



Toukley Planning Strategy

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Prepared by: Wyong Shire Council – Shire Planning Department
Informed by: 2006 draft Toukley Planning Strategy
Prepared by: Architectus Sydney Pty Ltd



Acknowledgement

This Strategy has been informed by the 2006 draft Toukley Planning Strategy prepared by Architectus Sydney Pty Ltd

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Vision

A Vision for the Toukley Peninsula

From the time you head east over Toukley Bridge, past the iconic building on the left hand side, on Lake Budgewoi, and the park overlooking Tuggerah Lake to the right, it's clear the Toukley Peninsula has something for everyone.

This gateway to Toukley simply encapsulates all that is good about the vibrant Toukley Peninsula: from new buildings that take advantage of the beautiful geographic location, complete with eye catching public art, to open space areas around picturesque waterways the whole family can enjoy.

Indeed, your welcome signs to the Toukley Peninsula simply whet the appetite for those looking for a relaxed holiday, or reinforce to those people living here what a wonderful area they have to call home.

Toukley is a vibrant, caring and connected community, with abundant natural beauty and a range of facilities and services to cater for people of all ages.

The people of Toukley care deeply about their unique natural environment. There is a thriving village business atmosphere that is more than sustainable and, like the rest of Wyong Shire, the area is well connected thanks to utilising some of the world's best information technology.

From a resident's perspective there is no better place to live, and the Peninsula certainly has attractions for those wishing to invest in a holiday house or unit.

Real estate agents are among the most popular local businesses, courtesy of the many housing options available for both young families and retirees.



Photo 1: Peel Street foreshore looking north-east across Lake Budgewoi

Vision

From garden apartments with secure parking and lift access, to low scale town houses and villas with low maintenance yards, and renovated houses with huge yards, the Toukley Peninsula is certainly not short on housing choices.

The ease of travel means it is easy to make your way to the local shopping centre district, local parks, sports facilities and two well patronised clubs in Toukley RSL and Canton Beach Sports Club.

As an advantage for those looking for a night out, most of the attractions are well linked, giving residents and holiday makers the opportunity to walk or ride rather than having to drive their car.

Toukley's village shopping atmosphere enables you to take your time and enjoy this coastal, open air town, while giving you the luxury of stopping at any number of cafès or coffee shops while you are out and about.

The wide footpaths and tree lined streets are enticing and create an ambience not seen anywhere else.

Many people prefer the boutique, relaxed shopping experience of Toukley as opposed to the holiday charged atmosphere of The Entrance. There is also plenty of convenient parking for when you load up the car, and residents and holiday makers alike say they feel safe and relaxed.

Residents can stock up on groceries from Aldi at East Toukley or Franklins and Coles in the heart of town. And then there are the markets each weekend. All these options help to keep holiday budgets in check, should visitors choose not to sample one of the many restaurants in the area catering for all types of cuisine.



Photo 2: Lake Budgewoi foreshore

There are also a number of recreational pursuits people can take advantage of right around the Toukley Peninsula, from the ocean village of Norah Head to a beautified Canton Beach on Tuggerah Lake.

A shared pathway at Canton Beach enables you to make your way into the Wyrabalong National Park, where you can spot an abundant array of native wildlife while keeping fit at the same time. Many locals escape from it all in the middle of The Red Gum forest.

If nature walks aren't your thing, then maybe the ocean is. Many a generation has learned to surf at the popular Soldiers Beach break, while the local surf shop is busy every year hiring out boards to holiday makers.

Vision

If surfing doesn't interest you, then you can always go snorkelling at Cabbage Tree Harbour, fishing at the beach or off the nearby rocks or even just kicking back at a Norah Head café.

The local sporting clubs are some of the most popular and well run on the Central Coast (including the Toukley Hawks Rugby League Club and Toukley-Gorokan Soccer Club) while in summer, Toukley District Cricket Club has long been one of the Central Coast's most powerful outfits.

Toukley's 18 hole golf course is regarded as one of the best on the Central Coast, catering for both the serious player or weekend hacker.

You can hire a catamaran at Canton Beach, while locals and visitors can launch a boat from one of the many ramps, either into the Tuggerah or Budgewoi Lake or into the ocean at Cabbage Tree Harbour. However, you need to be careful when you launch, and take into account the whale watching season in June and December.



Photo 3: Soldiers Beach

Toukley also caters for the arts community, and the Community Arts Centre is one of the most popular in Wyong Shire, hosting a number of exhibitions. A number of community arts events are held each year, giving budding local artists every opportunity to showcase their talent.

When it comes to quality family time or a relaxing day out with visitors, there is no shortage of lakefront reserves catering for family picnics. These include areas at Canton Beach, Osborne Park and even Norah Head and the historic lighthouse.

No matter what direction you head for a picnic lunch or to find a park, the one sure thing is that it will be surrounded by water, giving residents and visitors an opportunity to enjoy unsurpassed, natural views that are unparalleled along the entire NSW coastline.

Whether you are lucky enough to call the Toukley Peninsula home, or come here as an escape from it all, one thing you can be certain of: there's something in this thriving area for everyone.



Photo 4: Canton Beach foreshore looking south-west across Tuggerah Lake

Executive Summary

Toukley has experienced some pressure for change over recent years. This pressure peaked in 2002/2003 and was reflected in rising real estate prices and contentious development proposals. Since late 2004 development pressure and property prices have flat-lined or fallen due largely to the current lack of economic viability in property development. This 'down' cycle in the property market is not unique to Toukley and it will not last forever.

At the same time there are a number of issues that need to be addressed by long term planning. For example, the Town Centre is often "busy" but has a limited range of services and at times has high vacancy rates and empty shops. There are limited choices of housing types, especially for the ageing population, and few (if any) new dwellings that are easily "adapted" to suit mobility impaired residents. The tourism potential of the area is not well serviced or supported.

The present conditions present a unique opportunity to ensure the planning framework is right for Toukley. To this end, the overall purpose of the Strategy is to:

- Establish planning principles and objectives to underpin the longer term Strategy for the Toukley Peninsula.
- Recommend a long term direction to accommodate growth while protecting the unique sensitive environmental setting of the Toukley Peninsula.

The 2006 draft Toukley Planning Strategy (2006 draft Strategy) was publicly exhibited with extensive community consultation and feedback provided between March and June 2006.

The 2009 Toukley Planning Strategy (the Strategy) is based on a detailed review of the 2006 draft Strategy and the feedback received from the community and stakeholders during the 2006 consultation period.



Photo 5: Aerial view from West Toukley looking east

In addition to these considerations, there have been new or changes to existing planning legislation, policies and plans that have had a bearing on the revised Strategy. Of note is the Central Coast Regional Strategy (CCRS) which contains recommendations in relation to population, dwelling and employment targets.

The Strategy has had regard for new information from updated Census data (2006). Council engaged consultants to undertake an Economic Viability Study to inform the revised Strategy. Further, emerging considerations such as climate change, sustainability criteria and the changed global economic conditions have been taken into consideration.

The scope of the constraints and opportunities has been expanded, together with detailed analysis and planning recommendations for a wider selection of Precincts. The Strategy study area has been divided into 13 Precincts, each with a unique character and common opportunities. Some Precincts demonstrate more potential for change than others while all show scope for improvement to environmental, social and economic conditions.

The Strategy has been developed to address the local issues and opportunities while underpinning the delivery of the key objectives of the Shire Strategic Vision (SSV).

Investigations to underpin the Strategy have covered:

- New planning context
- Socio-economic and dwelling characteristics and trends
- Physical and environmental conservation issues
- Economic, recreation and tourist conditions, issues and opportunities, and
- Infrastructure and services availability and capacity



Photo 6: View of Norah Head Lighthouse and surrounds

The Strategy is based on the principles of liveability that seek to achieve integrated mixed-use neighbourhoods, which reduce car dependence. These would contain built forms that respect the natural setting and environmental characteristics of the locality.

These matters have been carefully reviewed and analysed and have assisted in informing the revised Strategy. These considerations have driven the following recommended key changes from the 2006 draft Strategy:

- Reduced maximum building heights
- Reduced distribution of three to four storey multi-unit residential housing forms
- Increased distribution of lower-scale multiple dwelling housing forms (townhouse and villa) within walking distance of facilities and transport
- Rezoning at Norah Head from 2(g) Residential Tourist to 2(b) Multiple Dwelling Residential
- Fourth storey East Toukley room in pitched roof – ‘Village Style’

The above changes have been developed while maintaining population and dwelling capacity targets consistent with the 2006 draft Strategy and CCRS. These changes increase housing choice close to the Town Centre and other centres and reduce the extent of multi level residential building forms in favour of an increase in lower scale housing forms. This Strategy continues to preserve extensive areas of detached housing.



Photo 7: Town house, coastal example, NSW Coast

The Strategy acknowledges the natural and physical constraints of the area and aims to give direction to the underlying issues described above. The key objectives and recommendations of the Strategy are to:

- Incorporate the principles of sustainability into all forms of development
- Plan for the impacts of climate change including potential sea and lake level rise, increased storm activity and coastal erosion
- Reinforce the role of the Town Centre as the primary business hub of the district within a legible urban structure allowing shop-top housing up to five storeys
- Retain the local role of East Toukley business area
- Retain the coastal village character of Norah Head while facilitating low scale tourist accommodation and uses

- Rationalise residential zones, including increased density closer to Toukley Town Centre by allowing three to four storey housing on consolidated sites set amongst landscaping
 - Rezone more areas close to centres, facilities and transport to accommodate low scale townhouse and villa housing
 - Rezone existing high density residential housing with no height limit to medium density housing, generally with a three to four storey height limit
 - Promote tourist accommodation and uses in areas such as the Beachcomber Precinct and Canton Beach; Norah Head and Peel Street foreshore (medium term) through a Residential Tourist zone
- Rezone certain non-urban lands to reflect environmental attributes, use as open space or vegetation buffers
 - Retain many areas for low scale housing through the 2(a) Residential zone
 - Examine appropriate zoning of land in and surrounding Toukley Town Centre to accommodate existing and future carparking needs
 - Introduce building height controls in business zones
 - Recommend the preparation of floor space ratio (FSR) development controls
 - Develop incentives for adaptable and affordable housing
 - Recommend appropriate minimum lot sizes for land in waterside locations
 - Prepare a Development Control Plan (DCP) Chapter for Toukley Peninsula, including consolidation of the existing or repealed Toukley DCP Chapters
 - Develop design guidelines to reflect Toukley Peninsula's unique relaxed coastal village character
 - Advance housing choice through supporting the implementation of Promoting Housing Choice: A Local Housing Strategy for Wyong Shire
 - Promote safety, accessibility and healthy by design principles in public and private design



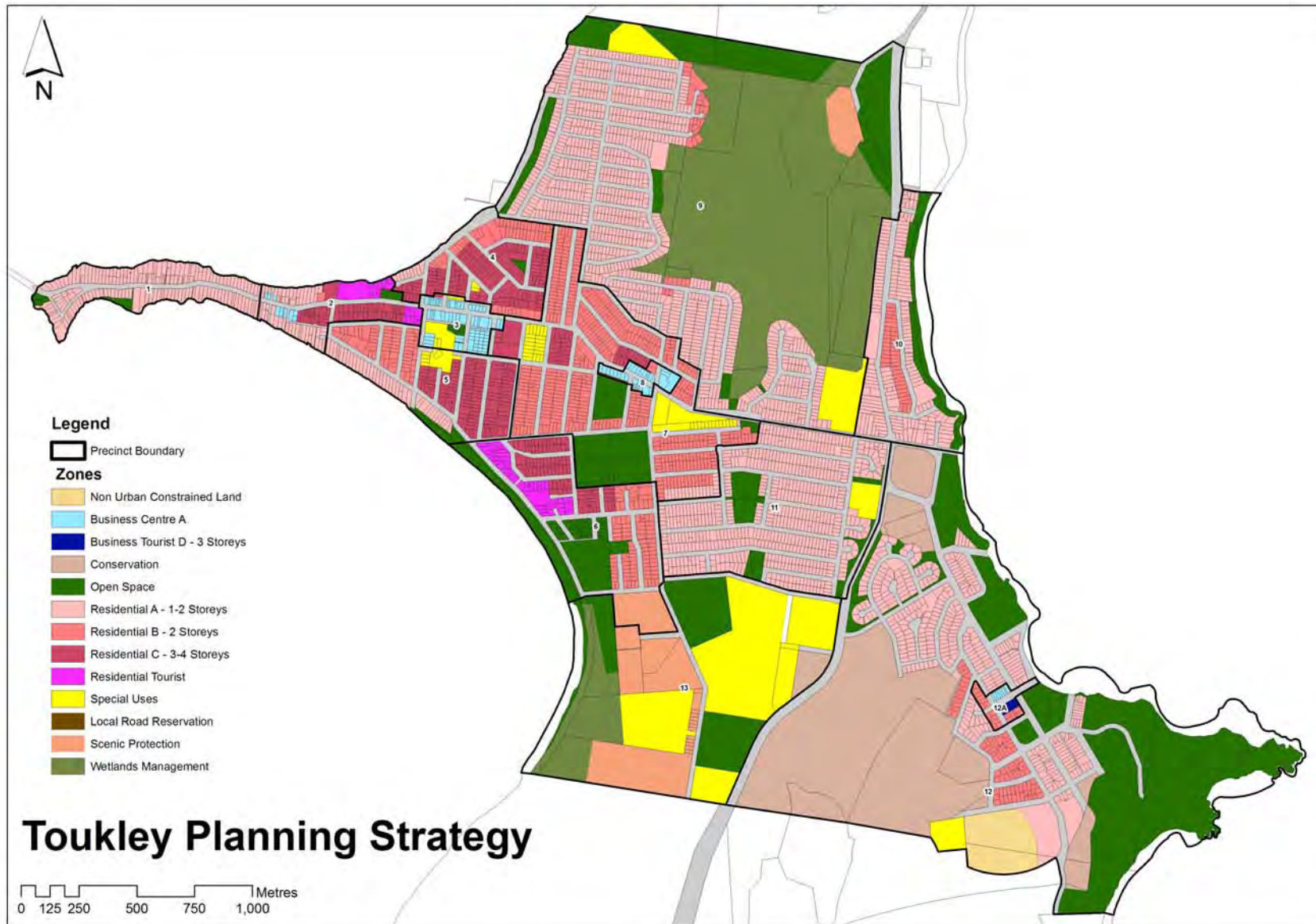
Photo 8: Properties fronting Beach Parade, Canton Beach

- Support and enhance the range and accessibility of community and cultural services and facilities to promote a vibrant and connected community
- Plan and promote additional bicycle and shared pathways to connect facilities and attractions
- Review traffic management measures to accommodate projected growth
- Facilitate improvements to public transport and carparking
- Undertake a local open space study and structure plan to provide a context to guide maintenance and enhancement of areas and facilities and address additional demand
- Protect environmentally sensitive lands through appropriate zoning and development of an ecological management plan
- Protect and enhance the lakes by supporting the actions of the Tuggerah Lakes Estuary Management Plan (EMP)
- Explore mechanisms to further develop a unique tourist identity to promote Toukley Peninsula and support organisations in attracting sustainable businesses and vibrant events
- Improve streetscape and gateway treatments through appropriate landscaping, street furniture and public art
- Incorporate the principles of water sensitive urban design (WSUD) into future development
- Manage the impacts of flooding through guidelines that account for climate change impacts
- Facilitate the implementation of the world's best integrated information technology facilities

The Strategy will be placed on public exhibition allowing further input from the community, stakeholders and government agencies. Feedback will be reviewed guiding any changes to the Strategy, which will be presented to Council for adoption. Following this, implementation of the Strategy will commence including a draft Local Environmental Plan (LEP), new DCP Chapter for the Toukley Peninsula, Section 94 Developer Contribution Plan amendment and locality specific masterplans.



Photo 9: Integrated public art



Map 1: Toukley Planning Strategy

1.1 About the Strategy

The Toukley Peninsula is a unique isthmus of land situated between the ocean in the east, Tuggerah Lake to the south and Lake Budgewoi to the north. Toukley area includes the urban areas of Toukley, East Toukley, Noraville, Canton Beach and Norah Head with a total residential population of just under 9,000 people. The urban areas adjoin some environmentally important lands including the state significant Toukley Wetland, Wyrabalong National Park and the Red Gum Forest.

The Toukley area has experienced various pressures for change over recent years. Growing interest in the locality led to rising real estate prices until late 2004 after which they flat-lined and gradually declined. The accessibility of the area to Sydney and Newcastle, its scenic coastal setting and temperate climate combine to make the Toukley Peninsula an area of continued interest.

The Toukley Planning Study was undertaken during 2003 by Sue Haertsch Planning. The study considered the constraints and opportunities for growth of the locality, identified key issues within the area and reviewed the current planning controls.

The Toukley Planning Study recommended four alternative development scenarios for Toukley and nominated a preferred future direction for the Peninsula. The Planning Study took into account issues raised by the community in meetings held in 2002. A telephone survey conducted during the Study provided further input.

The 2006 draft Strategy prepared by Architectus Sydney Pty Ltd (Architectus) reviewed and tested the development scenarios put forward by the Planning Study to ensure that the planning principles that underpinned the Strategy were responsive to the needs and issues facing the locality. The purpose of the 2006 draft Toukley Strategy was to:

- Establish planning principles to underpin the longer term Strategy for the Toukley Peninsula
- Recommend a longer term direction for growth of the Toukley Peninsula

The purpose remains relevant to the present Strategy, although a stronger emphasis is now placed upon the natural environmental setting.

The Strategy has been prepared by Wyong Shire Council's Future Planning Unit, but is informed by the 2006 draft Strategy prepared by Architectus.



Photo 10: View from Lake Budgewoi foreshore looking south-west

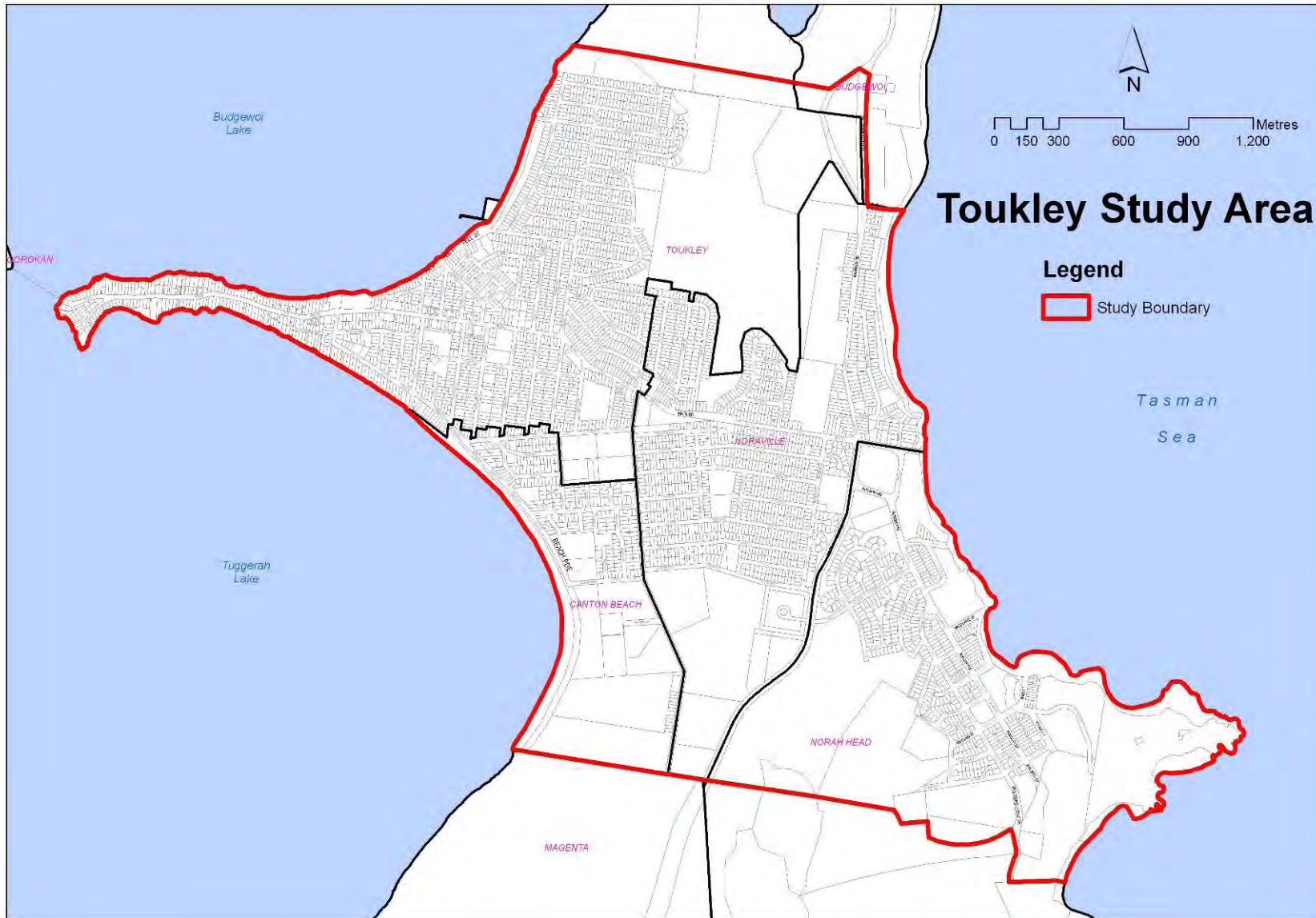


Figure 1: Toukley Strategy Area

The 2006 draft Strategy was placed on public exhibition with a community consultation period held between 24 March and 1 June 2006. Feedback from the public consultation period was extensive and raised the following key issues:

- Proposed building height too high in Town Centre and Canton Beach
- Loss of village character due to proposed building height
- Roads and traffic problems will be exacerbated
- Detrimental impact on area
- Inadequate infrastructure
- Population and densities too high
- Impact on environment
- Crime and vandalism will worsen
- Water supply inadequate to support increased development
- Lakes should be improved first
- Inadequate carparking
- Area shouldn't become just like The Entrance or Gold Coast
- Inadequate medical facilities
- High rise does not suit the aged community
- Town Centre needs to find a niche

These matters have been carefully reviewed and analysed and have assisted in informing the revised Strategy.

The draft CCRS was released in the second half of 2006, having significant implications for the key recommendations of the Strategy.

Toukley's future growth was limited to (or equivalent to) available growth capacity under the existing land use zones, which would have required significant revision to the recommendations contained in the 2006 draft Strategy.

Council engaged consultants to undertake an Economic Viability Analysis Study for the Toukley area in 2007. The study examined the viability of **six** approved Development Applications and **nine** development scenarios across four selected sites. Results showed most development forms were not financially viable under the current market conditions, but there was a clear need for well defined planning controls to increase certainty and reduce property speculation.

The final version of the CCRS was released in June 2008 with amendments including increases to population, dwelling and employment targets and the growth restriction for Toukley removed. Toukley is now identified as part of "Centres" with combined dwelling growth targets of an additional 14,500 dwellings (up from 10,100 under the 2006 draft Strategy).



Photo 11: Aerial view looking north across Toukley

In considering the unique context, issues and opportunities of the Toukley Peninsula, the Strategy aims to further the key objectives of the SSV.

Toukley Peninsula's coastal location makes it susceptible to the projected impacts of climate change including sea and lake level rise, increased flooding and storm activity and coastal erosion. In line with Wyong Council's draft Climate Change Policy, current best practice and NSW State Government's Sea Level Rise policy, this Strategy recommends adopting a risk-based approach to land use planning including a 100 year planning period.

Accordingly, a number of localities are identified as being impacted by projected lake flooding. While no change or, in some cases, potential new land uses within some localities are recommended, this is on a **provisional basis**. Any subsequent change in zoning for areas identified at risk will be **deferred** pending firstly, the completion of the Tuggerah Lakes Floodplain Risk Management Plan and/or Coastline Management Plan (incorporating sea level rise projections), which will verify the 'identified coastal risk areas' and secondly, undertaking of a comprehensive risk-based assessment process.

If the risk is determined to be manageable, new development will need to be located and designed with appropriate and relevant mitigating and adaptive measures against the anticipated impacts of climate change for the asset period deemed appropriate for the particular development. However, if it is demonstrated through the risk assessment process that the proposed land use is not sustainable for its defined asset period then, based on the precautionary principle, it should not be up-zoned and an alternative land use and/or planning control measures will need to be considered.

The Strategy seeks to look beyond zoning diagrams and advance positions on how Toukley can be made more attractive as a place to live and to visit. It recognises that this will not solely be a development driven panacea, but better connectivity and liveability will encourage residential investment in what should be a bigger housing choice.

In reviewing and revising the 2006 draft Strategy it is considered:

- Principles of the 2006 draft Strategy remain valid
- The focus of the Strategy remains to accommodate growth whilst protecting the unique character and sensitive setting of the Peninsula
- Revitalisation of the Town Centre and a framework for improvements to areas such as Canton Beach to encourage tourism are key objectives to boost the local economy and improve the amenity of the locality



Photo 12: Toukley Bridge looking west

The 2009 Strategy scope has been broadened and revised to provide new or more robust consideration for the following:

- Alignment with the key objectives of the SSV
- A stronger vision and identity
- Wider scope and number of Precincts in Strategy study area
- New economic conditions
- Revised Planning framework such as CCRS, new State Environmental Planning Policies (SEPPs), Regional Economic Development and Employment Strategy (REDES), Central Coast Regional Conservation Plan (RCP) etc
- Settlement Strategy, Comprehensive LEP and Standard Instrument Zones
- Population and dwelling capacity targets
- Stronger emphasis on the lakes, integration with the EMP and surrounding natural environment
- Sustainability principles
- Climate change impacts
- Environmental constraints
- Tourism opportunities
- Safety by design principles
- Healthy by design principles
- Access and mobility

- Housing Choice
- Pedestrian and cycle linkages
- Passive and active recreation opportunities
- Traffic and transport network and capacity
- Parking
- Implementation mechanisms

This report recommends a Planning Strategy that is based on input from Council staff, Councillors, the community, stakeholders and government agencies.

The Strategy will be placed on public exhibition allowing further input from the community, stakeholders and government agencies. Feedback will be reviewed guiding any changes to the Strategy, which will be presented to Council for adoption. Following this, implementation of the Strategy will commence including a draft Local Environmental Plan (draft LEP), new Toukley area development control plan chapter (DCP Chapter), Section 94 Development Contribution Plan amendment and locality specific masterplans.

1.2 The Strategy Area

The Strategy covers the urban areas of the Toukley Peninsula, including Toukley, Toukley East, Noraville, Noraville North (Hargraves Beach), Canton Beach and Norah Head.

The peninsula is physically contained, being on the eastern side of Budgewoi and Tuggerah Lakes. Main Road is the major east-west thoroughfare of the locality and links to Warnervale and the F3 freeway to the west. Wilfred Barrett Drive is the major north-south connection to Budgewoi and The Entrance.

The primary land use of the peninsula is residential. The Toukley Town Centre is the commercial focus for the locality. Secondary centres are located at East Toukley, Norah Head and West Toukley. However, various retail and commercial uses are located along Main Road, many outside the “boundaries” of the Town Centre. Non urban zones, largely located to the north, south and east of the residential areas, include Open Space, Wetland Management, Conservation, Scenic Protection and Special Uses zones. Many of these areas are environmentally and visually sensitive and require careful management.

Toukley has a mix of housing stock ranging from well established single detached cottages, scattered dual occupancy developments, villas and townhouses to some three storey units. Caravan parks and a mobile home estate provide low cost housing and tourist accommodation. Tourist accommodation is also available in some motels in the locality, with the main concentration at West Toukley.

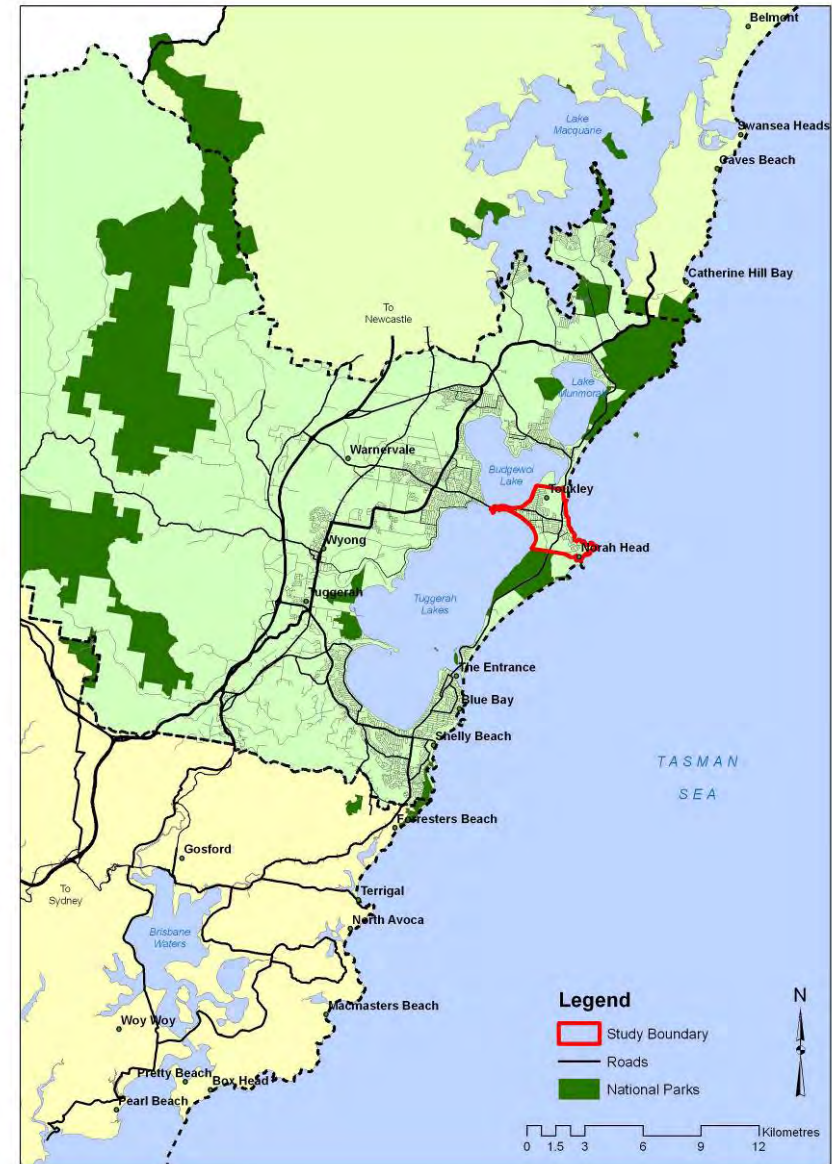


Figure 2: Regional Map

1.3 Document Layout

Chapter 2 provides the Planning Context including Local and State plans, strategies, policies and legislation.

Chapter 3 outlines Existing Conditions and Context including background socio-economic and demographic information, planning issues and a summary of constraints and opportunities.

Chapter 4 describes the Approach to the development of the Strategy.

Chapter 5 provides the Strategy both in general terms and then by each of the thirteen identified Precincts.

Chapter 6 outlines some of the Implementation measures required to deliver the recommendations of the Strategy.

2.1 State and Regional Policies

State Plan

The State Plan - A New Direction for NSW (NSW State Plan), released in November 2006, defines the overarching goals and outcomes that the NSW Government considers should shape public policy over the next 10 years. The objectives and priorities of the NSW State Plan mirror the aims of the Metropolitan Strategy (discussed below) and are set out in terms of five areas of activity of the NSW Government:

- Rights, Respect and Responsibility
- Delivering Better Services
- Fairness and Opportunity
- Growing Prosperity Across NSW
- Environment for Living

The State Plan includes 34 priorities and 60 targets designed to deliver better services and improve accountability across the public sector.

Metropolitan Strategy

The Metropolitan Strategy was released in early December 2005. The Strategy is a broad framework to secure Sydney's place in the global economy by promoting and managing growth. The Metropolitan Strategy has a 25 year time frame.

The aims of the Metropolitan Strategy are:

- Enhance liveability
- Strengthen economic competitiveness
- Ensure fairness
- Protect the environment
- Improve governance

The Metropolitan Strategy envisages improved communication and transport connections in the regional areas, including the Central Coast, to link jobs with housing growth. Greater economic diversity is seen as a key for the Central Coast to provide more local employment options.

The Metropolitan Strategy covers a geographic area of over 10,000 square kilometres, made up of 43 local government areas including two on the Central Coast (Wyong and Gosford). It is too large and complex to resolve all the planning aims and directions down to a detailed local level through one Metropolitan Strategy. A population growth of 1.2 million people, or a total of 5.3 million by 2031, is assumed and will involve the planning for an additional 640,000 new homes with the Central Coast expected to take a share of this growth.

The metropolitan area of Sydney has been arranged into ten subregions that combine local government areas with similar issues and challenges when it comes to planning for growth and managing change. The Central Coast is identified as one of these subregions.



Figure 3: Map of Metropolitan Strategy sub-regions
(Source: Department of Planning)

Central Coast Regional Strategy (CCRS)

The CCRS was released by the NSW Department of Planning (DoP) on 26 June 2008. Its primary purpose is “to ensure land is available and appropriately located to sustainably accommodate the project housing needs” and further “promote employment opportunities” to 2031.

Subregional strategies such as the CCRS provide the following:

- A vision for the future role of the subregion
- Clarity on the future roles of centres
- Staging and prioritisation of renewal
- A framework for potential agreements between local governments concerning:
 - Co-ordinated planning
 - Funding and development contributions
 - Local transport
 - Open space networks
 - Biodiversity
- A framework for prioritisation of State infrastructure
- Housing targets (amount, distribution, and mix)
- Employment capacity targets for local planning (amount, distribution, and mix)

In terms of additional population and dwelling targets, Wyong Shire is expected to accommodate 70% of the total Central Coast targets. Employment targets for Wyong Shire equate to 60% of the total forecasts for the Central Coast Strategy. A summary of the revisions as they relate to both the Wyong Local Government Area (LGA) and Central Coast are as follows:

Table 1: Wyong LGA and Central Coast

Wyong LGA			
	Draft CCRS	Final CCRS	Increase
Additional Population	41,120	70,000	28,880
Additional Dwellings	23,000	39,500	16,500
Additional Jobs	19,400	27,000	7,600

Location for the housing and population growth is divided into the following four key categories:

- 1 Tuggerah-Wyong Major Centre – additional 4,000 dwellings
- 2 Other Centres – additional 14,500 dwellings
- 3 Infill – additional 2,000 dwellings
- 4 Greenfield – additional 16,000 dwellings

Much of the development growth within the 'greenfield' areas will be directed by the proposed North Wyong Shire Structure Plan (NWSSP), which is being led by DoP in consultation with Council. Growth within 'infill' areas will largely be governed by existing planning controls.

The CCRS states that growth within Tuggerah-Wyong Major Centre and 'other centres' (Items 1 and 2), identified by the Centres Hierarchy, will be directed by "centres redevelopment and revitalisation strategies" or "local planning strategies", prepared by Council, in order to accommodate the identified additional 18,500 dwellings within its centres. A generic 'centres' requirement for local planning strategies and LEPs (rezonings) is included in order to provide "zoned capacity" to enable dwelling capacity targets (under the CCRS) to be achieved.

Excluding the Tuggerah-Wyong Major Centre, the centres growth target is for an additional 14,500 dwellings, to be distributed throughout these existing 'centres' over the life of the CCRS which is described 2006-2031 or 25 years. Toukley is identified as a 'town' in Chapter 4 – Centres and Housing. The implication for the Strategy is that it must be considered in the context of the other centres in the Shire which include 'town centres' such as The Entrance, 'villages' such as Long Jetty and 'neighbourhoods' such as Wadalba with the aim of accommodating a share in the dwelling, population and employment growth targets.

In terms of built form, the CCRS recommends building heights up to 6 storeys in district centres such as Toukley. Taking into consideration Toukley's location on a peninsula between two lakes, a slightly lower maximum height is considered appropriate, while remaining consistent with this recommendation.

NSW Sea Level Rise Policy Statement

The NSW Sea Level Rise Policy Statement (Policy) outlines the State Government's objectives and commitments in regards to sea level rise adaptation. It outlines the support that the NSW Government will provide to communities and local Councils to prepare and adapt to rising sea levels. The intent of the Policy is to see coastal communities adapt to rising sea levels in a manner that minimises the resulting social disruption, economic costs and environmental impacts. The Policy sets forward the following actions to assist in meeting this objective:

- “1 Promoting an adaptive risk-based approach to managing the impacts of sea level rise
- 2 Providing guidance to local councils to support their sea level rise adaptation planning
- 3 Encouraging appropriate development on land projected to be at risk from sea level rise
- 4 Continue to provide emergency management support to coastal communities during times of flood and storms
- 5 Continuing to provide up-to-date information to the public about sea level rise and its impacts”



Photo 13: Storm damage, North Entrance

Draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise

The Draft NSW Coastal Planning Guideline: Adapting to Sea Level Rise (Guideline), released by DoP in October 2009, provides guidance on how sea level rise and its associated impacts are to be considered in planning throughout Coastal NSW. The Guideline aims to promote ecologically sustainable development (ESD), and particularly encourages a precautionary approach in light of potential sea level rise impacts in coastal areas. To achieve this, the Guideline adopts a risk-based approach to land use planning and development assessment in coastal areas identifying six “coastal planning principles” to be applied in decision making processes. The principles are as follows:

- “1 Assess and evaluate coastal risks taking into account the NSW sea level rise planning benchmarks
- 2 Advise the public of coastal risks to ensure that informed land use planning and development decision-making can occur
- 3 Avoid intensifying land use in coastal risk areas through appropriate strategic and land use planning
- 4 Consider options to reduce land use intensity in coastal risk areas where feasible
- 5 Minimise the exposure to coastal risks from proposed development in coastal areas
- 6 Implement appropriate management responses and adoption strategies, with consideration for environmental, social and economic impacts of each option”

Principles 1 and 2 are being advanced through Council's Natural Resources and Sustainability Units and will be used to inform strategic planning and development assessment functions. Principles 5 and 6 will be incorporated into the various implementation measures in Chapter 6 of this Strategy.

Principles 3 and 4 form part of Section 3 of the Guideline and are particularly relevant for the development of this Strategy. Factors identified for strategic planning in coastal communities include:

- Incorporating coastal hazard studies into strategic planning
- Considering effects of protection works on land use capability
- Accommodating new growth in coastal communities
- Managing existing developed areas in coastal communities
- Maintaining foreshore access, amenity, open space and protecting coastal environments

Regional Economic Development and Employment Lands Strategy (REDES)

The REDES is being prepared by DoP and will inform Council's proposed draft Wyong LEP 2011. The CCRS states that REDES is being prepared to assist job growth in response to the forecasted population growth for the Shire to 2031. It aims to maintain the region's environmental and lifestyle attributes while diversifying and deepening the economic base over the next 25 years.

Central Coast Regional Conservation Plan (RCP)

The Central Coast RCP is being prepared to identify state and regional biodiversity values including buffer areas and aims to provide certainty for development. The RCP is being prepared by the Department of Environment, Climate Change and Water (DECCW). While much of the emerging biodiversity planning is focused in the northern areas of the Shire, the recommendations are likely to recognise the areas of conservation value on the Peninsula and provide adequate buffer areas. The Strategy will ensure consistency with the RCP by focusing growth in existing urban areas while ensuring adequate mitigation of potential 'edge' affects.

Section 117 Directions

Section 117 of the Environmental Planning and Assessment Act, 1979 (EP&A Act) allows the Minister for Planning to prescribe matters that must be incorporated in draft planning instruments. The Section 117 Directions are important as guiding factors for the Strategy because it will form the basis of a future draft local environmental plan for Toukley.

The Section 117 Directions specify circumstances in which a draft plan can vary from prescribed requirements. This generally requires strong justification, backed up by:

- A strategy dealing with the issue prepared by Council and approved by the Director-General of DoP
- An environmental study prepared under Section 57 of the Act, or
- Compliance with any relevant regional strategy prepared by DoP

Section 117 Directions that are relevant to the Strategy are set out below. The future draft LEP for Toukley will be required to be consistent with the Section 117 Directions or be able to justify inconsistencies with their policy requirements. Comments on the Strategy in relation to each Direction are also included. Direction 2.2 (Coastal Protection) raises the most substantive issues that will need justification in the forthcoming stages of the planning process.

Direction 1.1 – Business and Industrial Zones

This direction aims to ensure that LEPs are consistent with the objectives of Direction 1.1, ie. encourage employment growth in suitable locations; protect employment land in business and industrial zones; and support the viability of identified strategic centres.

LEPs must retain the areas and locations of existing business and industrial zones; not reduce the total potential floor space area for employment uses and related public services in business zones; not reduce the total potential floor space area for industrial uses in industrial zones; and ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of DoP.

Direction 2.1 – Environmental Protection Zones

This direction aims to facilitate the protection and conservation of environmentally sensitive areas. LEPs that apply to land within environmental protection zones or land otherwise identified for environmental protection purposes shall not reduce the environmental protection standards that apply to the land.



Photo 14: Toukley shops adjoining the Village Green

Direction 2.2 – Coastal Protection

LEPs shall include provisions that give effect to and are consistent with the NSW Coastal Policy: A Sustainable Future for the NSW Coast, 1997; Coastal Design Guidelines, 2003 and the Coastline Management Manual, 1990. The coastal zone was extended in late 2005 and now applies to the Toukley Peninsula.

The Strategy contains elements that are not consistent with this Direction, primarily in relation to the scale of development envisaged in certain pockets of the Peninsula. This aspect of the Strategy will require consultation with DoP and demonstrated justification to gain support from the Director-General.

Direction 2.3 – Heritage Conservation Areas

LEPs must contain provisions that facilitate the conservation of items, places, buildings, works, relics, movable objects or precincts of environmental heritage significance to an area; Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act, 1974; Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal Heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority.

Direction 2.4 – Recreation Vehicle Areas

This Direction aims to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles. LEPs shall not enable land to be developed for the purpose of a recreation vehicle area where the land is within an environmental protection zone; where the land comprises a beach or dune adjacent to or adjoining a beach; or where the land is not within an area or zone specified by the Direction 2.4 Recreation Vehicle Areas.

The Strategy will remain consistent with this Direction given no additional areas within the Toukley Peninsula are intended for recreational vehicles.

Direction 3.1 – Residential Zones

LEPs shall include provisions that encourage the provision of housing that will broaden the choice of building types and locations available in the housing market; make more efficient use of existing infrastructure and services; reduce the consumption of land for housing and associated urban development on the urban fringe; and be of good design. This Direction states new LEPs shall not contain provisions which will reduce the permissible residential density of land unless justified by a strategy which gives consideration to the objective of this direction, identifies the land which is the subject of the draft LEP (if the draft LEP relates to a particular site or sites), and is approved by the Director-General of DoP.

The Strategy includes recommendations for revised residential zones that would reduce the permissible residential density in certain areas. This in part aims to bring the land use zones into line with the provisions of the NSW Coastal Design Guidelines through the introduction of building height controls; and to rationalise the spatial distribution of residential densities around the Toukley Town Centre while overall, the residential dwelling and population targets on the Toukley Peninsula are increased. On this basis, the case will be made to justify the inconsistencies with the Direction.

Direction 3.2 – Caravan Parks and Manufactured Home Estates

To provide for opportunities for caravan parks and manufactured home estates (MHEs), Councils shall identify zone locations and provisions for caravan parks; retain provisions that permit development for the purposes of a caravan park to be carried out on land; or in the case of a new principal LEP, zone the land to facilitate the retention of the existing caravan park.

The location of MHEs are to consider the principles listed under Clause 9 of SEPP No. 36 and include provisions that the subdivision of MHEs by long term lease of up to 20 years or, under the Community Land Development Act, 1989 be permissible with consent.

Direction 3.3 – Home Occupations

To encourage the carrying out of low-impact small businesses in dwelling houses; draft LEPs shall permit home occupations to be carried out in dwelling houses without the need for development consent.

Direction 3.4 – Integrating Land Use and Transport

This Direction aims to ensure that urban structures, building forms, land use locations, development designs, and subdivision and street layouts achieve the following planning objectives:

- a Improving access to housing, jobs and services by walking, cycling and public transport, and
- b Increasing the choice of available transport and reducing dependence on cars, and

- c Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- d Supporting the efficient and viable operation of public transport services, and
- e Providing for the efficient movement of freight

This Strategy aims to be underpinned by these principles, which will be integrated into the key recommendations.

Direction 4.1 – Acid Sulphate Soils (ASS)

Much of the Strategy area is low lying and contains acid sulphate soils (ASS). When exposed these soils can generate acid drainage. This can lead to contamination of creeks and waterways which can kill aquatic life. Disturbance of ASS should be avoided.

All development should be conducted using the ASS Planning Guidelines prepared by DoP. Zoning provisions in Clause 15 of Wyong LEP 1991 currently specify development requirements.

Where a change of use is proposed, such as at Canton Beach, there may be a need to confirm the appropriateness of the change of land use given the presence of ASS, or identify measures that would need to be employed to properly manage local construction impacts where these soils are encountered. The Strategy is expected to be able to demonstrate consistency with this Direction.

4.2 Mine Subsidence and Unstable Land

The aim of this Direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence. Councils shall consult with the Mine Subsidence Board in preparing draft LEPs that would permit development in a Mine Subsidence District.

4.3 Flood Prone Land

The objective of this Direction is to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the *Floodplain Development Manual 2005*; and to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and include considerations of the potential flood impacts both on and off the subject land.

4.4 Planning for Bushfire Protection

This Direction aims to protect life, property and the environment from bushfire hazards, by discouraging the establishment of incompatible land uses in bushfire prone areas; and to encourage the sound management of bush fire prone areas. Draft LEPs shall have regard to Planning for Bushfire Protection 2006, introduce controls that avoid placing inappropriate developments in hazardous areas, and ensure that bushfire hazard reduction is not prohibited with the Asset Protection Zone (APZ).

For infill development (that is development within an already subdivided area such as the existing urban areas on Toukley Peninsula), where an appropriate APZ cannot be achieved, provide for an appropriate performance standard, in consultation with the NSW Rural Fire Service. In the preparation of a draft LEP a Council shall consult with the Commissioner of the NSW Rural Fire Service under section 62 of the EP&A Act, and take into account any comments made.



Photo 15: Interface between Toukley Wetland and private property

Direction 5.1 – Implementation of Regional Planning Strategies

The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies. This Direction applies to land covered by the CCRS, which includes the Toukley Peninsula. While the Direction applies specifically to the preparation of a draft LEP, a local planning strategy such as this should be consistent with the vision, land use strategy, policies, outcomes and actions contained in the CCRS.

State Environmental Planning Policies (SEPPs)

Made by the Minister for Planning, SEPPs deal with issues significant to the State and people of NSW. There are currently over 70 that have been gazetted applying to all, or parts, of NSW. Those of particular relevance to the Toukley Peninsula and this Strategy are discussed below.

SEPP No. 4 – Development Without Consent and Miscellaneous Complying Development

SEPP No. 4 allows for relatively minor changes of land or building use and certain types of development without the need for formal development applications. The types of development covered in the policy are outlined in the provisions of the SEPP.

SEPP No. 6 – Number of Storeys in a Building

SEPP No. 6 sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of environmental planning instruments.

SEPP No. 10 – Retention of Low-Cost Rental Accommodation

SEPP No. 10 requires the local Council's consent and the Director-General of DoP's concurrence to demolish, alter or change the use of a boarding house. Consent is required to strata-subdivide a low-cost residential flat building or boarding house. Before granting consent or concurrence, the Council and the Director-General are required to take into account the availability of comparable accommodation.

SEPP No. 10 requires structural soundness and fire safety of a building, estimated costs of necessary improvements, and the financial viability of continuing to run boarding houses.

SEPP No. 14 – Coastal Wetlands

SEPP No. 14 aims to ensure coastal wetlands are preserved and protected for environmental and economic reasons. The policy applies to local government areas outside the Sydney metropolitan area that front the Pacific Ocean. The policy identifies over 1,300 wetlands of high natural value from Tweed Heads to Broken Bay and from Wollongong to Cape Howe. Land clearing, levee construction, drainage work or filling may only be carried out within these wetlands with the consent of the local council and the agreement of the Director General of DoP. Such development also requires an environmental impact statement to be lodged with a development application. The policy is continually reviewed. It has, for example, been amended to omit or include areas, clarify the definition of the land to which the policy applies and to allow minimal clearing along boundaries for fencing and surveying.

A significant SEPP No. 14 - Coastal Wetland exists to the north-east of the Toukley residential area, south of the Toukley Golf Course. The area is zoned 7(g) Wetlands Management Zone. The important functional and ecological roles, which are documented in the Critical Wetlands Study (Wyangong Shire Council, 1994) include:

- Control of flood levels
- Maintain stream flow through dry periods
- Filter out sediments and rubbish which would otherwise clog our lakes and beaches
- Absorb nutrients which would increase weed growth in the waterways and lakes

In addition to these benefits, wetlands provide many secondary values including:

- Fish breeding grounds
- Habitat for a diverse range of plant and animal species including significant migratory bird habitats under JAMBA and CAMBA
- Natural scenic values
- Educational and recreational opportunities

SEPP No. 19 – Bushland in Urban Areas

SEPP No. 19 protects and preserves bushland within certain areas, as part of the natural heritage or for recreation, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when LEPs for urban development are prepared.

SEPP No. 21 – Caravan Parks

SEPP No. 21 ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined by the *Local Government Act, 1993* are also permitted. SEPP No. 21 ensures that development consent is required for new caravan parks and camping grounds and additional long-term sites in existing caravan parks. In addition, SEPP No. 21 enables long-term sites in caravan parks to be subdivided by leases of up to 20 years.



Photo 16: Lakeside Caravan Park, Canton Beach

SEPP No. 32 – Urban Consolidation (Redevelopment of Urban Land)

SEPP No. 32 states that the State Government's intention is to ensure that urban consolidation objectives are met in all urban areas throughout the State. The Policy focuses on the redevelopment of urban land that is no longer required for the purposes it is currently zoned or used, and encourages local Councils to pursue their own urban consolidation strategies to implement the aims and objectives of the policy.

SEPP No. 36 – Manufactured Home Estates

SEPP No. 36 helps establish well-designed and properly serviced MHEs in suitable locations. Affordability and security of tenure for residents are important aspects. To enable the immediate development of estates, the policy allows MHEs to be located on certain land where caravan parks are permitted. SEPP No. 36 prescribes criteria that a proposal must satisfy before the local Council can approve development; and permits, with consent, the subdivision of the estate by either community title or by leases of up to 20 years.

SEPP No. 53 – Metropolitan Residential Development

SEPP No. 53 applies to Councils in the Greater Metropolitan Region that have not prepared suitable residential development strategies that address local housing needs while contributing to the metropolitan objective of more compact cities. The policy contains development controls for integrated housing and dual occupancy.

While Council's current Residential Development Strategy (RDS) negates the need for SEPP No. 53, its objectives have been considered in the preparation of the Strategy.

SEPP No. 65 – Residential Design Quality

SEPP No. 65 aims to improve the design quality of residential flat developments in NSW. SEPP No. 65 is accompanied by the NSW Residential Flat Design Code.

The policy defines residential flat buildings as buildings that have three or more storeys and four or more self-contained dwellings. In the case of a mixed use commercial and residential development the policy applies to the residential component only.



Photo 17: Town house, NSW Coast

The policy contains 10 design quality principles that bring together the primary factors that underpin good design. The rationale of the SEPP 65 design quality principles is that good design is inextricably linked to a full appreciation of site context, providing sustainable living environments and serving the public interest.

Draft planning instruments are required to make sure that provisions for residential flat buildings achieve the SEPP No. 65 design principles. This will be relevant to the components of the Strategy that propose multi-unit or mixed development zones, and will require consideration of implications of setback, solar access, amenity and other numerical provisions of the Residential Flat Design Code.

The Strategy will be referred to the Central Coast Design Review Panel for comments concurrently with the community consultation phase.

SEPP No. 71 – Coastal Protection

The NSW coastal zone was extended in November 2005 to cover the Central Coast, metropolitan area and the Illawarra. The entire Toukley Peninsula is included in the coastal zone and is therefore subject to SEPP No. 71 (Coastal Protection).

SEPP No. 71 contains coastal planning objectives and other issues that must be considered by the Strategy. These cover:

- Protection of the visual amenity of the coast
- An aim to ensure that the type, bulk, scale and size of development is appropriate for its location and that it protects and improves natural scenic quality
- Consideration of the suitability of development in terms of type, location and design, and the relationship with the surrounding area

- Consideration of any detrimental impacts on the amenity of the coastal foreshore including any significant loss of views from a public place to the coastal foreshore
- Means to encourage compact towns and cities

The NSW Coastal Design Guidelines support SEPP No.71. The Guidelines support a hierarchical approach to planning for coastal settlements. They provide a framework for analysing and understanding the relationships between coastal towns and villages by describing typical characteristics of settlement types.

One of the underlying concerns of the Coastal Design Guidelines is that poor development and pressures for growth can erode the uniqueness and character of existing coastal settlements. Inappropriately sited development can also threaten the fragility of the natural coastal environment. The Guidelines are intended as a resource for testing settlement strategies and development controls, and contain controls for coastal villages and towns that should inform and guide the Strategy and future controls for Toukley.

Under SEPP No. 71 land within 100m of mean high water mark is defined as a 'sensitive coastal location'. Any buildings taller than 13m within the 100m line are now determined by the Minister for Planning. This means that all buildings of five storeys proposed in this Strategy are to be determined by the Minister.

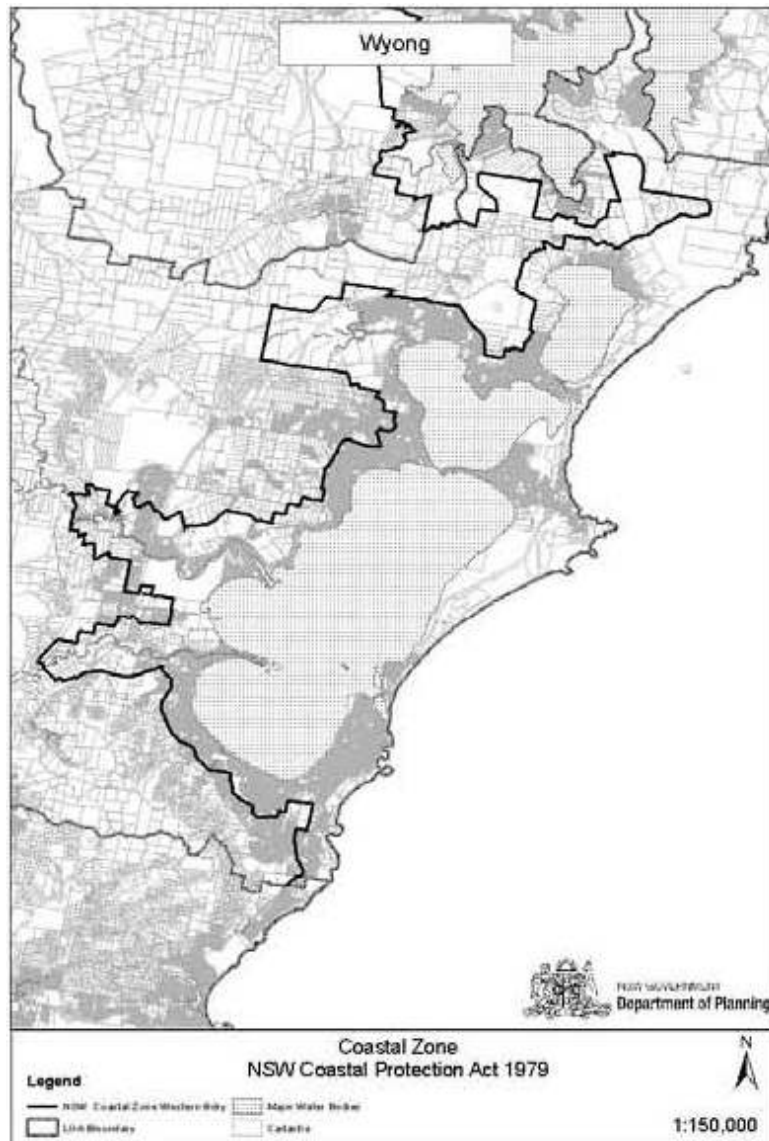


Figure 4: Coastal Zone Wyong LGA

SEPP - Housing for Seniors or People with a Disability

This SEPP encourages the development of high quality accommodation for our ageing population and for people who have disabilities. LEP Practice Note PN 06-001 states that the provisions of SEPP 9 (Group Homes), which has been repealed by SEPP (Housing for Seniors or People With a Disability) have been wholly or partially incorporated into the provisions of the Standard Instrument.

SEPP - Building Sustainability Index: BASIX

This SEPP ensures both the effective introduction of BASIX in NSW and consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans (DCPs).

SEPP - Major Projects

This SEPP defines certain developments that are major projects under Part 3A of the EP&A Act and determined by the Minister for Planning. The SEPP lists State Significant Sites.

SEPP – Infrastructure

This SEPP provides a consistent planning regime for the infrastructure and the provision of services across NSW, along with providing consultation with relevant public authorities during the assessment process. In addition, the SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

2.2 Local Policies and Studies

Shire Strategic Vision (SSV)

The SSV was adopted by Council in September 2009. It sets forward Council's vision over the next 20 years and provides a direction for the future of the community focusing on long term benefits. The SSV sets the framework for the Shire's priorities in order that Council may focus on the objectives that make the biggest improvement to our overall quality of life. As part of this framework, eight key objectives have been identified to assist Council in achieving the vision. These objectives are that, in the future, Wyong Shire will be a place where:

- Communities are vibrant, caring and connected
- There will be ease of travel
- Communities will have a range of facilities and services
- Areas of natural value will be enhanced and maintained
- There will be a sense of community ownership of the environment
- There will be a strong sustainable business sector
- Information technology will be world's best, and
- The community will be educated, innovative and creative

It is important that the strategies developed to address the local issues and opportunities underpin the delivery of the key objectives of the SSV.

Wyong Shire Local Environmental Plan 1991 (Wyong LEP 1991)

Wyong LEP 1991 is the primary planning instrument that applies to Wyong Shire. It establishes a framework for the range of land use activities that occur within the Shire and across the Toukley Peninsula. The commercial areas of the Peninsula are zoned 3(a) Business Centre, including the Toukley Town Centre, East Toukley, Toukley West shops and the neighbourhood centre at Norah Head. The residential Precincts surrounding the Toukley Town Centre include 2(b) Multiple Dwelling Residential, 2(c) Medium Density Residential and 2(d) High Density Residential zoned areas, while the majority of the residential Precincts are zoned 2(a) Residential.

The 3(a) and 2(d) zones do not have any height limits under the current planning controls. The main zones in the Strategy area are:

Table 2: Main Zones in Strategy Area

Zone	Description
2(a) Residential	A low density residential zone catering for detached housing up to two storeys in height. Limited non-residential uses are permitted in the 2(a) zone. Detached dual occupancy developments are permissible in the zone but are subject to a minimum lot size of 450m ² for subdivision.
2(b) Multiple Dwelling Residential	A multiple dwelling zone catering for a range of residential buildings at a two storey scale, particularly villa type housing. The zone also provides for a wider range of non-residential uses including boarding houses, motels and tourist accommodation. Subdivision of dual occupancy developments is currently prohibited in the 2(b) zone.

Zone	Description
2(c) Medium Density Residential	A medium density zone catering for residential flat buildings up to three storeys in height except in certain defined locations. The 2(c) zone provides for other non-residential uses in a manner similar to the 2(b) zone.
2(d) High Density Residential	A high density residential zone which occurs along Main Road on either side of the Toukley Town Centre. The RDS identified that the 2(d) zoned lands in Toukley were inappropriately located and recommended their removal. Council resolved on 12 February 2003 to prepare an amendment to the Wyong LEP 1991 to rezone all 2(d) land in Toukley to 2(c). The plan was exhibited, however, DoP refused to make the plan citing inconsistency with Section 117 Direction G9.
3(a) Business Centre	A general business zone providing the primary opportunities for retail and commercial uses. Development in the 3(a) zone is subject to a maximum FSR of 0.5:1 (clause 42) in local and neighbourhood centres. This FSR does not apply to the Toukley Town Centre while it is designated a Regional Centre by the Retail Centres DCP Chapter 81.
6(a) Open Space and Recreation	The 6(a) zone objectives seek to provide for the open space and recreation needs of the community. Leisure and recreation oriented developments which satisfy the zone objectives are permissible and include the Canton Beach Tourist Park (caravan park).
7(b) Scenic Protection:	The 7(b) zone restricts the type and scale of development on land with scenic value to ensure the scenic qualities are not prejudiced, additional traffic is not generated or increase ribbon development encouraged, the viability of existing commercial centres is not prejudiced and there is no adverse impact on the region's water resources. Camping or caravan parks are a discretionary use in the zone.

Zone	Description
7(g) Wetlands Management:	A conservation based zone aiming to protect and conserve locally important wetlands. Permissible development is limited and does not include tourist accommodation or camping and caravan sites.

Wyong LEP 1991 will be replaced and superseded by the Comprehensive Local Environmental Plan (Comprehensive LEP) being prepared for the Shire in order to comply with the Standard Instrument Order. It expected that the Wyong Local Environmental Plan 2011 (Wyong LEP 2011) will be completed in 2011.

This Strategy will make recommendations in relation to land use based upon the existing zone convention contained in Wyong LEP 1991. Recommended land use changes will be clearly expressed in order to determine an equivalent zone under the Standard Instrument. Use of the existing zones will provide clarity for the purposes of consulting with stakeholders who are generally unfamiliar with the Standard Instrument zones. Furthermore, while some of the zone equivalents have been determined at a preliminary level, many of the equivalent zones are yet to be established through the development of the Settlement Strategy and Comprehensive LEP.

Where possible, this Strategy will contain discussion concerning appropriate equivalent Standard Instrument zones. In addition to zone maps, FSR and height maps will be required as part of any LEP amendments arising from the recommendations of this Strategy.

DoP has released a table (see below) of "Equivalent Zones" between those currently contained in Wyong LEP 1991 and the Standard Instrument zones. This provides the best tool of reference to compare possible future equivalent zones, until the completion of the Wyong Comprehensive LEP.

Table 3: Equivalent Zones for the Application of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

Standard Instrument Zone	Equivalent Zone	Comment
R1 – General Residential	2(b) Multiple Dwelling Residential, 2(e) Urban Release Area	
R2 – Low Density Residential	2(a) Residential	
R3 – Medium Density Residential	2(c) Medium Density Residential	
R4 – High Density Residential	2(d) High Density Residential	
R5 – Large Lot Residential	7(c) Scenic Protection – Small Holdings	
RU1 – Primary Production	1(a) Rural	
RU2 – Rural Landscape	1(c) Non-Urban Constrained Land	
RU3 – Forestry	1(f) Forestry	
RU4 – Rural Small Holdings		
RU5 – Village	1(d) Village	
RU6 – Transition		
B1 – Neighbourhood Centre	3(a) Business Centre	
B2 – Local Centre	3(a) Business Centre	
B3 – Commercial Core	3(a) Business Centre	
B4 – Mixed Use	2(g) Residential Tourist, 3(c) Tourist Business	Please contact Council to confirm the equivalent zone
B5 – Business Development	3(b) Centre Support	
B6 – Enterprise Corridor		
B7 – Business Park	4(c) Business Park	

Standard Instrument Zone	Equivalent Zone	Comment
IN1 – General Industrial	4(a) General Residential, 4(e) Regional Industrial and Employment Development	
IN2 – Light Industrial	4(b) Light Industrial	
IN3 – Heavy Industrial		
IN4 – Working Waterfront		
SP1 – Special Activities		
SP2 – Infrastructure		
SP3 – Tourist		
RE1 – Public Recreation	6(a) Open Space Recreation, 6(b) Regional Open Space and Recreation, 6(c) Proposed Open Space and Recreation	
RE2 – Private Recreation	6(a) Open Space Recreation, 6(b) Regional Open Space and Recreation	
E1 – National Parks and Reserves	8(a) National Parks	
E2 – Environmental Conservation	7(a) Conservation, 7(d) Coastal Land Protection, 7(e) Coastal Lands Acquisition, 7(f) Environmental Protection, 7(g) Wetlands Management	
E3 – Environmental Management	7(b) Scenic Protection	
E4 – Environmental Living		
W1 – Natural Waterways		
W2 – Recreational Waterways		
W3 – Working Waterways		

(Source: Department of Planning, *Equivalent Zones, Wyong, August 2009*)

Settlement Strategy and Comprehensive Local Environmental Plan

Planning Reforms implemented by DoP have required each Council in NSW to undertake a review of their existing planning instruments. This review entails the standardisation of LEPs in accordance with the Standard Instrument (gazetted in March 2006). Wyong Shire council is required to have gazetted an operational LEP which is consistent with this instrument by March 2011.

In order to achieve a contemporary LEP, WSC has committed to developing a Shire-wide Settlement Strategy, which will inform the preparation of Wyong LEP 2011 and establish new planning directions to guide future development in the Shire.

Wyong Residential Development Strategy (RDS)

The RDS is Council's guiding plan to increase housing availability, diversity and quality. The RDS includes a range of short and medium term actions to enable Council to support metropolitan planning objectives and maintain local sustainability.

The RDS identifies the opportunities for additional housing in the Toukley 2(c) Medium Density Residential and 2(d) High Density Residential zones, noting concerns about the location and suitability of the 2(d) zoned lands. The RDS states Council's intention to remove the 2(d) zone in Toukley and recommends further studies to determine a response to demands for residential, tourist accommodation and recreational facilities in Toukley.

The RDS is under review as part of the development of the Settlement Strategy for the Shire.

Draft Climate Change Policy

Council has developed a draft Climate Change Policy, which provides an overarching policy framework to guide development, strategic and operational planning decisions. The Policy covers all the potential impacts of climate change and is not limited to just one aspect such as sea level rise. It includes guidance on flood planning levels for increased rainfall intensity and management direction for the implications of bushfire and human health implications.

The Policy requires that Council undertake appropriate risk assessments for all vulnerable development, projects or activities against the latest scientific climate change projections to assess the implications and to develop the most feasible adaptation measures.

Until major risk assessments, such as the Coastline Management Plan and the Floodplain Risk Management Plans are completed, the policy requires the adoption of interim measures based on current best practice or Government policy such as the State Government's Sea Level Rise Policy under its Coastal Reforms package. Once the actions determined under the major risk assessments, such as the Coastline Management Plan, have been adopted by Council, the interim measures will no longer be applicable.

Draft Coastline Management Plan

A Coastline Management Plan is being developed by Council to help manage coastal development and address significant issues such as coastal retreat from erosion, coastal and lake flooding and the potential impacts of climate change.

The Plan will help inform all future planning and policy decisions and guide development in the coastal zone, especially in relation to the issue of climate change.

With sea and lake levels potentially rising by up to a metre by the year 2100, many low lying developments along the coast and around the lakes will be affected.

Adapting to the potential impacts of climate change will require very different strategies to manage the coastline than those used in the past. The development of potential sustainable options to address these issues will be a key outcome of the Plan.



Photo 18: Coastal storm damage

Development Control Plan 2005

Toukley Area DCP Chapters

Existing DCP Chapters applicable in the Strategy area are set out below with comments on the future applicability of these plans.

Table 4: DCP Chapters

DCP Chapter	Details	Comment
Chapter 6 - Main Road, Toukley West <i>Applies to land on southern side of Main road, between Dunleigh Street and Yaralla Road.</i>	Aims to define the western edge of the Toukley Town Centre by reducing ribbon development on Main Road. Includes incentives for residential and tourist developments, including 10m height limit and 2(c) density to Beachcomber Parade.	Little redevelopment has occurred as a result of this DCP Chapter. The intent of the DCP Chapter remains valid, however it will be replaced and relevant elements incorporated into a future Toukley Peninsula DCP Chapter.
Chapter 25 - Main Road and Lakeview Street, Toukley	Adopted in 1989 to create a laneway and public carparking across the rear of the properties. Permits a maximum FSR of 1:1.	The laneway and parking areas have been constructed. This DCP Chapter is no longer required, but elements such as the FSR control should be reviewed for the whole of the Toukley Town Centre, for inclusion into a future Toukley Peninsula DCP Chapter. Some transition provisions may be necessary.

DCP Chapter	Details	Comment
Chapter 16 - Toukley East	Adopted in 1990 and updated in 1997. Provides for rear laneway (dedication of a 7m setback at the rear of the affected properties) and a 3.5m setback from Main Road, to improve the streetscape and pedestrian facilities.	The laneway is only partially constructed. Completion is dependent upon redevelopment of Hedor Street end "heritage shop" and Council depot to rear. This Chapter to be repealed and relevant elements incorporated into a future Toukley Peninsula DCP Chapter.
Chapter 4 -Norah Head (Norah Head 3(a) zone)	Adopted in 1986. Creates service lane at rear of commercial properties and includes some basic controls on the external appearance of buildings.	The laneway has been constructed. Controls on building appearance and kerbside parking and footpath upgrades should be incorporated into a future Toukley Peninsula DCP Chapter.
Draft Chapter 41 - Tamar Avenue, Toukley (now not in use)	Dates from 1991. Seeks to provide alternative access to properties on Main Road via Tamar Avenue.	This Chapter has been discontinued given context of current development, including dwelling under construction on Lot 2 DP 518000. Not recommended as part of a future Toukley Peninsula DCP Chapter.
Wyong Development Contributions Plan No. 6 – Toukley District	Updated 2001. Provides background and justification for Section 94 contributions in the area.	Acknowledged.

Other Relevant DCP Chapters

Various other DCP Chapters apply within the Wyong Shire. Key relevant DCP Chapters are set out below with comments on implications to the Strategy.

Table 5: Other Relevant DCP Chapters

DCP Chapter	Details	Comment
Chapter 100 - Quality Housing	Primary DCP Chapter containing requirements for the design and construction of dwelling houses and ancillary developments.	Noted for a future Toukley Peninsula DCP Chapter.
Chapter 99 - Building Lines	Contains building line and setback requirements for residential, commercial and industrial developments.	Noted for a future Toukley Peninsula DCP Chapter.
Chapter 64 - Medium and High Density Development	Applies to residential developments with three or more dwellings. Density is determined by FSR, which varies depending on zone.	Building height and density controls should be noted for Strategy. Development Bonuses within 2(c) and 2(d) zoned land require review for applicability to Toukley area and need for minimum lot width and other performance measures relating to adaptable housing and affordable housing to be considered.

DCP Chapter	Details	Comment
	<p>Floor Space Ratio:</p> <p>2(a) - 0.5:1 2(b) - 0.6:1 2(c) - 0.9:1 2(d) - 1.5:1</p> <p>Building heights:</p> <p>2(a) and 2(b) zones: Two storeys, 7m.</p> <p>2(c) zone: Three storeys, 9m.</p> <p>2(d) zone: merit assessment.</p>	
Chapter 58 - Dual Occupancy Development	Controls for dual occupancy developments. Controls are included on design and appearance of buildings, setbacks, heights, open space areas, landscaping, privacy and parking.	Noted for future Toukley Peninsula DCP Chapter.
Chapter 81 - Retail Centres	Identifies a hierarchy of business centres across Wyong with Toukley as one of six district centres.	Noted for future Toukley Peninsula DCP Chapter.

DCP Chapter	Details	Comment
Chapter 23 - Caravan Parks	Identifies where long term caravan parks will be permitted and clarifies the requirements for DAs and developer contributions.	Agree that new long term caravan parks should meet site planning controls and servicing requirements equivalent to residential dwellings.
Chapter 77 - Coastal Hazards	Identifies coastal land subject to coastal hazards and restrict development of affected land.	Noted. Refer to discussion in Section 117 Direction 2.2.

Retail Centres Strategy and DCP 2005: Chapter 81 Retail Centres

Since 1996 Wyong Shire Council has had an adopted retail hierarchy and plan in place. The latest version the Retail Centres Strategy, prepared by Leyshon Consulting, was adopted in 2007. The Retail Centres Strategy provides policy guidance for retail, commercial floor space (including office space) and 'peripheral sales' including bulky goods and homemakers/lifestyle retailing to ensure that Wyong continues to have a robust and effective framework to guide centre development into the future. Toukley is identified as a District Centre.

The findings of the original strategy plan are incorporated into DCP 2005: Chapter 81 Retail Centres (DCP Chapter 81). DCP Chapter 81 nominates a preferred retail centres hierarchy and identifies the pattern of regional, district, neighbourhood and local centres in Wyong Shire (refer to map on the following page) and outlines Council's requirements for the same. DCP Chapter 81 also contains provisions for centre support (ie. bulky goods) retailing and seeks to limit retailing in existing industrial zoned areas.

Tuggerah Lakes Estuary Management Plan (EMP)

The Toukley Peninsula is surrounded on two sides by two of the three interconnected lagoons that form the Tuggerah Lakes Estuary. The Estuary is largely isolated from the sea, which creates a special environment that supports a huge diversity of plants and animals, making it one of Wyong Shire's most valued natural assets. However, continued fast growth in the region means the lakes are under considerable threat. The beauty of the lakes attracts both residents and tourists. As a result, a wide range of commercial activities, including fishing, boating and tourism, take place on or around the lakes.

For the past ten years, in partnership with the NSW Department of Natural Resources, Council has been developing a management plan for the protection of the Tuggerah Lakes in line with the State Government's Estuary Management Policy. Completion of the Tuggerah Lakes Estuary Process Study (2001) and Management Study (2005) provided Council with a sound basis to formulate the EMP. The EMP is based on sound science and an appreciation of the community's values and perspectives.

The EMP is the final document which provides detailed actions necessary to achieve the management objectives. It also states why these are appropriate, who is responsible for doing them, how long each should take, how much it will cost and how it will be evaluated. If implemented fully, the actions listed in the EMP have the potential to halt the current rate of decline we are experiencing in our creeks, wetlands and lakes.

It aims to provide a direct and tangible result by improving water quality and odour, restoring healthy foreshores, creating excellent public facilities, ensuring healthy connecting river and creek habitats, maintaining an ocean exchange, and providing a sustainable fish and prawn population for recreation and commercial fishing.

Identified priorities include:

- Rehabilitation of saltmarsh communities
- Improving bike tracks, picnic areas and other foreshore amenities
- Building wetlands and other catchment improvements like litter traps
- Streambank rehabilitation and stormwater improvements in certain rivers and creeks, and
- Building on the capacity of the community and Council staff to be informed and active participants in managing the lakes

There are four main Action Plans, each with a different focus, developed by teams of stakeholders with a different responsibility or interest in the outcome. The actions are:

- 1 Water Quality
- 2 Ecology
- 3 Socio-Economic Wellbeing, and
- 4 Knowledge and Management



The Tuggerah Lakes Estuary and Coastal Management Committee oversees the implementation of the plan. The Committee is made up of local experts in conservation, fishing and marine areas, four Wyong Shire Councillors, Council staff and representatives of seven NSW Government agencies.

The EMP will have a pivotal role in implementing some of the key recommendations arising from this Strategy.

Toukley Urban Design and Development Plan 1996

The 1996 Toukley Urban Design and Development Plan (the Plan) focused on the Toukley Town Centre, and recommended various townscape improvements. The Village Green, streetscape and footpath improvements within the Town Centre have been significant achievements of the Plan. Improvements to access, parking and the foreshore area at Canton Beach have also contributed to improved amenity.

A number of recommendations of the Plan remain relevant and have been taken into account in the Strategy. This includes:

- Retain the Town Centre's coastal holiday village character
- Ensure zonings of the Town Centre to be sufficiently flexible to attract and allow for commercial, tourist and entertainment uses
- Provide a visual, physical and landscape connection between the Town Centre and Canton Beach
- Limit ribbon development along Main Road

Toukley Traffic Study

In 1994 Council considered a number of options to address increasing traffic numbers through the Toukley area. The aim of the study was to:

- Ensure road capacity would be adequate to meet future traffic volumes
- Ensure safe and efficient vehicle movement through the area for local and through traffic
- Achieve environmental and safety standards which meet community expectations
- Provide for effective opportunity for business and commercial growth in Toukley

Council adopted the option that residents now know as the 'bypass route' via Dunleigh Street, Moss Ave, Crossingham Street, Evans Street and Oleander Street. This option also involved an alternative to Oleander Street passing through the southern section of the Toukley Treatment Works. It was to connect with a new road from Norah Head. However, this road has since been disbanded.

In the late 1990's improvements to Main Road through the Toukley business district were carried out.

Council Officers prepared a draft Local Area Traffic Management Plan (LATM Plan) in conjunction with the preparation of the 2006 draft Strategy, which identified the implications of the development recommendations. These involved recommendations for some intersection upgrades and traffic management and safety measures. The draft LATM Plan has been revised in conjunction with the Strategy to account for the impacts of revised population and dwelling densities and distribution.



Photo 19: Medium density housing, Hunterford Estate, Oatlands

Promoting Housing Choice: A Local Housing Strategy for Wyong

The Local Housing Strategy aims to provide a cohesive framework to address the housing choice issues affecting the Shire population. It identifies Council's commitment and role in working towards minimising the level of housing stress in the Shire by retaining and expanding the provision of diverse housing forms. It also identifies the roles that other stakeholders can play such as State Government, the non-governmental sector and the business sector.

This document is designed to inform Wyong Shire Council, the State Government, the business and non-governmental sector and the wider community on the current housing situation in the Shire and make recommendations on ongoing sustainable strategies to protect housing choice and promote and produce new and diverse housing options.

The Local Housing Strategy is designed to achieve the following objectives :

- To protect existing, and provide new opportunities for, diverse housing choices, targeting very low, low and moderate income households
- To promote community wellbeing through better provision of housing that reflects the diverse population in the Shire
- To promote the provision of housing choice in a way that contributes to the sustainability of communities, local economies and the environment
- To ensure current and future affordable housing is accessible to transport, employment, services, and offer the social support networks of strong vibrant communities
- To promote the provision of housing choice that is appropriate, adaptable and accessible and that allows for its use by everyone irrespective of the user's age, level of mobility, health or lifestyle
- To identify an appropriate process that allows for the participation and capacity development of the community, the business and community sector, State Government and Wyong Council in regard to housing choice to ensure the ongoing sustainability of the Strategy

WaterPlan 2050

Gosford City and Wyong Shire Councils, which together manage the Central Coast's water supply system, have developed a plan to ensure sufficient water supply in the short-term as well as long into the future. Key to this future planning has been the development of WaterPlan 2050 which is the culmination of extensive technical studies and ongoing community involvement. It sets out the strategy to secure and sustain our water supply system over the next 45 years.

WaterPlan 2050 contains a combination of actions to:

- Further enhance the current water supply system
- Continue to use water as efficiently as possible
- Develop additional future sources of water

Gosford City and Wyong Shire Councils formally adopted WaterPlan 2050 in July and August 2007, and implementation of it is therefore now underway.

The majority of the Central Coast's town water supply comes from harvesting water flows from our four local streams – Wyong River, Ourimbah Creek, Mangrove Creek and Mooney Creek – along with Mardi and Mooney Dams. Mangrove Creek Dam is the Central Coast's main water storage facility and provides back-up supplies for use during drought conditions. Demand for town water on the Central Coast on a per capita basis has been steadily falling since the 1980s. This follows the introduction of user pays pricing and community awareness of the need to conserve water. This reduction, however, is offset by the Central Coast's growing population.

A key project in WaterPlan 2050, to enhance the existing water supply system, is a 21 kilometre pipeline that will be built linking Mardi and Mangrove Creek Dams, together with two new pump stations. One pump station will enable water to be transferred between the two dams; the other will increase water extractions from Wyong River. This additional water will be harvested from Wyong River and Ourimbah Creek during medium and high flows and temporarily stored in Mardi Dam before being pumped through to Mangrove Creek Dam. It is estimated the Mardi-Mangrove Link project could be completed by the end of 2010, subject to NSW Government regulations and approvals.



Photo 20: Toukley Golf Course

Recreation and Sporting Facilities Strategy

The Recreation and Sporting Facilities Strategy aims to promote “a community that has opportunities to pursue leisure time activities suitable to their age, interests and physical activities.” Recreation and sporting facilities are very significant to community health, well being and the development of social capital and engagement. There are especially identifiable health and social benefits for children from participating in team sports. The 5 to 24 year old and over 55 year old age bracket demand for access to public open space facilities and a new diversity will increase activities.

The draft Recreation and Sporting Facilities Strategy acts as a complement to other projects to establish a flexible and efficient system of facilities for recreation and sporting activities in Wyong Shire. The key objectives are to:

- Improve clarity of decision making
- Support and develop the recreation and sporting community
- Improve adaptability of facilities
- Protect capacity and sustainability of existing facilities
- Identify opportunities to increase the capacity and sustainability of facilities
- Plan for and procure new facilities

Draft Bicycle and Shared Pathway Strategy

Council is developing a strategy aimed at establishing a long term vision for cycling and shared pathways and to identify the framework required to achieve an improved cycling environment over the next 20 years. Specifically, the strategy will consider:

- How to provide a safe and interconnected network
- Actions which can encourage, support and promote cycling and shared pathway use
- How to integrate bicycle considerations within all strategic planning and development
- Actions necessary to maintain and support the existing and future pathways
- An action plan for the delivery of the proposed network
- Costs associated with the delivery and maintenance of the network

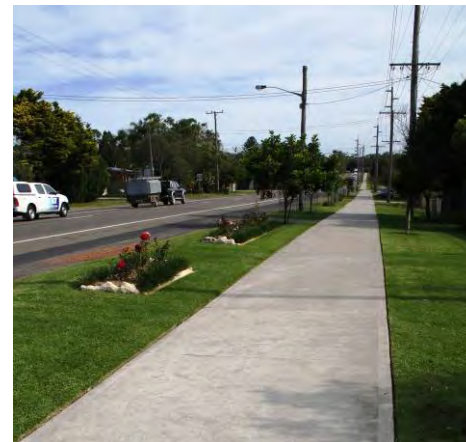


Photo 21: Shared pathway, Norville

Toukley Economic Viability Analysis Study

Dickson Rothschild and SGS undertook an Economic Viability Analysis Study for the Toukley area in 2007, which was completed in 2008. The study examined the viability of six approved DAs and of nine development scenarios developed by Dickson Rothschild across four selected sites.

SGS developed and ran a residual land value (RLV) test for each case study which included potential revenue from development and costs of development. The output from the model, the RLV, reflects the price at which it is feasible for a developer to purchase the land. If the RLV is greater than the market value of the land, then the development is likely to be financially feasible

The development tested was found to be unfeasible after accounting for appropriate profit and risk in almost every case. This is because the revenue side of the RLV calculated is low when compared to the cost side. This is characteristic of a market in a slump period, conditions that existed at the time of the study (2007) and which remain in 2009. A summary of cost and revenue characteristics is given below:

- **Cost side sensitivity:** On the cost side, the RLV is most sensitive to variations in construction costs, which are likely to be dependent on:
 - The location and nature of the site – for example: access, the slope of the site, the depth of the water table etc
 - The nature of the development – for example: the level of finishes, extent of air conditioning, height of building, number and location of lifts, floor to wall ratio, type of façade construction and materials, and

- Other factors – for example: the distance from suppliers and availability of labour, the cost associated with solving any groundwater issues relating to providing adequate basement vehicle parking facilities, and the like

- **Revenue side sensitivity:** On the revenue side, the RLV is most sensitive to changes in the achievable property sales price. This is likely to be influenced by:

- The nature of the development and how it compares with other available housing stock
- The volume of competing supply that is available at the time of sale, and
- The nature and volume of demand for apartments

The key findings and recommendations of the study include:

- RLV is most impacted by achievable sales price and construction costs
- Fluctuations in **construction costs** and **sale prices** tend to have a much greater influence on the feasibility than variations in planning fees and contributions
- Perceived flexibility in planning controls can fuel speculation, which plays a key role in determining the potential sale price of land

Certainty in the planning regulations can help to keep land values, permissible development and development feasibility in line. Based on the design testing and economic feasibility of the proposed development options for each site, Dickson Rothschild arrived at the following recommendations/conclusions for the current development controls:

- In order to limit speculation, an amount of certainty is necessary especially with respect to height (as in number of habitable storeys) and yield. By creating more specific development controls, Council can help to reduce speculation and inflated property values.
- An enhanced yield and height usually means enhanced construction costs and therefore higher sales prices, and does not necessarily translate to feasible developments especially in the current market.
- The cost of basement parking is significant in Toukley due to the high water table. Better building economy may be achieved by limiting carparking to one basement carparking level and considering a partially sunk basement and screened undercroft parking at grade in order to reduce costs. However due consideration must be given to amenity of ground level uses.
- This is likely to necessitate a review of some existing development controls relating to medium and high rise residential and mixed use carparking and building height.

