



Planning Proposal

Wyong Local Environmental Plan 2013 – Major Amendment 1 File No. F2013/01345

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Introduction, Context & Site Background

The purpose of this document is to describe a Planning Proposal for an amendment of the Wyong Local Environmental Plan (LEP) 2013, to be known as Major Amendment 1. The preparation of a Planning Proposal is the first step in preparing an amendment to an LEP. This Planning Proposal has been prepared in accordance with the Department of Planning and Infrastructure's document "*A guide to preparing Planning Proposals*" and is comprised of four parts;

1. Part 1 Objectives and Intended Outcomes

This part comprises a brief statement outlining the objectives and intended outcomes of the proposed amendment.

2. Part 2 Explanation of the Provisions

This part comprises a plain English explanation of the provisions and changes that are to be included in the amendment.

3. Part 3 Justification

This part establishes the justification for the objectives, outcomes and provisions and the process for their implementation.

4. Part 4 Community Consultation

This part details the level and methods of community consultation that is to be undertaken on the Planning Proposal.

Due to the number of amendments included within Wyong LEP 2013 – Major Amendment 1, this Planning Proposal applies to a large area of the Wyong Local Government Area (LGA), and should be treated as a Shire-wide amending LEP as a result.

Part 1 Objectives or Intended Outcomes

The objective of this Planning Proposal is to amend the Wyong Local Environmental Plan (LEP) 2013, to resolve a number of housekeeping issues and introduce provisions from adopted Council strategies that were not able to be incorporated into the original Wyong LEP 2013 due to timing. Specifically, this Planning Proposal, known as Wyong LEP 2013 – Major Amendment 1, aims to:

1. Correct errors and anomalies

Due to the large scale of the document, a number of anomalies were created in error during the preparation of Wyong LEP 2013. For example, zoning errors that were overlooked during preparation of Wyong LEP 2013 that now need to be remedied in order to ensure that the relevant landowners are not constrained in the long-term by such an error.

2. Clarify certain development provisions within Clauses

For example, it is proposed to amend the provisions relating to dual occupancy developments under Clause 4.2B - Erection of dual occupancies and dwelling houses on land in certain rural and environment protection zones. This is deemed necessary in order to better articulate and clearly express Council policy in relation to dual occupancy dwelling entitlements in these zones.

3. Implement recommendations of recently adopted Studies and/or strategies

For example, it is proposed to introduce provisions recommended under Council's recently adopted Affordable Housing Study. These include an incentive floor space ratio subclause as

well as the rezoning of portions of 2 Council-owned recreational areas to enable development of affordable housing facilities adjacent to sporting fields.

Part 2 Explanation of Provisions

The table below provides an explanation of all changes sought to Wyong LEP 2013 as part of this Planning Proposal:

#	Keyword	Summary	Recommendation
MAPPING			
Additional Permitted Uses			
1	121 Church Road, Tuggerah	Council land to be leased for use as sporting fields as part of the Central Coast Mariners Centre for Excellence Sporting and Community Centre is zoned SP2 Sewerage Systems. Sporting fields (defined as Recreation Facility - Outdoor) are not permissible in the SP2 zone. It is necessary to consider an alternative zone.	<ul style="list-style-type: none"> Add the following sites as "Item 30": <ul style="list-style-type: none"> (a) Lot 60 DP 4008 – 8 Titania Avenue TUGGERAH (b) Lots 61-64, 71-73, 80-89 DP 4008 - 121 Church Road TUGGERAH (c) Lot 74 DP 4008 – 74 Delamere Avenue TUGGERAH (d) Lot 75 DP 4008 – 5-11 Second Avenue TUGGERAH. <p>Item 30 will have the following additional permitted uses added to Schedule 1:</p> <ul style="list-style-type: none"> (a) Recreation Facility – Outdoor (b) Recreation Area.
2	Item 23 - Gwandalan	The Additional Permitted Uses map sheet 17 should refer to Item 23 Part B, not just Item 23. The remainder of the same site is in map sheet 21 which refers to the site as two parts – A and B.	<ul style="list-style-type: none"> Amend map sheet 17 to refer to Item 23 – Part B instead of just Item 23.
Drinking Water Catchment			
1	Map 7	Certain sites in the vicinity of Yarramalong Road, Wyong Creek were removed from the Drinking Water Catchment map and sent to DP&I as part of Council's Section 68 submission. However, these sites reappeared in the maps that were gazetted by the Department of Planning and Environment. These sites need to be removed, in accordance with a request that was made by a landowner during public exhibition. Council's Water & Sewer Unit agree that these sites were not within the Drinking Water Catchment.	<p>Remove the following sites from the Drinking Water Catchment map:</p> <ul style="list-style-type: none"> 138 Yarramalong Rd, Wyong Creek (Lot 103 DP 787369) 148 Yarramalong Rd, Wyong Creek (Lot 6 DP 562263) 158 Yarramalong Rd, Wyong Creek (Lot 7 DP 742269) 170 Yarramalong Rd, Wyong Creek (Lot 1 DP 195400) 184 Yarramalong Rd, Wyong Creek (Lot 1 DP 797035) 188 Yarramalong Rd, Wyong Creek (Lot 4 DP 1049665) 200 Yarramalong Rd, Wyong Creek (Lot 1 DP 798770) 204 Yarramalong Rd, Wyong Creek (Lot 22 DP 556746) 212 Yarramalong Rd, Wyong Creek (Lot 21 DP 556746) 214 Yarramalong Rd, Wyong Creek (Lot 102 DP 787369) 216 Yarramalong Rd, Wyong Creek (Lot 20 DP 701817)

#	Keyword	Summary	Recommendation																																							
			414 Old Maitland Rd, Mardi (Lot 1 DP 554423 and Lot 101 DP 604655)																																							
Floor Space Ratio																																										
1	Legend	<p>A number of drafting errors have been identified on the Floor Space Ratio (FSR) Maps of Wyong LEP 2013. These errors relate to the legends supporting the maps. Specifically:</p> <ol style="list-style-type: none"> Legend reference 'X' (FSR of 4.1:1) was included in error, legend reference 'W' was altered in error (FSR changed from 4.0:1 to 3.9:1) and legend 'J' (FSR of 0.8:1) was omitted in error from the following map when Wyong LEP 2013 (Amendment No. 2) was made (20 June 2014): <ul style="list-style-type: none"> 8550_COM_FSR_013_020_20140414 Legend reference 'X' (FSR of 4.1:1) was included in error, legend reference 'W' was altered in error (FSR changed from 4.0:1 to 3.9:1) and legend 'J' (FSR of 0.8:1) was omitted in error from the following maps when Wyong LEP 2013 (Amendment No. 3) was made (11 July 2014): <ul style="list-style-type: none"> 8550_COM_FSR_007A_020_20140512 8550_COM_FSR_007B_020_20140512 	<p>Amend the following maps to reflect the respective errors:</p> <ol style="list-style-type: none"> Delete legend reference 'X' (FSR 4.1:1); amend legend reference 'W' (from FSR 3.9:1 back to 4.0:1) and reinstate legend reference 'J' (FSR 0.80:1) on the following maps: <ul style="list-style-type: none"> 8550_COM_FSR_007A_020_20140512 8550_COM_FSR_007B_020_20140512 8550_COM_FSR_013_020_20140414. 																																							
Foreshore Building Line																																										
1	Blue Haven FBL	<p>Under WLEP 1991, properties along the creek at Blue Haven were affected by a Foreshore Building Line (FBL) under Clause 31. This line was fixed by a Council Resolution but not mapped under the LEP, and therefore this land was not converted into WLEP 2013 mapping in error. It is now proposed to reinstate the following sites within the FBL mapping (see right):</p>	<p>Add the following sites to the FBL map:</p> <table border="1"> <thead> <tr> <th>PARCELS</th> <th>ADDRESS</th> <th>FBL DISTANCE</th> </tr> </thead> <tbody> <tr> <td>Lot 97 DP 218002</td> <td>203 Birdwood Dr BLUE HAVEN</td> <td>20 metres</td> </tr> <tr> <td>Lot 98 DP 218002</td> <td>201 Birdwood Dr BLUE HAVEN</td> <td>20 metres</td> </tr> <tr> <td>Lot 99 DP 218002</td> <td>199 Birdwood Dr BLUE HAVEN</td> <td>20 metres</td> </tr> <tr> <td>Lot 100 DP 218002</td> <td>197 Birdwood Dr BLUE HAVEN</td> <td>20 metres</td> </tr> <tr> <td>Lot 101 DP 218002</td> <td>195 Birdwood Dr BLUE HAVEN</td> <td>20 metres</td> </tr> <tr> <td>Lot 102 DP 218002</td> <td>193 Birdwood Dr BLUE HAVEN</td> <td>17.75 metres</td> </tr> <tr> <td>Lot 103 DP 218002</td> <td>191 Birdwood Dr BLUE HAVEN</td> <td>18 metres</td> </tr> <tr> <td>Lot 104 DP 218002</td> <td>189 Birdwood Dr BLUE HAVEN</td> <td>14.25 metres</td> </tr> <tr> <td>Lot 105 DP 218002</td> <td>187 Birdwood Dr BLUE HAVEN</td> <td>12 metres</td> </tr> <tr> <td>Lot 106 DP 218002</td> <td>185 Birdwood Dr BLUE HAVEN</td> <td>17.5 metres</td> </tr> <tr> <td>Lot 107 DP 218002</td> <td>183 Birdwood Dr BLUE HAVEN</td> <td>11 metres</td> </tr> <tr> <td>Lot 108 DP 218002</td> <td>181 Birdwood Dr BLUE HAVEN</td> <td>20 metres</td> </tr> </tbody> </table>	PARCELS	ADDRESS	FBL DISTANCE	Lot 97 DP 218002	203 Birdwood Dr BLUE HAVEN	20 metres	Lot 98 DP 218002	201 Birdwood Dr BLUE HAVEN	20 metres	Lot 99 DP 218002	199 Birdwood Dr BLUE HAVEN	20 metres	Lot 100 DP 218002	197 Birdwood Dr BLUE HAVEN	20 metres	Lot 101 DP 218002	195 Birdwood Dr BLUE HAVEN	20 metres	Lot 102 DP 218002	193 Birdwood Dr BLUE HAVEN	17.75 metres	Lot 103 DP 218002	191 Birdwood Dr BLUE HAVEN	18 metres	Lot 104 DP 218002	189 Birdwood Dr BLUE HAVEN	14.25 metres	Lot 105 DP 218002	187 Birdwood Dr BLUE HAVEN	12 metres	Lot 106 DP 218002	185 Birdwood Dr BLUE HAVEN	17.5 metres	Lot 107 DP 218002	183 Birdwood Dr BLUE HAVEN	11 metres	Lot 108 DP 218002	181 Birdwood Dr BLUE HAVEN	20 metres
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#	Keyword	Summary	Recommendation
			Lot 109 DP 218002 179 Birdwood Dr BLUE HAVEN 16 metres
			Lot 110 DP 218002 177 Birdwood Dr BLUE HAVEN 20 metres
			Lot 111 DP 218002 175 Birdwood Dr BLUE HAVEN 14.5 metres
			Lot 112 DP 218002 173 Birdwood Dr BLUE HAVEN 16.5 metres
			Lot 113 DP 218002 171 Birdwood Dr BLUE HAVEN 14.5 metres
			Lot 114 DP 218002 169 Birdwood Dr BLUE HAVEN 17 metres
			Lot 115 DP 218002 167 Birdwood Dr BLUE HAVEN 20 metres
			Lot 116 DP 218002 163 Birdwood Dr BLUE HAVEN 16 metres
			Lot 117 DP 218002 161 Birdwood Dr BLUE HAVEN 18 metres
			Lot 118 DP 218002 159 Birdwood Dr BLUE HAVEN 14 metres
			Lot 119 DP 218002 157 Birdwood Dr BLUE HAVEN 19.5 metres
			Lot 120 DP 218002 155 Birdwood Dr BLUE HAVEN 20 metres
			Lot 121 DP 218002 153 Birdwood Dr BLUE HAVEN 20 metres
			Lot 122 DP 218002 151 Birdwood Dr BLUE HAVEN 20 metres
			Lot 123 DP 218002 149 Birdwood Dr BLUE HAVEN 20 metres
			Lot 124 DP 218002 147 Birdwood Dr BLUE HAVEN 20 metres
			Lot 125 DP 218002 145 Birdwood Dr BLUE HAVEN 20 metres
			Lot 126 DP 218002 143 Birdwood Dr BLUE HAVEN 20 metres
			Lot 127 DP 218002 141 Birdwood Dr BLUE HAVEN 20 metres
			Lot 128 DP 218002 139 Birdwood Dr BLUE HAVEN 20 metres
			Lot 129 DP 218002 137 Birdwood Dr BLUE HAVEN 20 metres
			Lot 130 DP 218002 135 Birdwood Dr BLUE HAVEN 17.5 metres
			Lot 131 DP 218002 133 Birdwood Dr BLUE HAVEN 20 metres
			Lot 132 DP218002 131 Birdwood Dr BLUE HAVEN 17.5 metres
			Lot 133 DP 218002 129 Birdwood Dr BLUE HAVEN 18 metres
			Lot 134 DP 218002 127 Birdwood Dr BLUE HAVEN 20 metres
			Lot 135 DP 218002 125 Birdwood Dr BLUE HAVEN 18 metres
			Lot 136 DP 218002 123 Birdwood Dr BLUE HAVEN 20 metres
			Lot 137 DP 218002 121 Birdwood Dr BLUE HAVEN 16.5 metres
			Lot 138 DP 218002 119 Birdwood Dr BLUE HAVEN 20 metres
			Lot 139 DP 218002 117 Birdwood Dr BLUE HAVEN 18.5 metres
			Lot 140 DP 218002 115 Birdwood Dr BLUE HAVEN 18 metres
			Lot 141 DP 218002 113 Birdwood Dr BLUE HAVEN 18.5 metres
			Lot 142 DP 218002 111 Birdwood Dr BLUE HAVEN 15.5 metres
			Lot 143 DP 218002 109 Birdwood Dr 20 metres

#	Keyword	Summary	Recommendation
			BLUE HAVEN
		Lot 144 DP 218002	107 Birdwood Dr BLUE HAVEN 20 metres
		Lot 145 DP 218002	105 Birdwood Dr BLUE HAVEN 20 metres
		Lot 146 DP 218002	103 Birdwood Dr BLUE HAVEN 20 metres
		Lot 147 DP 218002	101 Birdwood Dr BLUE HAVEN 20 metres
		Lot 148 DP 218002	99 Birdwood Dr BLUE HAVEN 20 metres
		Lot 149 DP 218002	97 Birdwood Dr BLUE HAVEN 20 metres
		Lot 150 DP 218002	95 Birdwood Dr BLUE HAVEN 20 metres
		Lot 151 DP 218002	93 Birdwood Dr BLUE HAVEN 20 metres
		Lot 152 DP 218002	91 Birdwood Dr BLUE HAVEN 20 metres
		Lot 153 DP 218002	89 Birdwood Dr BLUE HAVEN 20 metres
		Lot 154 DP 218002	87 Birdwood Dr BLUE HAVEN 20 metres
		Lot 155 DP 218002	85 Birdwood Dr BLUE HAVEN 20 metres
		Lot 156 DP 218002	83 Birdwood Dr BLUE HAVEN 20 metres
		Lot 157 DP 218002	81 Birdwood Dr BLUE HAVEN 20 metres
		Lot 158 DP 218002	79 Birdwood Dr BLUE HAVEN 10 metres
		Lot 159 DP 218002	77 Birdwood Dr BLUE HAVEN 20 metres
		Lot 160 DP 218002	75 Birdwood Dr BLUE HAVEN 20 metres
		Lot 161 DP 218002	73 Birdwood Dr BLUE HAVEN 20 metres
		Lot 162 DP 218002	71 Birdwood Dr BLUE HAVEN 20 metres
		Lot 163 DP 218002	67-69 Birdwood Dr BLUE HAVEN 20 metres
		Lot 164 DP 218002	67-69 Birdwood Dr BLUE HAVEN 20 metres
		Lot 165 DP 218002	65 Birdwood Dr BLUE HAVEN 20 metres
		Lot 166 DP 218002	63 Birdwood Dr BLUE HAVEN 15.75 metres
		Lot 167 DP 218002	61 Birdwood Dr BLUE HAVEN 17.5 metres
		Lot 168 DP 218002	59 Birdwood Dr BLUE HAVEN 20 metres
		Lot 169 DP 218002	57 Birdwood Dr BLUE HAVEN 20 metres
		Lot 170 DP 218002	55 Birdwood Dr BLUE HAVEN 20 metres
		Lot 160 DP 218077	60 Turner Close BLUE HAVEN 20 metres
		Lot 130 DP 218077	58 Turner Close BLUE HAVEN 20 metres
		Lot 2 DP 805316	56 Turner Close BLUE HAVEN 15.5 metres
		Lot 1 DP 805316	54 Turner Close BLUE HAVEN 20 metres
		Lot 133 DP 218077	52 Turner Close BLUE HAVEN 15.5 metres
		Lot 134 DP 218077	50 Turner Close BLUE HAVEN 16 metres
		Lot 135 DP 218077	48 Turner Close BLUE HAVEN 20 metres


#	Keyword	Summary	Recommendation
			Lot 136 DP 218077 46 Turner Close BLUE HAVEN 16 metres
			Lot 137 DP 218077 44 Turner Close BLUE HAVEN 20 metres
			Lot 138 DP 218077 42 Turner Close BLUE HAVEN 17 metres
			Lot 139 DP 218077 40 Turner Close BLUE HAVEN 14 metres
			Lot 140 DP 218077 38 Turner Close BLUE HAVEN 17 metres
			Lot 141 DP 218077 36 Turner Close BLUE HAVEN 14 metres
			Lot 142 DP 218077 34 Turner Close BLUE HAVEN 20 metres
			Lot 143 DP 218077 32 Turner Close BLUE HAVEN 20 metres
			Lot 144 DP 218077 30 Turner Close BLUE HAVEN 20 metres
			Lot 145 DP 218077 28 Turner Close BLUE HAVEN 20 metres
			Lot 146 DP 218077 26 Turner Close BLUE HAVEN 17 metres
			Lot 147 DP 218077 24 Turner Close BLUE HAVEN 20 metres
			Lot 148 DP 218077 22 Turner Close BLUE HAVEN 20 metres
			Lot 149 DP 218077 20 Turner Close BLUE HAVEN 20 metres
			Lot 150 DP 218077 18 Turner Close BLUE HAVEN 20 metres
			Lot 151 DP 218077 16 Turner Close BLUE HAVEN 20 metres
			Lot 152 DP 218077 14 McKellar Blvd BLUE HAVEN 20 metres
			Lot 17 DP 615388 12 McKellar Blvd BLUE HAVEN 20 metres
			Lot 18 DP 615388 10 McKellar Blvd BLUE HAVEN 16.75 metres
			Lot 155 DP 218077 8 McKellar Blvd BLUE HAVEN 20 metres
			Lot 156 DP 218077 6 McKellar Blvd BLUE HAVEN 20 metres
			Lot 157 DP 218077 4 McKellar Blvd BLUE HAVEN 20 metres
			Lot 158 DP 218077 2 McKellar Blvd BLUE HAVEN 20 metres
			Lot 161 DP 218077 38 McKellar Blvd BLUE HAVEN 20 metres
			Lot 162 DP 218077 40 McKellar Blvd BLUE HAVEN 20 metres
			Lot 163 DP 218077 42 McKellar Blvd BLUE HAVEN 20 metres
			Lot 512 DP 594721 53A Allambee Cres BLUE HAVEN 20 metres
			Lot 52 DP 215432 55 Allambee Cres BLUE HAVEN 20 metres
			Lot 54 DP 215432 57 Allambee Cres BLUE HAVEN 14 metres
			Lot 55 DP 215432 59 Allambee Cres BLUE HAVEN 20 metres
			Lot 56 DP 215432 61 Allambee Cres BLUE HAVEN 14 metres
Height of Buildings			
1	Map 21 Legend	Legend is incorrect - all other legends in the map set are correct. This appears to be a last-minute DP&I GIS error.	Amend in accordance with all other maps in this set.

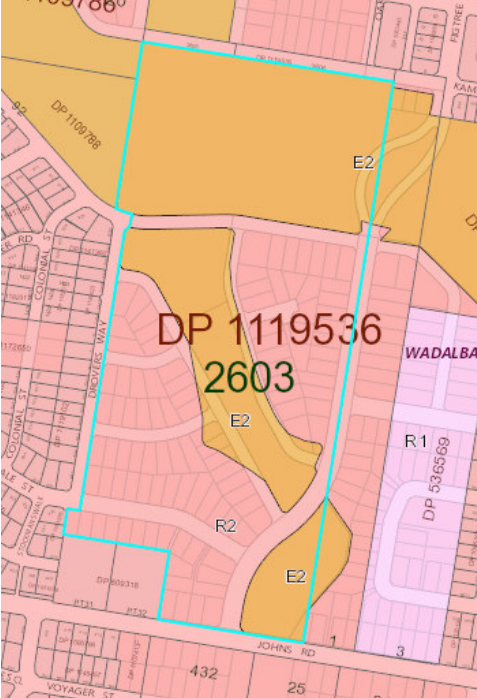
#	Keyword	Summary	Recommendation
2	15-17 Coral Street, The Entrance	Land zoning, FSR and building height was increased after public exhibition of WLEP 2013, in response to a submission from the landowner. The landowner was concerned that these sites were treated differently to the remainder of this section of Coral Street. This site was incorrectly retained within Area 1 of the Height of Building map. Retention of this area as part of Area 1 means that the site actually has a lower maximum building height if amalgamated than it does without amalgamation. This is an anomaly that needs correcting.	Remove 15-17 Coral Street THE ENTRANCE (Lot 2 DP 25544, Pt Lot 1 DP 25544) from Area 1 of Map 15.
3	R2 Low Density Residential Zoned land across the LGA	In general, the 8.5m height limit for buildings in the R2 Low Density Residential zone is proving problematic. This is due to issues with sloping sites and flood prone lots in particular, in which areas an 8.5m height limit will make it difficult to achieve a 2-storey development without requesting variation to the WLEP 2013 controls. This will also require a report be prepared for the Ordinary Meeting of Council for each variation to this control. It is noted that in general the R1 General Residential zone has a 9.5m height limit which permits a 2-storey development. It is therefore logical to also apply the 9.5m height limit to the R2 Low Density Residential zone, which also in general permits a 2-storey development. Note that this will only apply to land zoned R2 that has a mapped height limit as a result of an adopted strategy. FSRs will remain unchanged, therefore recognising the higher density nature of the R1 zone when compared to the R2 zone.	Amend all R2 zoned land from 8.5m to 9.5m height limit. . Note that this will only apply to land zoned R2 that has a mapped height limit as a result of an adopted strategy. The remainder of R2 zoned land will continue without a mapped height limit under Wyong LEP 2013.
Heritage			
1	Item 109 – Dwelling at 204-214 Pacific Highway, Watanobbi	Lot 33, DP 21032: The heritage item on this site was demolished prior to the LEP being gazetted.	Remove Item 109 - Dwelling at 204-214 Pacific Highway, Watanobbi (Lot 33, DP 21032) from heritage map.
2	Heritage Item I42.	Heritage Item I42 was incorrectly excluded from the Heritage mapping. This item relates to the bush reserve, separate to the lighthouse listing (I43).	Amend mapping so Item I42 is mapped separately to Item I43.
Key Sites			


#	Keyword	Summary	Recommendation
1	Iconic Development Site No.24 (Wyong Swimming Pool & Tennis Club Site	Additional sites need to be added to Iconic Development Site No.24 (Wyong Swimming Pool & Tennis Club Site) – <ul style="list-style-type: none"> Rose Cottage, 7 Rose Street WYONG (Lot 103 DP 788404). Wyong Scout Hall, 10 Levitt Street WYONG (Lot 102 DP 635277). SES State Emergency Service, 8 Levitt Street WYONG (Lot 1011 DP 831978). 	Add the following sites to the key sites map (incorporate into wider key site area at Baker Park, Wyong): <ul style="list-style-type: none"> Rose Cottage, 7 Rose Street WYONG (Lot 103 DP 788404). Wyong Scout Hall, 10 Levitt Street WYONG (Lot 102 DP 635277). SES State Emergency Service, 8 Levitt Street WYONG (Lot 1011 DP 831978).
Land Reservation Acquisition			
1	Site required for acquisition by the RMS	Sites required for acquisition by the RMS for the purpose of road widening were received too late to adequately incorporate into the LEP prior to exhibition.	Incorporate RMS acquisitions into Land Reservation Acquisition mapping, and zone to SP2 Infrastructure - Classified Road accordingly (see Attachment 6)).
2	Sites no longer required for acquisition	Some sites have since been acquired by Council (e.g. 24A Manning Road THE ENTRANCE (Lot 12B DP 408523); 18 Manning Road, THE ENTRANCE (Lot 9 DP 14527)).	Remove the following sites from LRA map: <ul style="list-style-type: none"> 14 Hope Street WYONG (Lot 1 DP 663619) - To be removed from LRA mapping as Council now owns this site. 118 Enterprise Dr FOUNTAINDALE (Lot A DP 417089) - No longer required for acquisition, as Council now owns this site. Remove site from Land Reservation acquisition mapping. Zoning to be retained as is. Warnervale Oval - 54-90 Warnervale Road WARNERVALE (Lot 82 DP 7091) - To be removed from LRA mapping as Council owns this site. 236-260 Hakone Road WOONGARRAH (Lot 54 DP 7527, Lot 55 DP 7527, Lot 1 DP 376264) - To be removed from LRA mapping as Council owns this site. 107 Sparks Road WOONGARRAH (Lot 41 DP 1200210) - To be removed from LRA mapping as Council owns this site. Sewer Pump Station 153-155 Minnesota Road, HAMLYN TERRACE (Lot 23 DP 843478) - To be removed from LRA mapping as Council owns this site.
3	Sites listed for acquisition for incorrect purpose	Review all sites listed for acquisition to ensure that each site is listed for acquisition for the correct purpose.	<ul style="list-style-type: none"> 31 Stornaway Cres BERKELEY VALE (LOTS 13/14 DP 729014) - Incorrectly listed as Sewer Buffer (SP2) and needs to be amended to Stormwater Management.
4	Manning Road, The Entrance	A Department of Planning and Environment error resulted in the removal of 2 sites owned by Council, but also removed 3 additional sites that are privately owned and still required for acquisition purposes.	Reinstate the following sites on land reservation acquisition mapping: <ul style="list-style-type: none"> 16 Manning Road, 22 Manning Road and 24 Manning Road
5	125-129 and 131-137 Warnervale	Acquisition mapping for a small area of 125-129 Warnervale Road, Hamlyn Terrace (Lot 272 DP 707329) and a very	Amend mapping for 125-129 Warnervale Road, Hamlyn Terrace (Lot 272 DP 707329) and 131-137 Warnervale Road, Hamlyn Terrace (Lot 271


#	Keyword	Summary	Recommendation
	Road, Hamlyn Terrace	small area of 131-137 Warnervale Road, Hamlyn Terrace (Lot 272 DP 707329) is slightly anomalous when compared to the Land Zoning map for this site. This site is part of the Precinct 7A rezoning area. There is a small area of R2 Low Density Residential zoned land that is identified on the Land Reservation Acquisition map however this is an anomaly and needs to be corrected. This area of R2 zoned land is located to the north of E3 Environmental Management zoned land that is identified correctly on the Land Reservation Acquisition map, for the purpose of stormwater management.	DP 707329) so that the Land Reservation Acquisition area is consistent with the Land Zoning map and no R2 Low Density Residential zoned land is identified for acquisition.
Land Zoning			
1	Council land to be leased to Central Coast Mariners	<p>Council land to be leased for use as sporting fields as part of the Central Coast Mariners Centre for Excellence Sporting and Community Centre is zoned SP2 Infrastructure – Sewerage Systems. Sporting fields (defined as Recreation Facility - Outdoor) are not permissible in the SP2 zone. It is necessary to consider an alternative zone.</p> <p>These sites are:</p> <ul style="list-style-type: none"> • Lot 60 DP 4008 – 8 Titania Avenue TUGGERAH • Lots 61-64, 71-73, 80-89 DP 4008 - 121 Church Road TUGGERAH • Lot 74 DP 4008 – 74 Delamere Avenue TUGGERAH • Lot 75 DP 4008 – 5-11 Second Avenue TUGGERAH. <p>There are 2 main issues to consider:</p> <p>Land Use issue</p> <p>There is concern amongst staff within Council's Infrastructure & Operations Department in relation to incremental encroachment on Council's sewer buffer area, which includes the Council land to be leased to the Mariners. Council should therefore consider retaining the SP2 zone but instead incorporate an additional permitted use within Schedule 1, for the purpose required (Recreation Facility – Outdoor).</p> <p>Odour issue</p> <p>Infrastructure & Operations staff also requested that consideration be given to adding a restriction or comment to S.149 certificates (or land title), to prohibit odour complaints associated with use of these sites as a recreation facility.</p>	<p>Land Use issue</p> <p>Introduce additional permitted uses to Schedule 1 (Recreation Areas and Recreation Facility - Outdoor).</p> <p>Odour issue</p> <p>The following is included in the lease (expires 4 November 2020):</p> <p><i>The Lessee shall undertake regular, on-going air modelling to quantify odour emissions affecting the use of the premises and operate the Lessee's activities so that the effect of the odour is managed to Council's requirements.</i></p> <p>However, New lease proposed by Mariners for E3 zoned Council land fronting Wyong Road. Council's Property Management Unit has provided the following advice in the draft lease agreement to address odour issues:</p> <p><i>The Lessee will not object to any odour from the sewer treatment plant as clearing of the land may allow odours to disperse further. Council will not undertake any upgrade work to address odour and noise issues from the sewer treatment plant.</i></p> <p>Council's Property Management Unit must ensure that this is incorporated into the final lease agreement for the E3 zoned land on Wyong Road, and also incorporated into the Mariners agreement at renewal of the lease of the SP2 zoned land in 2020.</p> <p><i>Additionally, appropriate conditions of consent, which might include a deferred commencement condition that Mariners grant appropriate rights (registered on the land) permitting the discharge of odour across the land, to be added to DA/1135/2009.</i></p>
2	80 Highview	This site was zoned RE2 Private Recreation	Zone Camp Breakaway – 80 Highview Avenue

#	Keyword	Summary	Recommendation
	Avenue, San Remo (Camp Breakaway)	in error. As Delta is a State Owned Corporation under NSW Legislation, this site should be zoned to RE1 Public Recreation.	SAN REMO (Lot 4 DP 734739) to RE1 Public Recreation.
3	501 Wilfred Barrett Dr, Magenta (Wyrabalong National Park)	501 Wilfred Barrett Dr, Magenta (Wyrabalong National Park) – A small strip of land within the National Park has been zoned E2 Environmental Conservation instead of E1 National Parks and Nature Reserve Zone.	Amend zone of the strip zoned E2 Environmental Conservation to E1 National Parks and Nature Reserve Zone.
4	1 Tiembula Road, Chain Valley Bay (Lot 1 DP 226133)	1 Tiembula Road, Chain Valley Bay was incorrectly zoned E1 National Parks and Nature Reserve Zone under Wyong LEP 2013. The site was previously zoned 5(a) (Special Uses Zone - Power Station). Owner has requested SP2 Infrastructure for the purpose of coal mining.	It is not considered appropriate to zone this land to SP2 Infrastructure, as there is no such defined land use as "Mining" and this therefore cannot be applied as a notation under the SP2 zone. Amend zoning of Lake Coal land from E1 to E3 Environmental Management, with the exception of the small area of the site subject to EEC (Riverflat Eucalypt Forest or Swamp Sclerophyll on Coastal Floodplains) which will have the E2 zone applied. The E2 zoning is consistent with the Environmental Management Framework prepared by Council during preparation of the Wyong LEP 2013. Mining is permitted in the E3 zone subject to the Mining SEPP. Also amend the Lot Size map to 40 hectare MLS in accordance with other E3 zoned land.
5	Land between Thompson and Pacific Streets, Long Jetty	The following land was zoned R2 Low Density Residential under Wyong LEP 2013, however The Entrance Peninsula Planning Strategy (TEPPS) recommended the land be zoned B2 Local Centre: <ul style="list-style-type: none"> • Lots 16-22; Lots 26-34 and Part Lot 37 Sec 1 DP 13225; • Lot 0 SP 11942; • Lot 2 DP 571978. The Height of buildings and FSR mapping was increased as part of Wyong LEP 2013, in accordance with TEPPS: <i>"For the area surrounded by The Entrance Road, Thompson Street, Tuggerah Parade and Pacific Street, proposed for expansion of retail space, insert height controls that permit mixed use development up to 14.1 metres (approximately four storeys)."</i> The zone change was excluded from Wyong LEP 2013 in error. The Long Jetty Masterplan also supports this rezoning: <i>"Rezone land between Thompson Street and Pacific Street from 2(a) Residential to 3(a) Commercial to extend 'urban core' and 'enhance the connection to the foreshore'."</i>	Rezone all of the following lots from R2 Low Density Residential to B2 Local Centre, in accordance with the recommendation of The Entrance Peninsula Planning Strategy: Lot 33 Sec 1 DP 13225; Lot 32 Sec 1 DP 13225; Lot 31 Sec 1 DP 13225; Lot 28 Sec 1 DP 13225; Lot 22 Sec 1 DP 13225; Lot 17 Sec 1 DP 13225; Lot 18 Sec 1 DP 13225; Lot 19 Sec 1 DP 13225; Lot 20 Sec 1 DP 13225; Lot 21 Sec 1 DP 13225; Lot 0 SP 11942; Lot 16 Sec 1 DP 13225; Lot 34 Sec 1 DP 13225; Lot 2 DP 571978, Pt Lot 37 Sec 1 DP 13225; Lot 29 Sec 1 DP 13225, Lot 30 Sec 1 DP 13225;


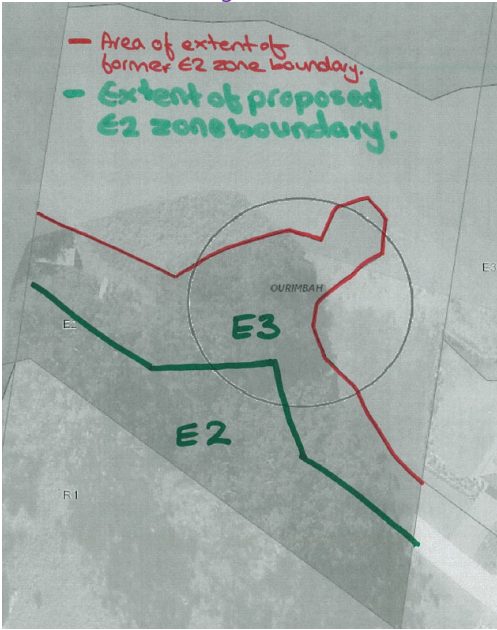
#	Keyword	Summary	Recommendation
6	14W Tirriki Close, Buff Point	<p>The following land was zoned SP2 Infrastructure - Electricity Generating Works under Wyong LEP 2013, as the site was previously zoned 5(a) (Special Uses Zone - Power Station) in error:</p> <ul style="list-style-type: none"> • Lots 774-778 DP 31830 and adjacent paper road. <p>These sites are owned by Council, not Delta Electricity, and are better suited to the adjoining R2 Low Density Residential zone.</p>	<p>Amend zoning of the following sites to R2 Low Density Residential to correct the zoning anomaly of SP2 Infrastructure - Electricity Generating Works:</p> <ul style="list-style-type: none"> Lot 774 DP 31830 Lot 775 DP 31830, Lot 776 DP 31830, Lot 777 DP 31830, Lot 778 DP 31830, <p>Adjacent paper road.</p> <p>Also introduce a 450m2 minimum lot size, in accordance with other R2 zoned land.</p>
7	Corner Warnervale and Minnesota Roads.	<p>The intersection of Warnervale Road and Minnesota Road, Hamlyn Terrace is incorrectly zoned RU6 Transition. The Lot Size map is correct.</p>	<p>Amend zoning to R2 Low Density Residential to correct the zoning anomaly.</p>
8	Land between West Village Centre to Budgewoi Creek	<p>The adopted Masterplan proposes to <i>“Extend the R1 residential zone proposed under Council’s Draft LEP 2012 from the West Village Centre to Budgewoi Creek between Scenic Drive and Tenth Avenue / Michael Street / Natuna Avenue”</i>.</p> <p>The primary purpose of this proposal is to encourage greater intensity of residential development along Tenth Avenue, which will provide a greater degree of visual surveillance and activity for the Village Link. Existing R1 zoned land to the north west is across the creek from the R1 zoned land to the east and also adjoins the B2 Local Centre to the west and B1 Neighbourhood Centre across the creek to the east. The rezoning will allow for increased density in the area and link the two commercial centres and also follows the path of the proposed village link shared pathway. The land to be rezoned includes 70 parcels which are all in private ownership.</p>	<p>Amend zoning to R1 General Residential for the following sites (within red hatched line):</p> 
9	Colongra and Halekulani Oval rezonings	<ul style="list-style-type: none"> • As part of a land swap between Council and Woolworths, additional permitted uses of ‘service station’ and ‘food and drink premises’ are proposed to be added to E3 Environmental Management zoned land as follows: <ul style="list-style-type: none"> (a) 223 Scenic Dr, Colongra (Lot 1 DP 1049201) • Also as part of the land swap between Council and Woolworths, the following land is proposed to be zoned from RE1 Public Recreation to B2 Local Centre, and R1 General Residential (leaving the strip of SP2 Infrastructure – Roads and Traffic Facility along the front of the site): <ul style="list-style-type: none"> (a) 109-111 Scenic Dr, Budgewoi (Lot 	<ul style="list-style-type: none"> • Add an additional permitted use of ‘service station’ and ‘food and drink premises’ to E3 Environmental Management zoned land: <ul style="list-style-type: none"> (a) 223 Scenic Dr, Colongra (Lot 1 DP 1049201) • Amend the zoning of the following site from RE1 Public Recreation to B2 Local Centre, and R1 General Residential (leaving the strip of SP2 along the front of the site): <ul style="list-style-type: none"> (a) 109-111 Scenic Dr, Budgewoi (Lot 1026 DP 24049, Lot 1027 DP 24049) – R1 General Residential. (b) 107 Scenic Dr, Budgewoi (Lot 1 DP 385077) – B2 Local Centre and R1 General Residential.

#	Keyword	Summary	Recommendation
		<p>1026 DP 24049, Lot 1027 DP 24049) – R1 General Residential.</p> <p>(b) 107 Scenic Dr, Budegwoi (Lot 1 DP 385077) – B2 Local Centre and R1 General Residential.</p> <p>This is also subject to a separate Planning Proposal.</p>	
10	1 Drovers Way, Wadalba (Lot 2603 DP 1119536):	<p>The E2 Environmental Conservation zone boundary for this site is not consistent with the approved residential subdivision which is now under construction. The image below depicts the approved subdivision pattern and the areas that the E2 zone impinges on the proposed residential allotments. These areas are proposed to be zoned to R2 Low Density Residential:</p> 	<p>Amend zone from E2 to R2 Low density Residential only for the portions of the property that are included in the residential subdivision. Remainder of the E2 zoned area to remain. Minimum lot size will also need to be reduced to 450m² for the land zoned to R2.</p>
11	Wyong – Warnervale Link Road	<p>The proposed Wyong – Warnervale Link Road extends into an area of RE1 Public Recreation zoned land at 1W Britannia Drive, Watanobbi (Lot 3 DP 793403). This should be resolved to ensure permissibility of the proposed future land use.</p>	<p>Amend zoning of the part of this site that is within the Link Road boundary, from RE1 to SP2 Infrastructure – Roads & Traffic Facility. No minimum lot size amendment required.</p>
12	155 Louisiana Road, Wadalba (Lot 1 DP 369486)	<p>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</p>	<p>Amend zoning of a small portion of this site from RE1 Public Recreation to R1 General Residential zone. No other amendments are required.</p>

#	Keyword	Summary	Recommendation
		<p>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.</p> <p>The site is currently zoned RE1 Public Recreation with an area within the north of the site zoned E2 Environmental Conservation. It is proposed to amend existing planning controls to make residential development permissible on the south-western section of the site. This is proposed to be achieved by rezoning a small portion of the site only (approximately 8,000m²) to R1 General Residential as shown below:</p>  <p>The site is classified as Operational Land.</p>	
13	17W Moola Road, Buff Point	<p>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.</p> <p>The site is currently zoned RE1 Public Recreation. It is proposed to amend existing planning controls to make residential development permissible on the southern section of the site. This is proposed to be achieved by rezoning this portion of the site only (less than 13,000m²) to R1 General Residential as</p>	<p>Amend zoning of a small portion of this site from RE1 Public Recreation to R1 General Residential zone. No other amendments are required.</p>

#	Keyword	Summary	Recommendation
		<p>shown below:</p>  <p>The site is classified as Community Land, however it is not proposed to reclassify this site as part of this LEP amendment. Council is currently pursuing a simultaneous amendment to remove Community classification to all its properties.</p>	
14	<p>Implementation of Retail Study recommendations</p>	<p>Implement any relevant outcomes the Retail Study.</p>	<p>Incorporate the following amendments:</p> <ul style="list-style-type: none"> • 2 Edward Stinson Avenue WADALBA (Lot 0 SP 88281): Amend zone from R2 Low Density Residential to B2 Local Centre in accordance with the recommendations of the Retail Study. Amend minimum lot size map to remove 450m2 accordingly. • 1-5 & 1A Jaques Street OURIMBAH (Lot 80 DP 629315 & Lot 7 DP 20283) & 27 to 33 Pacific Highway OURIMBAH (Lot 13 DP 1112458; Lot 12 DP 1112458; Lot 11 DP 1112458; & Lot 0 SP 79090): Amend zone from R2 Low Density Residential to B2 Local Centre in accordance with the recommendations of the Retail Study. Amend minimum lot size map to remove 450m2 accordingly. • Palm Court Motel 61 Bateau Bay Road BATEAU BAY (Lot 4 Sec 15 DP 758063): Amend zone from B1 Neighbourhood Centre to R2 Low Density Residential Zone. Amend minimum lot size to 450m2 accordingly. • 444, 444W & 446 Main Road NORAVILLE (Lot 21 & 22 DP 717325; & Lot 1 DP 533976): Amend zone from B1 Neighbourhood Centre to R2 Low Density Residential Zone. Amend minimum lot size to 450m2 accordingly. • 15 & 17 Robertson Road & 69 Dampier

#	Keyword	Summary	Recommendation
			<p>Boulevard KILLARNEY VALE (Lot 426 & Lot 427 DP 27791; & Lot 424 DP 27791): Amend zone from B1 Neighbourhood Centre to R2 Low Density Residential Zone. Amend minimum lot size to 450m2 accordingly.</p> <ul style="list-style-type: none"> • 146 Main Road (Lot 1 DP 121739); 148 Main Road (Lot 1 DP 566813); front half of 150-154 Main Road (Lot 62 DP 651054); 137 Main Road (Lot 221 DP 774634); 139 Main Road (Pt Lot A DP 445025); 143 Main Road (Part Lot 1 DP 518000); 145 Main Road (Lot 41 DP 653220); 147 Main Road (Lot 40A DP 419957) & 2 Tamar Avenue TOUKLEY (Lot 40B DP 419957): Amend zoning from B1 Neighbourhood Centre to B4 Mixed Use zone.
15	Carters Road, Lake Munmorah	<p>At the Ordinary Meeting of Council on 8 May 2013, Council resolved that "All land in Precinct 16 of the NWSSP to be included in RU6 - Transition Zone including that part of No 78-92 Carters Road within precinct 16 and that the Settlement Strategy allow for flexibility in timing of development of all Precincts dependant on demand and infrastructure. This change is in response to numerous submissions.". Unfortunately, the wrong version of the NWSSP precinct was used to extend the zone boundary of RU6. As a result, only part of the Precinct 16 area within the following sites is included in the RU6 Transition zone:</p> <ul style="list-style-type: none"> • 72 Carters Road, Lake Munmorah (Lot 432 DP 755266) • 78 Carters Road, Lake Munmorah (Lot 431 DP 755266) • 89 Carters Road, Lake Munmorah (Lot 42 DP 801076). 	<p>Amend the Land Zoning map as follows:</p> <ul style="list-style-type: none"> • 72 Carters Road, Lake Munmorah (Lot 432 DP 755266) – E2 Environmental Conservation zone to RU6 Transition zone for that part of the site within Precinct 16. Remainder of the site to retain E2 Environmental Conservation zone. • 78 Carters Road, Lake Munmorah (Lot 431 DP 755266) – E3 Environmental Management zone to RU6 Transition zone for that part of the site within Precinct 16. Remainder of the site to retain E3 Environmental Management zone. • 89 Carters Road, Lake Munmorah (Lot 42 DP 801076) – E3 Environmental Management zone to RU6 Transition zone for that part of the site within Precinct 16. Remainder of the site to retain E3 Environmental Management and E2 Environmental Conservation zone. • No minimum lot size amendments will be required.
16	97 Minnesota Road , Hamlyn Terrace	<p>The R2 Low Density Residential boundary was supposed to extend to the western edge of the road boundary on this property. The boundary was not amended prior to gazettal of the Precinct 7A Planning Proposal. A Council resolution from 24 April 2013 supports the rectification of this zoning anomaly. As seen below, the R2 boundary needs to be extended to incorporate the proposed subdivision pattern.</p>	<p>Amend the Land Zoning map to extend the R2 Low Density Residential slightly to the west. Amend the minimum lot size map to 450m2 accordingly.</p>

#	Keyword	Summary	Recommendation
			
17	1 Youngs Road, Ourimbah	<p>As part of the preparation of Wyong LEP 2013, the Environmental Management Framework determined that generally all land identified to contain Endangered Ecological Communities should be zoned to E2 Environmental conservation. This site was converted from 7(a) (Conservation Zone) under WLEP 1991 to E2 Environmental Conservation and E3 Environmental Management accordingly. However, the EMF also states that in these instances, "the intent is to ensure any existing dwelling entitlement is retained." Due to the flood prone nature of a portion of this site (with a creek in the middle of the site separating the property into 2 sections), and the E2 zone over part of the site, the result is that the existing dwelling entitlement on this property has been removed. This needs to be rectified to ensure an appropriate dwelling envelope is created to enable development for the purpose of a residential dwelling as was permissible under WLEP 1991.</p>	<p>Rezone a small portion of this site from E2 Environmental Conservation to E3 Environmental Management, as follows:</p> 
Lot Size			
1	91 Tumbi Road, Tumbi Umbi	<p>The lot size polygon applied to this site does not align with the land zoning polygon for the E3 Environmental Management Zone. As a result, the 2,500m² minimum lot size only applies to a portion of the E3 Environmental Management zoned land.</p>	<p>Amend Lot Size map so that the entire E3 Environmental Management zone is covered by the 2,500m² minimum lot size for this site.</p>
Obstacle Limitation Surface			
1	Obstacle Limitation Surface (OLS)	<p>Advice received during drafting on the Wyong LEP 2013 indicated that the settled OLS clause requires the Commonwealth Department to hold the OLS mapping, in part to avoid the need to amend the LEP when OLS mapping</p>	<p>Incorporate an OLS map into Wyong LEP 2013, utilising the ANEF report prepared by Airbiz for Council in 2006.</p>

#	Keyword	Summary	Recommendation
		changes. However, during public exhibition the Civil Aviation Safety Authority (CASA) advised that Warnervale Aerodrome is an uncertified and unregistered aerodrome and therefore CASA does not hold OLS mapping for this site.	
INSTRUMENT			
Part 1 Preliminary			
x	x	x	x
Part 2 Permitted or prohibited development			
x	x	x	x
Land Use Table			
1	Eco-tourist facilities	Eco-tourist facilities are not listed as a permissible land use (with consent) in RE1 Public Recreation and RE2 Private Recreation zones. Consider including eco-tourist facilities as a permissible land use (with consent) in RE1 Public Recreation and RE2 Private Recreation zones. Clause 5.13 - Eco-Tourist Facilities will provide adequate controls over the use of land for this purpose.	Add eco-tourist facilities as a permissible land use (with consent) in RE1 Public Recreation and RE2 Private Recreation zones.
2	Home based child care	Home based child care is listed as 'permitted without consent' in certain zones under Wyong LEP 2013 although the Exempt and Complying Codes SEPP states that this use is only exempt if not located on bushfire prone land.	To resolve potential issues with bushfire prone sites and exempt development, it is proposed to amend the following zones to change 'home based child care' to permitted with consent rather than permitted without consent: RU1; RU2; RU5; RU6; R1; R2; R3; R5; B1; E3; E4 The use will still be exempt development under the Exempt and Complying Development Codes SEPP as long as the land is not bushfire prone.
3	Seniors Housing	Seniors Housing is prohibited in the R2 Low Density Residential zone under Wyong LEP 2013. Seniors Housing is permissible with consent in the R1 and R3 zones, and is permitted under the Seniors Housing SEPP on land zoned primarily for urban purposes. Therefore the use is permissible under this SEPP as the R2 zone is considered to be for urban purposes. However, in order to encourage the provision of this form of housing, and in circumstances where development does not comply with the standards listed in the SEPP, this use should be added as permissible with consent in the R2 zone.	Add Seniors Housing as a permissible land use (with consent) in the R2 Low Density Residential zone.
4	Secondary Dwellings	Secondary Dwellings are prohibited in the R5 Large Lot Residential, RU1 Primary Production and RU2 Scenic Landscape zones. In each of these zones, Dual Occupancies are a permissible land use. Secondary Dwellings are permissible with	Add secondary dwellings as a permissible land use (with consent) in the R5 Large Lot Residential, RU1 Primary Production and RU2 Scenic Landscape zones.

#	Keyword	Summary	Recommendation
		consent in the E4 Environmental Living zone, which is the equivalent zone to R5 Large Lot Residential for land on the eastern side of the M1 Motorway. Dual Occupancies are permissible in the R5 zone, therefore the Secondary Dwelling use will be of lesser impact and should also be permissible. The same rationale can be applied to the RU1 Primary Production and RU2 Scenic Landscape zones.	
Part 3 Exempt & Complying Development			
X	X	X	X
Part 4 - Principle Development Standards			
1	4.6 - Exceptions to Development Standards	Clause 4.4(2B) – Floor Space Ratio is not excluded from variation under Clause 4.6. This clause should be added to Clause 4.6(8), as Clause 4.4(2B) already provides for a variation to current controls, therefore further justification is unwarranted.	Add Clause 4.4(2B) to Clause 4.6(8).
2	4.3 - Height of Buildings & 4.4 - Floor Space Ratio	<p>Wyong LEP 2013 – Amendment No.2 (Craigie Avenue Precinct) was notified on 20 June 2014, rezoning 13 lots from RU6 Transition and R2 Low Density Residential to B6 Enterprise Corridor and amending Clauses 4.3 & 4.4 to provide building height and FSR bonuses for health services or related facilities.</p> <p>Clause 4.3 & 4.4 were amended by Parliamentary Counsel (PC) prior to gazettal, as follows:</p> <p>1. Clause 4.3 (2C) states:</p> <p>(2C) <i>Despite subclause (2), the maximum height of a building on land identified as "Area 4" on the Height of Buildings Map is 20 metres if:</i></p> <p>(a) <i>the area of the building is 2,000 square metres or more, and</i></p> <p>(b) <i>the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contribute.....</i></p> <p>2. Clause 4.4 (2C) states:</p> <p>(2C) <i>Despite subclause (2), a maximum floor space ratio of 2:1 applies to buildings on land at Kanwal that is within Zone B6 Enterprise Corridor and is identified as "Area 3" on the Floor Space Ratio Map if:</i></p> <p>(a) <i>the area of the building is 2,000 square metres or more, and</i></p>	<p>Amend Clause 4.3 & 4.4 as follows:</p> <p>1. Clause 4.3 (2C):</p> <p>(2C) <i>Despite subclause (2), the maximum height of a building on land identified as "Area 4" on the Height of Buildings Map is 20 metres if:</i></p> <p>(a) <i>the actual site is 2000 square metres or more, and</i></p> <p>(b) <i>the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contribute.....</i></p> <p>2. Clause 4.4 (2C):</p> <p>(2C) <i>Despite subclause (2), a maximum floor space ratio of 2:1 applies to buildings on land at Kanwal that is within Zone B6 Enterprise Corridor and is identified as "Area 3" on the Floor Space Ratio Map if:</i></p> <p>(a) <i>the actual site is 2000 square metres or more, and</i></p> <p>(b) <i>the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land.</i></p>

#	Keyword	Summary	Recommendation
		<p>(b) <i>the building is used for the purposes of health services facilities or for a purpose that, in the opinion of the consent authority, complements and contributes to the special centre role of the hospital precinct adjacent to the land.</i></p> <p>The changes made by PC:</p> <ul style="list-style-type: none"> do not reflect what was submitted by Council requires a proposal to be significantly larger to be able to take advantage of the FSR bonus provisions by requiring the building to be 2,000 square metres or more, rather than the originally requested site area of 2,000 square metres. are far more restrictive than intended by Council does not consider that the controls were developed based on the lot sizes in the local area does not consider that the controls were developed to encourage access to be from internal roads and not the Pacific Highway. does not adequately relate to the specific objectives as stated in WLEP Amendment 2 (i.e.- 4.3 (1) (ca) to encourage lot consolidation of smaller lots to reduce the possibility of fragmented development. <p>It is recommended that Clauses 4.3 & 4.4 are amended to refer to a requirement for the site area to be 2,000 square metres or more, rather than the building area.</p>	
3	4.2B – Erection of dual occupancies and dwelling houses on land in certain rural and environment protection zones	This clause has been found to be difficult to interpret by Council's Development Planners. It is recommended that some minor amendments are made to make the intent of this clause clearer.	<p>Amend the clause as follows (new text in Bold, deleted text in strikethrough):</p> <p>(1) The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (a) to minimise unplanned rural residential development, (b) to enable the replacement of lawfully erected dual occupancies and dwelling houses in certain rural and environment protection zones. <p>(2) This clause applies to land in the following zones:</p> <ul style="list-style-type: none"> (a) Zone RU1 Primary Production, (b) Zone RU2 Rural Landscape, (c) Zone RU6 Transition, (d) Zone E3 Environmental Management. <p>(3) Development consent must not be granted for the erection of a dual-occupancy or</p>

#	Keyword	Summary	Recommendation
			<p>dwelling house on land to which this clause applies unless the land:</p> <ul style="list-style-type: none"> (a) is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land, or (b) is a lot created before this Plan commenced and on which the erection of a dual occupancy or dwelling house was permissible immediately before that commencement, or (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dual occupancy or dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or (d) is an amalgamated lot on which the erection of a dual occupancy or dwelling house was permissible immediately before this Plan commenced, or (e) would have been a lot referred to in paragraph (a), (b), (c) or (d) had it not been affected by: <ul style="list-style-type: none"> i. minor realignment of its boundaries that did not create an additional lot, or ii. a subdivision creating or widening a public road or public reserve or for another public purpose, or iii. a consolidation with an adjoining public road or public reserve or for another public purpose. <p>Note. A dwelling cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.</p> <p>(3A) Development consent must not be granted for the erection of a dual occupancy on land to which this clause applies unless the land:</p> <ul style="list-style-type: none"> (a) is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land, or (b) is a lot created before this Plan commenced and on which the erection of a dual occupancy was permissible immediately before that commencement, or (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the

#	Keyword	Summary	Recommendation
			<p>erection of a dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement, or</p> <p>(d) is an amalgamated lot on which the erection of a dual occupancy was permissible immediately before this Plan commenced, or</p> <p>(e) would have been a lot referred to in paragraph (a), (b), (c) or (d) had it not been affected by:</p> <ol style="list-style-type: none"> i. minor realignment of its boundaries that did not create an additional lot, or ii. a subdivision creating or widening a public road or public reserve or for another public purpose, or iii. a consolidation with an adjoining public road or public reserve or for another public purpose. <p>(4) Development consent must not be granted under subclause (3) or (3A) unless:</p> <ol style="list-style-type: none"> (a) in the case of a dwelling house, no dual occupancy or dwelling house dual occupancy or dwelling house has been erected on the land, and (b) in the case of a dual occupancy, no dual occupancy or dwelling house has been erected on the land, and (c) if a development application has been made for development for the purpose of a dual occupancy or dwelling house on the land—the application has been refused or it was withdrawn before it was determined, and (d) if development consent has been granted in relation to such an application—the consent has been surrendered or it has lapsed. <p>(5) Development consent may be granted for the erection of a dual occupancy or dwelling house on land to which this clause applies if there is a lawfully erected dual occupancy or dwelling house on the land and the dual occupancy or dwelling house to be erected is intended only to replace the existing dual occupancy or dwelling house.</p> <p>(6) In this clause, amalgamated lot means land edged heavy red and identified as “Amalgamated Lots” on the Lot Amalgamation Map if that land is a single lot.</p>
Part 5 - Miscellaneous Provisions			
1	Clause 5.1A – Development on land	This clause applies to the following land at Manning Road, The Entrance that has not been acquired by the relevant	<ul style="list-style-type: none"> • Remove reference to Lot 9 DP 14527 in Clause 5.1A.

#	Keyword	Summary	Recommendation
	intended to be acquired for public purposes	authority of the State specified for the land in clause 5.1: (a) Lots 3, 6, 8, 9 and 11, DP 14527, (b) Lot 12A, DP 408523. However, Lot 9 DP 14527 has been acquired by Council and no longer needs to be listed within this clause.	
Part 6 - Urban Release Areas			
x	x	x	x
Part 7 - Local Provisions			
1	Clause 7.7 airspace operations x	Advice received during drafting on the Wyong LEP 2013 indicated that the settled OLS clause requires the Commonwealth Department to hold the OLS mapping, in part to avoid the need to amend the LEP when OLS mapping changes. However, during public exhibition the Civil Aviation Safety Authority (CASA) advised that Warnervale Aerodrome is an uncertified and unregistered aerodrome and therefore CASA does not hold OLS mapping for this site. As a result, a new Obstacle Limitation Surface map is proposed to be incorporated into Wyong LEP 2013, which will also require amendment to Clause 7.7.	<ul style="list-style-type: none"> • Amend Clause 7.7 as follows, (to coincide with insertion of a new map set for Obstacle Limitation Surface). New text in bold, deleted text in strikethrough): <ol style="list-style-type: none"> 1) The objectives of this clause are as follows: <ol style="list-style-type: none"> (a) to provide for the effective and ongoing operation of the Warnervale Airport by ensuring that its operation is not compromised by proposed development that penetrates the Limitation or Operations Surface for that airport, (b) to protect the community from undue risk from that operation. 2) If a development application is received and the consent authority is satisfied that the proposed development will penetrate the Limitation or Operations Surface, the consent authority must not grant development consent unless it has consulted with the relevant Commonwealth body about the application. 3) The consent authority may grant development consent for the development if the relevant Commonwealth body advises that: <ol style="list-style-type: none"> (a) the development will penetrate the Limitation or Operations Surface but it has no objection to its construction, or (b) the development will not penetrate the Limitation or Operations Surface. 4) The consent authority must not grant development consent for the development if the relevant Commonwealth body advises that the development will penetrate the Limitation or Operations Surface and should not be constructed. 5) In this clause: <p>Limitation or Operations Surface means the Obstacle Limitation Surface or the Procedures for Air Navigation Services Operations Surface as shown on the <u>Obstacle Limitation Surface Map for the Warnervale Airport, prepared by Wyong Shire Council and approved by the</u></p>

#	Keyword	Summary	Recommendation
<p>relevant Commonwealth body or relevant Commonwealth Minister. or the Procedures for Air Navigation Services Operations Surface Map for the Warnervale Airport.</p> <p>relevant Commonwealth body means the body, under Commonwealth legislation, that is responsible for development approvals for development that penetrates the Limitation or Operations Surface for the Warnervale Airport.</p>			
Schedule 1 – Additional Permitted Uses			
1	Use of land at Tuggerah	<p>Council land to be leased for use as sporting fields as part of the Central Coast Mariners Centre for Excellence Sporting and Community Centre is zoned SP2 Sewerage Systems. Sporting fields (defined as Recreation Facility - Outdoor) are not permissible in the SP2 zone. As a result, it is proposed to add these sites to the Additional Permitted Uses map as "Item 30", rather than introduce a new zone.</p> <p>(a) Lot 60 DP 4008 – 8 Titania Avenue TUGGERAH</p> <p>(b) Lots 61-64, 71-73, 80-89 DP 4008 - 121 Church Road TUGGERAH</p> <p>(c) Lot 74 DP 4008 – 74 Delamere Avenue TUGGERAH</p> <p>(d) Lot 75 DP 4008 – 5-11 Second Avenue TUGGERAH.</p>	<p>Incorporate the following into Schedule 1:</p> <p>8 Use of land at Tuggerah</p> <ul style="list-style-type: none"> • This clause applies to land identified as "Item 30" on the Additional Permitted Uses Map. • Development for the purpose of recreation areas and recreation facilities (outdoor) is permitted with development consent.
Schedule 2 - Exempt Development			
1	Fences - Exempt development	<p>9.1 Notice of Motion – Council's reduction in 'Red Tape' (24 July 2013): Council resolved to indicate its intention to rescind controls over residential side and near boundary fencing. This will allow front fences to be constructed to a maximum height of 1.8 metres (six foot) under exempt development. <i>That Council insert "Front Boundary Fences" within Schedule 2, Exempt Development, as part of major Amendment No.1 to the Wyong Local Environmental Plan 2012, subject to the following standards:</i></p> <p>(a) <i>be not higher than 1.8 metres above ground level (existing); and</i></p> <p>(b) <i>be located within, not over, the front boundary; and</i></p> <p>(c) <i>be designed to preserve traffic sight line requirements at intersections; and</i></p> <p>(d) <i>be not constructed of barbed or razor wire.</i></p>	<p>Insert the following item into Schedule 2:</p> <p>Front Boundary Fences</p> <ol style="list-style-type: none"> (1) Must not be higher than 1.8 metres above ground level (existing); and (2) Must be compliant with the BCA for masonry structures over 1.2m high; (3) Must be located within, not over, the front boundary; and (4) Must preserve access to Council infrastructure such as sewer and water meters; and (5) Must be designed to preserve traffic sight line requirements at intersections; and (6) Must not be constructed of barbed or razor wire; and (7) Must not be a heritage item.
Schedule 3 - Complying Development			

#	Keyword	Summary	Recommendation
x	x	x	x
Schedule 4 - Reclassification			
1	Incorrect references	A number of sites were referenced incorrectly in the final Schedule 4, which needs to be resolved as part of Wyong LEP 2013 - 1st Major Amendment.	<p>Incorporate the following amendments:</p> <ul style="list-style-type: none"> • Lake Munmorah - Budgeree Avenue, Lot 1 DP 813079 - Amend to 1W Budgeree Avenue, Lot 1 DP 813079 • Norah Head - Lot 2, DP 600350, Wilfred Barrett Drive - Amend to Lot 2, DP 600350, 50 Wilfred Barrett Drive • Noraville - Lot 557, DP 44985 and Lot 1, DP 859289, Wilfred Barrett Drive - Amend to Lot 557, DP 44985 and Lot 1, DP 859289, 35 Wilfred Barrett Drive • Ourimbah - Lot 34 DP 1001053, 1W Pacific Highway - Amend to Lot 22 DP 1188257, 1W Pacific Highway • Toukley - Lot 263 DP 540712, Bucks Lane - Amend to Lot 263 DP 540712, 1W Bucks Lane • Woongarah - Lot 732 DP 1157871, Cascades Road - Amend to Lot 732 DP 1157871, 61W Cascades Road • Berkeley Vale - Volume 15031 Folio 222, 3W Eric Place - Amend to Lot 40 DP 263868, 3W Eric Place • Canton Beach - Lot 55, DP 2700, 14w Montgomery Avenue - Amend to Lot 55, DP 27001, 16 Wattle Street. • Gorokan - Lot 11, DP 27056, 40W Durham Road - Amend to Lot 110 DP 223805, 40 Durham Road • Jiliby - Lot 16, DP 228750, 231W Hue Hue Road - Amend to Lot 16, DP 228750, 231 Hue Hue Road • Jiliby - Lot 7 DP 880403, Sparks Road - Amend to Lot 7 DP 880403, 200W Sparks Road • Kulnura - Lot 5, DP 239975 and Lot 6, DP 239975, Greta Road - Amend to Lot 5, DP 239975 and Lot 6, DP 239975, 230 Greta Road • Mannering Park - Lot 2, DP 502447, 1W Spencer Road - Amend to Lot 2, DP 502447, 32W Warwick Avenue • Tuggerah - Lot 14, DP 258178 and Part Lot 2, DP 605627, 10W Tambelin Street - Amend to Lot 14, DP 258178 and Part Lot 2, DP 605627, 10 Tambelin Street • Wyong - Lot 5, DP 705966 and Lot 8 DP 706917, 19 Woodward Avenue - Amend to Lot 5, DP 705966, 19 Woodward Avenue • Wyong - Lot 207 DP 248954, 43 Cutler Drive - Amend to Lot 207 DP 248954, Lot 8 DP 706917, 43 Cutler Drive.
Schedule 5 - Environmental Heritage			
1	Dwelling:	Lot 33, DP 21032: The heritage item on	Remove Lot 33, DP 21032 from heritage

#	Keyword	Summary	Recommendation
	204-214 Pacific Highway, Watanobbi	this site was demolished prior to the LEP being gazetted.	schedule.
2	Eleanor Duncan Aboriginal Health Centre	The Eleanor Duncan Aboriginal Health Centre needs to be renamed to the Former Station Master's Cottage. This is to avoid confusion when ownership or use of the building changes.	Amend Item I124 (Eleanor Duncan Aboriginal Health Centre) to Former Station Master's Cottage.
3	Old Ravensdale Road, Ravensdale	Site listed as 25 Ravensdale Road but should refer to 25-99 Ravensdale Road instead (another site is listed as 25 Ravensdale Road).	Amend Item I72 (Old Ravensdale Road) to 25-99 Ravensdale Road.
4	I158 - Yarramalong Public School	Site listed as Yarramalong Public School - but should refer to Yarramalong Public School (Former).	Amend Item I158 to Yarramalong Public School (Former).
5	Sort sites by item number	Sites are currently listed alphabetically in the Schedule 6 table. It would be far more useful to Council if the item numbers were in consecutive order instead. This would help a great deal when searching heritage listings by listing number.	Sort item numbers in consecutive order.
6	I42 – Norah Head	Item is not appropriately listed and creates confusion. Lot 4 DP 847750 should be added to the property description, and the Item Name changed to Norah Head Reserve.	<ul style="list-style-type: none"> • Insert Lot 4 DP 847750 to the property description. • Amend Item Name to Norah Head Reserve.
Other			
1	Affordable Housing Study	Implement any relevant outcomes of the Affordable Housing Study.	<ol style="list-style-type: none"> 1. Add the following objective to clause 4.4(1) Floor Space Ratio: <i>'To promote the provision of affordable housing.'</i> 2. Add the following sub-clause to clause 4.4(1) Floor Space Ratio: <i>Despite subclause (2), the Floor Space Ratio for a building on land identified on the <u>Floor Space Ratio Map</u> may be increased by 0.1, where the proposed development will result in 75% of dwellings having a gross floor area between 1.0 and 1.05 times the gross floor areas stated in clause 14.2(b) of SEPP Affordable Rental Housing.^[1]</i> <p>^[1] 35 square metres in the case of a bedsitter or studio, 50 square metres in the case of a dwelling having 1 bedroom, 70 square metres in the case of a dwelling having 2 bedrooms and 95 square metres in the case of a dwelling having 3 or more bedrooms.</p>

Part 3 Justification

Section A – Need for the Planning Proposal

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

There are no specific strategic studies or reports relating to the preparation of this Planning Proposal, with the exception of the provisions that are proposed to be introduced as a result of formal adoption of the Retail Centres Strategy and Affordable Housing Study.

Instead, the undertaking of amendments to the Wyong LEP 2013 is primarily a housekeeping exercise to resolve mapping and clause errors and/or anomalies. The Planning Proposal is primarily a result of a review that was undertaken by Council to identify anomalies requiring correction.

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

Yes. The Planning Proposal is the best means of achieving the intended outcome. All the matters covered by the Planning Proposal relate to statutory issues under Part 3 of the *Environmental Planning and Assessment Act, 1979*. In this regard, the Planning Proposal is the only mechanism for achieving the intended outcomes.

Section B – Relationship to strategic planning framework

3. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

a) Central Coast Regional Strategy

The proposed amendments are mostly administrative and will generally have little to no impact on the objectives and actions of the Central Coast Regional Strategy (CCRS). In this regard, the Planning Proposal is consistent with the CCRS.

b) Central Coast Regional Action Plan

The Planning Proposal is also consistent with the following regional priorities identified in the Central Coast Regional Action Plan, developed by the NSW Government in December 2012:

- *Grow the economy of the Central Coast and provide sustainable employment:* Amendments associated with the recently adopted Wyong Retail Centres Strategy, including expanding commercial zones around existing retail centres, will assist Wyong Shire Council in delivering an improved economy with more sustainable employment. This will assist in revitalising “town centres in the Wyong Shire to cater for expected population growth”; delivering “effective regional planning to cater for growth and encourage increased investment”; and supporting “key regional industries and local businesses to grow”.
- *Improve transport connectivity and regional roads:* Amendments associated with incorporation of future road acquisition areas by the Roads and Maritime Service will ensure that Wyong LGA will have improved transport connectivity into the future. This will assist in improving “the Central Coast strategic road network to address traffic hotspots and increase linkages within the region”.
- *Protect our natural environment and achieve balanced outcomes between development and conservation*

4. Is the Planning Proposal consistent with Council’s local strategy or other local strategic plan?

a) Wyong Community Strategic Plan (CSP) 2030

The Wyong Shire Community Strategic Plan (CSP) identifies what the Shire Strategic Vision is, how the Vision was created through the community, the importance of the community, Council,

state and federal government working together to achieve the Shire's Vision, and how the Shire Strategic Vision integrates with Council's Asset Management Strategy and long-term Financial Strategy.

The CSP identifies 8 priority objectives, each supported by a range of actions. Relevant actions are detailed below:

- *Communities will be vibrant, caring and connected with a sense of belonging and pride in their neighbourhood.*

Amendments associated with the recently adopted Wyong Retail Centres Strategy, including expanding commercial zones around existing retail centres, will encourage the development of commercial areas for a range of additional land uses, including leisure, entertainment, community and recreational facilities, which meet the social needs of the community and contribute to community pride and social cohesion.

- *There will be ease of travel within the Shire and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.*

Amendments associated with incorporation of future road acquisition areas by the Roads and Maritime Service will ensure that Wyong LGA will have improved transport connectivity into the future. This will assist in improving our strategic road network to improve connectivity within the region.

- *Communities will have access to a diverse range of affordable and coordinated facilities, programs and services*

Not relevant to this Planning Proposal. Subject land is urbanised.

- *The community will be well educated, innovative and creative; people will attain full knowledge potential at all stage of life.*

Not relevant to this Planning Proposal. Subject land is urbanised.

- *Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.*

Not relevant to this Planning Proposal. Subject land is urbanised.

- *There will be a sense of community ownership of the natural and built environment through direct public involvement with programs and services.*

Not relevant to this Planning Proposal.

- *There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.*

Amendments associated with the recently adopted Wyong Retail Centres Strategy, including expanding commercial zones around existing retail centres, will encourage the development of commercial areas for a range of additional land uses, including leisure, entertainment, community and recreational facilities, which meet the social needs of the community and contribute to community pride and social cohesion.

- *Information communication technology will be consistent with the world's best practice and adaptive to technological advances across all sectors.*

Not relevant to this Planning Proposal.

5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The proposal has been considered against the relevant State Environmental Planning Policies (SEPP) as detailed below.

Policy Aims	Comment
State Environmental Planning Policy No 1—Development Standards	
<ul style="list-style-type: none"> Provides flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in section 5 (a) (i) and (ii) of the Act. 	<ul style="list-style-type: none"> Clause 1.9 of Wyong LEP 2013 states that the SEPP does not apply.
State Environmental Planning Policy No 14—Coastal Wetlands	
<ul style="list-style-type: none"> Ensure that coastal wetlands are preserved and protected in the environmental and economic interests of the State. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 15 – Rural Landsharing Communities	
<ul style="list-style-type: none"> Encourage and facilitate the development of rural landsharing communities committed to environmentally sensitive and sustainable land use practices. 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No 19 – Bushland in Urban Areas	
<ul style="list-style-type: none"> To protect and preserve bushland within certain urban areas. 	<ul style="list-style-type: none"> Schedule 1 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No 21—Caravan Parks	
<ul style="list-style-type: none"> Encourage orderly and economic use of land for caravan parks for short- and/or long-term residents, Promote the social and economic welfare of the community, Encourage the provision of community facilities for caravan parks, and Protect the environment near caravan parks. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 26—Littoral Rainforests	
<ul style="list-style-type: none"> To provide a mechanism for the consideration of applications for development that is likely to damage or destroy littoral rainforest areas with a view to the preservation of those areas in their natural state. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 29 – Western Sydney Recreation Area	
<ul style="list-style-type: none"> To enable the development of a Western Sydney Recreation Area of State significance. 	<ul style="list-style-type: none"> Clause 4 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No 30—Intensive Agriculture	
<ul style="list-style-type: none"> To require development consent for cattle feedlots having a capacity to accommodate 50 or more head of cattle, and piggeries having a capacity to accommodate 200 or more pigs or 20 or more breeding sows, and To provide for public participation in the consideration of development applications for cattle feedlots or piggeries of this size, and 	<ul style="list-style-type: none"> Applicable to certain development applications. Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.

Policy Aims	Comment
<ul style="list-style-type: none"> • To require that, in determining a development application for cattle feedlots or piggeries of this size, the consent authority is to take into consideration: <ul style="list-style-type: none"> – the adequacy of information provided, and – the potential for odour, water pollution and soil degradation, and – measures to mitigate potential adverse impacts, and – measures for the health and welfare of animals, and – relevant guidelines. 	
State Environmental Planning Policy No 32—Urban Consolidation (Redevelopment of Urban Land)	
<ul style="list-style-type: none"> • to promote the orderly and economic use and development of land by enabling urban land which is no longer required for the purpose for which it is currently zoned or used to be redeveloped for multi-unit housing and related development, and • to implement a policy of urban consolidation which will promote the social and economic welfare of the State and a better environment by enabling: <ol style="list-style-type: none"> i. the location of housing in areas where there are existing public infra-structure, transport and community facilities, and ii. increased opportunities for people to live in a locality which is close to employment, leisure and other opportunities, and iii. the reduction in the rate at which land is released for development on the fringe of existing urban areas. 	<ul style="list-style-type: none"> • Applicable to certain development applications. • Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 33—Hazardous and Offensive Development	
<ul style="list-style-type: none"> • Amend the definitions of hazardous and offensive industries where used in environmental planning instruments, and • To render ineffective a provision of any environmental planning instrument that prohibits development for the purpose of a storage facility on the ground that the facility is hazardous or offensive if it is not a hazardous or offensive storage establishment as defined in this Policy, and • To require development consent for hazardous or offensive development proposed to be carried out in the Western Division, and • To ensure that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account, and 	<ul style="list-style-type: none"> • Applicable to certain development applications. • Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.

Policy Aims	Comment
<ul style="list-style-type: none"> To ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact. 	
State Environmental Planning Policy No 36—Manufactured Home Estates	
<ul style="list-style-type: none"> To facilitate the establishment of manufactured home estates as a contemporary form of medium density residential development that provides an alternative to traditional housing arrangements, and To provide immediate development opportunities for manufactured home estates on the commencement of this Policy. 	<ul style="list-style-type: none"> It is considered that the Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 39 – Spit Island Bird Habitat	
<ul style="list-style-type: none"> Enabling development to be carried out without consent for the purpose of creating and protecting a bird habitat at Spit Island. 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No 44—Koala Habitat Protection	
<ul style="list-style-type: none"> To encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 47 – Moore Park Showground	
<ul style="list-style-type: none"> To enable the redevelopment of the Moore Park Showground in a manner that is consistent with its status as an area of importance for State and regional planning in New South Wales. 	<ul style="list-style-type: none"> Clause 2 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No 50—Canal Estate Development	
<ul style="list-style-type: none"> To prohibit canal estate development as described in this Policy in order to ensure that the environment is not adversely affected by the creation of new developments of this kind. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	
<ul style="list-style-type: none"> To require environmental assessment under Part 4 of the Environmental Planning and Assessment Act 1979 of development for the purpose of artificial waterbodies (other than minor works in restricted locations) that will be carried out under farm plans that implement land and water management plans. 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No 55—Remediation of Land	
<ul style="list-style-type: none"> Provide for a Statewide planning approach to the remediation of contaminated land. 	<ul style="list-style-type: none"> In preparing the draft plan, Council prior to including in a particular zone any land specified in clause 6(4)

Policy Aims	Comment
<ul style="list-style-type: none"> • To promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment: <ul style="list-style-type: none"> – by specifying when consent is required, and when it is not required, for a remediation work, and – by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and – by requiring that a remediation work meet certain standards and notification requirements. 	<p>if the inclusion of the land in that zone would permit a change of use of the land has:</p> <ul style="list-style-type: none"> (a) considered whether the land is contaminated, and (b) if the land is contaminated, Council is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, council is satisfied that the land will be so remediated before the land is used for that purpose. <ul style="list-style-type: none"> • In terms of rezoning, the guidelines require <i>“consideration of contamination issues when rezoning land. If a rezoning allows a change of use that may increase the risk to health or the environment from contamination then the planning authority must be satisfied that the land is suitable for the proposed use or can be remediated to make it suitable. If remediation is necessary, the planning authority must be satisfied that suitable planning controls are in place to ensure that this occurs. In addition the guidelines also require consideration of a Preliminary Investigation where a rezoning allows a change of use that may increase the risk to health or the environment from contamination.”</i> • Council has assessed known or potentially contaminated sites included within Councils Contaminated Land Register having regard to proposed zones under Wyong LEP 2013 – Major Amendment 1, existing zones under Wyong LEP 2013, and any possible change of use that may result. In particular, proposed land zoning changes of relevance to SEPP 55 for the following sites are addressed below: <ul style="list-style-type: none"> – 155 Louisiana Road, Wadalba: A Geotechnical Study was prepared by Douglas Partners in 2005 as part of the preparation of a Development Application for development of this site as part of the Wadalba Sporting Complex. The report noted that: <p><i>“At the time of the investigation, the site was generally occupied by rural land including a mixture of cleared grassland, open to moderately dense native bushland and stands of mature exotic trees. Site developments included a timber clad residence and garage, a metal clad fire station, a partially demolished timber and fibrous cement sheeting garage and associated fences. There was also four earthen dams at the site, predominantly located along the western</i></p>

Policy Aims	Comment
	<p><i>boundary”.</i></p> <p>As a result, it is concluded that the site is unlikely to be contaminated due to previous land uses, and can be made suitable for residential use of the south western portion of the site. The proposal to rezone a small portion of this RE1 Public Recreation zoned land to R1 General Residential is consistent with the SEPP.</p> <ul style="list-style-type: none"> - 17W Moola Road, Buff Point: A review of the aerial photographic record of this site indicates that the site has not been used for any purpose other than rural and recreation uses in the past. As a result, it is concluded that the site is unlikely to be contaminated due to previous land uses, and can be made suitable for residential use of the south western portion of the site. The proposal to rezone a small portion of this RE1 Public Recreation zoned land to R1 General Residential is consistent with the SEPP. - Land between West Village Centre to Budgewoi Creek: A Preliminary Contamination Assessment will be undertaken as required by any Gateway Determination. - Colongra and Halekulani Oval: A Preliminary Contamination Assessment will be undertaken as required by any Gateway Determination. <ul style="list-style-type: none"> • Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.

State Environmental Planning Policy No 59 – Central Western Sydney Regional Open Space and Residential

- To rezone certain land for urban development and to co-ordinate the planning and development of the land to which this Policy applies.
- Clause 4 of the SEPP excludes Wyong LGA from this SEPP.

State Environmental Planning Policy No 62—Sustainable Aquaculture

- To encourage sustainable aquaculture, including sustainable oyster aquaculture, in the State, namely, aquaculture development which uses, conserves and enhances the community’s resources so that the total quality of life now and in the future can be preserved and enhanced, and
- To make aquaculture development permissible in certain zones under the Standard Instrument, as identified in the NSW Land Based Sustainable Aquaculture Strategy, and
- To set out the minimum site location and operational requirements for permissible aquaculture development (the minimum performance criteria), and
- To establish a graduated environmental
- Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.

Policy Aims	Comment
<p>assessment regime for aquaculture development based on the applicable level of environmental risk associated with site and operational factors (including risks related to climate change, in particular, rising sea levels), and</p> <ul style="list-style-type: none"> To apply the Policy to land-based aquaculture development and oyster aquaculture development in the State and to include facility for extension of the Policy to natural water-based aquaculture. 	
State Environmental Planning Policy No 64—Advertising and Signage	
<p>To ensure that signage (including advertising):</p> <ul style="list-style-type: none"> is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, and is of high quality design and finish. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy No 65—Design Quality of Residential Flat Development	
<ul style="list-style-type: none"> Policy aims to improve the design quality of residential flat development in New South Wales, recognises that the design quality of residential flat development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high quality design, and includes a number of aims to improve the design quality of residential flat development. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP. Council is of the opinion that the draft plan is not required to be referred to the design review panel constituted for the Council's area under the SEPP as the provisions requiring referral relate to a draft development control plan (including an amending plan) containing provisions that apply to residential flat development (clause 21A) or masterplan (clause 29).
State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes)	
<ul style="list-style-type: none"> To insert revised affordable housing provisions into environmental planning instruments for certain land in Sydney. 	<ul style="list-style-type: none"> Clause 6 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy No. 71 Coastal Protection	
<ul style="list-style-type: none"> To protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and To protect and improve existing public access to and along coastal foreshores, and to ensure that new opportunities for public access to and along coastal foreshores are identified and realised, to the extent that this is compatible with the natural attributes of the coastal foreshore, and To ensure that the visual amenity of the coast is protected, and To protect and preserve Aboriginal cultural heritage, Aboriginal places, values, customs, beliefs and traditional knowledge, and 	<ul style="list-style-type: none"> The proposal is consistent with the provisions of SEPP 71.

Policy Aims	Comment
<ul style="list-style-type: none"> To protect and preserve beach environments and beach amenity, native coastal vegetation, the marine environment of New South Wales, and rock platforms, and To manage the coastal zone in accordance with the principles of ecologically sustainable development, and To ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and 	
State Environmental Planning Policy (Affordable Rental Housing) 2009	
<ul style="list-style-type: none"> To provide a consistent planning regime for the provision of affordable rental housing, To facilitate the effective delivery of new affordable rental housing by providing incentives by way of expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards, To facilitate the retention and mitigate the loss of existing affordable rental housing, To employ a balanced approach between obligations for retaining and mitigating the loss of existing affordable rental housing, and incentives for the development of new affordable rental housing, To facilitate an expanded role for not-for-profit-providers of affordable rental housing, To support local business centres by providing affordable rental housing for workers close to places of work, To facilitate the development of housing for the homeless and other disadvantaged people who may require support services, including group homes and supportive accommodation. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP. Wyong LEP 2013 – Major Amendment 1 incorporates the relevant recommendations from the adopted <i>Affordable Housing Study: Planning Controls to Support Housing Affordability and Choice</i>.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	
<ul style="list-style-type: none"> To ensure consistency in the implementation of the BASIX scheme throughout the State. 	<ul style="list-style-type: none"> Development issue. However, Wyong LEP 2013 – Major Amendment 1 does not prohibit or limit application of the SEPP and is not inconsistent with the aims and provisions of the SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	
<ul style="list-style-type: none"> Providing exempt and complying development codes that have State-wide application, and Identifying types of development that are of minimal environmental impact that may be carried out without the need for development consent, and 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP. Wyong LEP 2013 – Major Amendment 1 relies on the SEPP and no additional items were added into Schedule 2 Exempt Development or Schedule 3 Complying Development.

Policy Aims	Comment
<ul style="list-style-type: none"> Identifying types of complying development that may be carried out in accordance with a complying development certificate as defined in the Act. 	
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	
<ul style="list-style-type: none"> Setting aside local planning controls that would prevent the development of housing for seniors or people with a disability that meets the development criteria and standards specified in this Policy, and Setting out design principles that should be followed to achieve built form that responds to the characteristics of its site and form, and Ensuring that applicants provide support services for seniors or people with a disability for developments on land adjoining land zoned primarily for urban purposes. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy (Infrastructure) 2007	
<p>Facilitate the effective delivery of infrastructure across the State by:</p> <ul style="list-style-type: none"> improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and providing greater flexibility in the location of infrastructure and service facilities, and allowing for the efficient development, redevelopment or disposal of surplus government owned land, and identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy (Kosciuszko National Parks – Alpine Resorts) 2007	
<ul style="list-style-type: none"> The aim of this Policy is to protect and enhance the natural environment of the alpine resorts, in the context of Kosciuszko National Park, by ensuring that development in those resorts is managed in a way that has regard to the principles of ecologically sustainable development. 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (Kurnell Peninsula) 1989	
<ul style="list-style-type: none"> To conserve the natural environment of the Kurnell Peninsula and ensure that development is managed having regard to the 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this SEPP.

Policy Aims	Comment
<p>environmental, cultural and economic significance of the area to the nation, State, region and locality.</p>	
<p>State Environmental Planning Policy (Major Development) 2005</p>	
<ul style="list-style-type: none"> To facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State, To facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
<p>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</p>	
<ul style="list-style-type: none"> To provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting the social and economic welfare of the State, and To facilitate the orderly and economic use and development of land containing mineral, petroleum and extractive material resources, and To establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment, and sustainable management, of development of mineral, petroleum and extractive material resources. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
<p>State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007</p>	
<ul style="list-style-type: none"> To provide that the erection of temporary structures is permissible with consent across the State, To ensure that suitable provision is made for ensuring the safety of persons using temporary structures, To encourage the protection of the environment at the location, and in the vicinity, of temporary structures by specifying relevant matters for consideration. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
<p>State Environmental Planning Policy (Penrith Lakes Scheme) 1989</p>	
<ul style="list-style-type: none"> To permit the implementation of the Penrith Lakes Scheme. 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this SEPP.
<p>State Environmental Planning Policy (Rural Lands) 2008</p>	
<ul style="list-style-type: none"> To facilitate the orderly and economic use and development of rural lands for rural and related 	<ul style="list-style-type: none"> Clause 4 of this SEPP specifies that it does not apply

Policy Aims	Comment
<p>purposes,</p> <ul style="list-style-type: none"> To identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State, To implement measures designed to reduce land use conflicts, To identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations. 	<p>to Wyong LGA.</p>
State Environmental Planning Policy (SEPP 53 Transitional Provisions) 2011	
<ul style="list-style-type: none"> To enact transitional provisions consequent on the repeal of <i>State Environmental Planning Policy No 53—Metropolitan Residential Development</i>. 	<ul style="list-style-type: none"> Clause 5 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (State and Regional Development) 2011	
<ul style="list-style-type: none"> To identify development that is State significant development, To identify development that is State significant infrastructure and critical State significant infrastructure. 	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 is consistent with the aims and provisions of the SEPP.
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	
<ul style="list-style-type: none"> To provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal. 	<ul style="list-style-type: none"> Clause 5 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	
<ul style="list-style-type: none"> To co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres of the Sydney Region. 	<ul style="list-style-type: none"> Clause 5 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (Three Ports) 2013	
<ul style="list-style-type: none"> To provide a consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and the Port of Newcastle. 	<ul style="list-style-type: none"> Clause 5 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (Urban Renewal) 2010	
<ul style="list-style-type: none"> To facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts. 	<ul style="list-style-type: none"> Clause 5 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (Western Sydney Employment Area) 2009	
<ul style="list-style-type: none"> To protect and enhance the land to which this Policy applies (the Western Sydney Employment Area) for employment purposes. 	<ul style="list-style-type: none"> Clause 4 of the SEPP excludes Wyong LGA from this SEPP.
State Environmental Planning Policy (Western Sydney Parklands) 2009	
<ul style="list-style-type: none"> To put in place planning controls that will 	<ul style="list-style-type: none"> Clause 3 of the SEPP excludes Wyong LGA from this

Policy Aims	Comment
enable the Western Sydney Parklands Trust to develop the Western Parklands into a multi-use urban parkland for the region of western Sydney.	SEPP.

6. Is the Planning Proposal consistent with applicable Section 117 Ministerial Directions?

The proposal has been considered against the relevant Section 117 Ministerial Directions as outlined below. Pending the outcomes of consultation with relevant government agencies, it is considered that the proposal will either be consistent with these Directions, or any inconsistencies are of minor significance.

Direction	Comment
1 EMPLOYMENT & RESOURCES	
1.1 Business & Industrial Zones	
<p>Objectives The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. <p>Where this direction applies This direction applies to all relevant planning authorities.</p> <p>When this direction applies This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).</p> <p>What a relevant planning authority must do if this direction applies A planning proposal must:</p> <ul style="list-style-type: none"> (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning. <p>Consistency A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy which: 	<ul style="list-style-type: none"> • Applicable. • Wyong LEP 2013 – Major Amendment 1 is consistent with this Direction. • The zonings proposed under Wyong LEP 2013 – Major Amendment 1 are consistent with the Council’s recently adopted Retail Centres Strategy, as follows: <ul style="list-style-type: none"> – 2 Edward Stinson Avenue WADALBA (Lot 0 SP 88281): Amend zone from R2 Low Density Residential to B2 Local Centre in accordance with the recommendations of the Retail Study. Amend minimum lot size map to remove 450m2 accordingly. – 1-5 & 1A Jaques Street OURIMBAH (Lot 80 DP 629315 & Lot 7 DP 20283) & 27 to 33 Pacific Highway OURIMBAH (Lot 13 DP 1112458; Lot 12 DP 1112458; Lot 11 DP 1112458; & Lot 0 SP 79090): Amend zone from R2 Low Density Residential to B2 Local Centre in accordance with the recommendations of the Retail Study. Amend minimum lot size map to remove 450m2 accordingly. – Palm Court Motel 61 Bateau Bay Road BATEAU BAY (Lot 4 Sec 15 DP 758063): Amend zone from B1 Neighbourhood Centre to R2 Low Density Residential Zone. Amend minimum lot size to 450m2 accordingly. – 444, 444W & 446 Main Road NORAVILLE (Lot 21 & 22 DP 717325; & Lot 1 DP 533976): Amend zone from B1 Neighbourhood Centre to R2 Low Density Residential Zone. Amend minimum lot size to 450m2 accordingly. – 15 & 17 Robertson Road & 69 Dampier Boulevard KILLARNEY VALE (Lot 426 & Lot 427 DP 27791; & Lot 424 DP 27791): Amend zone from B1 Neighbourhood Centre to R2 Low Density Residential Zone. Amend minimum lot size to 450m2 accordingly. – 146 Main Road (Lot 1 DP 121739); 148 Main

Direction	Comment
<p>(i) gives consideration to the objective of this direction, and</p> <p>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>	<p>Road (Lot 1 DP 566813); front half of 150-154 Main Road (Lot 62 DP 651054); 137 Main Road (Lot 221 DP 774634); 139 Main Road (Pt Lot A DP 445025); 143 Main Road (Part Lot 1 DP 518000); 145 Main Road (Lot 41 DP 653220); 147 Main Road (Lot 40A DP 419957) & 2 Tamar Avenue TOUKLEY (Lot 40B DP 419957): Amend zoning from B1 Neighbourhood Centre to B4 Mixed Use zone.</p> <ul style="list-style-type: none"> No changes are proposed to land use tables for business and industrial zones, with the exception of 'home based child care' being proposed to be moved to 'permitted with consent' rather than 'permitted without consent' in the B1 Neighbourhood Centre zone. This use has been added as permissible without consent as the Exempt and Complying Codes SEPP states that this use is only exempt if not located on bushfire prone land. It was determined that Wyong LEP 2013 should be consistent with this requirement to ensure safety in bushfire prone areas. Overall, Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

1.2 Rural Zones	
<p>Objective</p> <p>(a) The objective of this direction is to protect the agricultural production value of rural land.</p> <p>Where this direction applies</p> <p>(2) (a) Clause 4(a) of this direction applies to all relevant planning authorities.</p> <p>(b) Clause 4(b) of this direction applies in Wyong.</p> <p>When this direction applies</p> <p>(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(4) A planning proposal must:</p> <p>(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone.</p> <p>(b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).</p> <p>Consistency</p> <p>(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an</p>	<ul style="list-style-type: none"> Applicable. No changes are proposed to land use tables for rural zones, with the exception of: <ul style="list-style-type: none"> 'home based child care' being proposed to be moved to 'permitted with consent' rather than 'permitted without consent' in the RU1; RU2; RU5; and RU6 zones. This use has been added as permissible without consent as the Exempt and Complying Codes SEPP states that this use is only exempt if not located on bushfire prone land. It was determined that Wyong LEP 2013 should be consistent with this requirement to ensure safety in bushfire prone areas. 'secondary dwellings' being added as a permissible land use (with consent) in the R5 Large Lot Residential, RU1 Primary Production and RU2 Scenic Landscape zones. This use has been added due to dual occupancies being permissible with consent in these land use zones. 15 properties in Yarramalong Road, Wyong Creek (zoned RU1 Primary Production) are proposed to be removed from the Drinking Water Catchment map, as an administrative error during preparation of Wyong LEP 2013 has resulted in these sites continuing to be shown on this map, however these sites are not located in the drinking water

Direction	Comment
<p>officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ul style="list-style-type: none"> (iv) gives consideration to the objectives of this direction, (v) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (vi) is approved by the Director-General of the Department of Planning, or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	<p>catchment area. This will not increase permissible density and is therefore in accordance with the direction.</p> <ul style="list-style-type: none"> • Overall, Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.
1.3 Mining, Petroleum Production and Extractive Industries	
<p>Objective</p> <p>(a) The objective of this direction is 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.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that would have the effect of:</p> <ul style="list-style-type: none"> (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, 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. <p>What a relevant planning authority must do if this direction applies</p> <p>(d) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) consult the Director-General of the Department of Primary Industries (DPI) to identify any: <ul style="list-style-type: none"> (i) resources of coal, other minerals, 	<ul style="list-style-type: none"> • Not applicable. • Wyong LEP 2013 – Major Amendment 1 does not propose any changes that would have an effect on mining, petroleum production and/or extractive industries.

Direction	Comment
<p>petroleum or extractive material that are of either State or regional significance, and</p> <p>(ii) existing mines, petroleum production operations or extractive industries occurring in the area subject to the planning proposal, and</p> <p>(b) seek advice from the Director-General of DPI on the development potential of resources identified under (4)(a)(i), and</p> <p>(c) identify and take into consideration issues likely to lead to land use conflict between other land uses and :</p> <p>(iii) development of resources identified under (4)(a)(i), or</p> <p>(iv) existing development identified under (4)(a)(ii).</p> <p>(e) Where a planning proposal prohibits or restricts development of resources identified under (4)(a)(i), or proposes land uses that may create land use conflicts identified under (4)(c), the relevant planning authority must:</p> <p>(a) provide the Director-General of DPI with a copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) before undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>Consistency</p> <p>(f) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	

1.4 Oyster Aquaculture	
<p>Objectives</p> <p>(1) The objectives of this direction are:</p> <p>(a) to ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal,</p> <p>(b) to protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area</p>	<ul style="list-style-type: none"> • Not Applicable. • Wyong LEP 2013 – Major Amendment 1 does not affect Priority Oyster Aquaculture Areas and other aquaculture outside areas identified in the NSW Oyster Industry Sustainable Aquaculture Strategy (2006).

Direction	Comment
<p>from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</p> <p>Where this direction applies</p> <p>(2) This direction applies to Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area as identified in the <i>NSW Oyster Industry Sustainable Aquaculture Strategy</i> (2006) ("the Strategy").</p> <p>When this direction applies</p> <p>(3) This direction applies when a relevant planning authority prepares any planning proposal that proposes a change in land use which could result in:</p> <ul style="list-style-type: none"> (a) adverse impacts on a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate"; or (b) incompatible use of land between oyster aquaculture in a Priority Oyster Aquaculture Area or a "current oyster aquaculture lease in the national parks estate" and other land uses. <p>What a relevant planning authority must do if this direction applies</p> <p>(4) In the preparation of a planning proposal affected by this direction, the relevant planning authority must:</p> <ul style="list-style-type: none"> (a) identify any Priority Oyster Aquaculture Areas and oyster aquaculture leases outside such an area, as shown the maps to the Strategy, to which the planning proposal would apply, (b) identify any proposed land uses which could result in any adverse impact on a Priority Oyster Aquaculture Area or oyster aquaculture leases outside such an area, (c) identify and take into consideration any issues likely to lead to an incompatible use of land between oyster aquaculture and other land uses and identify and evaluate measures to avoid or minimise such land use incompatibility, (d) consult with the Director-General of the Department of Primary Industries (DPI) of the proposed changes in the preparation of the planning proposal, and (e) ensure the planning proposal is consistent with the Strategy. <p>(5) Where a planning proposal proposes land uses that may result in adverse impacts identified under (4)(b) and (c), relevant planning authority must:</p> <ul style="list-style-type: none"> (a) provide the Director-General of DPI with a 	

Direction	Comment
<p>copy of the planning proposal and notification of the relevant provisions,</p> <p>(b) allow the Director-General of DPI a period of 40 days from the date of notification to provide in writing any objections to the terms of the planning proposal, and</p> <p>(c) include a copy of any objection and supporting information received from the Director-General of DPI with the statement to the Director-General of the Department of Planning before undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>Consistency</p> <p>(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.</p> <p>Note: In this direction:</p> <p>(a) "Priority Oyster Aquaculture Areas" has the same meaning as in the NSW Oyster Industry Sustainable Aquaculture Strategy; and</p> <p>(b) an "incompatible use of land" includes access to oyster leases being limited by the change in land use or the risk of adverse impacts as a result of that change in land use on water quality and, consequently, on the health of oysters and on the health of consumers of those oysters.</p>	
<p>1.5 Rural Lands</p>	
<ul style="list-style-type: none"> • Aims to protect the agricultural production value of rural land; and facilitate the orderly and economic development of rural lands for rural and related purposes. • Applies to Councils to which State Environmental Planning Policy (Rural Lands) 2008 applies and prepares a dLEP that affects land within an existing or proposed rural or environment protection zone – Does not apply to Wyong LGA. 	<ul style="list-style-type: none"> • Not Applicable. • SEPP (Rural Lands) 2008 does not apply within Wyong LGA.
<p>2 ENVIRONMENT & HERITAGE</p>	
<p>2.1 Environmental Protection Zones</p>	
<p>Objective</p> <p>(a) The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this</p>	<ul style="list-style-type: none"> • Applicable. • LEPs must include provisions that facilitate the protection and conservation of environmentally sensitive land, and must not reduce the environmental protection standards that apply to existing environmental zones, including any development standards (which includes minimum lot sizes). • Wyong LEP 2013 – Major Amendment 1 does not reduce the environmental protection standards

Direction	Comment
<p>direction applies</p> <p>(d) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(e) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p>	<p>that apply to existing environmental zones, with the exception of:</p> <ul style="list-style-type: none"> - 1 Tiembula Road, Chain Valley Bay: The rezoning of 1 Tiembula Road, Chain Valley Bay from E1 National Parks and Nature Reserves Zone to E3 Environmental Management; however this is being undertaken to resolve an anomaly, as the property is privately owned, and is not proposed to be acquired by the NPWS.
<p>Consistency</p> <p>(f) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ol style="list-style-type: none"> i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	<ul style="list-style-type: none"> - Colongra and Halekulani Oval: The incorporation of an additional permitted use to 223 Scenic Dr Colongra for the purpose of 'service stations' and 'food and drink premises'. The land portion of the site proposed to be utilised for the service station and food and drink premises is quite degraded and cleared of vegetation. Any development application on this site would have consideration for the zoning and any environmentally sensitive areas. - 1 Drovers Way, Wadalba: The rezoning of a small portion of 1 Drovers Way, Wadalba from E2 Environmental Conservation to R2 Low Density Residential zone to more accurately reflect the boundary of the approved subdivision and Wadalba Wildlife Corridor. - 1 Youngs Road, Ourimbah: The rezoning of a small portion of this site from E2 Environmental Conservation to E3 Environmental Management is deemed necessary in order to ensure that the existing dwelling entitlement on this site that existed under WLEP 1991 is retained under WLEP 2013. This portion of the site was converted from 7(a) (Conservation Zone) under WLEP 1991 to E2 Environmental Conservation in accordance with the Environmental Management Framework (EMF), due to the presence of mapped EECs. However, the EMF also states that in zoning such land, "the intent is to ensure any existing dwelling entitlement is retained." Due to the flood prone nature of a portion of this site (with a creek in the middle of the site separating the property into 2 sections), and the E2 zone over part of the site, the result is that the existing dwelling entitlement on this property has been removed. This needs to be rectified to ensure an appropriate dwelling envelope. Council's Senior Ecologist has visited the site to carry out a site inspection, and has approved the minor zone boundary amendment. Any development application on this site would have consideration for the zoning and any environmentally sensitive areas. - Amendment to the Drinking Water

Direction	Comment
	<p>Catchment map: 15 properties in Yarramalong Road, Wyong Creek (zoned RU1 Primary Production) are proposed to be removed from the Drinking Water Catchment map, as an administrative error during preparation of Wyong LEP 2013 has resulted in these sites continuing to be shown on this map, however these sites are not located in the drinking water catchment area. This amendment is to resolve a mapping anomaly, as these sites should not have been subject to this control as part of Wyong LEP 2013.</p> <ul style="list-style-type: none"> – Amendment to the Lot Size map for 91 Tumbi Road, Tumbi Umbi: This will amend the lot size for a small portion of this site from 40ha to 2,500m². This is to resolve an anomaly - the lot size polygon applied to this site does not align with the land zoning polygon. As a result, the 2,500m² minimum lot size only applies to a portion of the E3 Environmental Management zoned land. • No changes are proposed to land use tables for rural zones, with the exception of: <ul style="list-style-type: none"> – Secondary dwellings: ‘secondary dwellings’ are proposed to be added as a permissible land use (with consent) in the R5 Large Lot Residential, RU1 Primary Production and RU2 Scenic Landscape zones. This use has been added due to dual occupancies being permissible with consent in these land use zones. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

2.2 Coastal Protection	
<p>Objective</p> <p>(a) The objective of this direction is to implement the principles in the NSW Coastal Policy.</p> <p>Where this direction applies</p> <p>(b) This direction applies to the coastal zone, as defined in the <i>Coastal Protection Act 1979</i>.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that applies to land in the coastal zone.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> (a) the NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997, and (b) the Coastal Design Guidelines 2003, and (c) the manual relating to the management of the coastline for the purposes of section 733 of the Local Government Act 1993 (the NSW 	<ul style="list-style-type: none"> • Applicable. • Wyong LEP 2013 – Major Amendment 1 applies to land in the coastal zone as follows: <ul style="list-style-type: none"> – Land between West Village Centre to Budgewoi Creek: The proposal to rezone this R2 Low Density Residential zoned land to R1 General Residential is consistent as it focuses increased residential density within the village centre and builds on the settlements existing structure. – Colongra and Halekulani Oval: The proposal to rezone the land at Halekulani (109-111 Scenic Dr, Budgewoi (Lot 1026 DP 24049, Lot 1027 DP 24049) and 107 Scenic Dr Budgewoi (Lot 1 DP 385077 from RE1 to B2 Local Centre, and R1 General Residential is consistent as it focuses retail and commercial development within the village centre and by increasing residential density potential, builds on the

Direction	Comment
<p>Coastline Management Manual 1990).</p> <p>Consistency</p> <p>(e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ol style="list-style-type: none"> i. gives consideration to the objective of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>	<p>settlements existing structure. Incorporating additional permitted uses of 'service stations' and 'food and drink premises' at 223 Scenic Dr, Colongra (Lot 1 DP 1049201) is part of the land swap deal that Council has negotiated with Woolworths in order to ensure that the future supermarket is not located in an out-of-centre location.</p> <ul style="list-style-type: none"> - Land between Thompson and Pacific Streets, Long Jetty: The Entrance Peninsula Planning Strategy supports the zone change for these sites from R2 Low Density Residential to B2 Local Centre. Height of buildings and FSR increased as part of Wyong LEP 2013, in accordance with TEPPS. The zone change was excluded from Wyong LEP 2013 in error. The Long Jetty Masterplan also supports this rezoning. - Consistent application of 9.5m height of building limit to all R2 Low Density Residential zoned land: The proposal is consistent as it is noted that in general the R1 General Residential zone has a 9.5m height limit which in general permits a 2-storey development. The R2 Low Density Residential zone, which also in general permits a 2-storey development. FSRs will remain unchanged, therefore recognising the higher density nature of the R1 zone when compared to the R2 zone. - Reinstatement of land at Blue Haven on Foreshore Building Line map: Under Wyong LEP 1991, properties along the creek at Blue Haven were affected by a Foreshore Building Line (FBL) under Clause 31. This line was fixed by a Council Resolution but not mapped under the LEP, and therefore this land was not converted into Wyong LEP 2013 in error. It is now proposed to reinstate certain sites within the FBL mapping. This will assist in protecting this land within the coastal zone. - 155 Louisiana Road, Wadalba: The proposal to rezone a small portion of this RE1 Public Recreation zoned land to R1 General Residential is consistent as it focuses increased residential density within the village centre and builds on the settlements existing structure. - 17W Moola Road, Buff Point: The proposal to rezone a small portion of this RE1 Public Recreation zoned land to R1 General Residential is consistent as it focuses increased residential density within the village centre and builds on the settlements existing structure. - Other zone changes to land within the coastal zone are the result of obvious zone translation

Direction	Comment
	<p>errors as part of Wyong LEP 2013, and these are now being resolved. No additional risk to the coastal zone is anticipated by rectifying these anomalies.</p> <ul style="list-style-type: none"> Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.
<p>2.3 Heritage Conservation</p>	
<p>Objective</p> <p>(a) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must contain provisions that facilitate the conservation of:</p> <p>(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</p> <p>(b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and</p> <p>(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</p> <p>Consistency</p> <p>(e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:</p> <p>(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments,</p>	<ul style="list-style-type: none"> Applicable. Wyong LEP 2013 – Major Amendment 1 involves amendment to the following heritage listed items: <ul style="list-style-type: none"> Dwelling at 204–214 Pacific Highway, Watanobbi: Demolished prior to the LEP being gazetted – Remove. Eleanor Duncan Aboriginal Health Centre: Rename to the Former Station Master’s Cottage. This is to avoid confusion when ownership or use of the building changes. Old Ravensdale Road, Ravensdale: Site listed as 25 Ravensdale Road but should refer to 25-99 Ravensdale Road instead (another site is listed as 25 Ravensdale Road). Yarramalong Public School: Site listed as Yarramalong Public School – but should refer to Yarramalong Public School (Former). Norah Head Lighthouse Bush Reserve: Heritage Item I42 was incorrectly excluded from the Heritage mapping. This item relates to the bush reserve, separate to the lighthouse listing (I43). Mapping amended so Item I42 is mapped separately to Item I43. Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
<p>legislation, or regulations that apply to the land, or</p> <p>(b) the provisions of the planning proposal that are inconsistent are of minor significance.</p> <p>Note:In this direction: “conservation”, “environmental heritage”, “item”, “place” and “relic” have the same meaning as in the <i>Heritage Act 1977</i>. “Aboriginal object”, “Aboriginal area” and “Aboriginal place” have the same meaning as in the <i>National Parks and Wildlife Act 1974</i>. Heritage conservation is covered by a compulsory clause in the Standard Instrument (Local Environmental Plans) Order 2006. A LEP that adopts the Standard Instrument should identify such items, areas, objects or places of environmental heritage significance or indigenous heritage significance as are relevant to the terms of this direction on the Heritage Map and relevant Schedule of the LEP.</p>	
2.4 Recreational Vehicle Areas	
<p>Objective</p> <p>(a) The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>):</p> <p>(a) where the land is within an environmental protection zone,</p> <p>(b) where the land comprises a beach or a dune adjacent to or adjoining a beach,</p> <p>(c) where the land is not within an area or zone referred to in paragraphs (4)(a) or (4)(b) unless the relevant planning authority has taken into consideration:</p> <p>i. the provisions of the guidelines entitled <i>Guidelines for Selection, Establishment and Maintenance of Recreation Vehicle Areas</i>, Soil Conservation Service of New South Wales, September, 1985, and</p> <p>ii. the provisions of the guidelines entitled <i>Recreation Vehicles Act, 1983, Guidelines for Selection, Design, and Operation of Recreation Vehicle Areas, State Pollution Control Commission, September 1985</i>.</p>	<ul style="list-style-type: none"> • Applicable, although no recreation vehicle areas in Wyong. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
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Consistency

- (e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:
- (a) justified by a strategy which:
 - i. gives consideration to the objective of this direction, and
 - ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - iii. is approved by the Director-General of the Department of Planning, or
 - (a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
 - (b) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
 - (c) of minor significance.

3 HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT

3.1 Residential Zones

Objectives

- (a) The objectives of this direction are:
- (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,
 - (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
 - (c) to minimise the impact of residential development on the environment and resource lands.

Where this direction applies

- (b) This direction applies to all relevant planning authorities.

When this direction applies

- (c) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:
- (a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),
 - (b) any other zone in which significant residential development is permitted or proposed to be permitted.

What a relevant planning authority must do if this

- Applicable.
- Wyong LEP 2013 – Major Amendment 1 provides for an overall increase in the permissible density for residential development throughout the LGA, as follows:
 - **Land between West Village Centre to Budgewoi Creek:** The proposal to rezone this R2 Low Density Residential zoned land to R1 General Residential is consistent as it focuses increased residential density within the village centre and builds on the settlements existing structure.
 - **Colongra and Halekulani Oval:** The proposal to rezone the land at Halekulani (109-111 Scenic Dr, Budgewoi (Lot 1026 DP 24049, Lot 1027 DP 24049) and 107 Scenic Dr Budgewoi (Lot 1 DP 385077 from RE1 to B2 Local Centre, and R1 General Residential is consistent as it focuses retail and commercial development within the village centre and by increasing residential density potential, builds on the settlements existing structure. This will also provide a range of housing types within the town centre. Infrastructure services are available to the proposed R1 land. The land is currently

Direction	Comment
<p>direction applies</p> <p>(d) A planning proposal must include provisions that encourage the provision of housing that will:</p> <ul style="list-style-type: none"> (a) broaden the choice of building types and locations available in the housing market, and (b) make more efficient use of existing infrastructure and services, and (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and (d) be of good design. <p>(e) A planning proposal must, in relation to land to which this direction applies:</p> <ul style="list-style-type: none"> (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and (b) not contain provisions which will reduce the permissible residential density of land. <p>Consistency</p> <p>(f) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <ul style="list-style-type: none"> (a) justified by a strategy which: <ul style="list-style-type: none"> (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance. 	<p>cleared of vegetation and within close proximity to essential services such as public transport.</p> <ul style="list-style-type: none"> – 155 Louisiana Road, Wadalba: A proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential is consistent as it increases residential density potential within proximity to retail, community, recreational and educational facilities at Wadalba and builds on the settlements existing structure. As the site is proposed for affordable housing development, this will also provide a range of housing types within the Wadalba area. Infrastructure services are available to the proposed R1 land. The land is currently cleared of vegetation and within close proximity to essential services such as public transport. – 17W Moola Road, Buff Point: A proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential is consistent as it increases residential density potential within proximity to retail, community, recreational and educational facilities and builds on the existing settlement structure of the Buff Point locality. As the site is proposed for affordable housing development, this will also provide a range of housing types within the area. Infrastructure services are available to the proposed R1 land. The land is currently cleared of vegetation and within close proximity to essential services such as public transport. <ul style="list-style-type: none"> • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

3.2 Caravan Parks and Manufactured Home Estates

Objectives

- (a) The objectives of this direction are:
 - (a) to provide for a variety of housing types, and
 - (b) to provide opportunities for caravan parks
- Applicable.
 - Wyong LEP 2013 – Major Amendment 1 is consistent with this direction as the plan retains

Direction	Comment
<p>and manufactured home estates.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities. This direction does not apply to:</p> <p>(a) Crown land reserved or dedicated for any purposes under the Crown Lands Act 1989, except Crown land reserved for accommodation purposes, or</p> <p>(b) land dedicated or reserved under the National Parks and Wildlife Act 1974.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) In identifying suitable zones, locations and provisions for caravan parks in a planning proposal, the relevant planning authority must:</p> <p>(a) retain provisions that permit development for the purposes of a caravan park to be carried out on land, and</p> <p>(b) retain the zonings of existing caravan parks, or in the case of a new principal LEP zone the land in accordance with an appropriate zone under the Standard Instrument (Local Environmental Plans) Order 2006 that would facilitate the retention of the existing caravan park.</p> <p>(e) In identifying suitable zones, locations and provisions for manufactured home estates (MHEs) in a planning proposal, the relevant planning authority must:</p> <p>(a) take into account the categories of land set out in Schedule 2 of SEPP 36 as to where MHEs should not be located,</p> <p>(b) take into account the principles listed in clause 9 of SEPP 36 (which relevant planning authorities are required to consider when assessing and determining the development and subdivision proposals), and</p> <p>(c) include provisions that the subdivision of MHEs by long term lease of up to 20 years or under the <i>Community Land Development Act 1989</i> be permissible with consent.</p> <p>Consistency</p> <p>(f) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <p>(i) gives consideration to the objective of this direction, and</p>	<p>provisions that permit development for the purposes of a caravan park to be carried out on land.</p> <ul style="list-style-type: none"> Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
<p>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>	
<p>3.3 Home Occupations</p>	
<p>Objective</p> <p>(a) The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) Planning proposals must permit home occupations to be carried out in dwelling houses without the need for development consent.</p> <p>Consistency</p> <p>(e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.</p> <p>Note: In this direction “home occupation” has the same meaning as it has in the Standard Instrument (Local Environmental Plans) Order 2006.</p>	<ul style="list-style-type: none"> • Applicable. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction as home occupations remain permissible without consent in the majority of zones.
<p>3.4 Integrating Land Use & Transport</p>	
<p>Objective</p> <p>(a) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p>	<ul style="list-style-type: none"> • Applicable. • Wyong LEP 2013 – Major Amendment 1 provides for an overall increase in accessibility to housing, jobs and services throughout the LGA, as follows: <ul style="list-style-type: none"> – Land between West Village Centre to Budgewoi Creek: The proposal to rezone this R2 Low Density Residential zoned land to R1 General Residential is consistent with this direction as it will assist in improving access to

Direction	Comment
<p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <p>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</p> <p>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).</p> <p>Consistency</p> <p>(e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <p>(i) gives consideration to the objective of this direction, and</p> <p>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p>	<p>housing within reach of jobs and services by walking, cycling and public transport.</p> <p>– Halekulani Oval: The proposal to rezone the land at Halekulani (109-111 Scenic Dr, Budgewoi (Lot 1026 DP 24049, Lot 1027 DP 24049) and 107 Scenic Dr Budgewoi (Lot 1 DP 385077 from RE1 to B2 Local Centre, and R1 General Residential increases supermarket, retail choice and job opportunities in Budgewoi within close proximity to residential areas. This Budgewoi Site is located on a shared path route; therefore, encouraging pedestrian and cycle access. A bus stop is located adjacent to the site on Noela Place. The service station and food and drink premises uses are proposed on the Central Coast Highway which is a direct route to Budgewoi and surrounding suburbs and is also a bus route and provides for efficient movement of freight. The proposal supports economic development in a suitable location.</p> <p>– 155 Louisiana Road, Wadalba: The proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential is consistent as it increases residential density potential within proximity to transport, retail, community, recreational and educational facilities at Wadalba.</p> <p>– 17W Moola Road, Buff Point: The proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential is consistent as it increases residential density potential within proximity to transport, community, recreational and educational facilities at Buff Point. Whilst neighbourhood retail facilities are available within Buff Point, extensive retail facilities are located 2km away in nearby Budgewoi.</p> <p>• Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.</p>

Direction	Comment
(d) of minor significance.	
3.5 Development Near Licensed Aerodromes	
<p>Objectives</p> <p>(a) The objectives of this direction are:</p> <p>(a) to ensure the effective and safe operation of aerodromes, and</p> <p>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</p> <p>(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) In the preparation of a planning proposal that sets controls for the development of land in the vicinity of a licensed aerodrome, the relevant planning authority must:</p> <p>(a) consult with the Department of the Commonwealth responsible for aerodromes and the lessee of the aerodrome,</p> <p>(b) take into consideration the Obstacle Limitation Surface (OLS) as defined by that Department of the Commonwealth,</p> <p>(c) for land affected by the OLS:</p> <p>(i) prepare appropriate development standards, such as height, and</p> <p>(ii) allow as permissible with consent development types that are compatible with the operation of an aerodrome</p> <p>(d) obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal proposes to allow, as permissible with consent, development that encroaches above the OLS. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(e) A planning proposal must not rezone land:</p> <p>(a) for residential purposes, nor increase</p>	<ul style="list-style-type: none"> • Applicable. • Wyong LEP 2013 – Major Amendment 1 proposed to introduce Obstacle Limitation Surface mapping, to ensure that development in the vicinity of Warnervale Aerodrome is appropriately scaled so as not to interfere with the aerodromes current operations. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
<p>residential densities in areas where the ANEF, as from time to time advised by that Department of the Commonwealth, exceeds 25, or</p> <p>(b) for schools, hospitals, churches and theatres where the ANEF exceeds 20, or</p> <p>(c) for hotels, motels, offices or public buildings where the ANEF exceeds 30.</p> <p>(f) A planning proposal that rezones land:</p> <p>(a) for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25, or</p> <p>(b) for hotels, motels, offices or public buildings where the ANEF is between 25 and 30, or</p> <p>(c) for commercial or industrial purposes where the ANEF is above 30,</p> <p>must include a provision to ensure that development meets AS 2021 regarding interior noise levels.</p> <p>Consistency</p> <p>(g) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <p>(i) gives consideration to the objectives of this direction, and</p> <p>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p>	

3.6 Shooting Ranges

Objective

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| <p>(a) The objectives are:</p> <p>(a) (to maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range,</p> <p>(b) to reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land,</p> <p>(c) (to identify issues that must be addressed</p> | <ul style="list-style-type: none"> • Applicable. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction. |
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Direction	Comment
<p>when giving consideration to rezoning land adjacent to an existing shooting range.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that will affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must not seek to rezone land adjacent to and/ or adjoining an existing shooting range that has the effect of:</p> <p>(a) permitting more intensive land uses than those which are permitted under the existing zone; or</p> <p>(b) permitting land uses that are incompatible with the noise emitted by the existing shooting range.</p> <p>Consistency</p> <p>(e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <ol style="list-style-type: none"> i. gives consideration to the objectives of this direction, and ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites) and iii. is approved by the Director-General of the Department of Planning and is in force, or <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(c) is of minor significance.</p> <p>Note: In this direction, an “existing shooting range” means a shooting range the subject of a valid approval issued under the Firearms Act 1996 and Firearms Regulation 2006, and includes the Range Danger Area of that shooting range.</p>	
<p>4 HAZARD & RISK</p>	
<p>4.1 Acid Sulfate Soils</p>	
<p>Objective</p> <p>(a) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of</p>	<ul style="list-style-type: none"> • Applicable. • Areas identified on the Acid Sulfate Soils Map as potentially having acid sulfate soils will be required

Direction	Comment
<p>containing acid sulfate soils.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) The relevant planning authority must consider the Acid Sulfate Soils Planning Guidelines adopted by the Director-General of the Department of Planning when preparing a planning proposal that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.</p> <p>(e) When a relevant planning authority is preparing a planning proposal to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:</p> <p>(a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Director-General, or</p> <p>(b) such other provisions provided by the Director-General of the Department of Planning that are consistent with the Acid Sulfate Soils Planning Guidelines.</p> <p>(f) A relevant planning authority must not prepare a planning proposal that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the relevant planning authority has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils. The relevant planning authority must provide a copy of any such study to the Director-General prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>(g) Where provisions referred to under paragraph (5) of this direction have not been introduced and the relevant planning authority is preparing a planning proposal that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the planning proposal must contain provisions consistent with</p>	<p>to address this constraint at development application stage by providing appropriate studies and / or mitigation measures.</p> <ul style="list-style-type: none"> Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
<p>paragraph (5).</p> <p>Consistency</p> <p>(h) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</p> <p>(b) of minor significance.</p>	
<p>4.2 Mine Subsidence & Unstable Land</p>	
<p>Objective</p> <p>(a) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</p> <p>Where this direction applies</p> <p>This direction applies to land that:</p> <p>(a) is within a Mine Subsidence District proclaimed pursuant to section 15 of the Mine Subsidence Compensation Act 1961, or</p> <p>(b) has been identified as unstable land.</p> <p>When this direction applies</p> <p>This direction applies when a relevant planning authority prepares a planning proposal that permits development on land that:</p> <p>(a) is within a mine subsidence district, or</p> <p>(b) has been identified as unstable in a study, strategy or other assessment undertaken:</p> <p>(i) by or on behalf of the relevant planning authority, or</p> <p>(ii) by or on behalf of a public authority and provided to the relevant planning authority.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:</p> <p>(a) consult the Mine Subsidence Board to ascertain:</p> <p>i. if the Mine Subsidence Board has any objection to the draft Local Environmental Plan, and the reason for such an objection, and</p> <p>ii. the scale, density and type of development that is appropriate for the potential level of subsidence, and</p> <p>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and</p>	<ul style="list-style-type: none"> • Applicable. • It should be noted that Wyong LEP 2013 – Major Amendment 1 applies to land across the Wyong LGA and any future development within identified Mine Subsidence Districts will trigger referral to the Mine Subsidence Board / DARZL for assessment. • Wyong LEP 2013 – Major Amendment 1 permits increased development opportunities on land within a mine subsidence district, as follows: <ul style="list-style-type: none"> – Land between West Village Centre to Budgewoi Creek. – Halekulani Oval. – 155 Louisiana Road, Wadalba. – 17W Moola Road, Buff Point. • The Mine Subsidence Board will be consulted to ascertain any objection to the proposed rezoning of land. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
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- (c) include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.

A planning proposal must not permit development on unstable land referred to in paragraph 3(b).

Consistency

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

- (a) justified by a strategy which:
- (i) gives consideration to the objective of this direction, and
 - (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and
 - (iii) is approved by the Director-General of the Department of Planning, or
- (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or
- (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or
- (d) of minor significance.


Note: With regard to development applications, section 15 of the *Mine Subsidence Compensation Act 1961* requires approval from the Mine Subsidence Board to alter or erect improvements within a mine subsidence district or to subdivide land therein. Section 91 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) provides that approval under section 15 of the *Mine Subsidence Compensation Act 1961* is integrated development. Section 91A of the EP&A Act provides that the consent authority must obtain from the relevant approval body (Mine Subsidence Board) the general terms of any approval proposed to be granted by the approval body in relation to the development. A consent granted by the consent authority must be consistent with the general terms of any approval proposed to be granted by the approval body.

4.3 Flood Prone Land

Objectives

- (a) The objectives of this direction are:

- Applicable.

Direction	Comment
<p>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the <i>Floodplain Development Manual 2005</i>, and</p> <p>(b) to ensure that the 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.</p>	<ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 does propose to rezone land from Special Use, Special Purpose, Recreation, Rural or Environment Protection Zones to a Residential, Business, or Industrial Zone. In cases where such rezoning occurs, they are justified as follows:
<p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA.</p>	<ul style="list-style-type: none"> – 14W Tirriki Close, Buff Point: Although these sites are located within the 1% AEP Flood planning area, the proposal to rezone these properties (Lot 774 DP 31830, Lot 775 DP 31830, Lot 776 DP 31830, Lot 777 DP 31830, Lot 778 DP 31830) from SP2 Infrastructure - Electricity Generating Works is simply rectification of a zoning anomaly created under Wyong LEP 2013. These sites are owned by Council, not Delta Electricity, and should therefore not be zoned SP2 Infrastructure. These sites are better suited to the adjoining R2 Low Density Residential zone.
<p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p>	<ul style="list-style-type: none"> – 17W Moola Road, Buff Point: Although a very small portion of this site is located within the probable maximum flood (PMF) area subject to Council's flood mapping, the proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential is consistent as this small area located within the flood mapping can be addressed by way of filling to ensure that the property is outside the PMF. This will not result in flood impacts to other properties and will not require further flood mitigation works by Government.
<p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas).</p> <p>(e) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone.</p> <p>(f) A planning proposal must not contain provisions that apply to the flood planning areas which:</p> <ol style="list-style-type: none"> permit development in floodway areas, permit development that will result in significant flood impacts to other properties, permit a significant increase in the development of that land, are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development. <p>(g) A planning proposal must not impose flood related development controls above the residential flood planning level for residential development on land, unless a relevant planning authority provides adequate justification for</p>	 <ul style="list-style-type: none"> Wyong LEP 2013 – Major Amendment 1 does propose to rezone land from a Residential, Business, or Industrial Zone to another Residential, Business, or Industrial Zone. In cases where such rezoning occurs, they are justified as follows:

Direction	Comment
<p>those controls to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p> <p>(h) For the purposes of a planning proposal, a relevant planning authority must not determine a flood planning level that is inconsistent with the Floodplain Development Manual 2005 (including the <i>Guideline on Development Controls on Low Flood Risk Areas</i>) unless a relevant planning authority provides adequate justification for the proposed departure from that Manual to the satisfaction of the Director-General (or an officer of the Department nominated by the Director-General).</p>	<ul style="list-style-type: none"> – Land between West Village Centre to Budgewoi Creek: The proposal to rezone this R2 Low Density Residential zoned land to R1 General Residential is consistent as Council's records indicate that the Budgewoi site is located outside of the Probable Maximum Flood lake level. However part of the site is affected by Probable Maximum Flood layer which included a 0.9m allowance for sea level rise. Council has however resolved not to make any additional planning allowance for sea level rise; therefore the Flood Planning Level and PMF level at this location are both 2.7mAHD, which is below 3mAHD - the approximate lowest point on the site. Therefore the site would not be affected by flood related development controls.
<p>Consistency</p> <p>(i) A planning proposal may be inconsistent with this direction only if the relevant planning authority can satisfy the Director-General (or an officer of the Department nominated by the Director-General) that:</p> <ul style="list-style-type: none"> (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or (b) the provisions of the planning proposal that are inconsistent are of minor significance. 	<ul style="list-style-type: none"> – Rezoning of land between Pacific Street and Thompson Street, Long Jetty: The subject property is partially within the area designated as 1% AEP flood planning area, and partially within the area designated as flood storage area under Council's new flood mapping regime. Both these categories of land can be developed with suitable controls. Development floor levels and local drainage would need to be assessed as development application issues for the site. The density on these sites has already been increased as part of Wyong LEP 2013, with 1.5:1 FSR and 16m building height maximum. The failure to rezone this site from R2 Low Density Residential to B2 Local Centre, as supported by The Entrance Peninsula Planning Strategy and Long Jetty Masterplan, is an administrative error and should be resolved at this time. Although the site is flood prone the inconsistency with the Direction is considered minor and it thus complies.
<p>Note: "flood planning area", "flood planning level", "flood prone land" and "floodway area" have the same meaning as in the <i>Floodplain Development Manual 2005</i>.</p>	<ul style="list-style-type: none"> • Wyong LEP 2013 – Major Amendment 1 does propose to amend the minimum lot size on a property identified as within the flood planning area. This is justified as follows; <ul style="list-style-type: none"> – 91 Tumbi Road, Tumbi Umbi: The lot size polygon applied to this site does not align with the land zoning polygon. As a result, the 2,500m² minimum lot size only applies to a portion of the E3 Environmental Management zoned land. This needs to be extended to cover the entire site, as this rezoning that took place under Wyong LEP 2013 was a negotiated agreement with the landowner to increase development potential in a small area of the site that was most suitable for development, whilst ensuring the remainder of the site is

Direction	Comment
	<p>incorporated into the Tumby Umbi Green Corridor. Whilst this amendment will increase potential density by 1 additional dwelling/allotment, it is considered a minor inconsistency.</p> <ul style="list-style-type: none"> • Generally: Clause 7.2 Flood Planning and Clause 7.3 Floodplain Risk Management is included within Wyong LEP 2013. Councils most up-to-date flood modelling has been utilised to prepare the accompanying flood maps. A merit based approach will be utilised to make determinations on all future development applications on flood prone lands, subject to the requirements established by other relevant LEP controls and the rigid prescriptive development criteria and Matrix processes contained in Chapter 3.3 of Wyong Development Control Plan 2013 • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

4.4 Planning for Bushfire Protection

Objectives

The objectives of this direction are:

- (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) to encourage sound management of bush fire prone areas.

Where this direction applies

This direction applies to all local government areas in which the responsible Council is required to prepare a bush fire prone land map under section 146 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), or, until such a map has been certified by the Commissioner of the NSW Rural Fire Service, a map referred to in Schedule 6 of that Act.

When this direction applies

This direction applies when a relevant planning authority prepares a planning proposal that will affect, or is in proximity to land mapped as bushfire prone land.

What a relevant planning authority must do if this direction applies

In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 56 of the Act, and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made, A planning proposal must:

- (a) have regard to Planning for Bushfire Protection 2006,

- Applicable.
- Wyong LEP 2013 – Major Amendment 1 permits increased development opportunities on land within bushfire prone areas, as follows:
 - **Land between West Village Centre to Budgewoi Creek.**
 - **Halekulani Oval.**
 - **155 Louisiana Road, Wadalba.**
 - **17W Moola Road, Buff Point.**
- The Rural Fire Service will be consulted to ascertain any objection to the proposed rezoning of land.
- Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
<p>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>(c) ensure that bushfire hazard reduction is not prohibited within the APZ.</p> <p>A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <p>(a) provide an Asset Protection Zone (APZ) incorporating at a minimum:</p> <p>(i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and</p> <p>(ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road,</p> <p>(b) for infill development (that is development within an already subdivided area), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. If the provisions of the planning proposal permit Special Fire Protection Purposes (as defined under section 100B of the Rural Fires Act 1997), the APZ provisions must be complied with,</p> <p>(c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks,</p> <p>(d) contain provisions for adequate water supply for firefighting purposes,</p> <p>(e) minimise the perimeter of the area of land interfacing the hazard which may be developed,</p> <p>(f) introduce controls on the placement of combustible materials in the Inner Protection Area.</p>	
<p>Consistency</p>	
<p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the council has obtained written advice from the Commissioner of the NSW Rural Fire Service, to the effect that, notwithstanding the non-compliance, the NSW Rural Fire Service does not object to the progression of the planning proposal.</p>	
<p>5 REGIONAL PLANNING</p>	
<p>5.1 Implementation of Regional Strategies</p>	
<p>Objective</p> <p>(a) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional</p>	<ul style="list-style-type: none"> • Applicable. • Wyong LEP 2013 – Major Amendment 1 has consideration for the CCRS. The CCRS provides a

Direction	Comment
<p>strategies.</p> <p>Where this direction applies</p> <p>(b) This direction applies to land to which the following regional strategies apply:</p> <ul style="list-style-type: none"> (a) Far North Coast Regional Strategy (b) Lower Hunter Regional Strategy (c) Illawarra Regional Strategy (d) South Coast Regional Strategy (e) Sydney–Canberra Corridor Regional Strategy (f) Central Coast Regional Strategy, and (g) Mid North Coast Regional Strategy. <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) Planning proposals must be consistent with a regional strategy released by the Minister for Planning.</p> <p>Consistency</p> <p>(e) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the regional strategy:</p> <ul style="list-style-type: none"> (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the regional strategy and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions. 	<p>framework to ensure adequate land is available and appropriately located to sustainably accommodate projected housing needs and promote employment opportunities over the next 25 years.</p> <ul style="list-style-type: none"> • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.
<p>5.2 Sydney Drinking Water Catchments</p>	
<ul style="list-style-type: none"> • Aims to protect water quality in the hydrological catchment • Applies when council prepares a draft LEP that applies to the hydrological catchment - – Does not apply to Wyong LGA. • Not applicable. • This direction does not apply to Wyong LGA. 	
<p>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</p>	
<ul style="list-style-type: none"> • 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 cause by urban encroachment into farming areas • Applies to Ballina, Byron, Kyogle, and Tweed Shire Councils, Lismore City Council and Richmond Valley Council – Does not apply to Wyong LGA. • Not applicable. • This direction does not apply to Wyong LGA. 	
<p>5.4 Commercial and Retail Development along the Pacific Highway, North Coast</p>	

Direction	Comment
<ul style="list-style-type: none"> 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 – Does not apply to Wyong LGA. 	<ul style="list-style-type: none"> Not applicable. This direction does not apply to Wyong LGA.
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	
<ul style="list-style-type: none"> 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 Ellalong, Paxton and Millfield in the Cessnock LGA – Does not apply to Wyong LGA. 	<ul style="list-style-type: none"> Not applicable. This direction does not apply to Wyong LGA.
5.6 Sydney to Canberra Corridor – Revoked	
5.7 Central Coast – Revoked	
5.8 Second Sydney Airport: Badgerys Creek	
<ul style="list-style-type: none"> Aims to avoid incompatible development in the vicinity of any future second Sydney Airport Applies to land located within the Fairfield, Liverpool and Penrith City Council and Wollondilly Shire Council LGAs – Does not apply to Wyong LGA. 	<ul style="list-style-type: none"> Not applicable. This direction does not apply to Wyong LGA.
6 LOCAL PLAN MAKING	
6.1 Approval and Referral Requirements	
<p>Objective</p> <p>(a) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal must:</p> <p>(a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and</p> <p>(b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of:</p> <p>(i) the appropriate Minister or public authority, and</p> <p>(ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-</p>	<ul style="list-style-type: none"> Applicable. The draft plan does not identify any development as designated development. The planning proposal does not seek to include provisions which require concurrence from other agencies. Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Direction	Comment
<p>General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and</p> <p>(c) not identify development as designated development unless the relevant planning authority:</p> <p>(i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and</p> <p>(ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.</p> <p>Consistency</p> <p>(e) A planning proposal must be substantially consistent with the terms of this direction.</p> <p>Note: In this direction "public authority" has the same meaning as section 4 of the Environmental Planning and Assessment Act 1979.</p>	

6.2 Reserving Land for Public Purposes

Objectives

- (a) The objectives of this direction are:
- (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and
- (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

Where this direction applies

This direction applies to all relevant planning authorities.

When this direction applies

This direction applies when a relevant planning authority prepares a planning proposal.

What a relevant planning authority must do if this direction applies

A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:

- Applicable.
- Wyong LEP 2013 – Major Amendment 1 does not propose the removal of reservations of land for public purposes, with the exception of the following:
 - **Colongra and Halekulani Oval:** The proposal to rezone the land at Halekulani (109-111 Scenic Dr, Budgewoi (Lot 1026 DP 24049, Lot 1027 DP 24049) and 107 Scenic Dr Budgewoi (Lot 1 DP 385077 from RE1 to B2 Local Centre, and R1 General Residential will result in the reduction of public land for recreational purposes at the Budgewoi Site through the transfer and potential sale of public land to accommodate a retail and residential development. However, it is proposed to acquire land at Colongra in addition to a long term lease over adjoining Delta owned Land at Colongra to relocate and expand the sporting facilities from the Budgewoi site. The new recreation area will provide more opportunity for sporting activities for the local community.
 - **155 Louisiana Road, Wadalba:** A proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential will result in the reduction of public land for recreational purposes at the Wadalba

Direction	Comment
<p>(a) reserve the land in accordance with the request, and</p> <p>(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and</p> <p>(c) identify the relevant acquiring authority for the land.</p> <p>When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:</p> <p>(a) include the requested provisions, or</p> <p>(b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.</p> <p>When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.</p> <p>Consistency</p> <p>A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:</p> <p>(a) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land can be determined, or</p> <p>(b) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.</p> <p>Note: Clause 12 of the EP&A Reg 2000 provides that a planning proposal for a proposed local environmental plan:</p> <p>(a) may not contain a provision reserving land for a purpose referred to in section 26 (1) (c) of the EP&A Act, and</p> <p>(b) may not contain a provision in respect of that reservation as required by section 27 of the EP&A Act,</p> <p>unless the public authority responsible for the acquisition of the land has notified the relevant</p>	<p>Sporting Complex to accommodate residential development. However, this portion of the sporting complex (less than 8,000m²) is currently under-utilised passive recreation space, and the remainder of the site (in excess of 9.1ha) is retained for active and passive recreation purposes. The proposal will enable improved surveillance of this site which can become a vandalism target at night, which will result in a more user friendly recreational facility for the community.</p> <p>– 17W Moola Road, Buff Point: A proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential will result in the reduction of public land for recreational purposes at the Buff Point Oval in order to accommodate residential development. However, this portion of the sporting complex (less than 13,000m²) is currently under-utilised passive recreation space, and the remainder of the site (24,000m²) is retained for active and passive recreation purposes. The proposal will enable improved surveillance of this site which can become a vandalism target at night, which will result in a more user friendly recreational facility for the community. It is also worth noting that this facility is considered to be excess to recreation requirements for this area, particularly in light of the proposed recreational facility at Colongra.</p> <p>• Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.</p>

Direction	Comment
<p>planning authority of its concurrence to the inclusion of such a provision in the planning proposal.</p> <p>In this direction:</p> <p>“public authority” has the same meaning as section 4 of the EP&A Act.</p> <p>the use or reservation of land for a public purpose has the same meaning as in section 26(1)(c) of the EP&A Act.</p>	
<p>6.3 Site Specific Provisions</p>	
<p>Objective</p> <p>(a) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</p> <p>Where this direction applies</p> <p>(b) This direction applies to all relevant planning authorities.</p> <p>When this direction applies</p> <p>(c) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.</p> <p>What a relevant planning authority must do if this direction applies</p> <p>(d) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</p> <p>(a) allow that land use to be carried out in the zone the land is situated on, or</p> <p>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</p> <p>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</p> <p>(e) A planning proposal must not contain or refer to drawings that show details of the development proposal.</p> <p>Consistency</p> <p>(f) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.</p>	<ul style="list-style-type: none"> • Not Applicable. • This direction applies when a council prepares a draft LEP that amends another environmental planning instrument (EPI) in order to allow a particular development proposal to be carried out. • Overall, it is considered that Wyong LEP 2013 – Major Amendment 1 is consistent with this direction.

Section C – Environmental, Social and Economic Impact

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

The proposal will have no detrimental effects upon critical habitats, threatened species or ecological communities as the subject land is already developed and urbanised, or simply resolving an anomaly created by Wyong LEP 2013. Conversely, if a site has not yet developed, the site constraints have been assessed to determine the most appropriate controls under Wyong LEP 2013. Development controls can also be applied at Development Assessment stage for any future development. Specifically, the rezoning of land can be addressed as follows:

Budgewoi

There is unlikely to be any adverse effect as a result of the planning proposal as the site has been cleared of vegetation and operated as a sporting oval and facilities for a long period.

Colongra

The northern section of the Colongra site contains significant areas of vegetation. The vegetation type is Narrabeen Doyalson Coastal Woodland. The site is identified as part of a local conservation link under the North Wyong Shire Structure Plan and sits on the periphery of a Regional Vegetation Corridor identified under this same plan. The vegetation on site appears to provide connectivity to a defined stream to the east.

A Constraints Report by Ecobiological was submitted with a planning proposal to allow a supermarket, liquor outlet and service station on the site, submitted by Woolworths which is yet to be determined by the Minister. The report was not conclusive as to the impact that development would have on the entire site; however, there would be little constraint to development of the land already cleared. The report identified that additional field work would be required due to the presence of hollow bearing species as 36 hollow bearing trees and the potential for some threatened plant species to be present on the site that have flowering (identification) periods outside of the times this survey was undertaken.

155 Louisiana Road, Wadalba:

There is unlikely to be any adverse effect as a result of the planning proposal as the site has been cleared of vegetation and operated as a recreation area for a long period. The site has been chosen specifically due to its cleared nature so as not to interfere with flora and fauna and any green corridor networks.

17W Moola Road, Buff Point:

There is unlikely to be any adverse effect as a result of the planning proposal as the site has been cleared of vegetation and operated as a recreation area for a long period. The site has been chosen specifically due to its cleared nature so as not to interfere with flora and fauna and any green corridor networks.

1 Youngs Road, Ourimbah:

There is unlikely to be any adverse effect as a result of the planning proposal as the site has been inspected by Council's Senior Ecologist who has determined due to an on-site inspection that the E2 Environmental Conservation zone boundary can be reduced in dimension to take into account the presence of privet and camphor laurel species in this vicinity as well as the canopy spread of mature eucalyptus trees. As a result, it was determined that the mapped EEC boundary could be reduced to reflect the nature of the vegetation on this site. In addition, the rezoning is deemed necessary in order to ensure that the existing dwelling entitlement on this site that existed under WLEP 1991 is retained under WLEP 2013. Due to the flood prone nature of a portion of this site (with a creek in the middle of the site separating the property into 2 sections), and the E2 zone over part of the site, the result is that the existing dwelling entitlement on this property has been removed. This needs to be rectified to ensure an appropriate dwelling envelope. Any development

application on this site would have consideration for the zoning and any environmentally sensitive areas.

2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

It is anticipated that there will be no environmental effects as a result of the Planning Proposal (see above response). Specifically, the rezoning of land can be addressed as follows in relation to other environmental management issues:

CONTAMINATION

Budgewoi

There is no evidence to indicate that the site is contaminated. No preliminary site contamination study has been undertaken for this site.

Colongra

A Phase 1 Environmental Site Assessment on the Colongra site concluded that:

There are no historical operations on site to suggest the possibility of consequential land contamination. A potential exists for localised hazardous building materials to have contaminated the land in areas where former buildings were demolished.

As a result, it is concluded that the site is unlikely to be contaminated due to previous land uses, and can be made suitable for the proposed use of the site.

155 Louisiana Road, Wadalba:

A Geotechnical Study was prepared by Douglas Partners in 2005 as part of the preparation of a Development Application for development of this site as part of the Wadalba Sporting Complex. The report noted that:

"At the time of the investigation, the site was generally occupied by rural land including a mixture of cleared grassland, open to moderately dense native bushland and stands of mature exotic trees. Site developments included a timber clad residence and garage, a metal clad fire station, a partially demolished timber and fibrous cement sheeting garage and associated fences. There was also four earthen dams at the site, predominantly located along the western boundary".

As a result, it is concluded that the site is unlikely to be contaminated due to previous land uses, and can be made suitable for residential use of the south western portion of the site. The proposal to rezone a small portion of this RE1 Public Recreation zoned land to R1 General Residential is consistent with the SEPP.

17W Moola Road, Buff Point:

A review of the aerial photographic record of this site indicates that the site has not been used for any purpose other than rural and recreation uses in the past. As a result, it is concluded that the site is unlikely to be contaminated due to previous land uses, and can be made suitable for residential use of the south western portion of the site. The proposal to rezone a small portion of this RE1 Public Recreation zoned land to R1 General Residential is consistent with the SEPP.

BUSHFIRE

Budgewoi

The site is not classified as bushfire prone land

Colongra

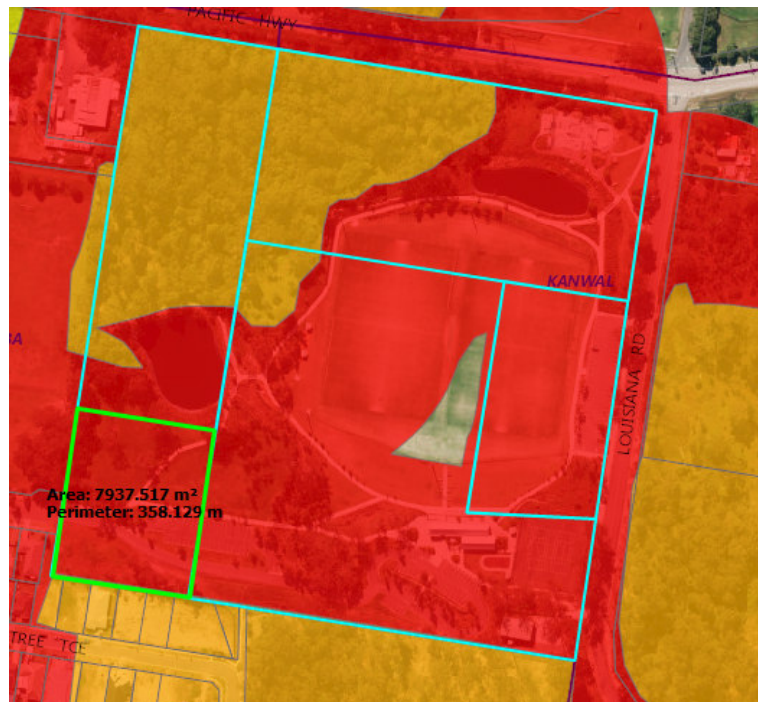
The site is identified as being bushfire prone land with, in general, the cleared land being identified as Bushfire Buffer and the balance of the site identified as Category 1 Bushfire Prone Land.

The additional permitted uses of service station and food and drink premises are proposed to be located to the south of the site within the cleared area. A Bushfire Constraints Report was

submitted which identified that a 10 m setback from bushfire prone vegetation would be required, internal roads would need to meet the requirements of Planning for Bushfire Protection (2006) and the water supply to the site would need to be adequate for fire-fighting purposes. Any development of the site will also need to have consideration for additional clearing to meet setback requirements.

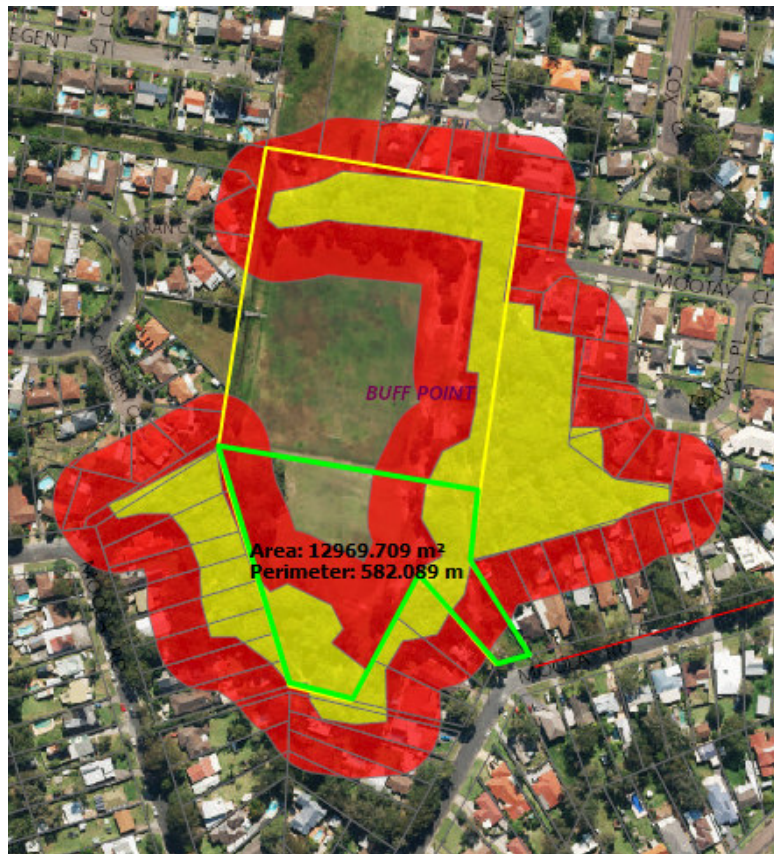
155 Louisiana Road, Wadalba:

The portion of the site proposed to be rezoned to R1 General Residential is identified as being bushfire prone land (Bushfire Buffer). As can be seen in the figure below, the bushfire prone land in this vicinity is an isolated patch based on remnant vegetation. As a result, bushfire risk mitigation measures can be addressed at Development Application stage. This risk is the same or lower risk than the adjoining residential development, and as a result, bushfire risk mitigation measures can be addressed at Development Application stage.



17W Moola Road, Buff Point:

The site is identified as being bushfire prone land with, in general, the cleared land being identified as Bushfire Buffer and the balance of the site identified as Category 2 Bushfire Prone Land. As can be seen in the figure below, the bushfire prone land in this vicinity is an isolated patch based on remnant vegetation. As a result, bushfire risk mitigation measures can be addressed at Development Application stage.



FLOODING AND DRAINAGE

Budgewoi

The Budgewoi Site is located outside the Probable Maximum Flood lake level. However part of the site is affected by PMF layer as Gazetted in the Wyong LEP 2013, which included a 0.9m allowance for sea level rise. Council has however subsequently resolved not to make any additional planning allowance for sea level rise; therefore the Flood Planning Level and PMF level at this location are both 2.7mAHD, which is below 3mAHD - the approximate lowest point on the site. Therefore the site would not be affected by flood related development controls.

Development of the site will however increase the stormwater runoff in Noela Place, in terms of peak flow and volume. The existing 375mm pipe would need to be upgraded to approximately a 525mm pipe length of 200m.

Colongra

The site is not identified as being subject to flooding; however, it has been identified that the site receives upstream overland flows from the area north-west of the site and discharges to the natural watercourse adjacent to the eastern boundary.

Council's records also indicate that the adjoining Delta land (Lot 500) has a drainage (flood mitigation) function, acting as a detention basin. Previous drainage reports prepared by D L Jeffery and Hoollihan Partners identified that there is considerable overland flow through Buff Point and could potentially create flooding liability for Council. The impacts of the proposal on the downstream drainage network would need further consideration if the drainage regime is to alter as a result of the proposal or as a result of the proposed sporting facility. If the detention basin was to be removed and not replaced it may require the drainage under Scenic Drive and downstream (possibly to the lake) to be upgraded.

It should also be noted that it is suspected 4WD activity on this site is exposing bare soils, which are likely to be erodible, which may be leading to water quality problems for the lake. Redevelopment of the site would effectively manage this existing erosion problem.

The above will need to be considered in any development of the site in a stormwater management plan for the site.

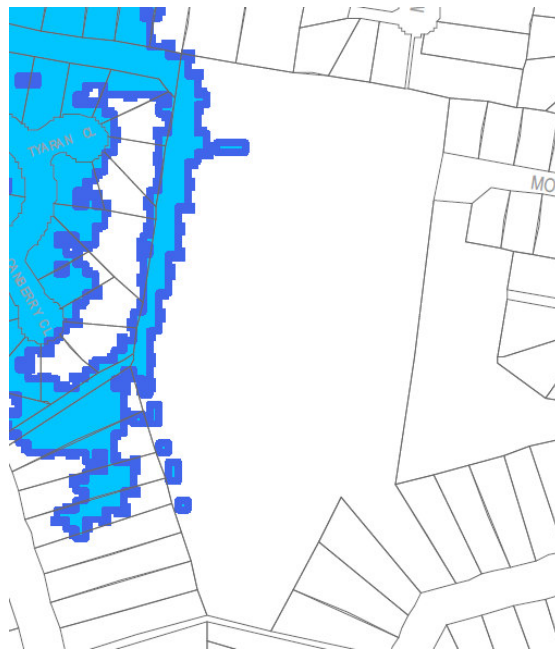
155 Louisiana Road, Wadalba:

The site is not identified as being subject to flooding. Any potential drainage issues and required upgrades to the existing drainage network can be addressed as part of any Development Application for this site.

17W Moola Road, Buff Point:

Although a very small portion of the area of this site proposed to be rezoned is located within the probable maximum flood (PMF) area subject to Council's flood mapping, the proposal to rezone a small portion of this site from RE1 Public Recreation to R1 General Residential is consistent as this small area located within the flood mapping can be addressed by way of filling to ensure that the property is outside the PMF. This will not result in flood impacts to other properties and will not require further flood mitigation works by Government.

Development of the site will however increase stormwater runoff, in terms of peak flow and volume. The existing drainage network may need to be upgraded as a result, however this can be addressed as part of any Development Application for this site.



ACID SULPHATE SOILS

Budgewoi

Council records indicate that the 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. Clause 7.1 of WLEP 2013 states that Development consent is required, an acid sulphate soils management plan must be prepared and all requirements of Clause 7.1 of the LEP met for all "works more than 1 metre below the natural ground surface" or "works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface" on Class 3 land. This is also a requirement for Class 5 land where "works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land".

An Acid Sulphate Soils assessment for the installation of an underground tank on the eastern side of the Budgewoi Site, prepared by Douglas Partners, dated January 2007, notes that previous testing indicated that while minor acid and sulphur tail was present in the soil the result did not require an acid sulphate management plan for those works. In the location of the tank the pH was in excess of 3.5pH units and therefore it was not considered that acid sulphate soils were present in this location. For further development of the site additional bore testing may be required to determine that the above is the case for the entire site

Colongra

The site is not identified as being in an area subject to acid sulphate soils.

155 Louisiana Road, Wadalba:

The site is not identified as being in an area subject to acid sulphate soils.

17W Moola Road, Buff Point:

Council records indicate that the site is affected by Class 5 Acid Sulphate Soils. Clause 7.1 of WLEP 2013 states that Development consent is required, an acid sulphate soils management plan must be prepared and all requirements of Clause 7.1 of the LEP met for all "works more than 1 metre below the natural ground surface" or "works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface" on Class 3 land. This can be addressed as part of any Development Application for this site.

3. Has the Planning Proposal adequately addressed any social and economic effects?

Wyong LEP 2013 – Major Amendment 1 is predominantly a housekeeping exercise, conceived in order to rectify anomalies that have been created within Wyong LEP 2013. The Planning Proposal therefore provides an opportunity to resolve errors and provide greater certainty for affected landowners as a result. Specifically, the rezoning of land can be addressed as follows:

Budgewoi

In regards to the proposed B2 zoning it is considered that it will provide additional shopping and parking facilities in the Budgewoi centre, improving choice and competition in the market. It is considered that the impact of a new supermarket in Budgewoi will be mainly felt by the existing supermarket. However advice from Don Fox Planning in 2013 for the Budgewoi Masterplan indicated that "the existing Coles supermarket at Budgewoi may be overtrading", which may indicate a shortage of retail floor space supply in the area. At that time Don Fox Planning estimated that the surplus expenditure in the area would support in the order of 1,600m² of supermarket floor space. Macro Plan Dimasi in their report concluded that a gap of around 4,500m² of supermarket floor space in the trade area was expected by 2016. While the advice from Don Fox Planning did not consider Budgewoi to be able to sustain an additional full line supermarket, it did not take into consideration the proposed additional R1 zoned land included in the current planning proposal or the potential for a Woolworths supermarket at Budgewoi to attract expenditure from Wyee households or from other households in Wyong Shire outside the Toukley, San Remo/Budgewoi or Northlake's Social Planning Districts. In addition the impacts on the existing supermarket are considered to be normal competitive impacts that are to be expected in any dynamic environment.

It is considered that the proposal may positively impact on other smaller retailers as a result of the new supermarket attracting additional customers to the centre. Expanding the existing centre as opposed to locating a supermarket on an isolated site ensures that customers are not directed away from the Budgewoi Town centre.

The proposed R1 zoning will allow for additional medium density residential housing which will increase residential density within the Budgewoi centre. The combination of additional commercial and residential development is likely to increase activity and vibrancy in the centre while providing for additional local employment opportunities for approximately 100 people in the supermarket and further jobs through the construction phase of the project.

The loss of recreation land will be compensated for by providing a new expanded sporting complex at Colongra which will double the size of the existing sporting facility at Budgewoi. The loss of sporting facilities from this site will be addressed through the provision of a new expanded sporting complex which is proposed on the Colongra site and adjoining Delta Land. This new sporting complex will provide the local community with a high quality complex only 1km west of the current sports facility. This new complex will also allow for more games at any time due to the increase in the number of fields and will provide new improved amenities.

It is also intended to retain Council's community hall and park space surrounding the hall on the Budgewoi site. This will ensure that space is available for community meetings, social interactions, and other community uses such as dance classes, meal on wheels and seniors groups.

Colongra

It is proposed to permit additional uses of Service Station and Food and Drink Premises on the Colongra site. These uses would be in addition to the sporting complex proposed on the subject site and two adjoining Delta Electricity owned sites.

The Service Station will be located approximately 1.5km from the nearest service station in Budgewoi and 3.5kms from the Service Station at Doyalson. It is considered that this will provide the community and passing commuters with an additional operation. It is expected that a Service Station will employ 6 FTE jobs, based on previous advice from Don Fox Planning. The Food and Drink Premises is also likely to employ a number of staff and provide the local community and users of the sporting complex with a facility that is not already catered for in the locality. These developments would also provide jobs during the construction phase.

The net community benefit test indicates that the proposal will generally have positive social and economic effects for the community. The proposal will increase the vibrancy of the Budgewoi town centre and create employment opportunities as well as the potential for forced competition in the local market.

155 Louisiana Road, Wadalba:

The proposed R1 zoning will allow for additional medium density residential housing which will increase residential density within the Wadalba centre. The additional residential development is likely to increase activity and vibrancy in this area, whilst also improving passive surveillance of both the Wadalba Sporting Complex and Wadalba High School grounds, which in the past have been prone to vandalism, particularly after dark. The loss of RE1 land is considered to be insignificant (less than 8,000m²) given the size of the remaining Wadalba Sporting Complex (9.2ha) and the fact that this area of the site is used for passive recreation only, therefore there will be no loss of active recreation facilities.

Open space and recreation facility needs for the wider Warnervale District were identified in the Wyong Open Space Plan, the Warnervale/Wadalba Open Space Plan and a report prepared by Council's Landscape Planner in September 1991 and supplemented by the more recent Wyong Open Space Principals Plan (2005) and the Wyong Recreation Facilities Strategy (2009). Open space requirements for the wider Warnervale area were established as part of the draft Warnervale District Contributions Plan 2014. The approach to establishing requirements for this area involved:

- Identification of existing open space land and improvements prior to urban development occurring;
- Identification of requirements to service existing population and developments for which consent has already been issued;
- Identification of any spare capacity for future development; and
- Identification of the additional open space requirements needed to service the urban residential development.

The Wyong Open Space Plan identified a minimum open space standard of 3 hectares per 1,000 residents. This standard is primarily focused on areas that provide informal and formal active open space areas and is generally exclusive of environmental areas that may provide some residual passive recreational opportunities. On this basis 81.0 ha of open space is required to be provided for the projected population of 27,000 residents of the wider Warnervale district.

The provided and planned level of open space provision of 62.47 ha of open space within Warnervale District is below Council's required standard, although a significant portion of the open space provided to date is of a high quality, in terms of its usability and potential for recreational development. The loss of less than 8,000m² of passive open space land will reduce the provided and planned level of open space provision from 62.47 ha to 61.67 ha. This is a minor decrease of 1.2%.

However, as discussed the assessed level of open space provision in this area excludes environmental areas that also provide residual passive recreational opportunities. Additional land required to meet drainage and environmental conservation objectives also provides opportunities for passive recreation and connections in the cycleway /pedestrian footpath network. If this figure was included in the calculation, the level of open space provision in the Warnervale District would more than satisfy the 81.0 ha level required to ensure an open space standard of 3 hectares per 1,000 residents.

17W Moola Road, Buff Point:

The proposed R1 zoning will allow for additional medium density residential housing which will increase residential density of the surrounding area. The additional residential development is likely to increase activity and vibrancy in this area, whilst also improving passive surveillance of the remaining Buff Point Oval grounds, which in the past have been prone to vandalism, particularly after dark. The loss of RE1 land is not considered to be significant (less than 13,000m²) compared to the remainder of the site (24,000m²). In particular, it is noteworthy that the entire Buff Point Oval is considered to be excess to recreation requirements for the area, in particular in light of the new recreation facility proposed for Colongra. This area of the site is also used for passive recreation only, therefore there will be no loss of active recreation facilities.

Assessment of existing open space land in the Budgewoi-Buff Point area, carried out as part of preparation of the Budgewoi District Development Contributions Plan, identified that there is an excess of open space land for the existing population and that there will be no significant shortfall generated by future development which has potential to generate an additional 1,211 persons. In addition, a current proposal to construct a regional sporting facility at Colongra (including 4 playing fields) will add to the available supply of open space land and more than compensate for the loss of this small area of Buff Point oval and the small increase in population that this rezoning would enable.

As discussed above, the assessed level of open space provision in this area also excludes environmental areas that provide residual passive recreational opportunities. If this figure was included in the calculation of open space, the excess of open space land in this area would be even more significant.

Section D – State and Commonwealth Interests

1. Is there adequate public infrastructure for the Planning Proposal?

Wyong LEP 2013 – Major Amendment 1 is predominantly a housekeeping exercise, conceived in order to rectify anomalies that have been created within Wyong LEP 2013. The Planning Proposal does not need to address public infrastructure requirements, with the exception of the following proposed amendments:

Budgewoi

It is expected that adequate public infrastructure is available for the Planning Proposal. The site is centrally located within Budgewoi village centre and is in close proximity to a range of community, education and health services and facilities. The proposal will facilitate increased commercial and residential development and growth. As a result some infrastructure may require upgrading.

Water

The proposed carpark on the Budgewoi site is currently traversed by a 380mm diameter trunk water main. This main may require relocation as part of bulk earthworks required for the site. This relocation would be designed and constructed by the developer, subject to approvals and supervision by Council staff.

Connections to the existing reticulation mains would be required for the proposed residential subdivision and the proposed commercial space. A hydraulic consultant would be required to determine requirements for firefighting provisions at the commercial space. The consultant would request a flow/pressure test from Council's existing hydrant(s) as part of the design process.

Sewer

The proposed site drains to Sewage Pumping Station TO22 which has adequate capacity to accept the associated loads.

Additional reticulation infrastructure will be required to service the proposed sites and an assessment of downstream pipe capacities would be made once connection points were nominated as part of the development application review process. It is noted that approximately 140m north of the manhole located on the intersection of Elua Avenue and Noela Place, the reticulation mains connect to a 600mm trunk main which runs west along the lake frontage. Any required capacity upgrades would be limited to gravity mains from the development site, north to the trunk main.

Colongra

Water

The initial servicing report by consultants Mott MacDonald prepared for this rezoning on this site has identified a point of connection via an existing water main that currently terminates outside the existing Telstra property. Subject to a confirmation of proposed loading (both commercial usage and fire flow requirements) it is likely that the development could be serviced from this main following some localised upgrade work.

Sewer

The initial servicing report by consultants Mott MacDonald for this rezoning has identified two points of connection to existing gravity sewerage. Both connection points contribute to Sewerage Pump Station T27, which currently has spare capacity for future growth before any upgrades are required.

Following the provision of proposed sewage loadings, Council can confirm the extent of any upgrades that would be required to the existing gravity sewerage network, and SPS T27 (if required).

Further investigation and design with regard to the provision of water and sewerage services will be required at the time of preparing a development application

155 Louisiana Road, Wadalba:

Water

Connections to the existing reticulation mains are available and would be required for the proposed residential development.

Sewer

Servicing to this site has been considered by Council's Water & Sewerage Planning Unit, with sewer servicing feasibility for the site dependant on achieving fall to an existing sewer manhole located on the southern side of Van Stappen Road. The manhole sewer level of 22.8m compared to a surface level of approximately 22.5m at the proposed site means that filling the land or raising the structures will be required in order to grade back to sewer. A detailed site survey would be needed at Development Application stage in this regard.

17W Moola Road, Buff Point:

Water & Sewer

Servicing to this site has been considered by Council's Water & Sewerage Planning Unit, with the site capable to be serviced by water and sewerage due to the proximity of existing infrastructure. This would however require design and construction by the proponent of any future Development Application, in addition to the payment of water and sewerage contributions. Connections to the existing water reticulation mains are available and would be required for the proposed residential development.

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

Due to the breadth of issues involved in this Planning Proposal, the following public authority consultation is proposed:

1. Central Coast Aero Club
2. Civil Aviation Safety Authority
3. Darkinjung Local Aboriginal Land Council
4. Delta Electricity
5. Department of Education and Communities
6. Department of Infrastructure & Regional Development (Federal)
7. Gosford City Council
8. Housing NSW
9. Lake Macquarie City Council
10. Mine Subsidence Board
11. NSW Department of Health
12. NSW Trade & Investment, Resources & Energy
13. NSW Trade & Investment, Primary Industries (Agriculture NSW)
14. NSW Trade & Investment, Business NSW
15. NSW Police Force
16. NSW Department of Premier and Cabinet
17. NSW Rural Fire Service
18. Office of Environment and Heritage - Environment Protection Authority
19. Office of Environment and Heritage - Heritage Office
20. Regional Development Australia
21. State Property Authority
22. Transport Construction Authority
23. Transport for NSW – Roads and Maritime Services
24. Transport for NSW – RailCorp
25. Transport for NSW – Aviation and Airports

Part 4 Mapping

Map No.	Map Title
1	Additional Permitted Uses
2	Drinking Water Catchment
3	Foreshore Building Line
4	Height of Buildings
5	Key Sites
6	Land Reservation Acquisition
7	Land Zoning
8	Lot Size
9	Obstacle Limitation Surface

Part 5 Community Consultation

Community Consultation period will be undertaken as per the Gateway determination. Notification of the public exhibition is recommended to be placed in the Central Coast Express Advocate and written notification sent to owners adjacent to the site. Notices will be placed on Council's website and a link attached to Council's new ePanel initiative.

The proposal will be made publicly available for comment in the following locations:

- Wyong Chambers (6 Hely Street, Wyong);
- Lake Haven Library (Lake Haven Shopping Centre);
- Tuggerah Library (Tuggerah Westfield);
- Toukley Library (Main Road, Toukley);
- Bateau Bay Library (Bateau Bay Shopping Centre);
- The Entrance Library (The Entrance Road, The Entrance); and
- Council's website (On Exhibition page and Consultation Hub page).

A public hearing is not considered necessary.

Part 6 Project Timeline

Action	End Date
Council Endorsement	July 14 and September 14
Gateway Referral	October 14
Gateway Determination	November 14
Pre-Exhibition referrals (if required)	December 14
Completion of exhibition material	January 15
Exhibition	February 15
Consideration of Submissions	March 15
Report to Council	April 15
PC Consultation	May 15
Notification and Effect	June 15

Supporting Documentation

No.	Document
1. Assessment and Endorsement	
A.	Council-owned land review
B.	Council Report– 23 July 2014
C.	Council Minutes – 23 July 2014
D.	Supplementary Council Report– 10 September 2014
E.	Supplementary Minutes – 10 September 2014
2. Strategic Plan	
A.	n/a
3. Mapping	
A.	Additional Permitted Uses
B.	Drinking Water Catchment
C.	Foreshore Building Line
D.	Height of Buildings
E.	Key Sites
F.	Land Reservation Acquisition
G.	Land Zoning
H.	Lot Size
I.	Obstacle Limitation Surface