

Wyong Shire Council

## **ORDINARY COUNCIL MEETING**

### **ENCLOSURES**

Wednesday, 28 August, 2013



**WYONG SHIRE COUNCIL**  
ENCLOSURES TO THE  
**ORDINARY COUNCIL MEETING**  
TO BE HELD IN THE COUNCIL CHAMBER,  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON WEDNESDAY, 28 AUGUST 2013 ,  
COMMENCING AT 5:00 PM

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- 3.2 RZ/2/2013 - Commence preparation of Planning Proposal for East Wadalba Urban Land Release**
- Attachment 8:** Discussion paper to inform preparation of Planning Proposal for Wadalba East Urban Land Release Area ..... 3
- 5.2 2012-16 Strategic Plan - June Quarter Review (Q4)**
- Attachment 1:** Q4 Business Report 2012-13  
(Distributed under separate cover)



Ref: 180121CS

22<sup>th</sup> May 2013

General Manager  
Wyong Shire Council  
PO Box 20  
Wyong NSW 2259

Attention: Ms. Lin Armstrong

Dear Lin,

**EAST WADALBA - URBAN INVESTIGATION AREA  
PLANNING PROPOSAL**

Further to our letter dated 8<sup>th</sup> April 2013, please find attached three (3) copies of a discussion paper to assist Council with it's preparation of a Planning Proposal for the above project. A CD is also provided for Council's assistance.

Upon receipt of Council's advice regarding the amount payable of the initial rezoning fee, as requested in our letter of the 8<sup>th</sup>, I will arrange the appropriate payment from the Landowner Group.

We, and the landowners of Wadalba East, look forward to working with Wyong Shire Council as this project enters into an exciting new phase. Should you have any questions or wish to further discuss please do not hesitate to call.

Yours faithfully  
**ADW JOHNSON PTY LTD**

A handwritten signature in black ink, appearing to read 'C. N. Smith'.

**CHRIS SMITH**  
**SENIOR DEVELOPMENT PLANNER**

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**discussion paper  
informing the preparation of  
a planning proposal  
for rezoning**

**Location:**  
East Wadalba

**Applicant:**  
Wadalba Land Owners Group

**Date:**  
May 2013



project management • town planning • engineering • surveying  
visualisation • economic analysis • social impact • urban planning

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## document control sheet

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Issue No.	Amendment	Date	Prepared By	Checked By
A	Draft to Client	May 2013	IM/SVD	CS

### Limitations Statement

This report has been prepared in accordance with and for the purposes outlined in the scope of services agreed between ADW Johnson Pty Ltd and the Client. It has been prepared based on the information supplied by the Client, as well as investigation undertaken by ADW Johnson and the sub-consultants engaged by the Client for the project.

Unless otherwise specified in this report, information and advice received from external parties during the course of this project was not independently verified. However, any such information was, in our opinion, deemed to be current and relevant prior to its use. Whilst all reasonable skill, diligence and care have been taken to provide accurate information and appropriate recommendations, it is not warranted or guaranteed and no responsibility or liability for any information, opinion or commentary contained herein or for any consequences of its use will be accepted by ADW Johnson or by any person involved in the preparation of this assessment and report.

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The Client should be aware that this report does not guarantee the approval of any application by any Council, Government agency or any other regulatory authority.



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## 1.0 introduction

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### 1.1 SCOPE OF REPORT

This discussion paper has been prepared by ADW Johnson in conjunction with and on behalf of the Wadalba Landowners Lobby Group to assist Wyong Shire Council ("Council") with the preparation of a Planning Proposal for the rezoning of various allotments within the East Wadalba Area ("the site").

The intended effect behind the proposed rezoning is to enact upon the "Potential Home Sites" Evaluation Report released by the NSW Government in March 2013 to accommodate a new greenfields site in order to simulate growth and affordable housing opportunities within the Shire.

The site comprises approximately 241 hectares which is currently predominantly zoned 10(a) Investigation under the Wyong Local Environmental Plan 1991 ("LEP"). A constraints map has been prepared detailing areas affected by flooding, conservation corridors and areas with a slope in excess of 20%. From this, approximately 182 hectares of constraint free land exist and will be suitable for residential development able to accommodate between 1710 to 2050 residential lots.

A Concept Master Plan accompanies this proposal which provides for the protection of areas with conservation values and continues the urban structure with existing settled areas (refer **Appendix 1**).

Due to the topographic advantages of the area and in accordance with the Complying Development Codes minimum lot size, smaller lot Torrens title subdivision will be possible, with lots down to 200m<sup>2</sup>. This will be further explored during the rezoning process. The site will provide for a great range of lot sizes and characteristics and will therefore be able to deliver to a large market base. As a result it will be possible to broaden housing access for the lower and very price sensitive market segment.

The site has been identified as being suitable for residential growth within The North Wyong Shire Structure Plan ("NWSSP") which was adopted in October 2012. This document provides the framework to accommodate the ambitious growth targets set within the Central Coast Regional Strategy. To protect important environmental land, the Structure Plan also highlights important major and local conservation links as well as green corridor and habitat networks. The proposed rezoning has accommodated these through the dedication of the abovementioned environmental corridor land.

The following discussion paper will explain the history behind the intended rezoning

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including discussions held at both Local and State Government levels as well as elaborate on the level of investigation, documentation and engagement of consultants required following the “gateway” determination. This discussion paper is not intended to solve all of the site constraint and infrastructure issues but rather to confirm to Council and the Department of Planning and Infrastructure (“DoPI”) that this site is generally a suitable location for additional residential growth and one worthy of support for further detailed investigations.

The discussion paper has been prepared using the Department of Planning’s (now DoPI) “A guide to preparing planning proposals”, and addresses the relevant Ministerial Directions enabled under Section 117 of the Environmental Planning and Assessment Act 1979 (“EP&A Act”).

It is requested that Council support the proposed rezoning and prepare a planning proposal to lodge through DoPI’s gateway process.

## 1.2 SITE DETAILS

The site contains approximately 241 hectares of land over 85 allotments under various different ownerships. An Ownership Plan with specific lot detail is provided within **Appendix 2**.

The site is largely unconstrained being semi rural land occupied by housing at very low densities. As depicted within Figure 1, the site also contains a portion of flood affected land and conservation corridor land (discussed in further detail below).



**Figure 1** – Aerial Photo and Constraints Map

The site is generally surrounded by established residential development to the south and east and newer residential development to the north and west.



1.3 PROPOSED LEP AMENDMENT

Currently the subject site is predominantly zoned 10(a) Investigation Precinct under the LEP where any significant residential development is contrary to the objectives of the zone (see Figure 2a).

Under the Draft Local Environmental Plan 2012 ("DLEP"), the site is predominantly zoned RU6 Transition and E2 Environmental Conservation where any significant residential development is also contrary to the objectives of the zone (see Figure 2b).

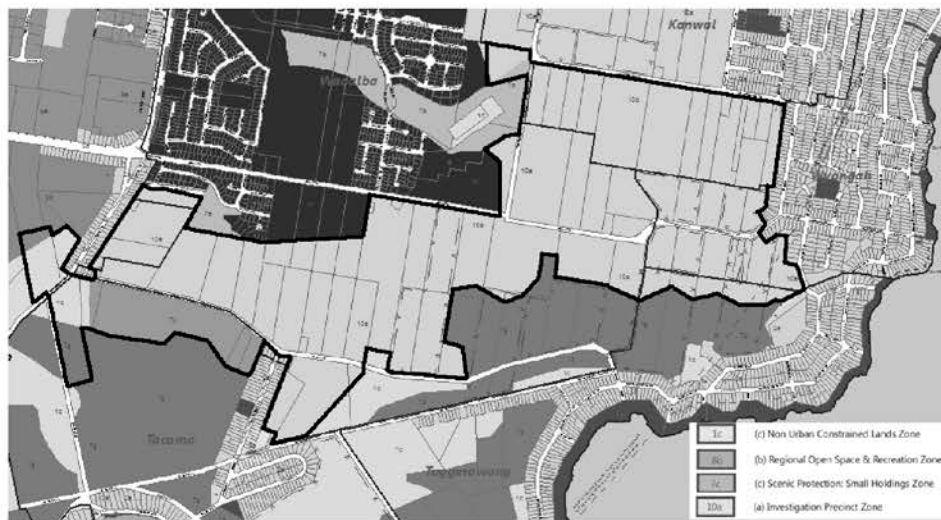


Figure 2a – Current Zone Map

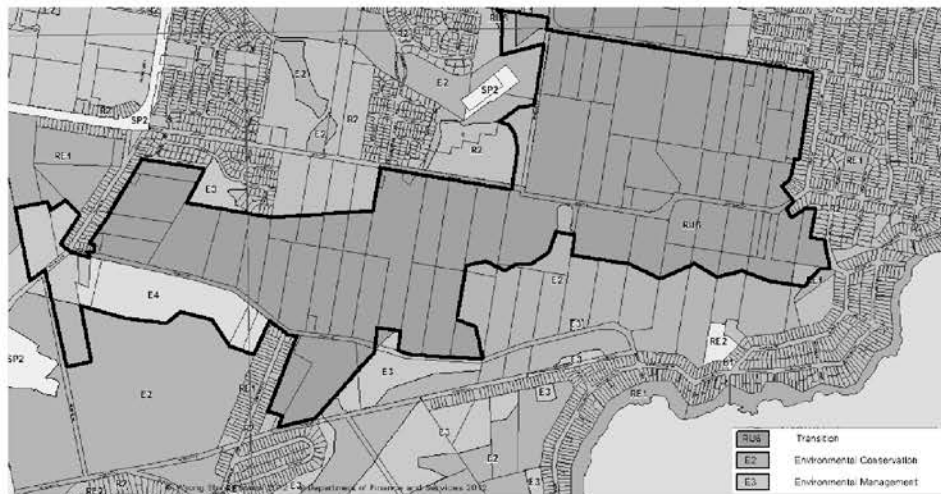


Figure 2b – Draft Zone Map



The purpose behind this discussion paper is to seek the support of DoPI and Council to enable low to medium density residential development over the 182 hectares of unconstrained land through rezoning the site to either 2(b) Multiple Dwelling Residential under the current LEP or R1 General Residential under the future Standard Template LEP ("DLEP"). A proposed DLEP Zone Map is located within **Appendix 3**.

Given the relatively unconstrained nature of the site, to accommodate for a range of lot size and a greater share of the property market, it is proposed to allow the minimum lot size for some areas to be in accordance with the Complying Development Codes minimum lot size of 200m<sup>2</sup>. For this reason, it is suggested that the minimum lot size map simply refer to a site specific Development Control Plan ("DCP") for guidance on appropriate lot sizes. A proposed DLEP Lot Size Map is located within **Appendix 3**.

#### 1.4 FUTURE PROPOSED RESIDENTIAL DEVELOPMENT

The intention behind the proposed rezoning is to provide for the short to medium term release of approximately 1710 - 2050 residential allotments; this amount being based on 10 – 12 lots per hectare.

A Concept Masterplan is located within **Appendix 1**.

#### 1.5 BACKGROUND

Housing production in the Sydney Region has been significantly lower over the past few years with this partly due to the fact that only 25% of total production is attributed to greenfield housing. The consequence of this phenomenon has created significant housing affordability issues; a fact which has been well advertised throughout the media.

To ameliorate this situation, in August 2011 the NSW Minister of Planning and Infrastructure created the "Potential Homes Sites Program" which asked for landowners to nominate large sites (>100 hectares) which could be developed for housing within three years at no additional cost to Government. Following a review of these potential housing opportunities, only seven of the 31 sites nominated were selected for "immediate action"; the subject site known as the "Wadalba East Precinct" being one of these.

In addition to the above, the site has also been included within the NWSSP as being a "proposed residential area" suitable for growth in the medium term (next 15 years). Despite this, on 14 March 2013, the Minister for Planning and Infrastructure provided correspondence which stated that he supported the site for earlier release.



## 1.6 HISTORY

The Wadalba East area has been on Council's urban release strategy for many years, known as precincts 8B & 8C.

On 10 September 2010 landowners of the Wadalba east area arranged for their 1st coordinated meeting. At this meeting landowners agreed to form a "lobbygroup" and pursue earlier release of the area.

On 1 October 2010, a meeting was held with Council's General Manager and Town Planners whereat, it was agreed in principle to the lodgement of a rezoning application – provided the Landowner Group funded an additional staff member to process the application. This principle was generally accepted by the lobby group.

During November 2010, the DoPI released the *Draft North Wyong Shire Structure Plan* (DNWSSP), which identified the site for medium term release i.e. before 2020. A submission was lodged in December 2010, requesting that the Precincts (now referred to as 2A, 2B & 3B) be released in the shorter term.

DoPI had intended to finalise the DNWSSP before the State elections in March 2011, but this continued to be deferred given the number of submissions and complex issues across the Shire which needed to be resolved. The implication for a rezoning application was that Council would be looking for clear direction on future planning from the DoPI's DNWSSP.

On 12 August 2011, the Minister for Planning, the Hon Brad Hazzard, during a radio interview on 2GB, invited landowners with suitable land greater than 100ha, to nominate those sites for consideration for early release. The Wadalba East area was subsequently brought to the attention of the Minister & DoPI with a formal submission made by 29 November 2011.

In April 2012, the Dept of Planning releases a shorter list on nominated Potential Housing sites, from 43 sites down to 31. Wadalba East remained on the list.

As part of the review, the Minister invited Council to comment on the Wadalba land owners submission and advise of its support or otherwise. On 22 February 2012, the Council resolved unanimously to support the Wadalba East Precinct as part of the Potential Home Sites Program.

Since the initial program announcement, various meetings have been held with Council's Strategic staff to ensure the smooth and timely transition of the site towards being developed for residential purposes. In order to facilitate this process, Council has acknowledged that whilst a Planning Proposal will be required to amend the current zoning, the site has been identified by the State Government as being



suitable for growth and as such significant detailed investigations will not be required as part of the Phase 1 rezoning. In this regard, this discussion paper does detail the future investigations which will follow the initial gateway determination (see Section 1.7).

### 1.7 FUTURE SPECIALIST INVESTIGATION REPORTS

As discussed within Section 1.6, the following table provides a list of specialist consultants expected to be required during the preparation of a local environmental study.

This list will be refined as Council, the Department of Planning and other State Agencies provide initial comments. Detailed scope of works will be prepared upon receipt of a gateway determination.

It is proposed that ADW Johnson will case manage the proposal for the proponent, but consult with Council's Project officer during preparation of scope of works and review of reports etc.

Specialist Investigation
Infrastructure (Water & Sewer)
Ecology (Flora & Fauna/Biodiversity Certification)
Land Valuation
Flooding
Stormwater & IWCM
Traffic & Transportation
Open Space & Recreation
Social Impact/Human Analysis
Economic Viability Assessment
Aboriginal Archaeology & European Heritage
Noise & Vibration
Acid Sulphate Soils/Land Capability/Contaminated Land
Bushfire Planning
Urban Design/Master plan
Planning
Council Project Officer

### 1.8 SUMMARY

The site has been recognised as being a suitable greenfields site by the NSW Government as part of the Potential Home Sites Program.

As a greenfields housing site East Wadalba has significant advantages including:

- Strategic identification for residential release at state, regional and local levels;





- Approximately 182 ha of constraints free land;
- Established road connections;
- Lead in infrastructure completed;
- A location that is more infill than greenfields due to nearby services;
- Proximity to a full range of community facilities and recreational opportunities;
- Proximity to a range of facilities of regional standard;
- The capacity to both support and benefit from the nearby Wyong civic hub; and
- Ready access to rail, Wyong station is less than 3 km from the area and has all day parking capacity.

The land is likely to be able to meet a broad range of housing needs and provide a range of lot sizes. In comparison with other land identified for release in the Wyong LGA, the area is both more ready and more likely to cater for a broader market spectrum.

## 2.0 characteristics of the site & locality

### 2.1 PROPERTY DESCRIPTION

As described above, the site comprises 85 allotments held in various ownerships and has a total area of 241 hectares.

An Ownership Plan with specific lot details is provided within **Appendix 2**.

### 2.2 LOCAL & REGIONAL CONTEXT

#### Location

The subject land is located approximately 3km east of the Wyong CBD, and adjacent to the Wadalba urban release area and established village of Kanwal. (refer **Figure 3**).



**Figure 3** - Locality Plan showing the locality of site in the regional context.

#### Surrounding Services and Infrastructure

The following table provides a list of the large range of existing community services and infrastructure located within close proximity to the site:



<b>WITHIN 1 KM</b>
Wyong Hospital (including emergency department)
Wyong Health & medical centres
Three public (primary) schools
One high school
Three existing and one approved aged care facilities
The Wyong Regional Sporting Complex
Two golf courses
Wadalba village which includes a Coles supermarket and recent development approval for a new health services facility and additional commercial/retail space
North Wyong Industrial Estate
Tuggerah Lakes and foreshore reserve offering a variety of recreational opportunities
The Wyong Retail Strategy recommends 5000m <sup>2</sup> of additional commercial area in Wadalba East by 2016
<b>WITHIN 4 KM</b>
Wyong CBD, offering an array of retail, commercial and support services
Kanwal shopping village
Two additional high schools
Police, Ambulance and Fire Departments
Baker Park Sporting Precinct comprising oval, regional netball courts, Olympic pool, tennis courts
Wyong Railway Station with bus/rail interchange facility
Various sporting, social and service clubs
<b>WITHIN 8 KM</b>
Westfields Tuggerah shopping complex.
Lakehaven shopping complex
Tuggerah industrial area
Charmhaven industrial area
Tuggerah Business Park
Tuggerah Supa Centre
F3 Freeway
Warnervale airport
Additional sporting, social and service clubs

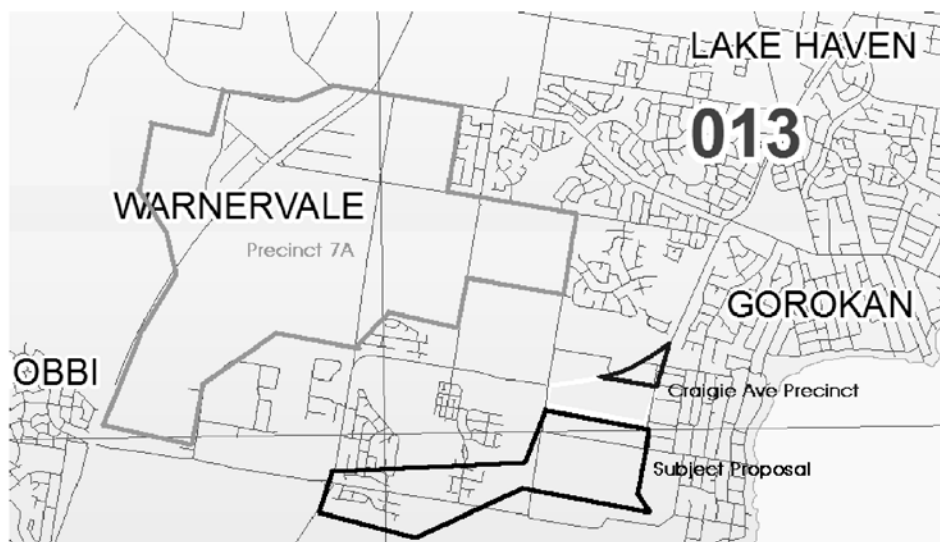
Other recent major community infrastructure investments in the immediate area include;

- A new Wyong commuter carpark (\$5.9M),
- A new Wyong Police station (\$14.6M),
- The proposed Wyong Art House performing arts and conference centre (\$24M).
- Revitalizing on the Wyong Civic & Cultural Precinct.



### Future Residential Areas

In addition to the above, other current rezoning proposals in the area include the 7A Precinct - Warnervale and Hamlyn Terrace Rezoning and the Craigie Avenue Precinct where Council has identified that the 10(a) (Investigation Zone) under the Wyong Local Environmental Plan 1991 "is normally applied to land that's proposed to be investigated for its urban potential." Both the 7A and Craigie Avenue Precinct proposals have a significant proportion of 10(a) zoned land – as does the subject proposal. The rezoning of the 7A Precinct has the potential to support an additional population of approximately 3,300 people or 1,900 dwellings. The rezoning of the Craigie Avenue Precinct has the potential to generate significant employment generating uses. Figure 4 below illustrates the proximity of these proposals to the subject site.



**Figure 4** – Surrounding Rezoning Proposals

It is evident from the above, that the general area is experiencing growth and is seen as an appropriate location to foster continued growth given its ideal location in proximity to the F3 Freeway, Northern Rail Line and existing large commercial centres at Tuggerah and Wyong.

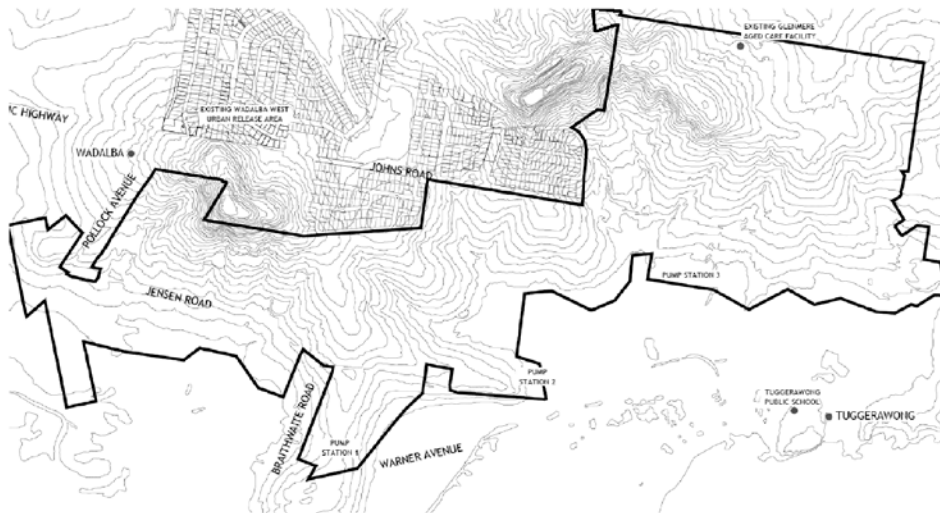
## **2.3 PHYSICAL CHARACTERISTICS / CONSTRAINTS**

### **2.3.1 Topography**

As depicted within Figure 5, the site in general contains gently undulating terrain similar to areas further north-west which have been previously been developed. There are few areas towards the peak of two ridgelines which have significantly steeper topography. One of these also contains significant vegetation and has



therefore been designated within a proposed conservation zone, the other contains land with a slope in excess of 20% and has therefore been excluded from the Concept Masterplan as being suitable for residential development.



**Figure 5** – Contour Map

In addition to the above, and as depicted within the Constraints map located within Appendix 4, there are a number of natural drainage channels which traverse the site. Whilst future development would be required to consider these features, they are not considered a constraint to future residential development.

### 2.3.2 Flooding and Drainage

As depicted within the Constraints map located within Appendix 4, parts of the southern portion of the site are located within the 1:100 flood prone area. The Concept Masterplan provided within Appendix 3 illustrates allotments above this level and flooding is therefore not considered a constraint to future residential development.

### 2.3.3 Flora and Fauna

As depicted within the Constraints map located within Appendix 4, a central environmental corridor runs north/south through the site – this area being identified as significant corridor land under DCP 13 – Interim Conservation Areas and 49 – Warnervale East and Wadalba North West. The proposed rezoning plan provided within Appendix 3 designates this area as being suitable for a conservation zone. The remainder of the site contains relatively minor patches of vegetation however this is not considered a constraint to future residential development.



### 2.3.4 Bushfire

The subject site is partly classified as “bushfire prone” land under the bushfire maps adopted by Wyong Council (see Figure 6). Whilst suitable asset protection zones will be required for future development, the risk of bushfire is not considered to be a constraint to future residential development



Figure 6 – Bush Fire Prone Land Map

### 2.3.5 Acid Sulfate Soils

In accordance with Council’s Acid Sulfate Soils Map, the subject site is affected by Class 2 – 5 soils. Any significant excavation required as part of future development which would likely expose acid sulphate soils would simply require the preparation of an Acid Sulphate Soils Management Plan and is therefore not considered to be a constraint to future residential development.

### 2.3.6 Mine Subsidence

The majority of the site is located within either the Swansea North Entrance Mine Subsidence Area or the Swansea North Entrance No.1 Mine Subsidence Area. Despite this, the Mine Subsidence Board has confirmed mining or subsidence is not a constraint to the investigation area. A copy of the Department’s correspondence is provided within **Appendix 5**.



### 2.3.7 Heritage

#### Aboriginal Heritage

The Wadalba area in general contains a number of sites identified on the Aboriginal Heritage Information Management System ("AHIMS"). This matter will be further investigated as part of the rezoning process and will have regard for appropriate consultation and reporting protocols. It is not anticipated that this issue will be a constraint to future residential development.

#### European Heritage

The subject site is not located within a Heritage Conservation area however does contain any items of local heritage significance on Lot B in DP33532.

### 2.3.8 Traffic and Transport

The site has good connections to the Pacific Highway, the F3 Freeway and the Northern Railway as well as established internal roads and bus routes.

## 2.4 SUMMARY

As detailed above, on a broad scale, the site is relatively unconstrained with areas affected by flooding, slope and important vegetation corridors able to be accommodated within an appropriate environmental conservation zone or excluded from residential development.

Whilst the site has been identified as a greenfields site in terms of the above described context, it could also be described as a large scale infill site. The proximity of the site to surrounding existing, continuing and future growth areas; town and regional centres; and good transport connections, is considered to be ideal to promote future residential growth.

The following Sections will resolve many of the broader planning issues with more detailed issues to be resolved post gateway determination or through future development applications.



## 3.0 justification for proposed rezoning

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In line with the Department of Planning's (now Department of Planning & Infrastructure) "A guide to preparing planning proposals", the following section will utilise the above information to respond to the requirements of this document.

### 3.1 PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The subject land is zoned 10(a) Investigation Precinct, 7(c) Scenic Protection: Small Holdings Zone, 1(c) Non Urban Constrained Lands and 6(b) Regional Open Space & Recreation Zone under the LEP where significant additional residential development would not meet the objectives of the zone.

In addition to the above, despite the site being identified within the NWSSP as being a future residential growth area, it has been zoned RU6 Transition, E2 Environmental Conservation and E3 Environmental Management under the DLEP – all zones where significant additional residential development would also not meet the relevant objectives.

On this basis, the objective or intended outcome of this rezoning is to:

- *Enable low to medium density residential development on the subject site as envisaged through the State Governments endorsement of the site as an appropriate residential growth area;*
- *Protect and manage areas with environmental constraints; and*
- *Require further detailed development plans to be prepared prior to approval of development applications.*

### 3.2 PART 2 – EXPLANATION OF PROVISIONS

The objective of this planning proposal is intended to be achieved through amending the Wyong Local Environmental Plan 1991 or the Draft Local Environmental Plan 2012 – dependent upon timing.

Under the current LEP, the amendment would involve a change to the land zoning for the subject site from 10(a) Investigation Precinct Zone, 7(c) Scenic Protection: Small Holdings Zone, 1(c) Non Urban Constrained Lands Zone and 6(b) Regional Open Space & Recreation Zone to a combination of 2(b) Multiple Dwelling Residential Zone and 7(a) Conservation Zone.

Under the DLEP, the amendment would involve a change to the land zoning for the subject site from RU6 Transition, E2 Environmental Conservation and E3





Environmental Management to a combination of R1 General Residential and E2 Environmental Conservation. Given the likely timing of the DLEP, a proposed Zone Map for this instrument only is located within **Appendix 3**.

In addition to the above, the planning proposal would also include a change to the draft Lot Size Maps to remain "uncoloured" so as to allow for flexible lots sizes able to respond to the current market demand and allow the minimum lot size for some areas to be in accordance with the Complying Development Codes minimum lot size of 200m<sup>2</sup>. The minimum lot size map should simply refer to a site specific DCP for guidance on appropriate lot sizes. A proposed DLEP Lot Size Map is located within **Appendix 3**.

Under the DLEP the amendment would also involve the lands proposed for rezoning to be identified as an Urban Release Area under the provisions of Part 6 of the DLEP, so as to ensure that satisfactory arrangements for the provision of designated state public infrastructure are met prior to the development of the subject site.

### 3.3 PART 3 – JUSTIFICATION

#### Section A – Need for the planning proposal.

~~Is the planning proposal a result of any strategic study or report?~~

Yes – See below.

#### Potential Homes Sites Program

As discussed above, the proposal is directly related to the Potential Homes Sites Program where the subject site has been selected by the State Government for "immediate action" to simulate growth and affordable housing opportunities within the Shire.

#### Central Coast Regional Strategy

The Central Coast Regional Strategy ("CCRS") was released in 2008 and provides an overall framework for consideration of future development within the Central Coast region.

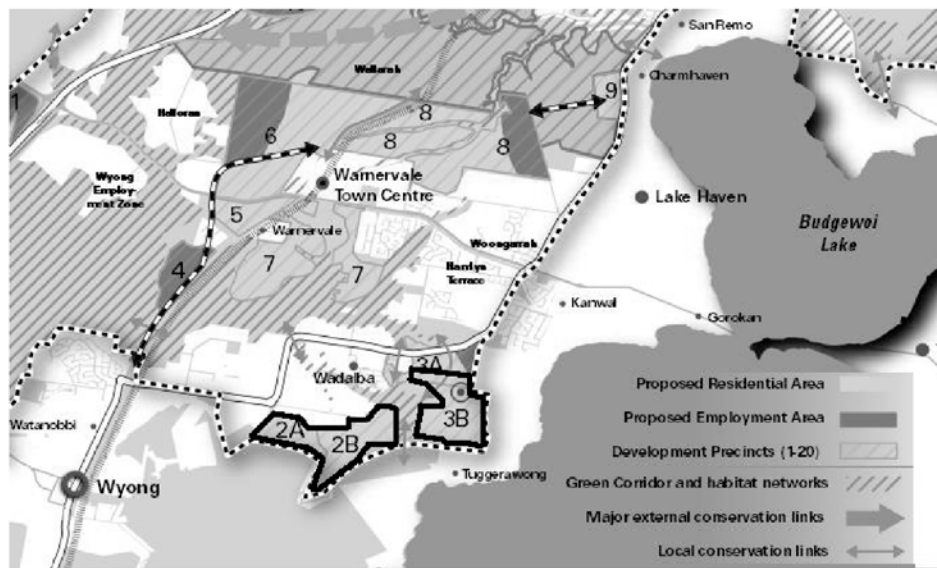
As part of the CCRS, Wyong is targeted to supply approximately 40,000 dwellings at an average of 1,600 dwellings per year - these projections have not been achieved.

The NWSSP goes into further detail with regards to how this portion of the region should aim towards achieving the above targets.



### North Wyong Shire Structure Plan

The NWSSP was adopted in October 2012 and provides the framework to accommodate the ambitious growth targets set within the CCRS. To protect important environmental land, the Structure Plan also highlights important major and local conservation links as well as green corridor and habitat networks. As illustrated within Figure 7, the site has been identified as being suitable for residential growth with the inclusion of a north/south conservation link – this having been included within the proposed conservation zoning.



**Figure 7** – North Wyong Shire Structure Plan

Despite proclaiming of the site for “immediate action” under the Potential Home Sites Program, the NWSSP has identified the site as being suitable for growth in the medium term (next 15 years). On 14 March 2013, the Minister for Planning and Infrastructure provided correspondence which stated that he supported the site for earlier release.

### **Wyong Residential Development Strategy**

The Wyong Residential Development Strategy was adopted in 2002 and flags the need to identify additional suitable lands for urban release so as to provide greater flexibility in the provision and the range of housing into the future.

The Strategy guides residential development which will increase the quality and diversity of development in Wyong Shire and plans for residential development which is environmentally, economically and socially sustainable in both the local and regional context. In this regard, the subject site is generally located within



Precinct 8B and 8C – areas identified as being area suitable to accommodate future residential growth.

### **Council's Residential Land Monitor**

Council's Residential Land Monitor provides that there is a limited supply of available land for residential purposes across the Shire. Should the proposed site be rezoned, significant additional residential lots of a variety of sizes would be available to ease the stock pressures over a sustained period of time.

### **Draft Settlement Strategy**

The Draft Settlement Strategy was release concurrently with the DLEP and whilst it is not in its adopted form it provides the general framework behind the Shire's future growth and is therefore worthy of consideration.

The crucial objective behind the Strategy is to support the CCRS and NWSSP - as discussed above, the proposed rezoning meets both of these documents.

Other major considerations which are achieved through the proposed rezoning include:

- Providing for growth in appropriate locations based on constraints and opportunities
- Timing and provision of services and infrastructure
- Fostering sustainable development
- Encouraging economic development
- Protecting valuable agricultural land
- Encouraging a range of housing types
- Providing equitable access to services and facilities for recreation, culture, health and education
- Minimising risk from flooding, climate change and bushfire
- Reducing reliance on cars for transport

In general the Strategy emulates previous initiatives which have been explored throughout this report, with an emphasis on job and housing creation to which the proposed rezoning will assist in achieving.

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

### Option 1 Discontinue the Proposal (Not Recommended)

Various levels of Government have acknowledged the increasing challenges facing potential home owners and renters in securing suitable accommodation in the



areas they work and want to live. In this regard, the planning proposal will result in additional land being available for approximately 1710 - 2050 residential allotments.

The site is in a position to develop housing within the shorter term thereby having a swift positive impact on the housing supply crises in Wyong Shire. Discontinuing the process will prevent this outcome and continue to apply pressure to develop less suited parcels of land.

Option 2 Proceed with the Proposal as an Amendment to the Current or Draft LEP (Recommended)

It is considered that an amendment to the current or draft LEP through the gateway process and preparation of a planning proposal is the most effective and timely method to proceed with the State Governments desire to progress the site for future growth within the short term.

Is there a net community benefit?

The proposed rezoning will allow the creation of approximately 1710 - 2050 residential allotments within the shorter term thereby facilitating the ignition of the current stagnant housing climate of the Shire.

The additional supply of residential allotments will accommodate a range of housing types which will assist Council in meeting the housing supply objectives discussed above in an appropriate context.

The proposal will provide accommodation opportunities for new residents and relocation opportunities for existing local residents.

The proposal is within close proximity to Wyong and Tuggerah Centers and associated services, with additional residents supporting and thereby enhancing these as well as more local facilities.

The following table outlines how the proposed rezoning would meet the Net Community Benefit Test:

Draft Centres Policy Criteria	Planning Response
<i>Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?</i>	Yes. The proposal provides for housing consistent with the CCRS, NWSSP and Potential Home Sites Program.
<i>Is the LEP located in a global / regional city, strategic centre or corridor</i>	No



<i>nominated within the Metropolitan Strategy or other regional / subregional strategy?</i>	
<i>Is the LEP likely to create a precedent, or create or change the expectations of the landowner or other landholders?</i>	No, the land has long been identified for future urban development.
<i>Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?</i>	This is not a spot rezoning but rather an expected strategic outcome.
<i>Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?</i>	There will be the economic multiplier effect of additional housing. Additionally, no employment lands will be affected by the proposal.
<i>Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?</i>	The LEP will add to the supply of residential land. The proposal will be beneficial in regard to housing supply and affordability.
<i>Is the existing public infrastructure (roads, rail, and utilities) capable of servicing the proposed site? Is public transport currently available or is there infrastructure capacity to support future public transport?</i>	Strategic provision has been made for servicing the site. The site is well located with regard to major infrastructure such as road and rail and will benefit from proposed local upgrades. Water and sewer needs have been incorporated into forward plans. The detail of infrastructure servicing will need to be addressed as part of the rezoning process.
<i>Will the proposal result in changes to the car distances travelled by customers, employees, and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</i>	No, the site is located within an established urban area, close to major transport linkages and will not displace established businesses.
<i>Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?</i>	No, there are no known significant Government investments in infrastructure within the locality whose patronage could be adversely affected by the proposal. The proposal takes advantage of existing and proposed infrastructure investment.
<i>Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?</i>	No. The vegetated areas of land within the site have been identified as corridors and are proposed for protection.
<i>Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in</i>	The proposed housing will be within an established residential area. There is adequate open space and public



<i>the location and wider community? Will the public domain improve?</i>	domain land available locally. The proposal is consistent with the structure planning for the area. No adverse effects on amenity or the public domain are likely.
<i>Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?</i>	N/A
<i>If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?</i>	N/A
<i>What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?</i>	The draft plan will facilitate the agreed strategic outcomes for the Central Coast and Wyong Shire.  Not proceeding with preparation of the draft plan is likely to increase ongoing problems with residential land supply.

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

~~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 related draft strategies)?~~

As discussed above, the proposal has been assessed against the targets and objectives of the CCRS and the NWSSP and is considered consistent with these documents.

~~Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?~~

#### Wyong Shire Community Strategic Plan (2030)

The Wyong Shire Community Strategic Plan is a broad based document aimed towards establishing and achieving the Shire's strategic vision over the next twenty years. Given that development within the Shire makes up a significant portion of how residents view the region, it is appropriate to compare the proposed rezoning to the eight priority objectives which have been created to improve the area. The following table establishes how the proposed rezoning will achieve these objectives:



<b>WYONG SHIRE COMMUNITY STRATEGIC PLAN (2030)</b>	
<b>OBJECTIVE 1: Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.</b>	
<b>Achieved by:</b>	<b>Meets</b>
<i>Expanding and supporting programs that increase participation among all ages.</i>	✓
<i>Expanding and supporting programs and activities that encourage and enhance neighbourhood connections.</i>	Whilst the subject proposal will not directly influence these objectives, providing additional residential allotments within an existing residential area will enhance the demand for existing programs and encourage the development of new programs within Wyong/Wadalba Area.
<i>This will help ensure involvement of young people and seniors, respect for their ideas and active involvement in the life of their community.</i>	✓
<i>Expanding and resourcing children and family service programs.</i>	✓
<i>Developing and implementing the Wyong Shire-wide Settlement Strategy.</i>	<b>N/A</b>
<i>Improve the effectiveness of the system of connections that tie towns/suburbs and facilities of the Shire together as well as connecting to the wider region.</i>	✓
<i>Implementing the Regional Strategy for the Central Coast that will guide appropriate development, maintain the lifestyle and environment and include Government intervention to provide more than 35,000 jobs in the next 25 years.</i>	✓
<i>Planning and delivering a new Town Centre at Warnervale including a new railway station and transport interchange.</i>	<b>N/A</b>
<b>OBJECTIVE 2: There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.</b>	
<b>Achieved by:</b>	<b>Meets</b>
<i>Upgrading train and public transport services between Williamstown and Sydney Central ensuring the service is safe, timely and</i>	✓
	Whilst the proposed rezoning will have no



reliable.	direct impact on these objectives it will provide additional residential allotments thereby further justifying these upgrades/improvements.
<i>Improving and linking the bicycle/shared pathway network and related facilities to encourage more cycling opportunities.</i>	
<i>Improving commuter parking at railway stations.</i>	
<i>Improving commuter hubs along the freeway.</i>	
<i>Creating a better public transport system including new outer suburban train carriages, upgrades of the Tuggerah station, rail maintenance upgrades and better local bus services.</i>	
<i>Ongoing upgrading of roads in the region including The Entrance Road and Pacific Highway.</i>	
<i>Improving the F3 links to Sydney to three lanes in each direction in partnership with the Federal Government.</i>	
<b>OBJECTIVE 3: Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.</b>	
<b>Achieved by:</b>	<b>Meets</b>
<i>Providing and maintaining local and regional community facilities for recreation, culture, health and education.</i>	✓
<i>Providing and maintaining a range of community programs focused on community development, recreation, culture, environment, education and other issues.</i>	The proposed rezoning will provide additional residential allotments within the Shire thereby further justifying the provision and maintenance of these facilities, programs and services.
<i>Providing recurrent funding for community support and development services.</i>	Appropriate contributions will also be collected through the future subdivision to aid in maintaining and improving these facilities/services.
<i>Promoting community facilities to help maximise their benefits and use.</i>	
<i>Balance the varying provision of facilities and amenities between towns/suburbs to enhance the quality of life in the Shire.</i>	
<i>Maximise the access to, and potential for, new and existing facilities/infrastructure to support growth.</i>	
<b>OBJECTIVE 4: Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.</b>	
<b>Achieved by:</b>	<b>Meets</b>
<i>Preserving threatened and endangered species as well as ecological communities and biodiversity.</i>	✓
<i>Expanding and continuing programs focused on restoring degraded natural areas in our community.</i>	Regionally significant corridors have been preserved through the proposed rezoning through the incorporation of appropriate environmental zones. Additional ecological studies will be undertaken following the
<i>Ensuring all development areas create or</i>	





<i>maintain tree covered ridgelines and waterways.</i>	gateway determination.
<i>Developing and implementing strategies to reduce the Shire's Environmental Footprint.</i>	
<b>OBJECTIVE 5: There will be a sense of community ownership of the natural environment through direct public involvement with environmental programs.</b>	
The methods of achieving this objective are mainly Council based programs and initiatives which whilst the proposed rezoning will not directly impact, will aid in the justification of these services.	
<b>OBJECTIVE 6: There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.</b>	
The proposed rezoning will have a significant positive impact upon this through construction based employment and additional business demand.	
<b>OBJECTIVE 7: Information communication technology will be consistent with world's best practice and adaptive to technological advances across all sectors.</b>	
N/A	
<b>OBJECTIVE 8: The community will be well educated, innovative and creative. People will attain full knowledge potential at all stages of life.</b>	
The methods of achieving this objective are mainly Council based programs and initiatives which whilst the proposed rezoning will not directly impact, will aid in the justification of these services.	

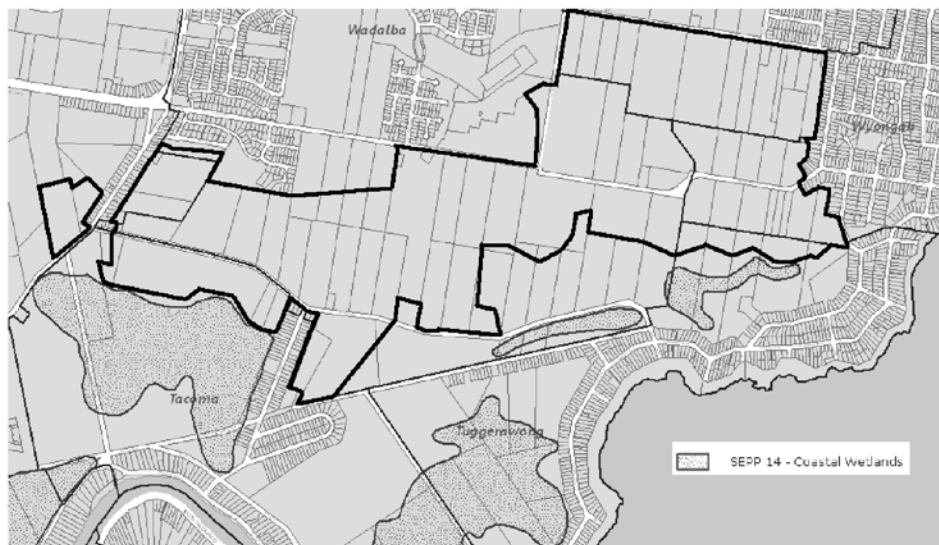
Taking the above into consideration, the proposed rezoning is considered to be consistent with the Wyong Shire Community Strategic Plan (2030).

~~Is the planning proposal consistent with applicable state environmental planning policies?~~

**State Environmental Planning Policy No. 14 – Coastal Wetlands**

The aim of SEPP 14 is to ensure coastal wetlands are preserved and protected for environmental and economic reasons. The SEPP requires the concurrence of the Director for any development which will clear land, construct a levee, drain or fill land within a coastal wetland.

The site does not contain any identified SEPP 14 Wetlands, however is located within close proximity to some areas to the south (see Figure 8). Investigation into the effects upon these areas through offsite impacts of future development would need to be explored within the Development Assessment process.



**Figure 8** – SEPP 14 – Coastal Wetlands Map

#### **State Environmental Planning Policy No. 26 – Littoral Rainforest**

The site does not contain any identified Littoral Rainforest.

#### **State Environmental Planning Policy No. 44 – Koala Habitat Protection**

This policy applies to the Wyong LGA and encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range.

Following the gateway determination, to address SEPP 44, further investigations into the likely amount of disturbed vegetation would be undertaken to determine the effect, if any, upon koala habitat and feed trees. Despite this, all ecological corridor areas identified within the NWSSP have been accounted for and identified as being appropriate for environmental zoning.

#### **State Environmental Planning Policy No. 55 – Remediation of Land**

SEPP 55 provides that Council shall not rezone land which provides for a change in use unless they have considered whether the land is contaminated, and if so whether it is satisfied that the land is or will be suitable in its contaminated state for all the intended purposes under the new zone.

Following the gateway determination, to address SEPP 55, a Contaminated lands assessment will be undertaken by a suitable qualified geotechnical engineer who will review site history and undertake necessary fieldwork to establish the potential risk of site contamination resulting from past activities. The report will identify and provide



advice on the necessary measures to remediate the site if required.

### State Environmental Planning Policy No. 71 – Coastal Protection

The subject site is located within the "coastal zone" (i.e. one kilometre from the coast or a coastal estuary as indicated on the adopted maps) and is therefore subject to the provisions of SEPP 71. In accordance with Clause 7 of the SEPP, Council is required to have regard to the matters for consideration identified under Clause 8 when preparing a Draft Local Environmental Plan.

The following table addresses the principles and matters for consideration within the SEPP relevant to the subject rezoning and where not already addressed within this discussion paper:

SEPP 71	
CLAUSE 8	
Matters for Consideration	
<i>(a) The aims of the Policy</i>	
	The proposal is compliant with the objectives of the Policy in terms of protection of the coastal zone and environment.
<i>(b) Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved.</i>	
	The subject site will have no impact on existing public access to the foreshore.
<i>(c) Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.</i>	
	Given the location of the site, there are no opportunities to provide additional public access to the foreshore.
<i>(d) The suitability of development given its type, location and design and its relationship with the surrounding area.</i>	
	The proposed rezoning will facilitate the creation of allotments that are consistent with the size and character of surrounding allotments along Tuggerah Lake. Further regard to sensitive dwellings design, bulk and scale would be undertaken within the Development Assessment phase.
<i>(e) Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.</i>	
	Future dwellings on the land will not result in any overshadowing of the foreshore nor result in any loss of views given the low scale of residential development envisaged.
<i>(f) The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.</i>	
	The subject site is located a significant distance from the coastline such that the future development would not result in any adverse impact on the scenic quality of the coast.
<i>(k) Measures to reduce the potential for conflict between land-based and water-based coastal activities.</i>	
	The subject proposal and future development will have no impact on water-based coastal activities.



Taking the above into consideration, the subject rezoning is deemed consistent with SEPP 71.

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

The following table addresses the Section 117 Directions which are applicable to the subject site and its proposed use:

SECTION 117 DIRECTIONS	
<b>1. EMPLOYMENT AND RESOURCES</b>	
<b>1.1 Business and Industrial Zones</b>	
N/A	
<b>1.2 Rural Zones</b>	
N/A	
<b>1.3 Mining, Petroleum Production and Extractive Industries</b>	
N/A	
<b>1.4 Oyster Aquaculture</b>	
N/A	
<b>1.5 Rural Lands</b>	
N/A	
<b>2. ENVIRONMENT AND HERITAGE</b>	
<b>2.1 Environment Protection Zones</b>	
N/A	
The proposed rezoning will not affect any existing environmental zones, with proposed environmental zones being located over identified corridors within the NWSSP.	
<b>2.2 Coastal Protection</b>	
Application of Direction	Complies?
<i>This direction applies to land in the coastal zone.</i> <b>Objective</b> <i>(1) The objective of this direction is to implement the principles in the NSW Coastal Policy.</i>	✓ The site is within the NSW Coastal Zone; however all relevant requirements will be addressed within the DLEP and do not need to be addressed by the rezoning of a single area.
<b>2.3 Heritage Conservation</b>	
<b>Objective</b> <i>(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	As discussed above, the site is identified as containing at least two sites of Aboriginal significance and one European local heritage item.



	Following the gateway determination Aboriginal archaeological and European heritage investigations will be undertaken to ensure future development will conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance .
<b>2.4 Recreation Vehicle Areas</b>	
N/A	
<b>3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT</b>	
<b>3.1 Residential Zones</b>	
<b>Application of Direction</b>	<b>Complies?</b>
<p><b>Objectives</b></p> <p><i>(1) The objectives of this direction are:</i></p> <p><i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i></p> <p><i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i></p> <p><i>(c) to minimise the impact of residential development on the environment and resource lands.</i></p> <p><b>What a relevant planning authority must do</b></p> <p><b>When this direction applies</b></p> <p><i>(4) A planning proposal must include provisions that encourage the provision of housing that will:</i></p> <p><i>(a) broaden the choice of building types and locations available in the housing market, and</i></p> <p><i>(b) make more efficient use of existing infrastructure and services, and</i></p> <p><i>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p> <p><i>(d) be of good design.</i></p> <p><i>(5) A planning proposal must, in relation to land to which this direction applies:</i></p> <p><i>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i></p>	<p style="text-align: center;">✓</p> <p>This direction applies to the Wyong Shire LGA and to this planning proposal given that it requests an amendment to allow residential development within an existing investigation zone.</p> <p>As discussed above, the proposal will allow for the creation of a variety of different lot sizes accommodating for a broad share of the market.</p> <p>The area is located within an area which has been long identified as being suitable for residential development.</p> <p>The area has access to existing perimeter infrastructure with investigations and costing into upgrades and extensions to occur following the gateway determination.</p> <p>Taking the above into consideration, the proposal is consistent with the objectives of this direction.</p>



<i>(b) not contain provisions which will reduce the permissible residential density of land.</i>	
<b>3.2 Caravan Parks and Manufactured Home Estates</b>	
N/A	
<b>3.3 Home Occupations</b>	
N/A	
<b>3.4 Integrating Land Use and Transport</b>	
<b>Application of Direction</b>	<b>Complies?</b>
<b>Objective</b> <i>1. The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i> <i>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</i> <i>(b) increasing the choice of available transport and reducing dependence on cars, and</i> <i>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i> <i>(d) supporting the efficient and viable operation of public transport services, and</i> <i>(e) providing for the efficient movement of freight.</i>	<p style="text-align: center;">✓</p> <p>The subject site is located within an area which has access to numerous bus routes, the Northern railway as well as the Pacific Highway and F3 Freeway. The site is considered to be ideally positioned to take advantage of this existing infrastructure with further investigations into any additional required infrastructure to be undertaken following the gateway determination.</p> <p>The site has been identified as being suitable for further residential growth within numerous local and regional strategies and is therefore considered to meet the objectives of this direction.</p>
<b>3.5 Development Near Licensed Aerodromes</b>	
N/A	
<b>3.6 Shooting Ranges</b>	
N/A	
<b>4. HAZARD AND RISK</b>	
<b>4.1 Acid Sulfate Soils</b>	
<b>Objective</b> <i>(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i>	<p style="text-align: center;">✓</p> <p>The area contains mainly class 5 lands with class 2 adjoining. Development will not require ground water drainage to proceed or significant works in the adjoining class 2 lands. Furthermore, the DLEP provides standards controls for dealing with acid sulphate soils.</p>
<b>4.2 Mine Subsidence and Unstable Land</b>	



Application of Direction	Complies?
<p><b>Objective</b>  <i>(1) The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.</i></p> <p><b>What a relevant planning authority must do if this direction applies</b>  <i>(4) When preparing a planning proposal that would permit development on land that is within a Mine Subsidence District a relevant planning authority must:</i>  <i>(b) incorporate provisions into the draft Local Environmental Plan that are consistent with the recommended scale, density and type of development recommended under (4)(a)(ii), and</i>  <i>(5) A planning proposal must not permit development on unstable land referred to in paragraph 3(b).</i></p>	<p style="text-align: center;">✓</p> <p>This direction applies to this rezoning given that it is located within the Swansea North Entrance Mine Subsidence Area. Correspondence from the Mine Subsidence Board has confirmed mining/subsidence is not a constraint to the investigation area.</p> <p>Taking the above into consideration, the proposal is consistent with the objectives of this direction.</p>
<b>4.3 Flood Prone Land</b>	
<p><b>Objective</b>  <i>(1) The objectives of this direction are:</i>  <i>(a) 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</i>  <i>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</i></p>	<p style="text-align: center;">✓</p> <p>The proposed rezoning has taken into account existing flood prone land and provides a Concept Masterplan which avoids these areas.</p> <p>Further investigations in this regard will occur following the gateway determination.</p> <p>Taking the above into consideration, the proposal is consistent with the objectives of this direction.</p>
<b>4.4 Planning for Bushfire Protection</b>	
Application of Direction	Complies?
<p><b>Objectives</b>  <i>1. The objectives of this direction are:</i>  <i>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</i>  <i>(b) to encourage sound management of bush fire prone areas.</i></p>	<p style="text-align: center;">✓</p> <p>This direction applies to this rezoning given that the site is partly located within a bushfire prone area as identified within Council's maps.</p> <p>An assessment of the proposal against Planning for Bushfire Protection 2006, and other relevant guidelines will be required as master plans of the site are developed.</p>



5. REGIONAL PLANNING	
<b>5.1 Implementation of Regional Strategies</b>	
Application of Direction	Complies?
<b>Objective</b> 1. The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies.	<div style="text-align: center;">✓</div> <p>The proposal is consistent with the vision and objectives of the CCRS and NWSSP and is an area which has long been identified as being suitable for growth. The proposal also takes into account important environmental corridors through the adoption of conservation zoning.</p> <p>For the above reasons it is considered that the planning proposal is consistent with the objectives of this direction.</p>
<b>5.2 Sydney Drinking Water Catchment</b>	
N/A	
<b>5.3 Farmland of State and Regional Significance on the NSW Far North Coast</b>	
N/A	
<b>5.4 Commercial and retail Development Along the Pacific Highway North Coast</b>	
N/A	
<b>5.8 Second Sydney Airport: Badgerys Creek</b>	
N/A	
6. LOCAL PLAN MAKING	
<b>6.1 Approval and Referral Requirements</b>	
To be considered by Council	
<b>6.2 Reserving Land for Public Purposes</b>	
N/A	
<b>6.3 Site Specific Provisions</b>	
N/A	

#### Section C – Environmental, social and economic impact.

~~Is there any Wetland, Water, critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?~~

The site is not declared or partly declared critical habitat. Generally areas potentially supporting endangered ecological communities are proposed for conservation.





The presence or otherwise of threatened species and any management requirements will need to be explored following the gateway determination through further ecological investigations including an assessment of the extent of vegetation communities (including endangered ecological communities), the presence of threatened flora and fauna species, riparian areas and riparian management issues, corridors and connectivity of habitats, bushfire hazard assessment, possible open space/conservation areas, ecological management and biodiversity offset requirements. Investigations into Biodiversity Certification will also be explored and include detailed assessment of the biodiversity values within the Precinct and investigate measures to ensure both the protection of biodiversity as well as a level of certainty for future proponents within the precinct.

Taking the above into consideration, whilst further ecological investigations will be required through the preparation of the draft LEP; at this stage it is considered that the site on a broad scale presents as an ideal location for further growth in that it is relatively unconstrained in terms of ecological assets.

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

Appropriate mechanisms will be adopted within the future development of the site to ensure the protection and management of the biophysical environment in accordance with state and local policies. The following section provides a general overview of the site and the potential impacts of future development from an environmental standpoint.

### **Bushfire**

As mentioned previously, there are areas within the site classified as “bushfire prone land” under the bushfire maps adopted by Wyong Council. Future development would need to adopt appropriate APZs, with this considered achievable given the large nature of the site and the coordinated approach of the land holders.

An assessment of the proposal against Planning for Bushfire Protection 2006, and other relevant guidelines will be required as master plans of the site are developed.

Taking the above into consideration, despite the site being partly affected by bushfire prone land – this does not provide a barrier to future residential development.

### **Traffic, Access and Transport**

Access roads are in place but will require upgrading. The access links to services are provided by the existing road networks. Future traffic is likely to be dispersed in a



number of directions lessening the immediate impacts and upgrade requirements to the local road network.

Following the gateway determination, a roads, traffic and transport assessment of the local and Regional road network will be undertaken. The assessment will highlight potential infrastructure constraints to the development and identify in the broader context, areas within the existing road and transport network that may potentially constrain development timing for the site.

### **Flooding and Drainage**

#### Flooding

The proposed rezoning has taken into account existing flood prone land and has generally designated these areas within an environmental zone. Further investigations in this regard will occur following the gateway determination and include detailed review of existing flood modelling and reporting to determine its appropriateness for the assessment of the potential flooding affectation of the rezoning precinct.

#### Drainage

Following a gateway determination, stormwater management investigations will be undertaken and include a review of existing creeks and watercourses on the site and potential land loss due to riparian setback. Trunk drainage corridors would be identified and modelling undertaken to provide indicative sizes of the corridors. Due to the proximity of the site to Tuggerah Lake and sensitive wetlands, water quality management will be of critical importance. Modelling and indicative water quality treatment train requirements would also be undertaken.

### **Noise and Vibration**

Following a gateway determination a noise and vibration assessment will explore potential noise or vibration sources within the locality which may impact on the amenity of future residents. The assessment will also look at potential impacts to existing residents during construction and for the life of the development.

### **Acid Sulfate Soils**

Following a gateway determination, geological and geotechnical investigations will be undertaken to investigate the extent of acid sulphate soils in the area and the potential effect of these on future residential development.



**How has the planning proposal adequately addressed any social and economic effects?**

### **Housing Shortages**

Early release of the site will provide diversity in the residential market. It is intended that the proposed rezoning will provide a variety of lot sizes, generally ranging from small lots (200m<sup>2</sup> - 350 m<sup>2</sup>), with a majority in the 400 m<sup>2</sup> - 550 m<sup>2</sup> range, some larger lots and opportunity for appropriate medium density development.

It is anticipated that selling prices will be comparable to existing Wadalba land stock, with a price of vacant land \$160,000- \$170,000 and house land packages in the low \$300,000's. Home Buyers need to have choice when buying land to build their dream home: on lot size, shape, aspect, slope for house type variation and most important - location, convenience to certain facilities, schools, shopping centres, freeways, industrial areas etc - the proposed rezoning fills all of these criteria.

In addition to the above, early release will ensure future adequate supply of appropriately zoned and serviced residential land resulting in more stable land prices. Historically, supply of appropriate zoned and serviced land has been over-controlled, resulting in upward pressure on prices, particularly when the residential market 'heats up' – this evidenced by the pressure on land prices from 2003 to 2005.

It should be noted that available vacant land in the locality is limited with a large portion of appropriately zoned land being unavailable to the market for a number of reasons including:

- 'Land locked' parcels requiring adjacent development to occur before services become available;
- Willingness of the landowner to proceed and/or unrealistic expectations on land value;
- Zoned residential land unable to be developed due to site constraints– e.g. some land within the Wadlba Wildlife Corridor, low lying or flood prone land;
- Residential land occupied or intended for non residential uses e.g. – Wadalba Community School, land occupied by the Dam Hotel, land owned by a subsidiary of Woolworths Ltd, land utilised for major electricity substation, drainage easements etc.

### **Wyong Town Centre Revitalization**

Development of the land will provide a much needed boost to the ailing Wyong CBD which has been particularly affected through the development of Westfields Tuggerah and Lake Haven shopping centre.



Significant efforts to reinvigorate the CBD include the Wyong Civic and Cultural Precinct Master plan, the Art House, the new Regional Police headquarters and commuter carpark. The development of the subject site will support these initiatives and will also provide a significant economic injection to the broader region.

### **Employment Opportunities**

The site is ideally located to provide housing in areas with good access to existing urban areas and existing employment lands. The site is directly south of the North Wyong Industrial Estate and within close proximity to numerous centres and transport links.

In addition to the above, additional jobs would be facilitated through construction and trade related services, both at subdivision stage and subsequent dwelling construction.

### **Visual Impact**

The future development of the area would generally be in the form of low scale residential development similar to the northern Wadalba areas. The site is an ideal large-scale infill opportunity as the visual impact from development would be minimised given the surrounding built form visual environment.

### **Heritage and Archaeological Significance**

As discussed above, the site is identified as containing at least two sites of Aboriginal significance and one European local heritage item.

Following the gateway determination, Aboriginal archaeological investigations will be undertaken including an assessment of the cultural significance of the site involving a desktop review of relevant registers, community consultation and broad site assessments in accordance with *Aboriginal cultural heritage consultation requirements for proponents 2010*. A separate assessment will also be undertaken to assess items within site which have European cultural significance.

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

#### **Were adequate public infrastructure for the planning proposal?**

##### Sewer

A preliminary review of the existing sewer infrastructure and the proposed requirements has been carried out through review of current Development Servicing Plans ("DSP's"), previous developments in the area, and a meeting with Council's



Infrastructure Manager, Mr Intesar Naoum. From this desktop investigation, it appears there is currently minimal sewer infrastructure in the development area; however there has been forecast development as detailed in the current DSP's.

A brief sewer investigation confirmed the feasibility of a sewer system in the development area. Importantly, Council confirmed that the downstream sewer system has been designed for higher flows from this area, negating the need for overbearing development costs. Council has made it clear that any infrastructure would need to be constructed and paid for by developers (with probable rebates applied to contributions).

It is anticipated a minimum of three sewer pumping stations will be required to service the area, with associated gravity and rising mains as shown on the preliminary sewer system design drawings located within **Appendix 6**.

#### Water

Significant potable water infrastructure exists around the area with additional smaller pipe systems to be constructed and paid by the developer to facilitate the servicing of the properties.

The existing infrastructure includes three large reservoirs and two large diameter pipelines traversing Johns Rd. The development site is well situated topographically, being well below the reservoirs and relatively gently sloped.

Council has forecast the installation of one loop of 200mm diameter water main (DSP 7A) in the area, and the addition of further ring mains should be sufficient to service the properties. Council has indicated there is sufficient capacity in the existing system to service the proposed development. A preliminary design of a water system to supply the proposed development is shown on water design drawings located within **Appendix 6**.

#### Electricity

Preliminary discussions have been held with the local energy provider, Ausgrid, regarding the potential for servicing the proposed development with electricity infrastructure. Ausgrid representatives confirmed that due to the rural nature of the current area and therefore sparse population, the existing electrical infrastructure is minimal. Substantial upgrades of the electricity system would be required (as with any residential development), however it is understood that the surrounding electricity grid can support the additional load from the proposed development with the upgrade to the new infrastructure.

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



As discussed above, the Minister for Planning and Infrastructure is supportive of the proposed rezoning as evidenced through the adoption of the site as a Potential Home Sites. Various discussions with Council and DoPI were undertaken prior to and since this announcement and on-going discussions will continue to occur in this regard and will include discussions with Roads and Maritime Services and other interested authorities.

### **3.4 PART 4 – COMMUNITY CONSULTATION**

In accordance with Section 57 (2) of the Environmental Planning and Assessment Act 1979, this planning proposal must be approved prior to community consultation being undertaken by the local authority.



## 4.0 summary

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The proposal is consistent with the intentions of the Central Coast Regional Strategy and the North Wyong Shire Structure Plan and will provide for the release of between 1710 to 2050 lot of a variety of different sizes.

The site ideally located for an urban land release with the site located close to the Wyong town centre, rail and civic hub, close to the Wadalba town centre and in close proximity to the recreational opportunities of Tuggerah Lake and Coastal beaches.

The land is largely unconstrained being semi rural occupied by housing at very low densities. The land is almost fully cleared, apart from the conservation corridor, and is unlikely to have residual conservation values. The major constraints of the site are the conservation corridor and flooding with a small area containing slopes in excess of 20% - these all having been accommodated within the proposed zone map and Concept Masterplan.

In summary the subject land is considered appropriate for the proposed rezoning for the following reasons:

- It has been strategically identified for residential release at a State, Regional and local level;
- Will provide approximately 182 ha of constraints free land;
- Has access to established road connections;
- Lead in infrastructure is completed;
- The location is more infill than greenfields due to nearby services;
- Within close proximity to a full range of community facilities and recreational opportunities;
- Within close proximity to a range of facilities of regional standard;
- Has the capacity to both support and benefit from the nearby Wyong civic hub;
- Has ready access to rail with Wyong station less than three km from the area containing all day parking; and
- Will provide a much needed boost to the ailing Wyong CBD.

Taking the above into consideration, Council is asked to support the subject Planning Proposal to allow for the speedy delivery of additional residential allotments within the Shire.

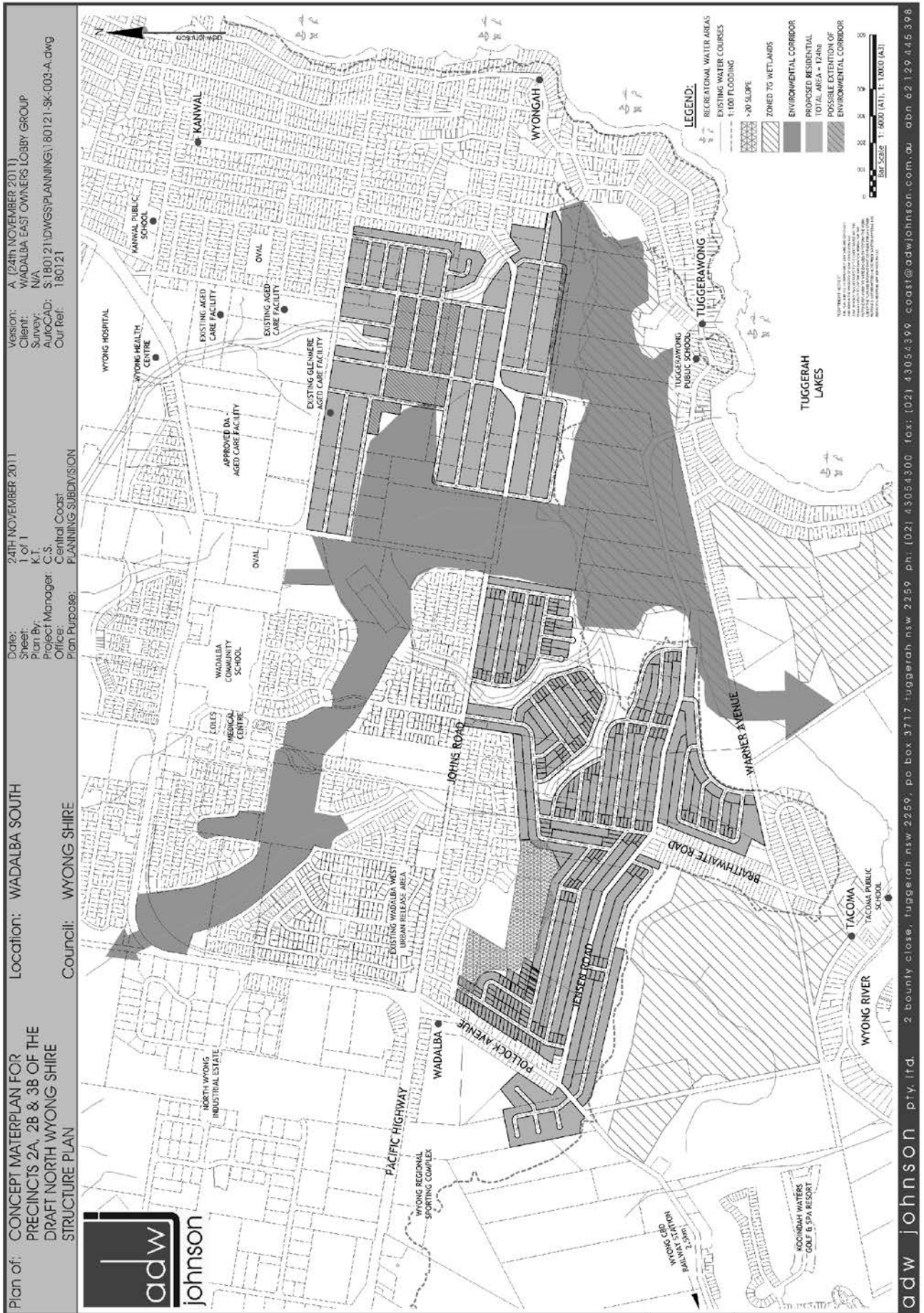


appendix 1

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Concept Masterplan



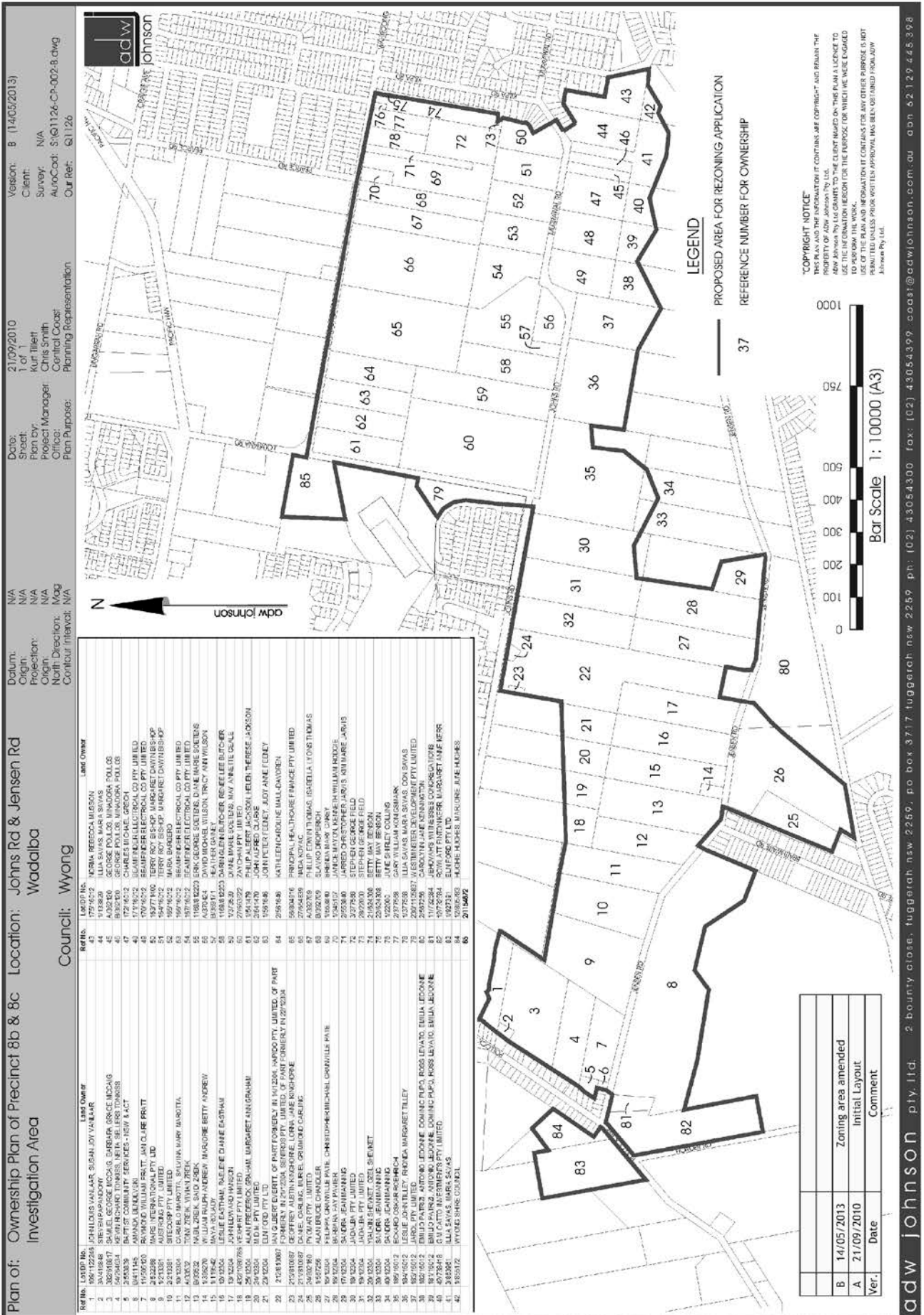




appendix 2

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Ownership Plan



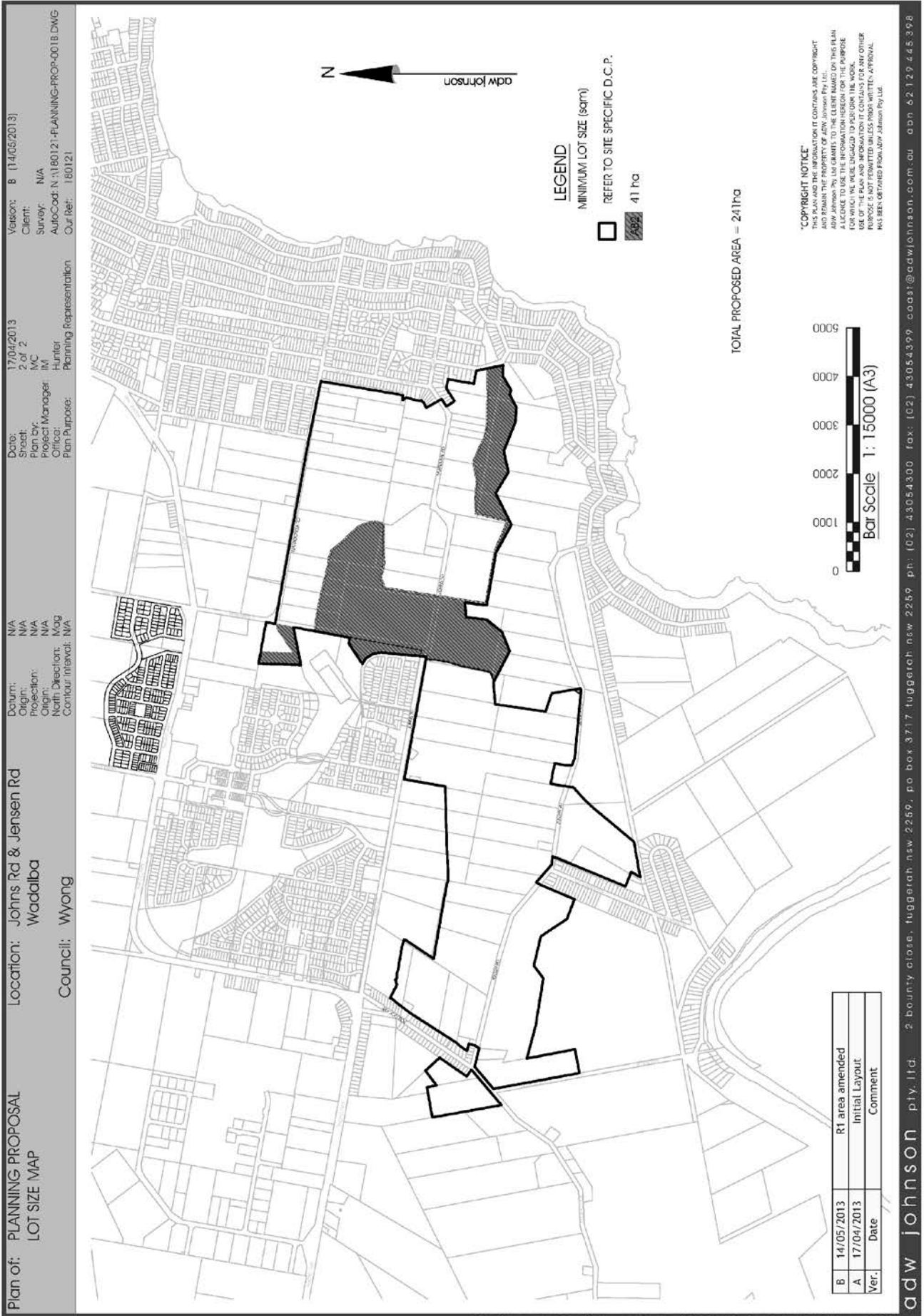


appendix 3

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Proposed Rezoning and Lot Size Plan







appendix 4

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Constraints Map









appendix 5

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Mine Subsidence Board Correspondence

## Attachment 4

In reply please send to:

Our reference:

Your reference:

Contact:

FN10-26109W1  
FN86/61W (12)ADW JOHNSON  
PO BOX 3717  
TUGGERAH  
NSW 2259

18 November 2010

Attention Mr. Chris Smith

ENQUIRY NO. TENQ10-06317W1  
Wadalba South Residential Investigation Area

The Department of Planning currently has the North Wyong Shire Structure Plan on exhibition, for comment. The area detailed in your submission forms part of the structure plan, being Precincts 2A, 2B and 3B. Development of these areas has been determined as medium term, before 2020.

The Mine Subsidence Board has no objection to this proposal and would envisage similar surface development controls as set for the current Wadalba development areas.

The Investigation Area is located at the southern boundary of the Swansea / North Entrance Mine Subsidence District. The majority of the area is located outside the southern boundary of the Munmorah Colliery Lease.

The Mine Subsidence Board has no current information on the coal reserves in this area. There is currently no access to this coal reserve. If mining was proposed for this area, it would well into the future.

Yours faithfully

Tom Hole  
District Manager**NEWCASTLE**

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**WYONG**

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**24 Hour  
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Free Call 1800 248 083

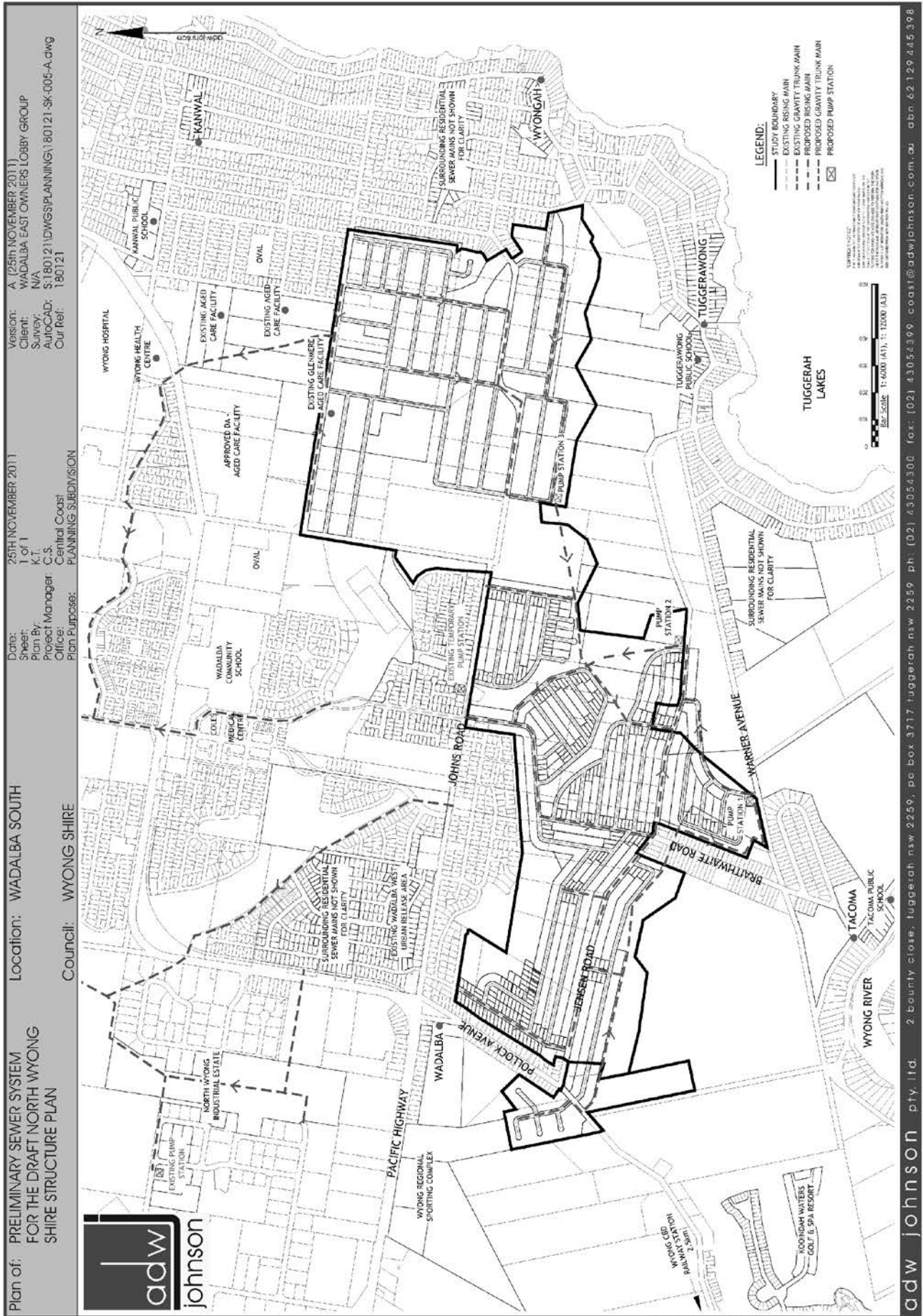
Standard (Auto) Enquiries



appendix 6

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Concept Water and Sewer Plans



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