability and liveability. The proposal is consistent with all three (3) as it will result in additional housing in established urban areas. The recreation provisions of the strategy focus on protection of the natural environment and natural resources. The major aim of the Strategy is to accommodate 100,000 additional more people in 56,000 new homes by 2031. The proposal is consistent with the overall aims of the strategy.

6. Is the planning strategy consistent with the local council's Community Strategic Plan or other local strategic plan?

Council's Community Strategic Plan 2030 (adopted June 2011) provides the vehicle for the delivery of the community's vision. Part of this vision is the strengthening of Council's economic base through its economic and property development activities. The planning strategy is consistent with the objectives and strategies of the Wyong Shire Strategic Vision 2009 document. In addition, the site also addresses a Council resolution that suggested aged or affordable housing be placed adjacent to sporting fields or reserves which adjoin the site.

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

The planning proposal is consistent with the applicable SEPP's:

SEPP	Applicability
14 - Coastal Wetlands	No wetlands on the site.
26 - Littoral rainforest	No littoral rain forest on the site.
44 - Koala habitat protection	No suitable habitat on the site.
55 - Remediation of land	There is no evidence of fill or a site history consistent with potential contamination.
71 - Coastal Protection	The site is within the coastal zone but proposal is consistent with SEPP objectives.

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 site does not support any endangered ecological communities and is not critical habitat. There is no significant vegetation on the site. As managed open space in an urban setting there is a very low likelihood of significant impact on threatened species under the "7 part test" assessment criteria specified in Section 5A of the EPA Act. There are no likely ecological issues for the site.

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

The site is heavily vegetated, and flood prone. As this rezoning simply rectifies a zoning error/anomaly created as part of Wyong LEP 2013, no residential development on this site is anticipated. However, in the event that residential development was proposed, site specific and development issues would be addressed during the course of a development application. No specific environmental studies are required to establish residential land capability or justify a rezoning.

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

The planning proposal will have positive social and economic outcomes for the community by providing a variety of development opportunities and reducing the costs experienced by open space in maintaining an under-utilised parcel of land. New housing opportunity is the primary goal of the regional strategy.

The loss of open space will not be significant for the broader community. The effects of new residential development will be to create additional demand for services but will also provide the economic multiplier benefits of additional population. New development will contribute to Council's open space and community facilities via developer contributions. No significant economic or social effects requiring management are likely. Any effects can be adequately assessed.

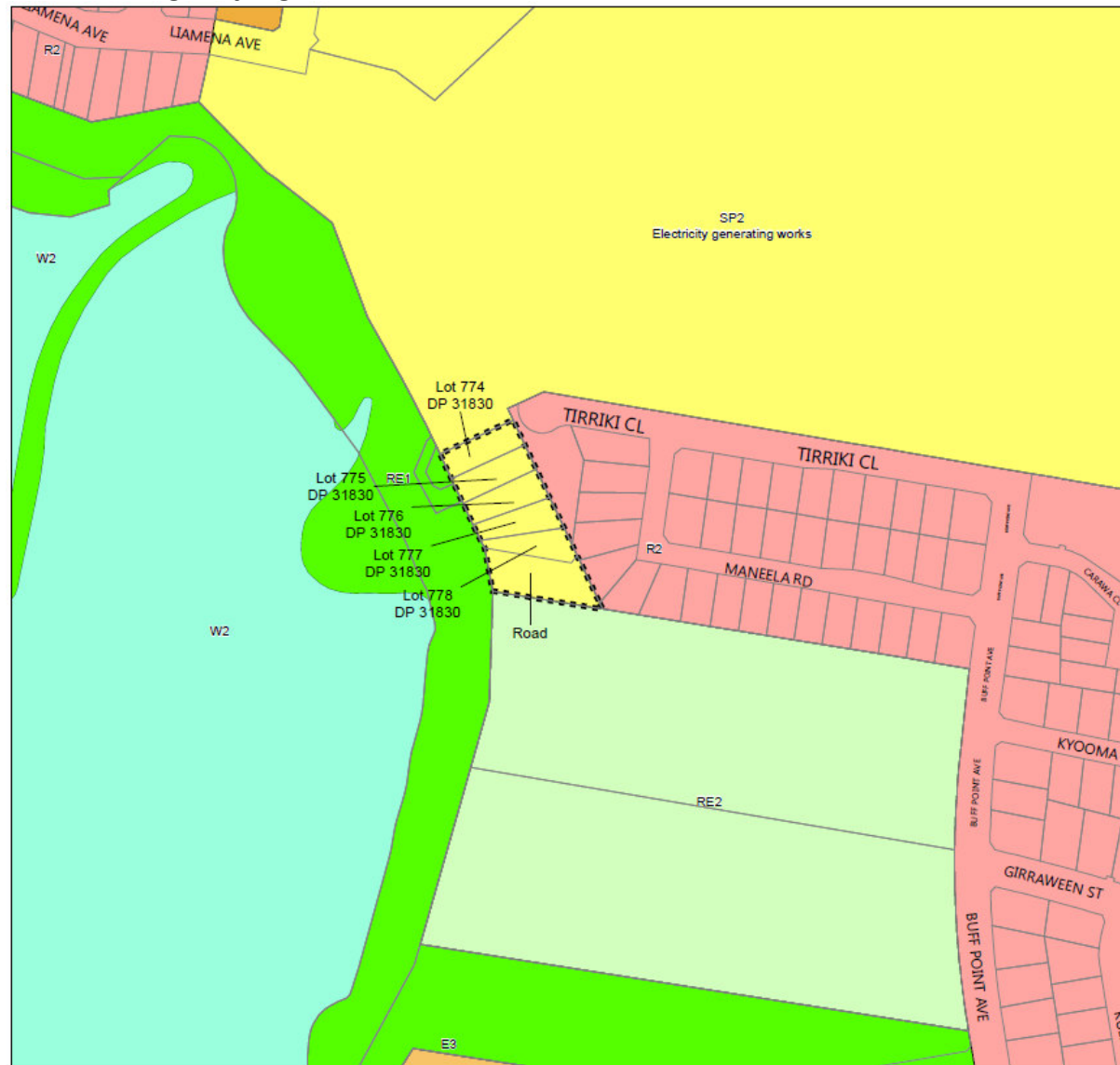
11. Is there adequate public infrastructure for the planning proposal?

Infrastructure is available to service the allotment.

CONSULTATION

There are no specific or additional consultation needs for this proposal.

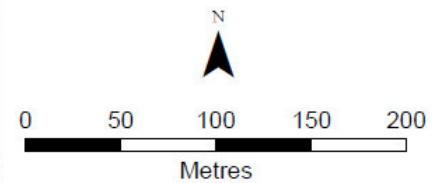
Current Zoning – Wyong LEP 2013



Wyong Local Environmental Plan 2013 Current Land Zoning

Legend

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	B2 Local Centre
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	B5 Business Development
	B6 Enterprise Corridor
	B7 Business Park
	E1 National Parks and Nature Reserves
	E2 Environmental Conservation
	E3 Environmental Management
	E4 Environmental Living
	IN1 General Industrial
	IN2 Light Industrial
	R1 General Residential
	R2 Low Density Residential
	R3 Medium Density Residential
	R5 Large Lot Residential
	RE1 Public Recreation
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	RU1 Primary Production
	RU2 Rural Landscape
	RU3 Forestry
	RU5 Village
	RU6 Transition
	SP1 Special Activities
	SP2 Infrastructure
	SP3 Tourist
	W1 Natural Waterways
	W2 Recreational Waterways
	DM Deferred matters



Proposed Zoning – Wyong LEP 2013 – Major Amendment 1

