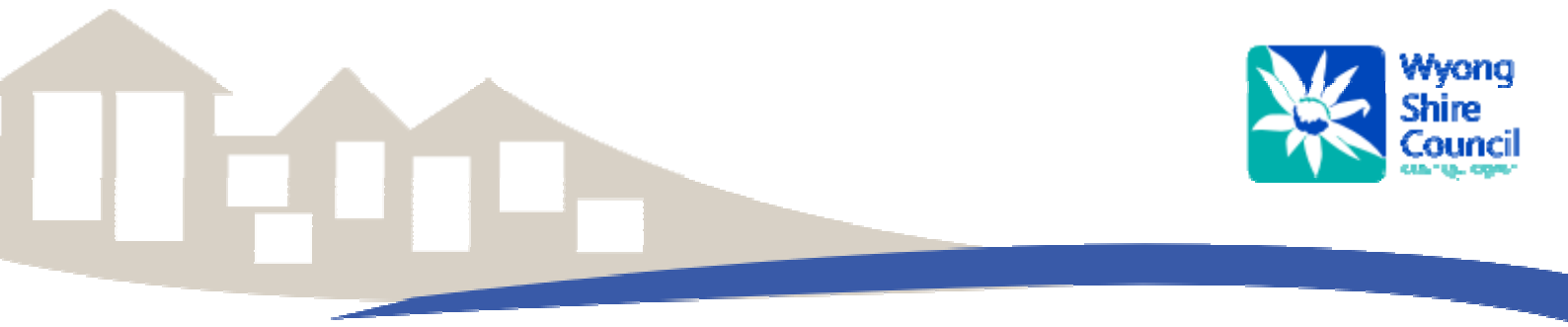


Wyong Shire Council

ORDINARY COUNCIL MEETING

ENCLOSURES

Wednesday, 25 July, 2012



WYONG SHIRE COUNCIL
ENCLOSURES TO THE
ORDINARY COUNCIL MEETING
TO BE HELD IN THE COUNCIL CHAMBER,
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 25 JULY 2012 ,
COMMENCING AT 5:00 PM

INDEX

2.5	Planning Proposal - RZ/6/2012 - Key (Iconic) Development Site No 2 - Klumper Site, The Entrance	
	Attachment 4: Planning Proposal - Draft Amendment Wyong LEP 1991 - 9-11 & 31-39 The Entrance Rd West, 1-11 & 4 Bent Street (& Bent Street itself), 3-9 & 6 Oakland Avenue (and part of this road) and 2, 3 4 Clifford Street, The Entrance - Klumper Site - Ingham Planning	3
6.9	Outstanding Questions on Notice and Notices of Motion	
	Attachment 1: Table of Outstanding Questions on Notice and Notices of Motion - 25 July 2012	35



PLANNING PROPOSAL

Draft Amendment to Wyong LEP 1991

9-11 and 31-39 The Entrance Road West,
1-11 and 4 Bent Street (and Bent Street itself),
3-9 and 6 Oakland Avenue (and part of this road)
and 2,3 & 4 Clifford Street The Entrance
(‘The Klumper Site’)

Prepared for Terrigal Grosvenor Lodge Pty Ltd

By

INGHAM PLANNING Pty Ltd

Job No. 11054

June 2012

Urban and Regional Planning, Environmental Planning and Statutory Planning
Registered Office: Lyndhurst, Suite 19, 303 Pacific Highway, Lindfield N.S.W 2070
Telephone: (02) 9416 9111 Facsimile: (02) 9416 9799
email: admin@inghamplanning.com.au
A.C.N. 106 713 768

WSC RZ/6/2012

Contents

1.	INTRODUCTION	1
2.	SITE AND SITE HISTORY.....	2
2.1	The Site	2
2.2	Site Context	4
3.	THE PLANNING PROPOSAL	7
3.1	The Planning Proposal.....	7
3.2	Amendment to Wyong DCP	9
3.3	The Proposed Development	10
4.	JUSTIFICATION OF THE PLANNING PROPOSAL	11
4.1	Need for the Planning Proposal	11
4.2	Relationship to strategic planning framework	20
4.3	<i>Environmental, Social and Economic Impact</i>	25
4.4	State and Commonwealth Interests.....	27
4.5	Community Consultation.....	28
5.	CONCLUSION	29

Appendices

Appendix A – Urban Design Report prepared by Thrum Architects (separate A3 document)

1

Introduction

This Planning Proposal Report has been prepared in relation to 9-11 and 31-39 The Entrance Road West, 1-11 and 4 Bent Street (and Bent Street itself), 3-9 and 6 Oakland Avenue (and part of this road) and 2,3 & 4 Clifford Street The Entrance. The Planning Proposal seeks amendment of Wyong Local Environmental Plan 1991 ('the LEP') to facilitate an 'iconic' development on the site consistent with Council's proposed Composite LEP 2012, proposed amendments to Wyong Development Control Plan ('the DCP') and The Entrance Town Centre Master Plan.

This report has been prepared in accordance with the Department of Planning and Infrastructure Guidelines for Preparing Planning Proposals. It considers the planning implications of a draft amendment to the LEP. It also discusses proposed changes to the Wyong DCP and outlines the proposed development that is intended to be facilitated by the draft LEP and DCP amendments.

It is also noted that it is intended to publicly exhibit the draft LEP and DCP amendments concurrently to demonstrate that the proponent has a very strong commitment to achieving these outcomes in the short term. This commitment and the significant amount of work and public consultation that Council has already undertaken are the primary reasons why the subject Planning Proposal should be processed separately from Council's draft Composite LEP, which is a much more detailed and lengthy process. It is a proper planning outcome that high quality, commercially feasible development should not be unreasonably inhibited by broader planning processes.

2

Site and Site History

2.1 The Site

The development site is located in The Entrance, fronting the foreshores Tuggerah Lake, adjacent to the western side of The Entrance town centre (see **Figure 1 – Location** and **Figure 2 – Subject Property**). The land comprises the following land at The Entrance.

9 The Entrance Road West (Lot 151 DP1078873)	3 Oakland Avenue (Lot 4 DP367602)	4 Bent Street (Lot D DP 382461)	2 Clifford Street (Lot 12 DP23428)
11 The Entrance Road West (Lot 1, 2, 3 DP 571197)	5 Oakland Avenue (Lot 3 DP367602)	1 Bent Street (Lot A DP343380)	3 Clifford Street (Lot 11 DP23428)
31 The Entrance Road West (Lots 1&2 DP 517291) (Lots A&C DP 382461)	7 Oakland Avenue (Lot 2 DP367602)	3 Bent Street (Lot B DP343380)	4 Clifford Street (Lot 10 DP23428)
35 The Entrance Road West (SP20363)	9 Oakland Avenue (Lot 1 DP367602)	5 Bent Street (Lot 1 DP21396)	
37 The Entrance Road West (Lot 1 DP25611)	6 Oakland Avenue (Lot 1 DP17935)	7 Bent Street (Lot 2DP21396)	
39 The Entrance Road West (Lot 5 790801)		9 Bent Street (Lot 3 DP21396)	
		11 Bent Street (Part Lot 7 DP21396)	

Further, Bent Street and parts of Oakland Avenue are included in the area to which the Planning Proposal applies. The total area of the subject site is 39,267sqm.



Figure 1 Location

Existing development on the site comprises the El Lago Motel, residential flats, a heritage listed two storey commercial building used as a Thai restaurant, the El Lago Caravan Park and single dwellings. The vast majority of the site is owned by Terrigal Grosvenor Lodge Pty Ltd or related entities, however there are some privately owned sites on Bent Street. The only changes to the existing planning provisions in relation to these Bent Street sites is to make the proposed water park a permissible use on this land – all other existing controls will remain. The roads within the site are owned by Wyong Council.

The subject property is relatively flat and has excellent exposure to north-easterly views across The Entrance Channel and northern views to Tuggerah Lake. The western portion of the site drains to the west towards Picnic Point Reserve through a 3 metre wide drainage reserve. The balance of the site drains northward to The Entrance Road and Tuggerah Lake. The site provides a variety of landscape gardens in various forms and condition. Street trees are evident lining both sides of the Entrance Road along the entire street frontage including tall palm trees fronting the existing hotel development, paperbarks screening the caravan park to the west of the Thai restaurant building and fig trees within the Council reserve opposite the western end of the site.

The area opposite the subject property between The Entrance Road and the waterfront comprises a narrow public reserve area which is lined with large Norfolk Island Pine trees that characterise the waterfront reserve areas of The Entrance town centre.

The land is zoned 2(g) Residential Tourist zone including the roads. Land along the foreshore adjoining the subject area is zoned 6(a) Open Space and Recreation (see Figure 3).



Figure 2 Site



Figure 3 Zoning LEP 1991

2.2 Site Context

2.2.1 Central Coast Context

The Entrance is an important residential and tourist centre located within Wyong Shire, at the entry/outlet channel to the Tuggerah Lakes. (see Figure 4 – Central Coast). Its lakeside location close to an ocean beach, makes it an attractive site for residential and tourist development. The area attracts large numbers of retirees, families and tourists from the Sydney metropolitan region and beyond. The locality in which the site is located has been specifically identified as a tourist precinct by Wyong Council.

The town centre of The Entrance developed as a local shopping centre on the south side of the channel prior to the construction of the bridge to North Entrance. Although modest in size, the town centre has grown steadily as a result of population increase and tourist development in the area.

Considerable investment in the town centre by Council has resulted in the creation of an attractive and pedestrian friendly commercial centre, including a waterfront plaza and open space area with a high level of amenity. Tourist accommodation has developed on land around the town centre, including land to the west, within which the site is situated.

The Central Coast has for the last two decades experienced significant population growth and development arising from the expansion of Sydney and improved road and rail access to employment in the Sydney metropolitan area, and the attractiveness of the Central Coast as a place to live. The Central Coast has also continued to maintain its significant role as a retirement destination for retirees, mainly from Sydney.

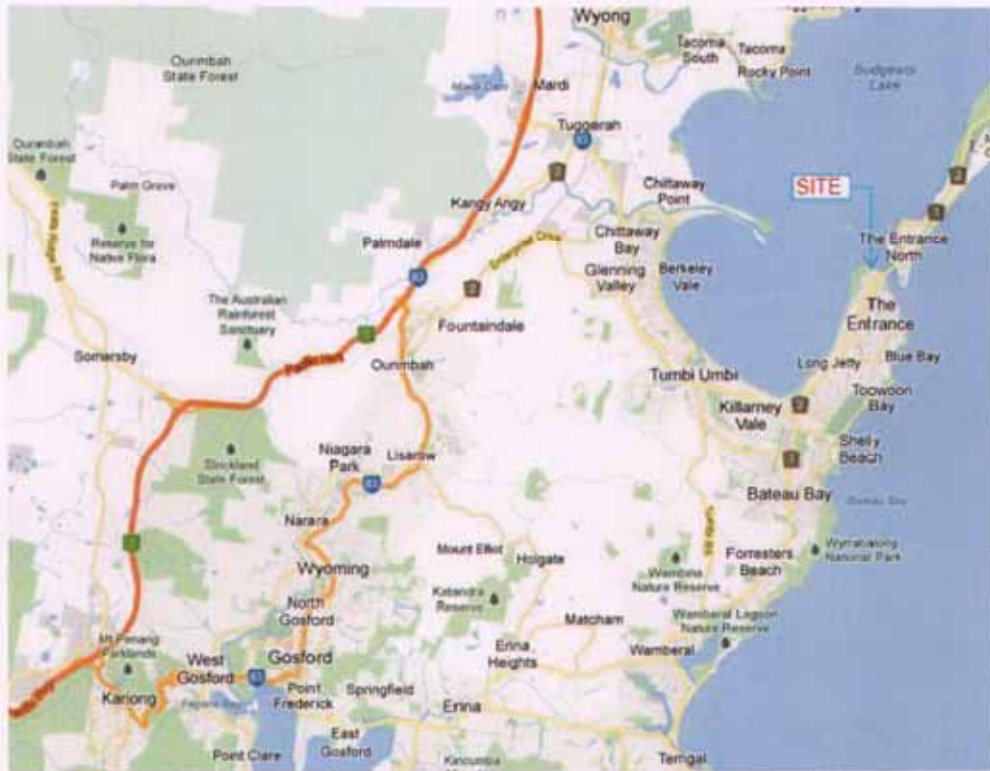


Figure 4 Location within Central Coast

Commuting to Sydney for work is less evident in The Entrance, as a result of its being a less accessible to Sydney, than Gosford and Wyong. Similarly, because of its distance from Sydney, The Entrance has not enjoyed the same extent of tourist development as closer centres, particularly Terrigal. The natural attributes of The Entrance and the cost and scarcity of land closer to Sydney, has in recent years generated demand for larger scale new tourist related development and medium and high rise apartments.

Modern high rise apartments, up to fifteen storeys in height and new lower scale apartment buildings, are concentrated in the area south of Wilfred Barrett Drive, particularly on higher ground, to the south east of the town centre. This development has changed the character of The Entrance, creating a more urbanised environment, with older more modest buildings being replaced with larger, higher quality, often resort style structures.

The subject land offers a very high level of residential and tourist amenity, in a location just a few minutes walk from The Entrance town centre. Not surprisingly, the site has been the subject of previous proposals for major redevelopment.

The subject property, with its accessibility to the town centre, lake, foreshore and beach, and its attractive north-easterly aspect is an ideal location for further larger scale, high quality, tourist and residential development as outlined in the indicative concept plans.

2.2.2 Local Context

The development site is located on the north-western edge of The Entrance town centre in a location which comprises a mix of tourist and residential development including apartments, single dwellings, restaurants, motels, a caravan park, lakeside parks and picnic areas. For the most part, existing development on the site is nearing the end of its useful life.

The development site extends westwards for over 250 metres along The Entrance Road, from the western side of Wilfred Barrett Drive where this road forms the ramped access to The Entrance Bridge.

To the north the site enjoys extensive water views across the Tuggerah Lakes channel entrance, to North Entrance. An attractive tree lined boardwalk, including several large Norfolk Island Palms, is located within the public reserve extending east-west along the channel foreshore on the northern side of The Entrance Road.

Oakland Avenue bisects the site and is proposed to be closed and used as a central access point to the redevelopment.

The southern boundary of the eastern part of the site is formed by the single dwelling development on the southern side of Bent Street. Residential development, generally comprising a mix of single and two storey detached dwellings extend further to the south.

A drainage reserve separates the western part of the subject property from similar single storey weatherboard, brick veneer and fibre-cement dwellings to the south. These residential properties are zoned for use as a future Council carpark.

To the east, the Wilfred Barrett Drive road reserve and bridge forms the eastern boundary of the site, with land beyond this bridge occupied by parking areas associated with The Entrance Hotel. The Entrance Hotel fronts the waterfront plaza area and aligns the north-western fringe of The Entrance town centre.

3**The Planning Proposal****3.1 The Planning Proposal (Amendments to Wyong LEP 1991)****3.1.1 Objectives**

The Planning Proposal involves an amendment to Wyong LEP 1991 to facilitate the indicative development described in Section 3.3 below and more fully in Appendix A. The amendments aim to achieve an outcome similar to those proposed in relation to 'Iconic Sites' in the Composite LEP presently being prepared by Council.

Therefore objectives of the Planning Proposal are similar to those for all the Iconic Sites and in this case are:

- To create a vibrant/viable town centre;
- To re-establish The Entrance as a significant tourist destination in NSW;
- To facilitate viable/feasible development;
- To facilitate iconic building forms and design excellence;
- To provide a world class water based recreation facility;
- To encourage development that can act as a catalyst for other development;
- To encourage the development of land that has been underutilised for many years.

3.1.2 Intended outcomes

Considerable design work has already been undertaken for the development of the site by the proponent and Council has also undertaken significant strategic investigation on the redevelopment of The Entrance town centre. With Council's preliminary support, the proponent is keen to move forward with the development as soon as possible and as such it is also proposed to prepare site specific Development Control Plan (DCP) provisions as part of the Planning Proposal process. It will be prepared if Gateway approval is granted and publicly exhibited concurrently with the Planning Proposal.

Therefore, given the above, the outcomes facilitated by the Planning Proposal are relatively clear and will be made certain through the preparation of the DCP. More specific details of the intended outcome are provided in Section 3.3 below.

3.1.3 Explanation of the provisions (Amendments to LEP 1991)

There are several key differences between the 'Iconic Sites' process proposed under the draft Composite LEP and that required now:

- the current LEP 1991 has a different structure to the Composite LEP 2012 which must be consistent with the Standard LEP Template;
- proposed Chapter 115 (Key (Iconic) Sites Provisions) for the DCP will not apply until the Composite LEP 2012 is gazetted;
- it is proposed to prepare a new chapter for a site specific DCP for public exhibition concurrently with the Planning Proposal.

Accordingly the amendments required to LEP 1991 will need to be different from those contained in the draft Composite LEP 2012. The exact nature of the wording to amend

LEP 1991 will not be finalised until after the public exhibition process so that it may suitably reflect any requirements of the DP&I's 'Gateway' determination and key issues arising from submissions.

Also there are other 'iconic' sites that are intended to be rezoned prior to the finalisation of draft Composite LEP and DCP 2012. Some of these are more progressed than the subject site and as such it is likely that a new clause required to provide a framework by which 'Iconic Sites' can be included in Wyong LEP 1991, will be part of a preceding Planning Proposal.

The amendments are intended to provide:

- a range of building heights from 7.4m (to preserve the views to the water down Oakland Avenue) to 94.5m (to facilitate a high quality international style hotel)(see Figure 5) and a Floor Space Ratio (FSR) of 3:1, subject to provisions which require the achievement of;
 - design excellence;
 - a world class regional water park able to be used year round;
 - a high quality area of public domain between the site and the waters of Tuggerah Lake;
 - an appropriate mix of land uses to assist in activating the streetfronts and bring more residents and tourists into The Entrance town centre;
 - a design which reflects the seaside character and complements and enhances the public domain;
 - the principles of ESD and in particular Green Building Design;
 - the maintenance of the development potential of adjoining properties.



Figure 5 – indicative draft LEP Height Map

It is also proposed to specifically permit the following uses on the site as they are not explicitly permitted under the current 2 (g) zoning:

recreation facility (regional water park use) – which is defined in LEP 1991 as “a building or place designed, equipped and used for indoor recreation, such as a billiard saloon, table tennis centre, squash court, swimming pool, gymnasium, health studio, bowling alley and fun parlour, whether used for the purpose of gain or not, but (in the Table to clause 10) does not include anything elsewhere defined in this clause.”

shop (both tourist and non-tourist related shops) – which is defined in LEP 1991 as “a building or place used for the purpose of the selling (whether by retail or auction), hiring or displaying for the purpose of selling or hiring of items (whether goods or materials), but does not include a building or place elsewhere specifically defined in this clause, or a building or place used for a purpose elsewhere specifically defined in this clause.”

Other proposed uses which include hotels (tavern), residential flat buildings (permanent residential accommodation), tourist accommodation (international hotel and serviced/tourist apartments) and restaurants (food premises) are permitted with consent in the 2(g) zone.

There will also be provisions which ‘switch off’ those existing LEP provisions which apply to the site but conflict with the intention of the Planning Proposal (in this case Clauses 42B, 42CA and 68). However as objective (a) of the 2(g) which limits building height to 3 storeys and cannot simply be ‘switched off’, the wording of the height provisions will have to ensure that in the event of any inconsistency with any other provisions of the LEP, that new provisions prevail.’

Council also require the provision of a ‘sunset’ clause which states that unless a development consent is granted within a specified time frame (notionally 5 years from the gazettal of the Planning Proposal), the height and FSR controls will not apply and the height controls will default to the existing LEP provisions.

It is noted that the proposed changes to the height and FSR will only apply to land owned by the proponent or its entities (or the Council owned roads).

3.2 Amendment to Wyong DCP

Unlike the Iconic Sites process envisaged under the new Composite LEP 2012, as the proponent intends to prepare site specific DCP provisions as part of the Planning Proposal, there is no need to mandate this within the current LEP provisions. The desire of the proponent to speed up the process by preparing the necessary DCP provisions as part of the Planning Proposal process, means that Council has to be satisfied that the development facilitated by the draft amendments to the LEP and DCP is appropriate and that the Planning Proposal will not proceed until all the issues have been resolved. The preparation of draft DCP provisions as part of the Planning Proposal demonstrate that the proponent has a very strong commitment to achieving the redevelopment of the site in the short term.

The draft DCP chapter will provide further detail on how the draft LEP provisions (as noted above) will be achieved and also in addition to the height limit and maximum FSR detailed in the draft LEP provisions, other controls relating to setbacks and other site specific development issues. It is intended that the combination of the proposed amendments to the LEP and DCP will facilitate the development detailed in Section 3.3

below. In this regard it is noted that the land to which the draft DCP provisions will relate will be different to the land to which the Planning Proposal relates. The intended development includes buildings within 10m of the adjoining 6(a) Open Space and Recreation zone along the foreshore, however as this is related to specific development, it is not appropriate to include this land with the Planning Proposal as the existing zoning needs to be retained in the case that the development does not proceed. However the draft DCP provisions will also relate to this land.

3.3 The Proposed Development

The Planning Proposal and proposed amendments to the DCP are intended to facilitate the construction of a mixed use building comprising a 2-3 storey podium with tourist retail, tavern and regional water park with 7 tower buildings above ranging from 16-31 storeys. An indicative development schedule is provided at page 28 of the Urban Design Report at **Appendix A**. Four of the towers (C, D, E & F) comprise residential uses, Towers A and B are proposed to be serviced apartments and Tower H (the tallest tower), is intended to be a 5 star/international hotel. Approximately 192 tourism related apartments and 260 permanent residential apartments are proposed as well as the hotel comprising around 302 suites. The hotel will include a convention centre for up to 1000 people. Car parking for around 1464 private and 410 public spaces is provided for.

The total GFA is 105,644sqm which equates to an FSR of around 2.7:1 over the whole of the land (excluding the regional water park). Whilst this facility of around 15,000sqm is designed to be a semi-outdoor space and provides a significant public benefit, it is appropriate that the draft amendment to the LEP assumes that the water park will be included in GFA calculations and as such as detailed in **Section 3.1** above, the overall FSR proposed is 3:1.

The proposed design has been developed through a detailed process, outlined in the Urban Design Report at **Appendix A**.

The indicative design of the proposal is shown at pages 27-38 of the Urban Design Report at **Appendix A**.

4

Justification of the Planning Proposal

4.1 Need for the Planning Proposal

4.1.1 Is the Planning Proposal a result of any Strategic Study or report?

Yes.

Council has prepared a number of reports in relation to The Entrance which provide a planning context for the proposal. These are noted and discussed below.

The Entrance Peninsula Planning Strategy dated March 2009 (EPPS)

The EPPS plans for significant population growth with an almost threefold increase from 10,941 in 2006 to 29,620 by 2031. One of the key elements of the EPPS is the revitalisation of The Entrance town centre and part of this is the allowance for increased building height.

The site is located within Precinct 3 – Picnic Point to Memorial Park Tourist Area. The Desired Future Character Statement for this precinct includes the following comments:

“Precinct 3 is to be a waterfront holiday, tourist and recreation destination of relatively high density, accommodating high quality retail, commercial, cultural, recreational and entertainment development/use, supported by medium to high density permanent and tourist residential development.”

It also advises that:

“The potential for appropriate performance criteria to be inserted into Council’s planning controls is to be investigated. Under such an initiative, applicants would be required to demonstrate, via masterplanning approaches, those innovative proposals, that do not comply with ‘deemed to comply’ scenarios, would result in superior outcomes to the ‘deemed to comply’ scenarios. The performance criteria would need to cover a variety of issues, including the protection of important view corridors, maintaining/improving general amenity, minimising visual impact, overshadowing and overlooking.”

The proposal is supportive of the broader principles outlined in the strategy and has responded to the types of ‘performance criteria’ noted above. Accordingly the innovation scheme proposed exceeds the ‘deemed to comply’ scenarios and results in a superior outcome.

Iconic Sites Development Control Plan (ISDCP) / draft Composite LEP 2012

The ISDCP was endorsed by Council on 10 August 2011 but will not take effect until the draft Composite LEP is gazetted. The Iconic Sites provisions will be Chapter 5.3 of this DCP. The draft LEP will contain specific provisions relating to the Iconic Sites identified in the DCP and will require a site specific DCP for each Iconic Site to be approved before development consent can be granted. Chapter 5.3 provides guidelines for the preparation of the site specific DCP’s. As noted above a site specific DCP chapter is to be prepared as

part of the Planning Proposal and the relevant provisions of Chapter 5.3 will be included as part of this new DCP chapter.

The subject site is Key Site No 7 – Residential Zone (Klumper). The specific provisions of Chapter 5.3 relating to 'The Klumper Site' are noted and addressed in the following table.

Objective	
<ul style="list-style-type: none"> Development should incorporate a mix of retail, commercial, tourist, entertainment, permanent residential and tourist accommodation land uses. 	This is achieved by the proposed LEP amendments and reflected in the indicative proposal which includes permanent residential, tourist accommodation, tourist related retail and leisure and a major tourist attraction of a regional water park.
<ul style="list-style-type: none"> Careful consideration should be given to designing for view lines through the development. 	The bulk of the development is broken up by the provision of towers which have small, slender floorplates and are shaped to be narrowest in the north/south views (ie to and from the water). The building height is limited on the Oakland Avenue alignment to preserve views coming down the hill toward the water.
<ul style="list-style-type: none"> Concentrate a variety of highly visible recreation activities and attractions along The Entrance Channel/Tuggerah Lake waterfront vicinity. 	In order to minimise impacts on adjoining properties to the south, taller building are placed along the northern part of the site adjacent to the foreshore which the water park being located in the south-eastern part of the site. The foreshore will be suitably activated with tourist related retail and leisure uses and the foreshore itself will contain various recreation elements in a waterfront plaza style layout.
<ul style="list-style-type: none"> Establish a logical network of pedestrian and cyclist pathways across and through the site that aligns with pedestrian/cyclist desire lines. 	Due to the large floorplate required for the waterpark, the pedestrian and cycle paths do not follow the existing road pattern. However they are modifications of this pattern and provide for an appropriate level of permeability through the site.
<ul style="list-style-type: none"> Maintain effective pedestrian access and important view lines between the Tuggerah Lake waterfront and the residential areas to the south of the site. 	As noted above, the large floorplate of the water park means that the present vista down Oakland Avenue cannot be fully retained. However the height is limited along this alignment to preserve views as one comes down the hill toward the site.
<ul style="list-style-type: none"> Maintain safe and sufficient access for emergency services. 	Appropriate access will be available.
<ul style="list-style-type: none"> Address flooding and climate change by incorporating appropriate planning solutions. 	The adopted levels will mean that the development is appropriately protected from flooding including events arising from climate change (refer to Appendix A).
<ul style="list-style-type: none"> Development shall incorporate high quality coastal design. 	The indicative design provided at Appendix A shows that future development can be designed to achieve this objective.

part of the Planning Proposal and the relevant provisions of Chapter 5.3 will be included as part of this new DCP chapter.

The subject site is Key Site No 7 – Residential Zone (Klumper). The specific provisions of Chapter 5.3 relating to 'The Klumper Site' are noted and addressed in the following table.

DCP provision	Comment
Objective	
<ul style="list-style-type: none"> Development should incorporate a mix of retail, commercial, tourist, entertainment, permanent residential and tourist accommodation land uses. 	This is achieved by the proposed LEP amendments and reflected in the indicative proposal which includes permanent residential, tourist accommodation, tourist related retail and leisure and a major tourist attraction of a regional water park.
<ul style="list-style-type: none"> Careful consideration should be given to designing for view lines through the development. 	The bulk of the development is broken up by the provision of towers which have small, slender floorplates and are shaped to be narrowest in the north/south views (ie to and from the water). The building height is limited on the Oakland Avenue alignment to preserve views coming down the hill toward the water.
<ul style="list-style-type: none"> Concentrate a variety of highly visible recreation activities and attractions along The Entrance Channel/Tuggerah Lake waterfront vicinity. 	In order to minimise impacts on adjoining properties to the south, taller building are placed along the northern part of the site adjacent to the foreshore which the water park being located in the south-eastern part of the site. The foreshore will be suitably activated with tourist related retail and leisure uses and the foreshore itself will contain various recreation elements in a waterfront plaza style layout.
<ul style="list-style-type: none"> Establish a logical network of pedestrian and cyclist pathways across and through the site that aligns with pedestrian/cyclist desire lines. 	Due to the large floorplate required for the waterpark, the pedestrian and cycle paths do not follow the existing road pattern. However they are modifications of this pattern and provide for an appropriate level of permeability through the site.
<ul style="list-style-type: none"> Maintain effective pedestrian access and important view lines between the Tuggerah Lake waterfront and the residential areas to the south of the site. 	As noted above, the large floorplate of the water park means that the present vista down Oakland Avenue cannot be fully retained. However the height is limited along this alignment to preserve views as one comes down the hill toward the site.
<ul style="list-style-type: none"> Maintain safe and sufficient access for emergency services. 	Appropriate access will be available.
<ul style="list-style-type: none"> Address flooding and climate change by incorporating appropriate planning solutions. 	The adopted levels will mean that the development is appropriately protected from flooding including events arising from climate change (refer to Appendix A).
<ul style="list-style-type: none"> Development shall incorporate high quality coastal design. 	The indicative design provided at Appendix A shows that future development can be designed to achieve this objective.

DCP provision	Comment
Requirements	
<ul style="list-style-type: none"> The coastal character, building envelope, design guidelines, matters for consideration, and principles of DCP Chapter 60 - The Entrance apply to this site and must be addressed. 	Most of these provisions will be addressed as part of the site specific DCP process. In relation to height, the 12/24m height control indicated in the relevant section of Chapter 60 is not considered appropriate as discussed in detail in the Urban Design Report at Appendix A .
<ul style="list-style-type: none"> Extend the waterfront mall to Picnic Point. 	The proposal is consistent with this requirement as discussed in the Urban Design Report at Appendix A .
<ul style="list-style-type: none"> Provide a mid block pedestrian link from Manning Road to the Tuggerah Lake foreshore vicinity. 	The proposal provides a pedestrian link on the western boundary of the site that will eventually link Manning Road to the foreshore. This will be further detailed in the draft DCP provisions (see Appendix A).
<ul style="list-style-type: none"> Provide adequate on-site public parking to cater for the future land use mix and existing on-street parking lost, with direct pedestrian access to the Tuggerah Lakes foreshore. 	As detailed at Appendix A the indicative scheme demonstrates that this requirement can be met. This will be further detailed in the draft DCP provisions.
<ul style="list-style-type: none"> Parking design solutions must adequately address the current and future flood hazard of the area and all overland flows which may enter the site from the upstream catchment. 	The proposed car park will be designed to be only partly below existing ground level and will have its entrances protected against current and predicted flood inundation. This will be further detailed in the draft DCP provisions.
<ul style="list-style-type: none"> Substantial foreshore embellishment works shall be included in the development. Any development design must include the construction of a new sea wall to provide an active land/water link to the waters edge and a safer level of service for the public. 	This outcome will be met as part of the VPA and DA process (see Appendix A).
<ul style="list-style-type: none"> The development shall be designed to retain the existing historic, logical and permeable street patterns that connect the area to the waterway. 	As noted above the large footprint of the regional water park does not allow the existing street pattern to be carried through the site. However appropriate movement through the site is provided and will suitably link the foreshore with surrounding areas. This will be further detailed in the draft DCP provisions (see Appendix A).
<ul style="list-style-type: none"> An appropriate height and increased setback to the western boundary is required to enable a pedestrian pathway and suitable transition in scale to adjoining relatively low level residential development. 	The indicative proposal includes the provision of a pathway along the western boundary. This will be further detailed in the draft DCP provisions (see Appendix A).
<ul style="list-style-type: none"> Pedestrian pathways and circulation patterns throughout the site shall facilitate clear, safe and direct twenty-four hour access to the waterfront from neighbouring areas. 	The indicative proposal (see Appendix A) includes the provision of appropriate pathways and circulation. This will be further detailed in the draft DCP provisions (see Appendix A).
<ul style="list-style-type: none"> Provision to be made for future connection from bridge duplication over Tuggerah Lake to the Lake foreshore area. 	The indicative scheme includes the dedication of part of the site adjacent to the existing bridge to allow for future works (see Appendix A).
<ul style="list-style-type: none"> Development shall adequately address the relevant requirements of State Environmental 	The proposal is consistent with the requirements of

DCP provision	Comment
Planning Policy (SEPP) 71 – Coastal Protection Zone.	this SEPP as discussed in Section 4.2.3 below.
<ul style="list-style-type: none"> Any proposal shall address adjoining development in terms of overshadowing, building separation, view loss and amenity issues. 	The indicative scheme (see Appendix A) shows that all adjoining properties will maintain some solar access at midwinter however this and other issues will need to be more fully explored as part of the preparation of the draft DCP provisions.
<ul style="list-style-type: none"> Address flooding constraints. Consideration shall be given to Council's Tuggerah Lakes Floodplain Risk Management Study and Plan. 	As indicated above, subject to appropriate levels being adopted, the site will not be subject to flooding.
<ul style="list-style-type: none"> Address coastal hazard constraints consistent with Council's Coastal Zone Management Plan. 	There are no coastal hazards except for inundation and acid sulfate soils which can be adequately addressed at DA stage.
<ul style="list-style-type: none"> Development is to be located and designed with appropriate mitigating and adaptive measures against the anticipated impacts of climate change. Such measures are to be consistent with Federal, State and Local Government Policies on climate change and sea level rise. Specifically: <ul style="list-style-type: none"> a) <i>NSW Coastal Planning Guideline: Adapting to Sea Level Rise</i> (August 2010) by Department of Planning and Infrastructure (DoPI); and b) <i>Flood Risk Management Guide: Incorporating Sea Level Rise Benchmarks in Flood Risk Assessments</i> (August 2010) by Department of Environment, Climate Change and Water (DECCW). 	As indicated above, subject to appropriate levels being adopted, any flooding constraint issues will be adequately addressed.
<ul style="list-style-type: none"> All new development shall include an appropriate sea level rise allowance in the Flood Planning Level. 	As indicated above, subject to appropriate levels being adopted, the site will not be subject to flooding including that resulting from climate change.
<ul style="list-style-type: none"> Consideration shall be given to the principles and objectives of other DCP Chapters, in particular DCP Chapter 76 - Heritage Conservation. 	The existing heritage item will be retained consistent with the previous development consent granted and incorporated into the design. . This will be further detailed in the draft DCP provisions.
<ul style="list-style-type: none"> Developments are to identify the desirable qualities to be incorporated in appropriate heritage infill design on the site. The qualities should be illustrated in the Masterplan by annotated drawings addressing the principles of scale, form, siting, materials and colours. 	The existing heritage item will be retained consistent with the previous development consent granted and incorporated into the design. . This will be further detailed in the draft DCP provisions.

The Entrance Town Centre Master Plan ('The Master Plan')

The Master Plan was adopted by Council on 14 December 2011. This vision for the Master Plan is noted as follows:

THE VISION

The Entrance Town Centre is a vibrant seaside and lakeside community – a welcoming place to live, to holiday and to work.

This beautiful coastal township with its beaches, extensive waterways, bushland reserves and varied day and night time activities provides an enviable lifestyle for people of all ages.

The Entrance Town Centre is a well connected hub with thriving and sustainable retail, commercial and professional services."

The proposal is consistent with this vision and the detail provisions of the Master Plan as detailed below.

Key Sites – the subject site is identified as Key Site 7 in The Entrance, indicated in Key Sites and Relationships plan from the Master Plan at Figure 6.

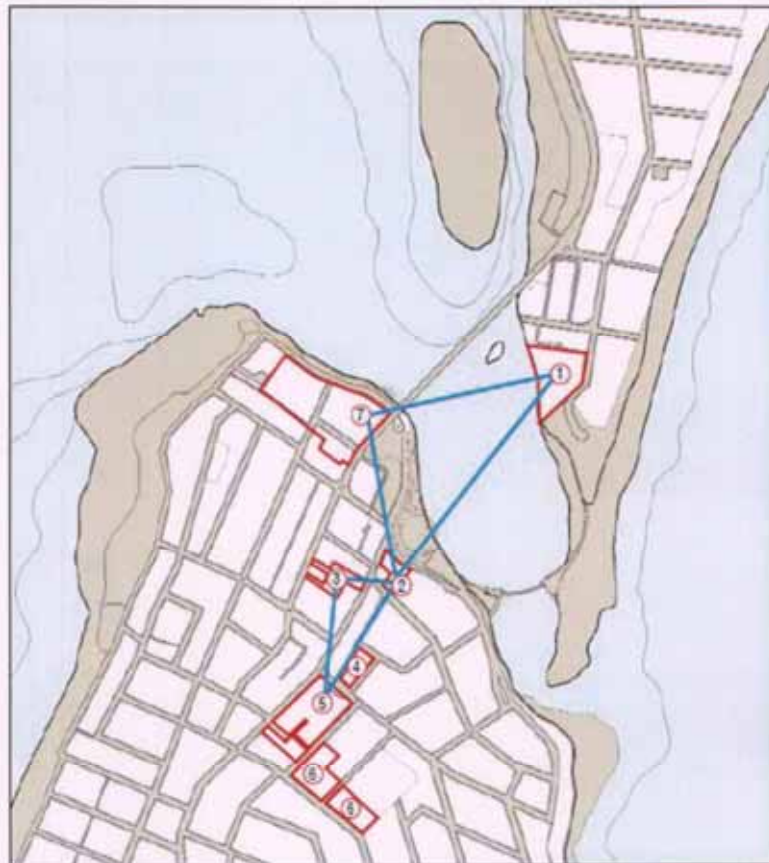


Figure 6 – Key Site and Relationships-The Entrance Town Centre Master Plan

The site is critical to the relationships between the Iconic Sites and is intended to provide a major tourist facility which will create an 'anchor' along the western foreshore, drawing

people through the area. The Master Plan notes that: *"The heights of the key iconic development buildings will be greater than the surrounding development to assist in the creation of public spaces such as plazas, parks and other facilities for community benefit."*

The nature of the proposal with its iconic form and proposed integration with the public domain will allow it to fulfil the role envisaged by the Master Plan.

Paths and Destinations – the site adjoins the primary waterfront location which links the site to the main focal points of Memorial Park and the town centre. The proposal will provide a high quality response to this important context and funds provided through the Voluntary Planning Agreement (VPA) will facilitate the upgrade of the adjoining public domain, allowing the vision of the Master Plan to be achieved.

Hotspots and Quiet Places – the site contains both 'hotspots' and a quiet place (see Figure 7). The proposal and treatment of the adjoining public domain will ensure that such places are able to be created.

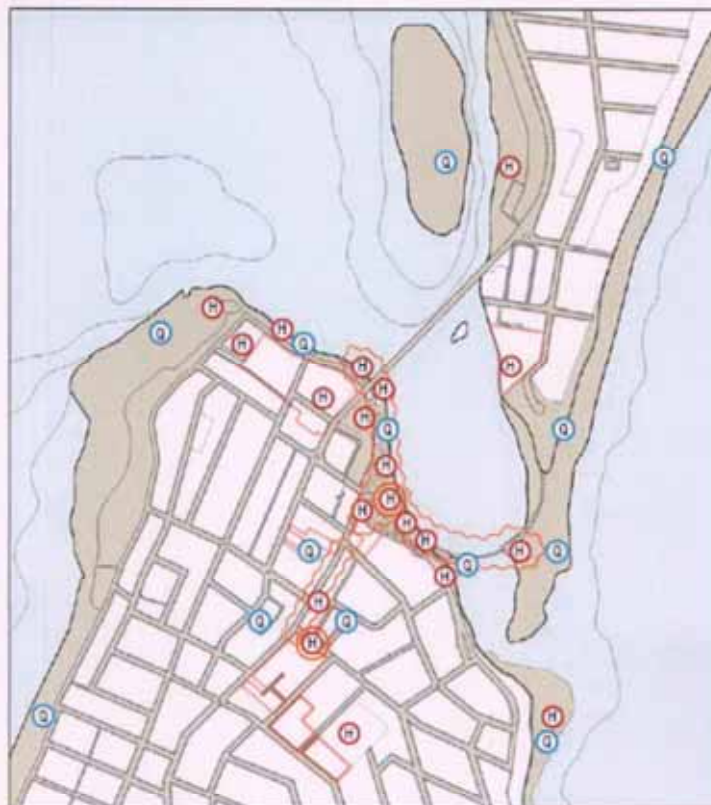


Figure 7 – Hotspots and Quiet Places-The Entrance Town Centre Master Plan

Vehicular Movement Framework – the proposal intends to provide access directly from The Entrance by-pass road which will ensure that impact from the associated traffic on surrounding streets will be minimal.

Public Parking zone – the site is within the designated public parking zone as shown on Figure 8. The indicative scheme provides for over 400 publicly accessible car spaces which will facilitate public use of the site and in particular the regional water park. Also, Council intends to develop a multi-level public car parking adjoining the site on Manning Road

Key Sites and Precinct Formation/Developing Precincts – The site is a Key Site within the Waterfront & Tourism Precinct (see Figure 9). In this regard the proposal provides an appropriate balance between the two precincts, providing tourism related retailing along the main frontages and residential accommodation above.

The Master Plan – the site is identified as site 23 in the overall Master Plan, an extract of which is shown at Figure 10. The provision of a major tourism use in the form of a regional water park, 5 star hotel and associated retail and leisure uses is of critical importance to achieving the Master Plan. The scale of buildings envisaged is indicated in the 3D aerial views (see Figure 11). As can be seen here the proposed tower forms of various heights sit well in the context of higher buildings proposed elsewhere in the town centre.



PUBLIC PARKING ZONE

-  By Pass
-  The Entrance Circuit
-  Primary Intersection
-  Laneways
-  Main Pedestrian Links
-  Parking Zone and Pedestrian Filter
-  Pedestrian Filtering onto the Paths and Destinations Layer
-  Parking Directional Signs - directs north/south bound traffic into parking station precinct.

Figure 8 – Public parking zone-The Entrance Town Centre Master Plan



KEY SITES AND PRECINCT FORMATION

- | | | | | | |
|---|-------------------------------|---|--------------------------------|---|----------------------------|
|  | Waterfront & Tourism Precinct |  | Waterfront & Tourism Key Sites |  | Key Site to Both Precincts |
|  | Civic Centre |  | Civic Centre Key Sites | | |

Figure 9 Key sites and Precincts-The Entrance Town Centre Master Plan



Figure 10 Extract from Master Plan drawing-The Entrance Town Centre Master Plan

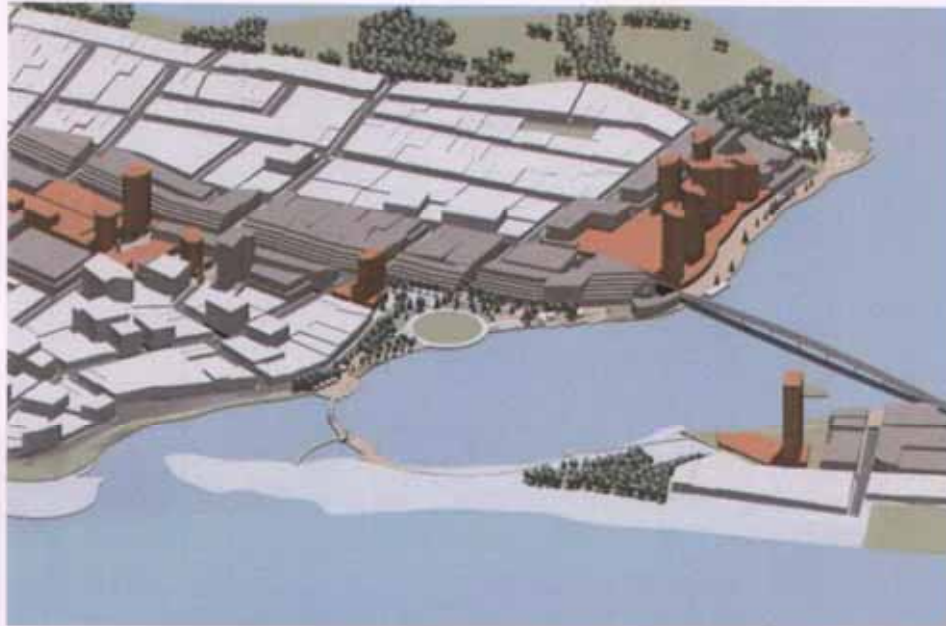


Figure 11 Extract from Master Plan image-The Entrance Town Centre Master Plan (3D view)-

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

Yes. Although the proposal could form part of the draft Composite LEP 2012, the community and Council want the objectives of the recent revitalisation studies to be achieved as soon as possible. As the proponent of the proposal is committed to the development of the site in the short term (demonstrated by the intention to exhibit a draft DCP simultaneously with the Planning Proposal), it would be counterproductive to require the proposal to be part of the draft Composite LEP 2012, particularly as such LEP's are notoriously drawn out processes that may take years to complete (as has been the case with Gosford Composite LEP which is still not gazetted).

4.1.3 Is there a net community benefit?

Yes. The subject site can accommodate large scale development under the existing zoning and in fact a development consent for around 500 units in buildings up to 9 storeys was granted in 2009. The Planning Proposal will facilitate additional development potential but as detailed in this report, this can be done without any significant adverse impacts. This additional potential will allow the objectives for The Entrance Town Centre (which have been developed through extensive public consultation) to be achieved. In this regard a truly iconic form is envisaged which will accommodate a significant tourist facility and accommodation which is vital to the overall function of the Master Plan.

A draft VPA will be prepared which ensures that the public benefit of the regional water park and other public benefits such as public domain improvements are delivered.

4.2 Relationship to strategic planning framework

4.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Central Coast Regional Strategy

The Central Coast Regional Strategy (CCRS) was released by the Department of Planning in July 2008. The CCRS provides the framework for preparing new local environmental plans.

The CCRS identifies the population, dwelling and employment targets of the Central Coast over the next 25 years. The CCRS also identifies actions to ensure ongoing growth and prosperity of the region, including actions for centres and housing, economy and employment, environment and natural resources, natural hazards, water supply, regional infrastructure and regional transport.

The site is located within The Entrance which is designated as a 'Town Centre' under the CCRS (see Figure 12). The proposal is consistent with the broad aims of the CCRS which include the provision of additional housing and jobs in identified centres. The proposal provides both of these elements in an appropriate town centre location.

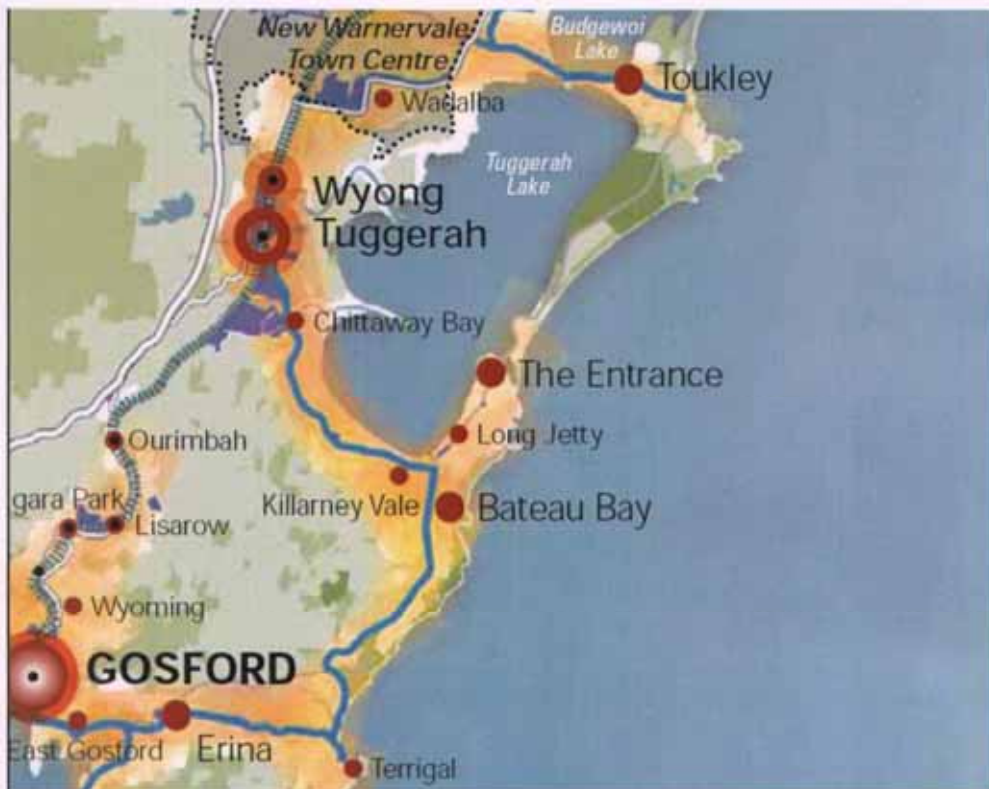


Figure 12 – Central Coast Regional Strategy