



Wyong Shire Council  
Planning Proposal  
200 Main Road  
Toukley

WSC File No: RZ/6/2015  
February 16



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200 Main Road

Toukley

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February 16 Pre-Gateway Version

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## **Beachcomber Site**

Lots 31 & 32 DP 805021 (200 Main Road), Toukley

File No. RZ/6/2015

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## Introduction & Locality Context

The subject site is located 350m west of the Toukley Town Centre and has frontages to Main Road and Lake Budgewoi. It slopes away from Main Road toward Lake Budgewoi and enjoys expansive lake views. Existing development on the Beachcomber site comprises the Beachcomber Hotel, conference/function facilities, tourist accommodation apartments and recreation facilities. It retains some mature lakefront trees and vegetation within a landscaped lawn foreshore setting.



Figure 1 Locality Context

The site is located immediately west of the "Rustrum Key Site" adjoining Toukley Gardens Park, and is approximately 3.5 times larger (Total: 1.084Ha). The Beachcomber site is flanked to the west by medium density residential development which is generally of a 2 storey height to the Main Road frontage, and 3-4 storeys to the lake elevation. The site is located opposite a mix of vacant lands, residential properties and existing commercial uses, being within an R3 Medium Density Residential zoning. The commercial uses include 2 motels, restaurants, shops, take-away food premises, and community organisations.

The land subject to this Planning Proposal is described as Lots 31 and 32, DP 805021, No. 200 Main Road, Toukley.

Lot 31 is within the boundaries of Lot 32, serviced by a ROW access from Main Road which runs along the western boundary of Lot 32. It is owned by Wyong Shire Council and is developed with a sewer pump station. Lot 32 is owned by Rifon No.2 Pty. Ltd, and is developed with the Beachcomber Hotel/motel complex.

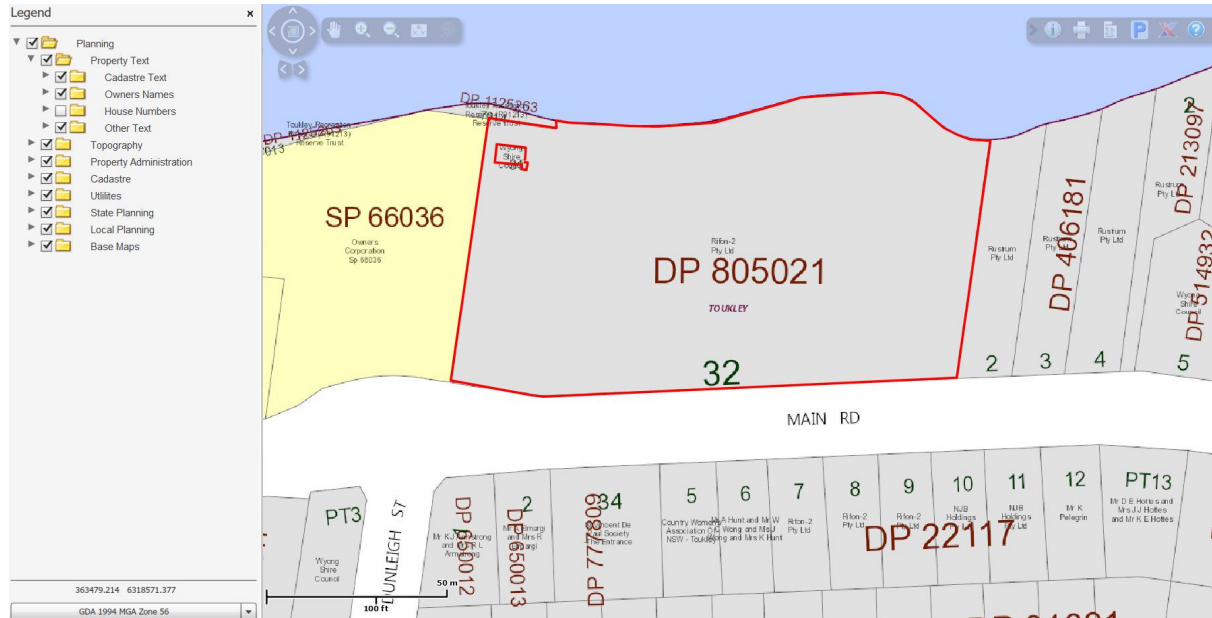


Figure 2: Existing Cadastre, indicating the ownership of land affected by this Planning Proposal

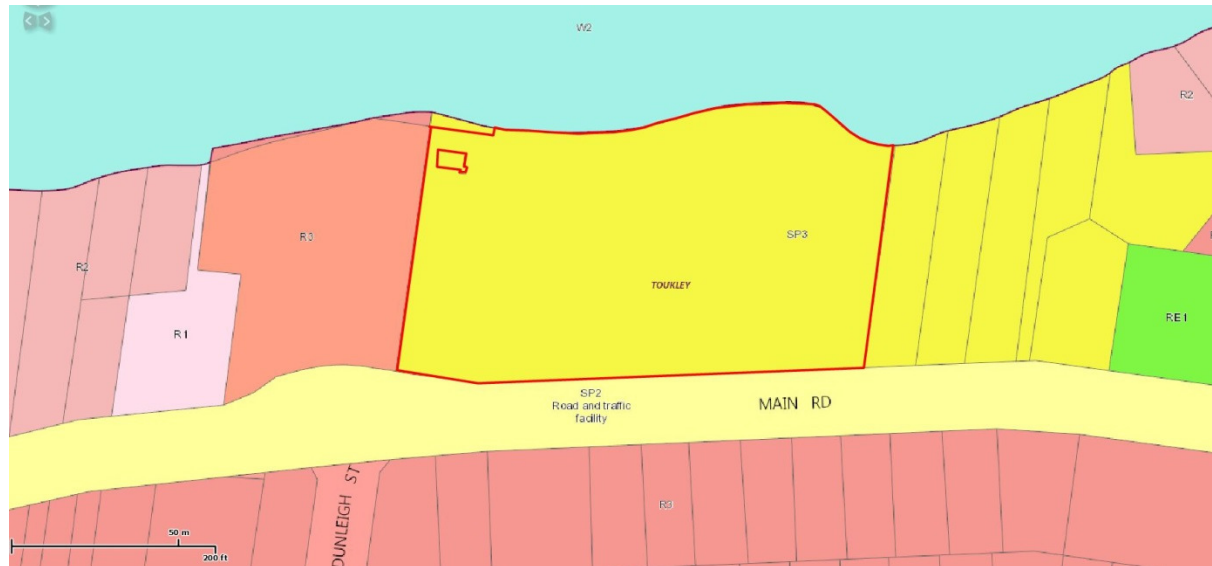


Figure 3: Existing Zonings, indicating land affected by this Planning Proposal within the red boundary.

**Note:** Existing Land Zoning, Key Site, and Floor Space Ratio maps from the Wyong Local Environmental Plan, 2013, are included within Part 4 – Mapping.

## Part 1 Objectives or Intended Outcomes

The objective of this proposal is to alter existing planning controls and to rezone the land at 200 Main Road Toukley from SP3 Tourist to B4 Mixed Use.

The intended outcome of the proposal is to allow a mixed use development (tourist apartments, residential apartments, ground floor retail/commercial floor space) in two main buildings, to be undertaken on the site.

## Part 2 Explanation of Provisions

The outcome will be facilitated by an amendment to Wyong Local Environmental Plan (LEP) 2013. The following table identifies that there are no Instrument amendments proposed, and that the following map amendments only are required:

Note: Amended Map Sheets have not been produced to date.

Existing Provision	Proposed Amendment
<b>Floor Space Ratio Map</b> (Extract from <a href="#">8550 COM FSR 019 020 20131219</a> )	- Amendment of the Wyong Local Environmental Plan, 2013 (WLEP 2013) Floor Space Ratio Map (FSR_019) to increase allowable FSR for the development site from "S1" 1.5:1, to "S2" 1.7:1, Area 2.
<b>Key Site Map</b> (Extract from <a href="#">8550 COM KYS 019 020 20151116</a> )	- Amendment of the Wyong Local Environmental Plan, 2013 (WLEP 2013) Key Site Map (KYS_019) to include the development site, and to identify the figure 26 on the western half of the site and the figure 36 on the eastern half of the site.
<b>Land Zoning Map</b> (Extract from <a href="#">8550 COM LZN 019 020 20131219</a> )	- Amendment of the Wyong Local Environmental Plan, 2013 (WLEP 2013) Land Zoning Map (Sheet LZN_019) to change the zone affecting the development site from SP3 Tourist to B4 Mixed Use.

Table 1 – Explanation of Map and Instrument Amendments

## Part 3 Justification

### Section A – Need for the Planning Proposal

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

No. The Planning Proposal results from a Council resolution to identify the site as a “Key Site” and to facilitate “Iconic Development” on the land through Clause 7.11. The land was not previously captured within the Key Site Program as it was not identified as likely to be redeveloped. Council’s resolution to include the site in the Program will enable the delivery of significant public benefit contributions toward improvements in the public domain through its development. The planning proposal builds on the Key Site principles applicable to the adjoining (Rustrum) site, within the Toukley Planning Strategy and Masterplan.

The Wyong Local Environmental Plan 2013 and Wyong Development Control Plan 2013 currently provide for a significant development on the site, however, the concept now proposed exceeds the current controls, and also involves the additional use “residential flat building”, which is not permissible within the SP3 Tourist zone. Therefore, the controls (Zoning, Key Site Height Limit and Floor Space Ratio) are to be adjusted to facilitate the new design concept.

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

The planning proposal is necessary to alter the relevant zoning and development controls within the Wyong Local Environmental Plan 2013, to identify the land as a “Key Site”, and to increase the permissible Height and Floor Space Ratio on the land to facilitate the “Iconic Development” proposed.

#### *The Proposal*

The proposal is to develop a mixed use residential flat building and tourist apartment complex, with ground floor retail/commercial floor space on the land. The concept scheme provides for:

- A lake front podium which ‘sits’ into the slope of the land. The podium comprises 2 levels of residential apartments, fronting the underground basement parking.
- On the eastern side of the site the concept plan shows a 9 storey mixed use building comprising ground floor commercial uses (for example bar and restaurant) with 8 storeys of residential apartments above.
- On the western side of the site a 6 storey mixed use building is shown. The ground floor uses within this building as shown in the concept scheme includes community rooms associated with the residential components and a small retail outlet (for example – a convenience store).
- The area above the podium between the buildings is shown as landscaped area.
- The concept scheme provides for a minimum setback for the podium of 10m to the northern property boundary and a similar setback for the two mixed use buildings to the Main Road frontage.

- The overall FSR of the concept scheme is 1.95:1 with a maximum site coverage, excluding the podium, of 22.8%. The maximum site coverage including the podium is 36.9%.
- This compares to the existing development on the site which has an approximate FSR of 0.6:1 and a site coverage of almost 50%.

The main buildings have been deliberately angled on the site to enhance views and solar access for future apartments within the buildings and also to allow for views through the site from the public domain along Main Road. The placement of buildings as shown in the concept scheme will also provide a view corridor through the site from properties on the southern side of Main Road. The concept scheme provides for a landscaped foreshore area between the podium and the lake edge and a landscape forecourt which will extend from Main Road between the buildings and across the top of the podium at the northern edge. The concept scheme provides for the retention of some existing trees along the lake foreshore.



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**New Residential Development**  
200 Main Road  
Toukley NSW 2263  
Artist's Impression - from Lake

DWG NO.: 1511-551 ISSUE: 1  
DATE: 24 SEP 2015

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OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEMS.

Figure 4: Concept Development, viewed from Lake Budgewoi





Figure 5: Eye level and Elevated Views of the Concept Development from Main Road

## Site Context

The Beachcomber site is flanked to the west by medium density residential development which is generally of a 2 storey height to the Main Road frontage, and 3-4 storeys to the lake elevation. The site is located opposite a mix of vacant lands, residential properties and existing commercial uses, being within an R3 Medium Density Residential zoning. The commercial uses include 2 motels, restaurants, shops, take-away food premises, and community organisations.

There is a synergy between the adjoining Rustrum site and the Beachcomber site. The Rustrum site was identified as a key site for an "iconic development" in recognition of its lakeside location in close proximity to Toukley Town Centre and the Toukley Gardens park adjoining. Council recognised the potential to provide significant access and amenity benefits to the community in return for bonus development potential on the amalgamated sites, which would stimulate the further development, vitality and viability of the Toukley Town Centre.

The Beachcomber site is also considered capable of delivering significant public benefits, but on a much larger scale. It is also considered that a mixed use development comprising residential apartments above ground floor commercial uses, set within large areas of ground level landscaped open space providing views to Budgewoi Lake, will further assist to activate the precinct, and will represent a more attractive and appropriate development outcome having regard to the existing and likely future character of the area. The proximity of the Beachcomber site to the Rustrum Key Site presents an opportunity to provide a transition in development height and form, stepping up to form bold and iconic development at the western gateway to the Toukley town centre.

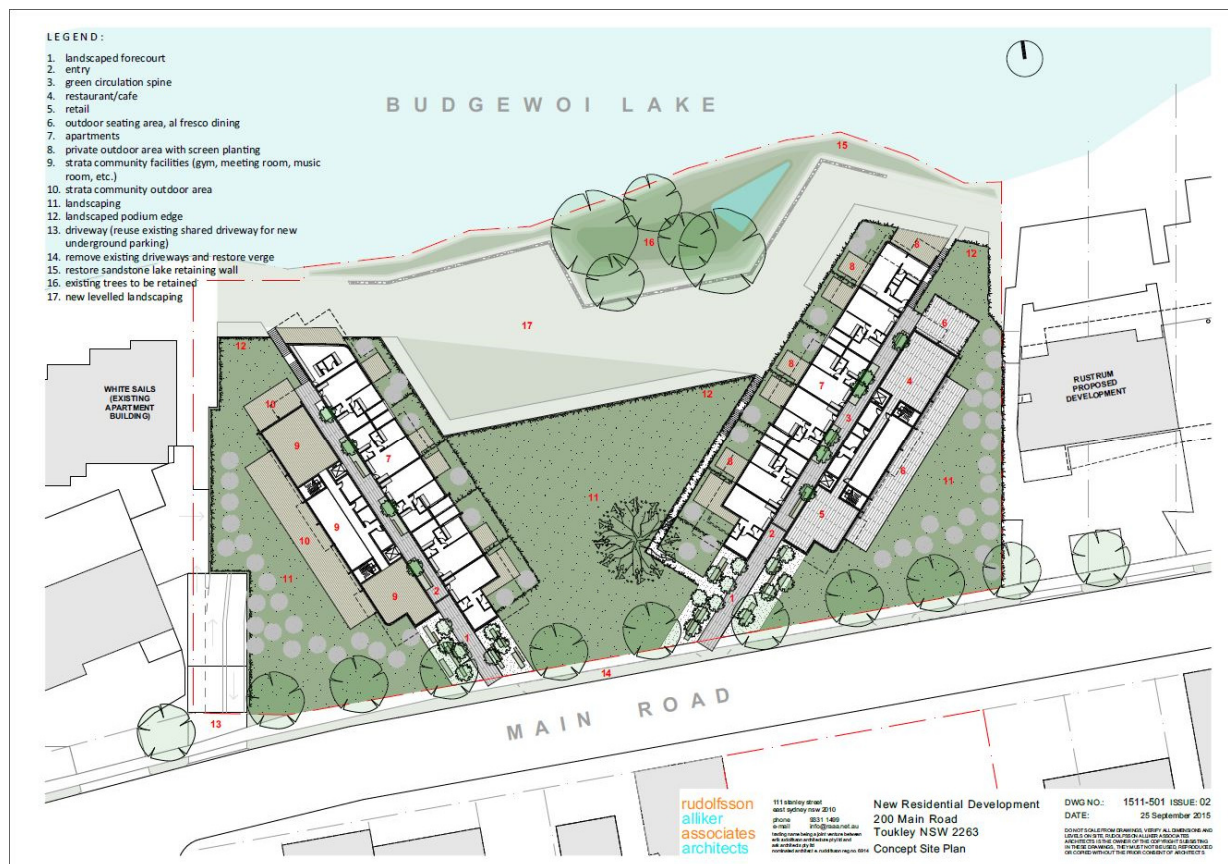


Figure 6: Development and landscape Concept

The concept scheme for the Beachcomber site has been developed with the proposed development of the Rustrum site in mind. In particular, impacts on the streetscape, cumulative overshadowing impacts, building separation and building bulk have been considered in determining the most appropriate development controls for the Beachcomber site. Identification of the land as a “key site” will enable additional development height and density, while requiring the delivery of a green building design displaying design excellence, respecting environmental constraints and the amenity of adjoining lands, as well as delivering significant public benefits to the community.

The subject land is currently serviced with electricity, telephone, water, sewerage and drainage infrastructure which can be embellished to accommodate the future “iconic development”. It is an urban in-fill redevelopment site, not contributing to the consumption of additional urban fringe land. The development of tourist and permanent residential accommodation, together with additional hospitality based commercial floorspace, is important to the economy of the region and will lead to the better utilisation of existing infrastructure and services.

#### *Voluntary Planning Agreement*

The applicant has secured support from Council for the recognition of the site as a “key site”, and has offered to provide additional contributions towards improvements in the Toukley town centre, as noted in the Toukley Town Centre Masterplan and identified within DCP 2013: Chapter 6.1 - Key Sites. Clause 2.11: “Other Public Benefits” requires that “iconic development” as identified is required to contribute payment of 1.5 x s.94 charges applying to the development proposal. This effectively means that an additional dollar amount equal to half the required total contributions is provided toward “public benefit” works.

The proponent is keen to ensure that the benefits that are provided are those which are most valued and desired by Council and the community, and is currently engaging with Council to determine the scope of potential public benefits which can be facilitated through those contributions, via Voluntary Planning Agreement (VPA). The proposed VPA (and amendments to WLEP, WDCP and (if necessary) applicable s.94 Development Contributions Plans) will be exhibited concurrently to maximise clarity and certainty for the community. The suite of planning controls will be site specific to deliver quality built outcomes and secure substantial public benefit.

## **Section B – Relationship to strategic planning framework**

### **Where a regional or sub-regional strategy is in place:**

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)?

#### *Central Coast Regional Strategy*

The Central Coast Regional Strategy (CCRS) was released by the DP&E in July 2008. The CCRS identifies the population potential of the Central Coast expected by 2031, expected employment capacity targets and the likely phasing of release areas. The strategy also identifies actions and principles to ensure ongoing growth and prosperity of the region, including actions for centres and

housing, economy and employment, environment and natural resources, natural hazards, water supply, regional infrastructure and regional transport.

The population potential as expressed by the CCRS is expected to be an additional 71,100 people in the Shire at 2031, distributed as defined by the Strategy. This urban in-fill redevelopment site within 350m of the Toukley Town Centre and on a main road frontage has the potential to contribute strongly to the provision and variety of housing in the locality. As a Shire, the strategy anticipates that Wyong will be required to create an additional 27,000 jobs. The construction and ongoing operational jobs which will be created by a development of this nature (approx. \$52.8M construction cost) addresses this aspect of the Strategy.

The CCRS provides under the “Key Economic Opportunities for the Region”, that “the regions tourism advantages are (also) likely to increase”. The Planning Proposal will enable a development which will attract and accommodate tourists, who will contribute to the fuller utilisation of local cultural and community facilities, open space, sports and recreation facilities. Such proposals also result in job creation in the management and service industries. Support for tourism and the economic benefits both direct and indirect are key objectives of the Strategy to the Wyong LGA.

The proposal addresses the following Actions identified within the Strategy:

*Action 4.2 and 4.4: the proposal will assist in providing for a mix of housing types, adjacent to centres;*

*Action 4.22: the proposal will assist in addressing State Plan priority E5 ‘jobs closer to home’;*

*Action 5.1: the proposal will contribute to economic and employment growth and the principle of ‘self-containment’ on the Central Coast;*

*Action 6.18: the proposal will improve the provision of local open space;*

*Action 6.21: the proposal will enable tourism facilities to be appropriately managed to minimise impacts on natural resources and the natural environment.*

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

The Wyong Community Strategic Plan identifies eight (8) priority objectives, each supported by a range of actions. The Planning Proposal is assessed as follows:

1. *Communities will be vibrant, caring and connected.*

The Planning Proposal will provide an opportunity for contributions toward the provision of upgraded and embellished public reserve areas as well as pedestrian and cycle accessways from the town centre area to the public reserves on the Budgewoi Lake foreshore as well as to the residential areas adjacent. These parklands and facilities will be embellished to provide better amenity and recreational opportunities for the community.

2. *There will be ease of travel.*

Being on Main Road, the site is currently well serviced by a privately run Bus company. Better pedestrian and cycle access will be facilitated by the Proposal.

3. *Communities will have a range of facilities and services.*

The Planning Proposal will enable the redevelopment of active and passive open spaces to provide better access, public art and improved facilities. It will also result in fuller utilisation of existing facilities, one of Council's goals.

4. *Areas of natural value will be enhanced and maintained.*

Restoration and management of the foreshore area will be achieved.

5. *There will be a sense of community ownership of the natural environment.*

The proposal will open up viewing opportunities to Budgewoi Lake from Main Road. The proposal is likely to result in improvements to local open space areas, enabling greater use and enjoyment of the adjacent foreshore areas.

6. *There will be a strong sustainable business sector.*

The Proposal will assist in job creation opportunities during construction and subsequent operation, particularly within the service sector.

7. *Information and communication technology will be world's best.*

Not currently relevant to this Proposal.

8. *The community will be educated, innovative and creative.*

Not relevant to this 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) and is considered generally consistent.

The following comments in relation to particular SEPPs are of note:

State Environmental Planning Policy	Comment
<b>SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)</b>	
Aims to promote the orderly and economic use of land through urban consolidation and the promotion of the development of land suitable for multi-unit housing and related development.	The Proposal will enable increased density, supply and diversity in potential housing forms for the land, subject to merit assessment via the Development Application process. The Proposal is consistent with the aims of the Policy.
<b>SEPP 55 – Remediation of Land</b>	
Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other	Whilst site contamination is not anticipated to be a significant issue, an Initial Contamination Assessment will be conducted following the

State Environmental Planning Policy	Comment
<p>aspect of the environment</p> <p>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(b) 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</p> <p>(c) by requiring that a remediation work meet certain standards and notification requirements.</p>	<p>receipt of the gateway determination.</p>
<p><b>SEPP No. 65 – Design Quality of Residential Apartment Development</b></p>	
<p>This SEPP aims to improve the design quality of residential apartment development to achieve better built form and aesthetics of buildings and the streetscapes and public spaces they define. It strives to improve safety, amenity and security while minimising the consumption of energy from non-renewable resources.</p>	<p>The Concept Proposal is for an “iconic” development which includes tourist apartments as well as a Residential Flat Building (as defined by the SEPP). The Proposal would be subject to the design quality provisions of the SEPP, through merit assessment via the Development Application process.</p> <p>The building concept is for two buildings arranged in a “V” shape, sited upon a podium containing the semi-underground carpark and service areas, fringed by 2 levels of north-facing residential apartments. The eastern building is 36 metres high (a nine (9) storey building when viewed from Main Road), and the western building is 26 metres high (a six (6) storey building when viewed from Main Road).</p> <p>The concept includes extensive areas of landscaped open space, which visually connect Main Road to the waterfront. The podium roof to the basement parking levels will generally equate to the existing Main Road ground level, retaining lake views through the expansive space between the buildings (36 metres at the closest point) and providing a publicly accessible landscaped recreation space.</p> <p>Generally, allowable building heights in the</p>

State Environmental Planning Policy	Comment
	<p>locality are low scale (9.5m – 16m), with the exception of the adjoining Rustrum site (36m) to the east, and other adjacent Key Sites in Toukley permitting developments of up to 30 metres. The concept façade treatments give an active presentation to the building elevations.</p> <p>Issues for detailed consideration will include the mass, volume, scale and visual amenity of the buildings, the proposed FSR, height, setbacks and the likely overshadowing of adjacent public spaces as well as properties particularly on the southern side of Main Road. The main buildings have been deliberately angled on the site to enhance views and solar access for future apartments. The concept scheme for the site has been developed with the proposed development of the Rustrum site in mind. In particular, impacts on the streetscape, cumulative overshadowing impacts, building separation and building bulk have been considered in determining the most appropriate development controls for the Beachcomber site.</p> <p>Also to be considered are design issues relating to privacy, natural lighting and ventilation, access for the various users, traffic and parking generation and provision, waste minimisation and collection, integration with the adjoining public open spaces and the foreshore treatment/amenity arising from the development.</p> <p>The proposal will also be subject to the “Design Excellence” and “Green Building Design” provisions of Clause 7.11 of the WLEP, 2013, together with requirements to be identified by a site specific Development Control Plan, which will be exhibited concurrently with the Planning Proposal.</p> <p>The Proposal will enable increased density, supply and diversity in tourist accommodation and permanent housing forms for the land and for the Toukley Town Centre. The final</p>

State Environmental Planning Policy	Comment
	Development Proposal will need to be consistent with the aims and requirements of the WLEP 2013, effectively exceeding the design quality requirements of SEPP 65 – Design Quality of Residential Apartment Development.
<b>SEPP 71 – Coastal Protection</b>	
<p>Aims:</p> <ul style="list-style-type: none"> <li>(a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and</li> <li>(b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and</li> <li>(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</li> <li>(d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and</li> <li>(e) to ensure that the visual amenity of the coast is protected, and</li> <li>(f) to protect and preserve beach environments and beach amenity, and</li> <li>(g) to protect and preserve native coastal vegetation, and</li> <li>(h) to protect and preserve the marine environment of New South Wales, and</li> <li>(i) to protect and preserve rock platforms, and</li> <li>(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</li> <li>(k) to ensure that the type, bulk, scale and size</li> </ul>	<p>The Proposal is located on land within the Coastal Zone (CP Act, 1979), and is land which is identified as a “sensitive coastal location” under SEPP 71 – Coastal Protection, situated on the Budgewoi Lake foreshore.</p> <p>The land currently has an SP3 Tourist zoning and it is proposed to implement a B4 Mixed Use zoning. This will have no material impact on the issues for consideration relevant to the Coastal Protection Act, 1979, or SEPP 71.</p> <p>The land is not affected by any Foreshore Building Line or Foreshore Area notation on the WLEP 2013 Map layers. However, sufficient controls relating to development on land near the Budgewoi Lake foreshore are retained within the WLEP, 2013 (Clauses 5.5, 5.7, 7.1, 7.2, &amp; 7.11), to ensure that appropriate environmental assessment will be undertaken prior to the issue of any consent for development on the land.</p> <p>Further, any proposals for development or modification of the foreshore land will be assessed on merit, having regard to the provisions of Clause 8 of SEPP 71 – Coastal Protection. The issues of bulk, scale and overall built form in relation to the natural scenic quality of the surrounding area, are identified and addressed by controls within the site specific draft Development Control Plan. These issues will be subject to merit assessment when design detail is determined. Further, the proposal will likely address Clause 8 by improving the quality of and public access to</p>



State Environmental Planning Policy	Comment
<p>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>	<p>foreshore lands (through the VPA).</p> <p>The Proposal is considered to address Clause 8 matters and is not inconsistent with the aims of the Policy.</p>

Table 2 – SEPP Assessment

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 summarised below. The full assessment of these Directions is contained within the Attachments of this proposal.

No.	Direction	Applicable	Consistent
<b>Employment &amp; Resources</b>			
1.1	Business & Industrial Zones	N	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	Y	Y
2.2	Coastal Protection	Y	Y
2.3	Heritage Conservation	Y	Y
2.4	Recreation Vehicle Areas	Y	Y
<b>Housing, Infrastructure &amp; Urban Development</b>			
3.1	Residential Zones	Y	Y
3.2	Caravan Parks and Manufactured Home Estates	Y	Y
3.3	Home Occupations	Y	Y

No.	Direction	Applicable	Consistent
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	Y	Y
4.2	Mine Subsidence and Unstable Land	Y	Y
4.3	Flood Prone Land	Y	Y
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
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	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	N/A
<b>Metropolitan Planning</b>			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N	N/A

Table 3 – S117 Ministerial Direction Compliance

## **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?

### **Flora and Fauna**

There is not likely to be any impact upon critical habitat or threatened species, populations or ecological communities, or their habitats as a result of this planning proposal.

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

### **Bushfire**

The subject land is not classified as Bushfire Prone Land.

### **Mineral Resources - Extraction & Subsidence**

The land is underlain by coal reserves. Advice will be sought from the Mine Subsidence Board.

### **Water Supply**

Wyong Water has advised that there is a sufficient 'spine' of water and wastewater infrastructure that could service the proposal with localised upgrades to be determined as part of the developers servicing strategy.

### **Aboriginal and European Cultural Heritage Items**

An Aboriginal Heritage Due Diligence Report in accordance with OEH requirements has not been submitted to date. However, due to past development on the site it is highly unlikely that the redevelopment proposal would have any likely impacts on Aboriginal objects or areas of potential archaeological deposit. Council has conducted AHIMs searches of the site buffered to 50m and 200m, which found no Aboriginal sites or declared Aboriginal places in or near the location.

### **Contaminated Land and Acid Sulfate Soils**

The land contains soils identified as Class 5 on the Acid Sulfate Soils Map, and being adjacent to Budgewoi Lake is also adjacent to soils identified as Class 1 (WLEP, 2013). Future development of the land will require detailed assessment of the soil conditions via the Development Application process, particularly for excavation of the basement levels and footings required, as the excavations are likely to impact groundwaters, and mitigation measures may be required. In this regard, an Acid Sulphate Soils Preliminary Report, including recommendations for a Management Plan if considered necessary, is to be prepared following the gateway determination. There is no record of contamination of the soils on the site.

There will be no additional environmental impacts directly created through this amendment. The land use compatibility or potential for environmental effects would be matters for consideration for any Development Application for a building on the site.

### ***Flooding and Drainage***

Council's Flood Mapping indicates that part of the land (the Lake foreshore land below the embankment) is classified as Flood Prone. However, this proposal does not involve development of the foreshore area. This zoning change will have no material impact on the issues relevant to flood planning for the site, as the change does not "intensify" the permissible residential density or flood risk – tourist apartments are currently permissible, and are materially the same as residential apartments.

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

#### ***Economic Issues***

The purpose of the Key Sites program is to stimulate economic development by providing a catalyst for further development. The effects of the new residential development will be to create additional demand for services and jobs and the economic multiplier effects of additional population.

#### ***Social Issues***

A social consideration is to provide public domain improvements to both complement the development and provide quality public access and spaces. The removal of the Beachcomber Hotel will remove a prior source of anti-social behaviour and is supported by the NSW Police Service. A well designed, well lit, safe and active public domain will positively contribute to the health, safety and well-being of the Toukley community.

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

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

#### ***Traffic and Transport***

The site is located on Main Road, and is well serviced by privately operated bus and taxi services and has footpath connection to the Toukley Town Centre. Additional works will be completed as part of the development of the site.

#### ***Services (Water, Sewer, Gas & Electricity)***

The land is currently serviced with electricity, telephone, water, sewerage and drainage infrastructure which can be embellished to accommodate the development. Wyong Water has advised that there is a sufficient 'spine' of water and wastewater infrastructure that could service the proposal with localised upgrades to be determined as part of the developers servicing strategy.

x

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

Consultation with the following agencies is proposed, based on the identified triggers and site constraints:

Agency	Trigger/Constraint
Ausgrid	- owns, maintains and operates the electrical distribution network
Darkinjung Local Aboriginal Land Council	- Due Diligence
Guringai Tribal Link	- Due Diligence
Mine Subsidence Board	- Swansea/North Entrance Mine Subsidence District
Office of Environment & Heritage (Water Floodplains & Coast)	- Site has frontage to Lake Budgewoi
Department of Planning and Environment	- Gateway determination
Roads and Maritime Services	- Impacts on Main Road

Table 4 – Proposed Agency Consultation List

## Part 4 Mapping

Map	Map Title
<b>Existing Provision</b>	
<b>A.</b>	<b>Floor Space Ratio Map</b> (Extract from <a href="#">8550_COM_FSR_019_020_20131219</a> )
<b>B.</b>	<b>Key Site Map</b> (Extract from <a href="#">8550_COM_KYS_019_020_20151116</a> )
<b>C.</b>	<b>Land Zoning Map</b> (Extract from <a href="#">8550_COM_LZN_019_020_20131219</a> )
<b>Proposed Provisions</b>	
<b>A.</b>	<b>Floor Space Ratio Map</b> (Extract of 8550_COM_FSR_XXX_0X0_20XXXXXX)
<b>B.</b>	<b>Key Site Map</b> (Extract of 8550_COM_KYS_XXX_0X0_20XXXXXX)
<b>C.</b>	<b>Land Zoning Map</b> (Extract of 8550_COM_LZN_XXX_0X0_20XXXXXX)

Table 5 – Existing and Proposed Provisions

## Part 5 Community Consultation

The proposal will be made available for 28 days for community/agency consultation, undertaken in accordance with the determination made by the Gateway.

It is expected that the proposal will be made available at the following locations:

- Wyong Shire Administration Building, 2 Hely Street, Wyong
- Toukley Library, Cnr Main Road & Victoria Ave, Toukley; and
- Council's website (On Exhibition page and Consultation Hub page) [www.wyong.nsw.gov.au](http://www.wyong.nsw.gov.au).

Additionally, notification of the exhibition of the proposal will be provided to adjoining landholders prior to its commencement.

## Part 6 Project Timeline

The following is an estimated Timeline for the processing of the draft Local Environmental Plan. It may be subject to alteration:

Action	Anticipated Date
Anticipated commencement date (date of Gateway Determination)	March 2016
Anticipated timeframe for the completion of required technical information	May – June 2016
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	June 2016
Commencement and completion dates for public exhibition	July – August 2016
Dates for public hearing (if required)	August 2016
Timeframe for consideration of submissions	September 2016
Timeframe for consideration of a proposal post exhibition	October 2016
Date of submission to the Department to finalise LEP	November 2016
Anticipated date RPA will make the plan (if delegated)	December 2016 – January 2017
Anticipated date RPA will forward to the Department for notification	January 2017

Table 6 – Key Project Timeframes

## Supporting Documentation

(Information to be added as relevant to the Planning Proposal as it develops through the stages)

No.	Document
<b>01 Assessment and Endorsement</b>	
A.	Council Report and Minutes – 27 January 2016.
B.	Section 117 Ministerial Direction Assessment
<b>02 Land Use Provisions</b>	
A.	Land Use Tables - Wyong LEP 2013
<b>03 Agency Responses</b>	
<b>04 Mapping</b>	
<b>Existing Provisions</b>	
A.	<b>Floor Space Ratio Map</b> (Extract from <a href="#">8550_COM_FSR_019_020_20131219</a> )
B.	<b>Key Site Map</b> (Extract from <a href="#">8550_COM_KYS_019_020_20151116</a> )
C.	<b>Land Zoning Map</b> (Extract from <a href="#">8550_COM_LZN_019_020_20131219</a> )
<b>Proposed Provisions</b>	
D.	<b>Floor Space Ratio Map</b> (Extract of 8550_COM_FSR_XXX_0X0_20XXXXXX)
E.	<b>Key Site Map</b> (Extract of 8550_COM_KYS_XXX_0X0_20XXXXXX)
F.	<b>Land Zoning Map</b> (Extract of 8550_COM_LZN_XXX_0X0_20XXXXXX)
<b>05 Supporting Studies</b>	
A.	
B.	
C.	
D.	

Table 7 – Supporting Documentation to the Planning Proposal



# 01

## Assessment & Endorsement



Wyong  
Shire  
Council



# 02

## Land Use Provisions



Wyong  
Shire  
Council



# 03

## Agency Responses



Wyong  
Shire  
Council



# 04

## Mapping



Wyong  
Shire  
Council





# 05

## Studies



Wyong  
Shire  
Council