

LAKE HAVEN, CHARMHAVEN, Lake Haven Town Centre

Proposal Title : LAKE HAVEN, CHARMHAVEN, Lake Haven Town Centre

Proposal Summary : The planning proposal rezones land in two precincts within Lake Haven Town Centre to B4 Mixed Use under Wyong LEP 2013. The rezoning seeks to encourage growth and development through increased economic activity and employment.

PP Number : PP_2014_WYONG_006_00 Dop File No : 14/09626

Proposal Details

Date Planning Proposal Received :	17-Jul-2014	LGA covered :	Wyong
Region :	Hunter	RPA :	Wyong Shire Council
State Electorate :	WYONG	Section of the Act :	55 - Planning Proposal
LEP Type :	Precinct		

Location Details

Street :
 Suburb : City : Postcode :
 Land Parcel : Various lots at Lake Haven Town Centre

DoP Planning Officer Contact Details

Contact Name : G Hopkins
 Contact Number : 0243485002
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RPA Contact Details

Contact Name : Lynda Hirst
 Contact Number : 0243505774
 Contact Email : lynda.hirst@wyong.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :
 Contact Number :
 Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Central Coast Regional Strategy	Consistent with Strategy :	Yes

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MDP Number :

Date of Release :

Area of Release (Ha) : **5.88**

Type of Release (eg Residential / Employment land) :

Employment LandNo. of Lots : **0**No. of Dwellings (where relevant) : **0**Gross Floor Area : **0**No of Jobs Created : **0**

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **Additional information was received from Council on 17 July 2014.**

External Supporting Notes :

Adequacy Assessment**Statement of the objectives - s55(2)(a)**Is a statement of the objectives provided? **Yes**Comment : **The statement of objectives is adequate.****Explanation of provisions provided - s55(2)(b)**Is an explanation of provisions provided? **Yes**Comment : **The explanation of provisions refers only to the zone being changed to B4. This should be updated to refer to the existing zones (B5, B2, RE1, R2).**

Lot 1 DP 1111485 in the north western precinct is currently zoned B5, has an FSR of 1:5:1 and a height of 12 metres. It is also one of Council's 'Key Sites' and a potential height of 25 metres applies under certain circumstances (WLEP 2013 cl. 7.11).

Lot 11 DP 881944 is currently zoned R2 and has a corresponding minimum lot size of 450 m2. Council should clarify whether these provisions are to be amended by the proposal.

Justification - s55 (2)(c)a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones**2.2 Coastal Protection****3.1 Residential Zones****3.3 Home Occupations****3.4 Integrating Land Use and Transport****4.2 Mine Subsidence and Unstable Land**

**5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions**

Is the Director General's agreement required? **Unknown**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 71—Coastal Protection**

e) List any other matters that need to be considered : **Additional 117s and SEPPs are considered below.**

Have inconsistencies with items a), b) and d) being adequately justified? **Unknown**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The existing and proposed zoning maps should be annotated to to assist community consultation.**

Amendment may be required to various layers for the north-western precinct and the minimum lot size for Lot 11 DP 881944 (discussed above).

The Site Identification Map shows this as Amendment No 7 to WLEP 2013 but 4 amendments have already been made and 10 other planning proposals are currently underway. Council advised (29/7/14) that this is the next number on its internal register but should confirm this is correct and remove/amend the number if required.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **4 weeks proposed and supported.**

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : **TIMELINE: Council anticipates submission for drafting in 4 months. A 6 month period for the plan is sufficient.**

DELEGATIONS: Council owns approximately 40% of the land being rezoned. Council has not requested delegation to make the plan and this is supported.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : **Part 3.2 should be amended - the land is not mainly currently zoned B2.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Assessment Criteria

Need for planning proposal :	Implements Lake Haven Town Centre Masterplan.
Consistency with strategic planning framework :	CENTRAL COAST REGIONAL STRATEGY: Should be discussed in the PP. COUNCIL STRATEGIES: PP should refer to Wyong Settlement Strategy which was endorsed by the Director General in 2013. SEPPS: Requirements of SEPP 55 are to be addressed. S117 DIRECTIONS: General: Need written assessment of directions and demonstrate consistency where relevant (not just a tick). 1.3 Applies because light industry currently permissible on B5 and therefore extractive industry is permitted but will be prohibited once plan is made. Minor inconsistency. 4.1 On fringe of class 5 but 117 not triggered as class 5 does not contain acid sulfate soils. 4.2 Land is in a Mine Subsidence District. Requires consultation with Mine Subsidence Board 4.4 Includes bush fire prone land. Requires consultation with RFS
Environmental social economic impacts :	Traffic and Transport: Should consult with Transport for NSW and Roads and Maritime Services Positive economic and social benefits identified. Adjacent to high school - consult with Gorokan High School.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	6 months	Delegation :	DDG
Public Authority Consultation - 56(2)(d) :	Mine Subsidence Board Transport for NSW NSW Rural Fire Service Transport for NSW - Roads and Maritime Services Other		
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			
Resubmission - s56(2)(b) :	No		
If Yes, reasons :			
Identify any additional studies, if required. :			

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If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Covering letter.pdf	Proposal Covering Letter	Yes
Council Report.pdf	Proposal	Yes
Planning Proposal Lake Haven.pdf	Proposal	Yes
Current Zone Map - Lake Haven.pdf	Map	Yes
Proposed Zone Map - Lake Haven.pdf	Map	Yes
Site Identification Map - Lake Haven.pdf	Map	Yes
Aerial Photo - Lake Haven.pdf	Map	Yes
Lake Haven Town Centre Masterplan - March 2014.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.2 Coastal Protection
- 3.1 Residential Zones
- 3.3 Home Occupations
- 3.4 Integrating Land Use and Transport
- 4.2 Mine Subsidence and Unstable Land
- 5.1 Implementation of Regional Strategies
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information :

- 1. Update the PP as follows before exhibition:
 - Update 'explanation of provisions' to include existing zones
 - Clarify intention re development standards for Lot 1 DP 1177485 and Lot 11 DP 881944
 - Update maps to show 'existing' and 'proposed' notations on zone maps.
 - Confirm amendment number and amend maps if necessary
 - Amend part 3.2 - majority of land is not currently zoned B2
 - Include discussion on consistency with CCRS in Section B Relationship with the strategic planning network
 - Include discussion on the relationship between the Masterplan and the Wyong Settlement Strategy
- 2. Additional information on traffic, transport and access should be included in the planning proposal when it is placed on public exhibition.
- 3. Satisfy the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land and demonstrate the site is suitable for rezoning once information on contamination has been obtained.

4. Provide a written assessment of applicable s117 directions and update the PP accordingly.

5. Update the PP to include sufficient information to adequately demonstrate consistency with the following s117 directions or seek the Secretary's agreement to any inconsistency:

4.2 Mine Subsidence and Unstable Land

4.4 Planning for Bushfire Protection

6.2 Reserving Land for Public Purposes

6. Consultation is required with:

- Transport for NSW
- Transport for NSW - Roads and Maritime Services
- NSW Rural Fire Service
- Mine Subsidence Board
- Gorokan High School

7. No public hearing required

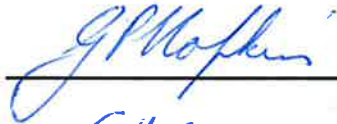
8. 28 days exhibition

9. 6 month timeframe

10. Delegation retained by the Department.

Supporting Reasons : *

Signature:



Printed Name:

G HOPKINS

Date:

30.7.2014.