



Wyong  
Shire  
Council  
CENTRAL COAST

## ***Planning Proposal***

Lake Haven Town Centre

File No. RZ/2/2014

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## Introduction, Context & Site Background

The subject site forms part of the Lake Haven Town Centre, as identified in the Lake Haven Town Centre Masterplan. The Masterplan was adopted by Council on 9 April 2014. One of the Key Recommendations of the Masterplan was to rezone the relevant precincts (Figure 1) of the Town Centre, being the Entertainment/Commercial Precinct, Mega Centre and PAD Site Precinct, to B4 Mixed Use to encourage the growth and development of the Lake Haven Town Centre through increased economic activity and employment.

Land subject to the Planning Proposal to be rezoned to B4 Mixed Use is identified below.

### **Property Details**

| Description                | Address                       | Land Owner           | Site Area           | Zoning                     |
|----------------------------|-------------------------------|----------------------|---------------------|----------------------------|
| Lot 1 DP1111485            | 53 Lake Haven Dr, Lake Haven  | DD Corporate Pty Ltd | 52290m <sup>2</sup> | B5 Business Development    |
| Part of Lot 1<br>DP1084245 | 43 Lake Haven Dr, Lake Haven  | Perpetual Trustees   | 8098m <sup>2</sup>  | B2 Local Centre            |
| Lot 2 DP1084245            | 70 Chelmsford Rd, Lake Haven  | Wyong Shire Council  | 53940m <sup>2</sup> | RE1 Public Recreation      |
| Lot 11 DP814394            | 70W Chelmsford Rd, Lake Haven | Wyong Shire Council  | 2838m <sup>2</sup>  | B2 Local Centre            |
| Lot 11 DP881944            | 68 Chelmsford Rd, Lake Haven  | Wyong Shire Council  | 4876m <sup>2</sup>  | R2 Low Density Residential |
| Lot 1 DP270014             | Bannister Dr, Lake Haven      | Community Plan       | 3254m <sup>2</sup>  | B2 Local Centre            |
| Lot 2 DP270014             | 4 Bannister Dr, Lake Haven    | McDonalds Properties | 3730m <sup>2</sup>  | B2 Local Centre            |
| Lot 3 DP270014             | 2 Bannister Dr, Lake Haven    | Raytug Pty Ltd (KFC) | 2983m <sup>2</sup>  | B2 Local Centre            |
| Lot 4 DP270014             | 1 Bannister Dr, Lake Haven    | Perpetual Trustees   | 1902m <sup>2</sup>  | B2 Local Centre            |
| Lot 9 DP270014             | 7 Bannister Dr, Lake Haven    | Perpetual Trustees   | 2016 m <sup>2</sup> | B2 Local Centre            |
| Lot 10 DP270014            | 5 Bannister Dr, Lake Haven    | Perpetual Trustees   | 2957m <sup>2</sup>  | B2 Local Centre            |
| Lot 11 DP270014            | 1 Forrow Dr, Lake Haven       | Perpetual Trustees   | 583m <sup>2</sup>   | B2 Local Centre            |
| Lot 12 DP270014            | 4 Forrow Dr, Lake Haven       | Perpetual Trustees   | 2293m <sup>2</sup>  | B2 Local Centre            |
| Lot 13 DP270014            | 2 Forrow Dr, Lake Haven       | Perpetual Trustees   | 1284m <sup>2</sup>  | B2 Local Centre            |
| Lot 14 DP270014            | 3 Bannister Dr, Lake Haven    | Perpetual Trustees   |                     | B2 Local Centre            |



Figure 1 – Lake Haven Town Centre Precincts



Figure 2 – Aerial Site Identification Plan

## **Part 1 Objectives or Intended Outcomes**

The objective of this proposal is to rezone land within the Lake Haven Town Centre to B4 Mixed Use to encourage a mixture of uses to support the retail functions of the Town Centre. The intended outcome of the proposal is to encourage the growth and development of the Town Centre through attracting economic investment and creating employment opportunities through a range of additional land uses including leisure/entertainment, business/commercial services, recreational facilities and housing.

## **Part 2 Explanation of Provisions**

The objective will be achieved by an amendment to Wyong Local Environmental Plan (LEP) 2013 land zoning maps.

The amending LEP will rezone the subject land to B4 Mixed Use to enable a range of additional land uses to support the retail functions of the Lake Haven Town Centre.

## **Part 3 Justification**

### **Section A – Need for the Planning Proposal**

The rationale for rezoning the site to a B4 Mixed Use zone is to enable the development of the land for a wide range of land use types that can support the retail functions of the Town Centre. The aim is that the B4 Mixed Use zone will attract increased economic investment in the Town Centre which will in turn create employment opportunities and facilitate community and economic activity, particularly after business hours.

This rationale is expanded and justified in the following sections.

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

Yes. Council's adopted Lake Haven Town Centre Masterplan recommends the rezoning of the subject land to B4 Mixed Use.

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

The majority of the subject land is currently zoned B2 – Local Centre. Residential accommodation is prohibited within this zone.

A wide range of additional land uses is needed within the Town Centre, including residential development, to further increase employment, activity and vitality in and around the Town Centre, particularly outside of retail trading hours.

The intended objectives of the Lake Haven Town Centre Masterplan cannot be achieved by any other mechanism than a planning proposal.

## Section B – Relationship to strategic planning framework

### 3. (a) Where a sub-regional strategy is in place:

#### (i) 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)?

The proposal is consistent with the recommendations and outcomes of the Lake Haven Town Centre Masterplan adopted by Council on 9 April 2014. A Key Priority outlined in the Implementation Strategy for the Masterplan is to prepare a Planning Proposal to rezone the Entertainment/Commercial Precinct, Mega Centre Precinct and Shopping Centre PAD site to B4 Mixed Use.

The Planning proposal is also consistent with the 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;*
- *Partner with local stakeholders to encourage regional economic growth and employment;*
- *Support key regional industries and local businesses to grow;*
- *Revitalise Town Centres in the Wyong Shire to cater for expected population growth; and*
- *Deliver effective regional planning to cater for growth and encourage increased investment.*

### 4. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

#### **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.

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

The Planning Proposal aims to encourage increased community and economic activity within the Town Centre of Lake Haven. Rezoning the subject land to B4 Mixed Use will encourage the development of the Town Centre 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.*

The Town Centre benefits from a local Bus Interchange. The Planning proposal aims to increase economic and social activity, and housing density within close proximity to this Bus Interchange.

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

The Planning Proposal will enable the development of a range of land uses that enhance and support the existing community and recreational facilities (e.g. Gravity Youth Centre, Lake Haven Recreation Centre) within the Town Centre.

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

The Planning Proposal will enable the development of the subject land for a range of additional land uses as identified in the Lake Haven Town Centre Masterplan. The Masterplan proposes that all developments on this land should investigate opportunities for the provision of new multi-function learning centres to encourage lifelong learning. Such centres may be developed through partnerships with local businesses and landowners and could incorporate new library facilities.

- *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.*

The Planning Proposal will facilitate the growth and development of the Lake Haven Town Centre through additional land uses that attract economic investment and activity within the Town Centre. It will encourage the revitalisation of the Town Centre through the development of underutilised land and broaden the range of business and commercial services available to support the retail functions of the Centre. This will increase economic and social activity and employment opportunities within the Lake Haven Town Centre and surrounding land.

- *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.

| State Environmental Planning Policy                                                                                                                                                                  | Comment                                                                                                                                                                                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>SEPP No. 71 Coastal Protection</b>                                                                                                                                                                |                                                                                                                                                                                                       |
| <p>Aims:</p> <p>(a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and</p> <p>(b) to protect and improve existing public access</p> | <p>The proposal is consistent with the provisions of SEPP 71. The proposal does not affect access to and along coastal foreshores, nor is the site affected by coastal processes such as erosion.</p> |

| State Environmental Planning Policy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Comment |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| <p>to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and</p> <p>(c) 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</p> <p>(d) to protect and preserve Aboriginal cultural heritage, Aboriginal places, values, customs, beliefs and traditional knowledge, and</p> <p>(e) to ensure that the visual amenity of the coast is protected, and</p> <p>(f) to protect and preserve beach environments and beach amenity, and</p> <p>(g) to protect and preserve native coastal vegetation, and</p> <p>(h) to protect and preserve the marine environment of New South Wales, and</p> <p>(i) to protect and preserve rock platforms, and</p> <p>(j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and</p> <p>(k) 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</p> <p>(l) to encourage a strategic approach to coastal management.</p> |         |

**6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The proposal has been considered against the relevant Ministerial Section 117 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.

| Number                                                 | Direction                                                              | Applicable | Consistent |
|--------------------------------------------------------|------------------------------------------------------------------------|------------|------------|
| <b>Employment &amp; Resources</b>                      |                                                                        |            |            |
| 1.1                                                    | Business & Industrial Zones                                            | Y          | Y          |
| 1.2                                                    | Rural Zones                                                            | N          | N/A        |
| 1.3                                                    | Mining, Petroleum Production and Extractive Industries                 | N          | N/A        |
| 1.4                                                    | Oyster Aquaculture                                                     | N          | N/A        |
| 1.5                                                    | Rural Lands                                                            | N          | N/A        |
| <b>Environment &amp; Heritage</b>                      |                                                                        |            |            |
| 2.1                                                    | Environmental Protection Zones                                         | N          | N/A        |
| 2.2                                                    | Coastal Protection                                                     | Y          | Y          |
| 2.3                                                    | Heritage Conservation                                                  | N          | N/A        |
| 2.4                                                    | Recreation Vehicle Areas                                               | N          | N/A        |
| <b>Housing, Infrastructure &amp; Urban Development</b> |                                                                        |            |            |
| 3.1                                                    | Residential Zones                                                      | Y          | Y          |
| 3.2                                                    | Caravan Parks and Manufactured Home Estates                            | N          | N/A        |
| 3.3                                                    | Home Occupations                                                       | Y          | Y          |
| 3.4                                                    | Integrating Land Use & Transport                                       | Y          | Y          |
| 3.5                                                    | Development Near Licensed Aerodromes                                   | N          | N/A        |
| 3.6                                                    | Shooting Ranges                                                        | N          | N/A        |
| <b>Hazard &amp; Risk</b>                               |                                                                        |            |            |
| 4.1                                                    | Acid Sulfate Soils                                                     | N          | N/A        |
| 4.2                                                    | Mine Subsidence and Unstable Land                                      | Y          | Y          |
| 4.3                                                    | Flood Prone Land                                                       | N          | N/A        |
| 4.4                                                    | Planning for Bushfire Protection                                       | N          | N/A        |
| <b>Regional Planning</b>                               |                                                                        |            |            |
| 5.1                                                    | Implementation of Regional Strategies                                  | Y          | Y          |
| 5.2                                                    | Sydney Drinking Water Catchments                                       | N          | N/A        |
| 5.3                                                    | Farmland of State and Regional Significance on the NSW Far North Coast | N          | N/A        |

| Number                       | Direction                                                                | Applicable | Consistent |
|------------------------------|--------------------------------------------------------------------------|------------|------------|
| 5.4                          | Commercial and Retail Development along the Pacific Highway, North Coast | N          | N/A        |
| 5.8                          | Sydney Second Airport: Badgery's Creek                                   | N          | N/A        |
| 5.9                          | North West Rail Link Corridor Strategy                                   | N          | N/A        |
| <b>Local Plan Making</b>     |                                                                          |            |            |
| 6.1                          | Approval and Referral Requirements                                       | Y          | Y          |
| 6.2                          | Reserving Land for Public Purposes                                       | Y          | Y          |
| 6.3                          | Site Specific Provisions                                                 | Y          | Y          |
| <b>Metropolitan Planning</b> |                                                                          |            |            |
| 7.1                          | Implementation of the Metropolitan Strategy                              | N          | N/A        |

## Section C – Environmental, Social and Economic Impact

### 7. 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.

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

The development potential of the site, subject to the notification of the Planning Proposal, will enable compatible land uses with those already present within the Town Centre and surrounding the site. It is anticipated that there will be no environmental effects as a result of the Planning Proposal.

### 9. Has the planning proposal adequately addressed any social and economic effects?

#### **Social Impact & Amenity**

The Planning Proposal provides an opportunity to further develop the underutilised land and integrate the various land uses within the Town Centre to improve the existing amenity and security/safety of the Centre, building on its identity and sense of place within the community. The Planning Proposal is the first stage in the implementation of the Lake Haven Town Centre Masterplan which is premised on key opportunity sites within the Town Centre being developed in joint ventures and public private partnerships for new employment generating uses and new housing choice, which will provide public domain works or generate revenue for Council to be used to fund improvements to the public domain, community and recreation facilities.

The Planning Proposal will facilitate a broader range of land uses which will increase community and economic activity, particularly after business hours, as well as providing increased housing choice. This has the potential to reduce antisocial behaviour, a significant issue for the Lake Haven Town Centre and its community, through increased community presence and building community pride and social cohesion.

### **Economic Effects**

The Planning Proposal will facilitate a broader range of land uses for the subject site which will encourage economic investment within the Town Centre and generate revenue for Council to use to fund improvements to the public domain. Development of this underutilised land for uses that support the retail functions of the Town Centre will maintain the role of the Centre, generate economic activity and employment, increase activity outside normal retail trading hours, meet demand for housing, improve accessibility and connections through the Town Centre, and generate revenue for investment in community infrastructure and the public domain.

## **Section D – State and Commonwealth Interests**

### **10. Is there adequate public infrastructure for the planning proposal?**

The Planning Proposal is for land surrounding the Lake Haven Town Centre which has adequate public infrastructure. The Planning Proposal will facilitate increased development and growth of the Town Centre, which will require upgrading and improvement to this infrastructure, in particular the local access routes, transport infrastructure and parking. The Lake Haven Town Centre Masterplan includes recommendations for new developments in relation to access networks and traffic management, however, further specialist transport and traffic management investigations will be required as part of any development proposal. The Masterplan also identifies opportunities to improve the existing community infrastructure through revenue generated from future developments within the Town Centre. Being located within the Town Centre, the land subject to this Planning proposal is in close proximity to a wide range of community, education and health services and facilities.

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

The Gateway Determination will outline which government agencies shall be consulted with.

## **Part 4 Mapping**

| Map No. | Map Title                      |
|---------|--------------------------------|
| 1       | Aerial Locality Plan           |
| 2       | Site Identification Plan       |
| 3       | Current Zone - Wyong LEP 2013  |
| 4       | Proposed Zone – Wyong LEP 2013 |

## Part 5 Community Consultation

Community Consultation period will be undertaken as per the Gateway determination. 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); and
- Council's website (On Exhibition page and Consultation Hub page).

A public hearing is not considered necessary.

## Part 6 Project Timeline

| Action                                                                                                      | Period   | Start Date       | End Date          |
|-------------------------------------------------------------------------------------------------------------|----------|------------------|-------------------|
| Anticipated commencement date (date of Gateway Determination)                                               | N/A      | 27 June 2014     | 30 June 2014      |
| Anticipated timeframe for the completion of required technical information                                  | 4 weeks  | 30 June 2014     | 25 July 2014      |
| Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) | 12 weeks | 30 June 2014     | 22 September 2014 |
| Commencement and completion dates for public exhibition                                                     | 4 weeks  | 30 July 2014     | 28 August 2014    |
| Dates for public hearing (if required)                                                                      | N/A      | N/A              | N/A               |
| Timeframe for consideration of submissions                                                                  | 4 weeks  | 18 August 2014   | 12 September 2014 |
| Timeframe for consideration of a proposal post exhibition                                                   | 2 weeks  | 1 September 2014 | 12 September 2014 |
| Date of submission to the Department to finalise LEP*                                                       | N/A      | 13 October 2014  | 13 October 2014   |
| Anticipated date RPA will make the plan (if delegated)**                                                    | N/A      | N/A              | N/A               |
| Anticipated date RPA will forward to the Department for notification                                        | N/A      | N/A              | N/A               |

\* Period includes further Council consideration of proposal and submission preparation

\*\* Period includes instrument drafting and Parliamentary Counsel Opinion

## Supporting Documentation

| No.                                  | Document                                  |
|--------------------------------------|-------------------------------------------|
| <b>01 Assessment and Endorsement</b> |                                           |
|                                      | Council Report and Minutes – 9 April 2014 |
| <b>02 Strategic Plan</b>             |                                           |
|                                      | Lake Haven Town Centre Masterplan         |
| <b>03 Mapping</b>                    |                                           |
| A.                                   | Aerial Locality Plan                      |
| B.                                   | Site Identification Plan                  |
| C.                                   | Current Zone – Wyong LEP 2013             |
| D.                                   | Proposed Zone – Wyong LEP 2013            |