

Item No: 2.11
Title: Planning Proposal to rezone 2 Woongarra Road,
Woongarra
Department: Environment and Planning



25 June 2024 Ordinary Council Meeting

Reference: RZ/1/2023 - D15771001
Author: Sarah Hartley, Senior Strategic Planner Local Planning and Policy
Manager: Scott Duncan, Section Manager. Local Planning and Policy
Executive: Luke Sulkowski, Director Environment and Planning (Acting)

Recommendation

That Council:

- 1 Endorses the Planning Proposal provided in Attachment 1 in relation to Lot 1 DP 1275060, 2 Woongarra Road, Woongarra which seeks to amend the Central Coast Local Environmental Plan 2022 to rezone land from MU1 Mixed Use and E1 Local Centre to R1 General Residential.***
- 2 Forwards the Planning Proposal to the Minister for Planning and Public Spaces in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.***
- 3 Requests delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.***
- 4 Amends and exhibit changes to existing Chapter 4.1 Warnervale Town Centre Central Coast Development Control Plan 2022 pursuant to Section 3.45 of the Environmental Planning and Assessment Act 1979 to reflect the proposal and changed vision for the town centre.***
- 5 Undertakes community and public authority consultation in accordance with the Gateway Determination requirements.***

Report purpose

To consider a request to prepare a Planning Proposal for a portion of Lot 1 DP 1275060, (known as 2 Woongarra Road, Woongarra) to rezone the E1 Local Centre and MU1 Mixed Use zones to R1 General Residential under the *Central Coast Local Environmental Plan 2022* (CCLEP).

Executive Summary

The Planning Proposal seeks to rezone the E1 Local Centre and MU1 Mixed Use zones to R1 General Residential under the CCLEP. The Planning Proposal will also require amendment to Chapter 4.1 of *Central Coast Development Control Plan 2022*.

The proposal will provide additional housing in an established residential area in response to the changed direction of the Warnervale Town Centre. The Proposal intends to enable development of 2 Woongarra Road, Woongarra for medium density residential purposes that supports a diverse housing mix and is consistent with the emerging residential development in the local centre.

The Planning Proposal was considered by the Local Planning Panel on 6 June 2024 who supported the recommendation and considered that the Planning Proposal has merit.

Background

The Planning Proposal seeks to rezone a portion of Lot 1 DP 1275060, known as 2 Woongarra Road, Woongarra. The Planning Proposal relates to the northern portion of the site, which is known as Stage 10 within the overall masterplan for the site (see Figure 1 & 2).

The subject land is vacant and heavily vegetated; however, the site is Biodiversity Certified with the Minister for the Environment conferring Biodiversity Certification on the Warnervale Town Centre on 30 January 2014. The certification remains in force for a period of 25 years.

The following development approvals have been issued over the site:

Hilltop Park & Masterplan - (DA/919/2018)

Approval was issued on 20 December 2021 for 91 residential lots, one residential super lot and three residue lots which includes a lot be dedicated to Council for the purposes of a reserve (public open space). The irregular shaped allotment was created under the original staged masterplan removing the public lands associated with Hilltop Park.

Stages 6-7

Stages 6-7 are benefitted by existing development consent for a residential subdivision land release. Construction for Stages 6 – 7 has commenced (see Figure 4).

Stage 9 (DA3910/2022)

Council is assessing the development application for Stage 9 works at the time of preparing this report. Stage 9 relates to land south of the subject site and proposes a residential subdivision to create 88 lots and local road connection to earlier stages.

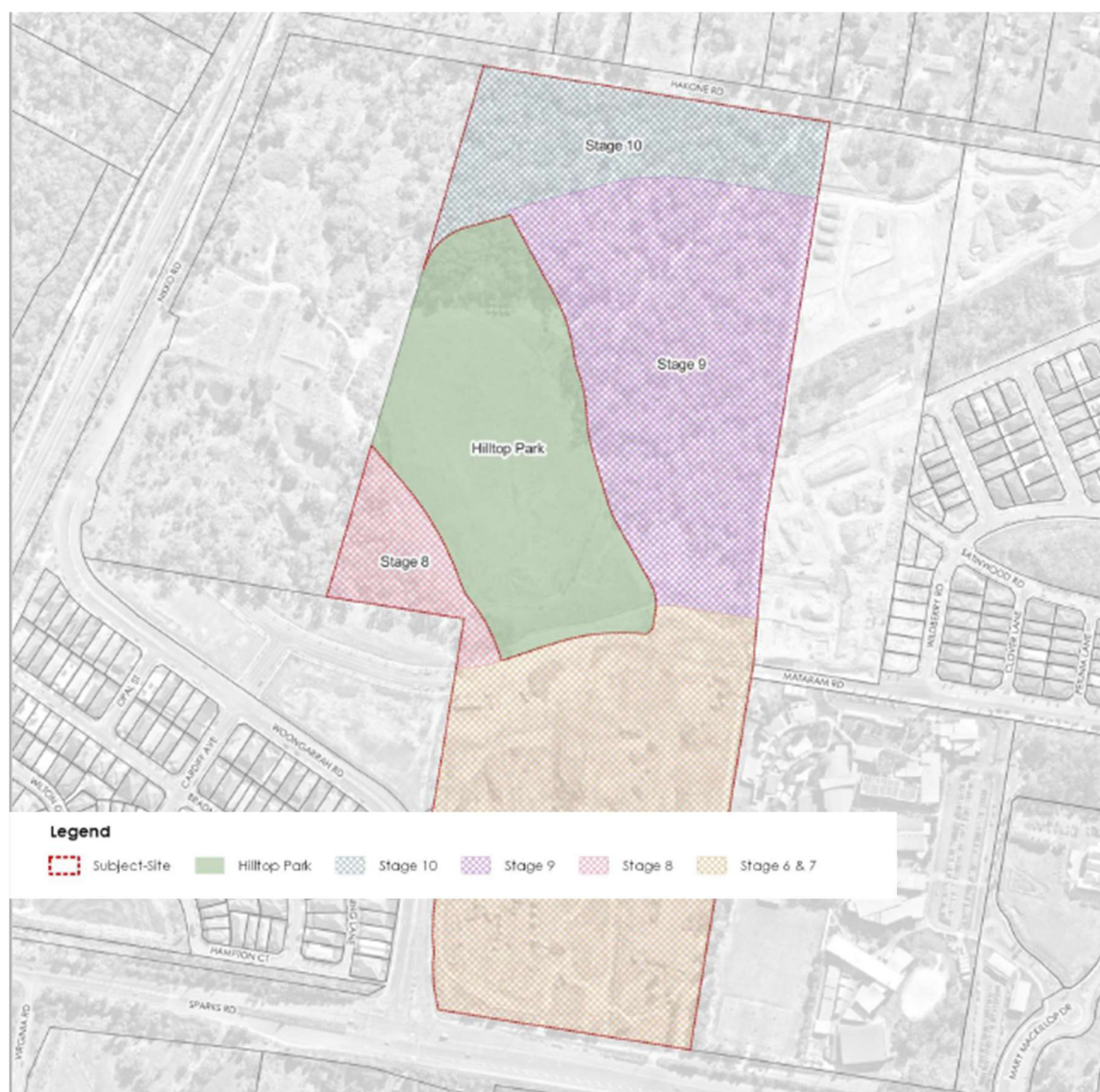


Figure 1- Site Aerial showing masterplan stages (Source: Beveridge Williams, 2023)



Figure 2 - Site Aerial with Stage 10 land area highlighted (Source: Nearmap, 2024)

The site is located north of Sparks Road, within the Warnervale Town Centre, which is an emerging residential area.

The land subject to the planning proposal is zoned MU1 Mixed Use and E1 Local Centre under the CCLEP 2022 as shown in Figure 3. The site is currently mapped as having a maximum building height of 12-18m pursuant to Clause 4.3 of the CCLEP 2022. There are no changes proposed to the existing building height as mapped as part of the planning proposal.

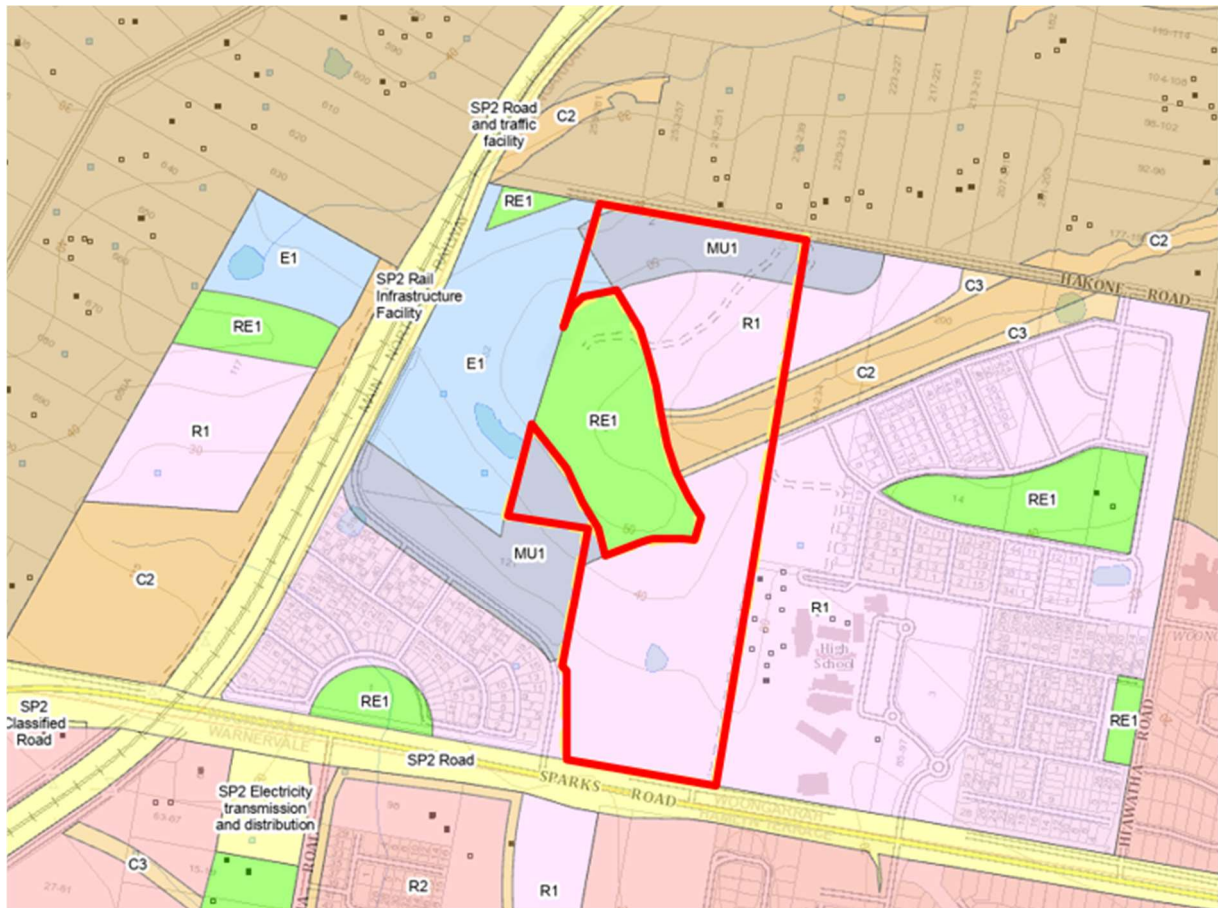


Figure 3 - Existing Zoning under Central Coast Local Environmental Plan 2022 (CCLEP) (Source: NSW Planning ePortal)

The Planning Proposal is at the "Council Consideration" stage in the Local Environmental Plan Amendment Process. The process is shown in Figure 4.

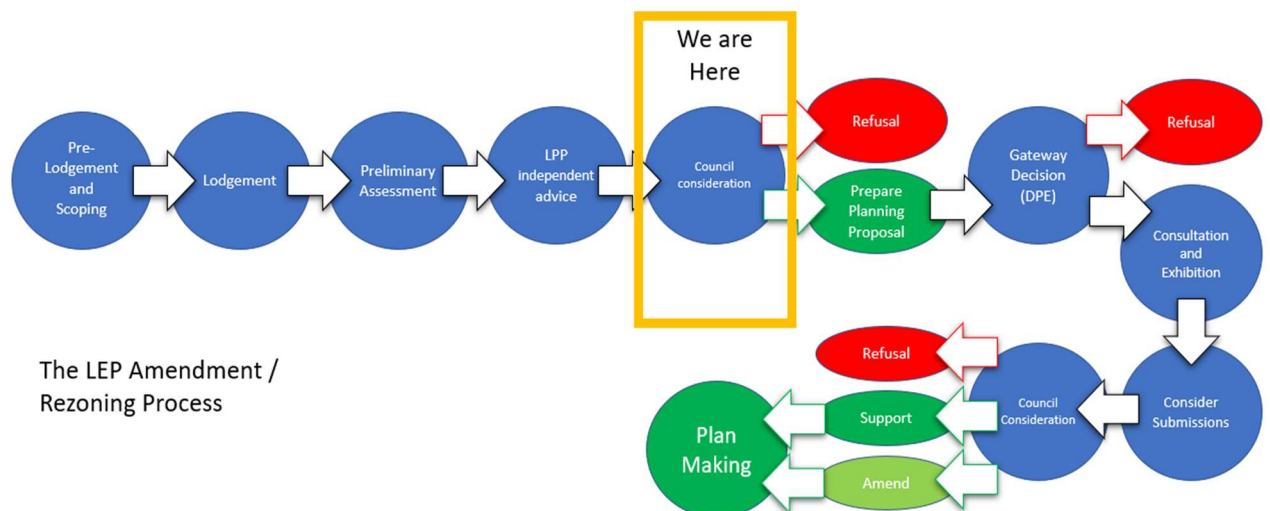


Figure 4 - Local Environmental Plan Amendment/Rezoning Process

REPORT**Proposal**

The Planning Proposal seeks to rezone the E1 Local Centre and MU1 Mixed Use zones to R1 General Residential under the CCLEP.

The intended outcomes of the proposal are:

- (a) to enable development of 2 Woongarra Road, Woongarra for medium density residential purposes that supports a diverse housing mix and is consistent with the emerging residential development in the local centre; and
- (b) to enable development of land adjacent to the local park in an orderly manner.

The Proposal requires amendment to the existing CCLEP 2022 mapping to replace the MU1 and E1 zoned land with R1 General Residential land as shown. The proposal does not propose any changes to the land uses in the R1 General Residential zone as per CCLEP 2022.

The Proposal as lodged included a concept subdivision plan, however Council sought the removal of this concept plan as it proposed a design that was both inconsistent with the DCP town centre layout and the proposed low density residential development was inconsistent with the objectives of the zone and the strategic direction for this portion of land.

The proposal has been amended in Council's pre-gateway assessment to ensure the outcomes for this land reflect the amended strategic vision for the Warnervale centre following a decision by the NSW State Government not to proceed with the proposed North Warnervale Train Station and the vision set out in the *Central Coast Regional Plan 2041*. In line with this, Council has amended the draft Greater Warnervale Structure Plan to support two local centres, one in the Warnervale Town Centre (which will now become a local centre) and the local centre adjacent to the existing Warnervale South railway station (at Warnervale Village).

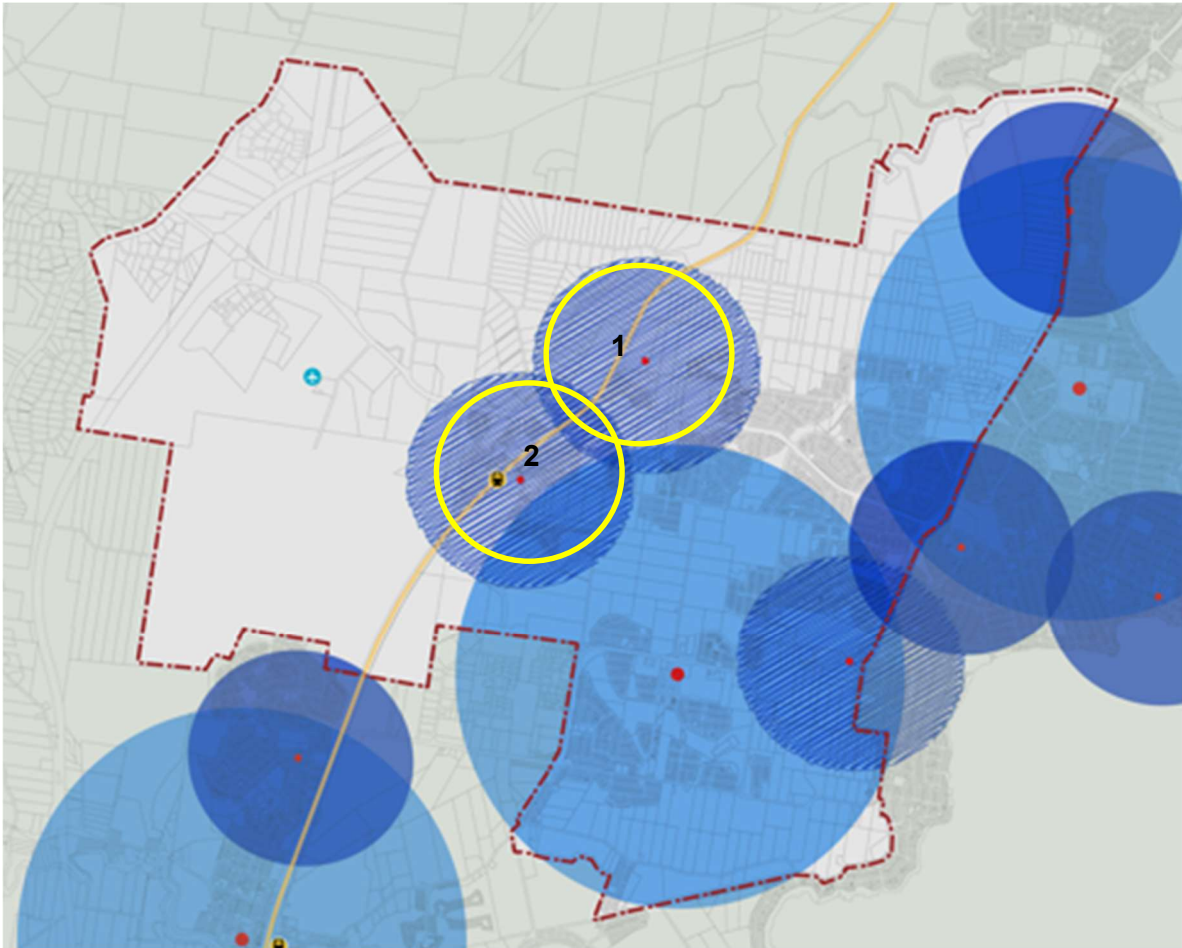


Figure 5 - Extract from draft GWSP showing two local centres proposed for Warnervale (2 centres highlighted)

The Planning Proposal has strategic merit for the following reasons:

- The proposal will enable housing to be provided in an established local centre and consistent with the emerging residential land in earlier stages of the subject development.
- The proposal is consistent with the amended draft Greater Warnervale Structure Plan priorities for two local centres in Warnervale. The proposal will promote medium and high-density outcomes in the local centre, aligned with the existing employment lands and public recreation areas.
- The Warnervale Town Centre (WTC) is captured in the *Central Coast Regional Plan 2041* as a local centre within the Central Lakes district. While the subject land is identified in the CCRP 2041 for commercial, this is in transition to the residential lands and was based on the former plans which included the Warnervale North train station. Given the scale of the local centre now proposed, the proposal for residential lands is a more appropriate scale for this position within the Warnervale centre.
- The Proposal is consistent with the strategic objectives and actions outlined in the *Central Coast Council Local Strategic Planning Statement (LSPS)*. The LSPS provides overall goals for Central Coast's growth centres that aligns development with infrastructure capacity, encourages growth in existing centres; and renews centres as

places for people. The proposal is consistent with these objectives and strengthens the WTC's function as an emerging centre to service a growing population.

- All site management issues with traffic, contamination, loss of commercial land, connection to services and vegetation removal can be adequately managed based on the information provided in supporting studies.

Stakeholder Engagement

Internal consultation

Pre-gateway consultation with the proponent and Council staff resulted in consideration of a modified proposal to more align with the *Central Coast Regional Plan 2041*. A summary of the internal consultation is provided below:

Traffic

Council's Traffic Engineer identifies that the change from MU1 mixed use to R1 General Residential will have a reduced traffic impact and as such the planned road infrastructure is sufficient or could be scaled back. Given that the Warnervale Town Centre and railway station will not proceed as planned, the proposed and existing road network will adequately accommodate a change to increased residential development.

Ecology

The subject land is vacant and heavily vegetated; however, the site is Biodiversity Certified with the Minister for the Environment conferring Biodiversity Certification on the Warnervale Town Centre on 30 January 2014; the certification remains in force for a period of 25 years.

Council's Environmental Strategic Planner supports the planning proposal in its current form. The proposal does not currently trigger entry into the Biodiversity Offset Scheme. The Biodiversity Certification does not cover the works in the Hakone Road reserve and further assessment will be undertaken for works required in the road reserve through the development application approval pathway.

Water and Sewer

Council's Water Assessment team advised that the proposed development can be serviced with water and sewer.

Environmental Health

Council's Environmental Protection Officer (Environment and Public Health) reviewed and had no objections to the Planning Proposal. Site contamination issues were identified in surrounding lands as part of the detailed design of Hilltop Park and the earlier stages of the subject site construction. Previous site audits have been undertaken by Council's nominated consultants. Further assessment will be undertaken as part of any future development application process in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021*.

Local Infrastructure Contributions

Council's Local Infrastructure and Planning Section advise that the site is within the boundary of the *Warnervale District Contribution Plan 2021*. There are certain lands and works that may be required to be dedicated and/or constructed by the developer in conjunction with proposed development of this site, in accordance with the provisions of the contribution plan.

Other

The site is identified as being bushfire prone land but is not subject to flooding or located within a mine subsidence district.

External Consultation

As part of the pre-gateway assessment process Council undertook early consultation with the Department of Planning, Housing, and Industry (DPHI) who completed a Pre-Gateway Assessment Review of the proposal in August 2023. The Department undertook an assessment of the proposal against the *Central Coast Region Plan 2041* and provided recommendations to be included in the planning proposal.

Council has also been working closely with the DPHI through the finalisation of the draft Greater Warnervale Structure Plan. The planning proposal as provided in Attachment 1 reflects the priorities for Warnervale provided in the *Central Coast Regional Plan 2041* and the vision for the Greater Warnervale Structure Plan, as well as responding to the following priorities for the Warnervale Local Centre:

- Adopting the 15-minute neighbourhood approach by surrounding the employment lands and public open space areas with residential zoned land equipped to support greater density.
- Ensuring the land use categories permissible within the zone are consistent with the CCLEP 2022 and not excluding non-residential land uses.
- The proposal relies on the established local centre and the services and facilities to be provided in this location.
- The retail demand analysis submitted in support of the Planning Proposal identifies that the scale of employment lands supplied following this proposal is sufficient to service the existing and emerging residential developments as part of a revised 2 local centres strategy for Warnervale; and
- The subject proposal for R1 General Residential zoned land promotes housing diversity in this location.

The Departments comments are addressed in detail in the Planning Proposal attached to this report (Attachment 1).

Local Planning Panel

The proposal was referred to the Local Planning Panel for advice. The Panel considered that the Planning Proposal has merit and supported the recommendation to rezone the land.

NSW Government Agencies

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly.

Financial Considerations

Adoption of the staff recommendation has no bottom-line budget implications for Council. The direct cost to Council is the preparation of the Planning Proposal which will be charged as per Council's fees and charges on a cost recovery basis.

Link to Community Strategic Plan

Theme 4: Responsible

Goal H: Delivering essential infrastructure

R-H2: Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities.

Goal I: Balanced and sustainable development

R-I2: Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport.

R-I3: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management.

R-I4: Provide a range of housing options to meet the diverse and changing needs of the community and there is adequate affordable housing.

Risk Management

There have been no material risks to Council associated with the preparation of planning proposals, which are part of the regular business of Council. Potential impacts on the natural and built environment relevant to this stage of the development process have been

considered and are considered acceptable. Detailed assessment of impacts and development of controls will be conducted at the development assessment stage.

Options

- 1 Support the Recommendation as the Planning Proposal has strategic merit. (**This is the recommended option**). The basis for this recommendation is:
 - The Planning Proposal will permit use of the land for residential purposes in a location that is well serviced by existing infrastructure.
 - The Planning Proposal provides additional housing for the Coast; and
 - Site management issues with traffic, vegetation removal and land use conflicts can be adequately managed based on the information provided in supporting studies.
- 2 Refuse to support the request for a Planning Proposal (not recommended). Should the Planning Proposal not be supported, the long-term use of the site for purposes of mixed use is unlikely to occur given the diminished demand for commercial land in this location as a consequence of the removal of the planned railway station. The land is therefore likely to remain undeveloped or developed in an ad-hoc manner in consistent with the new vision for the town centre. (This is not the recommended option).

Critical Dates or Timeframes

Timeframes will be set out in the Gateway Determination.

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Attachments

1	Planning Proposal 2 Woongarra Road, Woongarra - May 2024 version	Provided Under Separate Cover	D16195303
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