

Wyong Shire Council Report on Land Reclassification Submissions version 0.3 01 May 2013

contains and facilitates existing drainage infrastructure where operational classification is more suitable.

Recommendation – continue with reclassification to operational.



24. 1 Teralba Street, Ourimbah (Lot 104 DP 876413) [CEN]

Area (sqm)	43470
Current Zoning LEP 1991	7(a) Conservation
Proposed Zoning LEP 2012	E2 Environmental Conservation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification. Environmental zoned land is valuable for Council to explore potential bio banking and offsetting opportunities not available under community classification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh, recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs. Furthermore, it was recommended that any proposal to gain capital value from this site, or a portion of it, for community benefit would need to be better established and require further public engagement.

Whilst there may be existence of EEC's and other threatened and endangered species on the property proposed for land reclassification, this is not of itself sufficient grounds to remove them from the proposed land reclassification list. The classification of land has not been identified as a means for achieving sustainability objectives including protection of EECs,

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threatened species and native vegetation generally. Compliance with conservation objectives is based on zonings not classification. The property contains and facilitates existing drainage infrastructure where operational classification is more suitable.

Recommendation – continue with reclassification to operational.



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25. 1 Pacific Highway, Ourimbah (Lot 34 DP 1001053) [CEN]

Area (sqm)	17710
Current Zoning LEP 1991	5(a) Special Uses, 2(b) Multiple Dwelling Residential
Proposed Zoning LEP 2012	RE1 Public Recreation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh, recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs. Furthermore, it was recommended that any proposal to gain capital value from this site, or a portion of it, for community benefit would need to be better established and require further public engagement.

Whilst there may be existence of EEC's and other threatened and endangered species on the property proposed for land reclassification, this is not of itself sufficient grounds to remove them from the proposed land reclassification list. The classification of land has not been identified as a means for achieving sustainability objectives including protection of EECs, threatened species and native vegetation generally. Compliance with conservation objectives is

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based on zonings not classification. The property contains and facilitates existing drainage infrastructure where operational classification is more suitable.

Recommendation – continue with reclassification to operational.



26. 1-3 Berkeley Road, Glenning Valley - Berkeley Sports Complex (Lots 7&8 DP 729013) [CEN]

Area (sqm)	29865
Current Zoning LEP 1991	1(c) Non Urban Constrained Lands
Proposed Zoning LEP 2012	RE1 Public Recreation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh, recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs. Furthermore, it was recommended that any proposal to gain capital value from this site, or a portion of it, for community benefit would need to be better established and require further public engagement.

The decision to reclassify is for the purposes of improving sewer main infrastructure servicing by Council's Infrastructure Management teams.

Recommendation – continue with reclassification to operational.

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27. Chittaway Point Hall 72-76 Geoffery Road, Chittaway Point (Lots 31,32&33 DP 9463) [CEN]

Area (sqm)	5349.3
Current Zoning LEP 1991	6(a) Open Space and Recreation
Proposed Zoning LEP 2012	RE1 Public Recreation

Comment

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Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh, recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplined staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs. Furthermore, On the face of it, this site presents as a local park and community hall, with strong links, or potential for strong links to the local community. Any proposal to gain capital value from this site, or a portion of it, for community benefit would need to be better established and require further public engagement.

Recommendation – continue with reclassification to operational.

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28. Chittaway Bay Hall & Oval 91 Chittaway Road, Chittaway Bay (Lot 79 DP 705573) [CEN]

Area (sqm)	17990
Current Zoning LEP 1991	6(a) Open Space and Recreation
Proposed Zoning LEP 2012	RE1 Public Recreation, E2 Environmental Conservation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh, recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs. Furthermore, On the face of it, this site presents as a local park and community hall, with strong links, or potential for strong links to the local community. Any proposal to gain capital value from this site, or a portion of it, for community benefit would need to be better established and require further public engagement.

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29. 29W Karangal Crescent, Buff Point (Lot 68 DP 713835) [CEN]

Area (sqm)	1407
Current Zoning LEP 1991	6(a) Open Space and Recreation
Proposed Zoning LEP 2012	RE1 Public Recreation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs.

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30. Tom Stone Care & Education 19-21 Keren Avenue, Berkeley Vale (Lot 10 DP 729014, Lot 3D DP 360650) [CEN]

Area (sqm)	15623
Current Zoning LEP 1991	6(a) Open Space and Recreation
Proposed Zoning LEP 2012	RE1 Public Recreation and E2 Environmental Conservation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification. Environmental zoned land is valuable for Council to explore potential bio banking and offsetting opportunities not available under community classification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. "This is one of the reclassification sites which have extensive bushland. A submission which went to considerable efforts to analyse this question indicated that there was evidence to suggest this site included EEC. The identification of EEC does not mean the site is unable to be reclassified, but does mean this question should be considered in the decision for reclassification.

Recommendation – continue with reclassification to operational.

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31. Berkeley Vale Pre-School 26 Kareelah Avenue, Berkeley Vale (Lot 1 DP 788563) [CEN]

(Note: Property is not proposed for reclassification)



32. 8 Sherry Street, Bateau Bay (Lot 49 DP 771256) [CEN]

Area (sqm)	3922
Current Zoning LEP 1991	6(a) Open Space and Recreation
Proposed Zoning LEP 2012	R1 General Residential

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Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

The property contains a sewer line and pump station. The site has been used for storage and satellite works area by the outdoor staff from time to time and is currently in a degraded state. Land adjoining the subject site is currently zoned 2(b) (Multiple Dwelling Residential Zone) and is intended to be zoned R1 General Residential under draft Wyong LEP 2012.

Reclassification and rezoning will permit residential flat buildings and other housing opportunities to be explored.

Recommendation – continue with reclassification to operational.



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33. 70W Chelmsford Road, Lake Haven (Lot 11 DP 814394) [CEN]

Area (sqm)	2838
Current Zoning LEP 1991	3(a) Business Centre
Proposed Zoning LEP 2012	B2 Local Centre

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

The submission may have confused Council intentions for the carpark with those for the sports ground due to the common address. The two sites provide good examples of the potential

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benefits of reclassification. Council is currently exploring potential development project on the site, which will benefit from increased flexibility of operational classification.

As the use of the sportsground, detention basin and recreation complex are likely to be facilitated there is no reason to retain a community classification.

There is no need clear benefit of a community classification for a sealed carpark on Council's own parcel of land.

Recommendation – continue with reclassification to operational.



34. 27W Irene Parade, Noraville (Lot 15 Sec D DP 25692, Lot 8 Sec D DP 25957) [CEN]

Area (sqm)	25000
Current Zoning LEP 1991	6(a) Open Space and Recreation
Proposed Zoning LEP 2012	RE1 Public Recreation

Comment

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35. 7W Sir Joseph Banks Drive, Bateau Bay (Lots 281,282&283 DP 875780) [CEN]

Area (sqm)	266450
Current Zoning LEP 1991	5(a) Special Uses, 7(a) Conservation, 7(g) Wetlands Management; and 6(a) Open Space and Recreation
Proposed Zoning LEP 2012	E2 Environmental Conservation and RE1 Public Recreation

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification. Environmental zoned land is valuable for Council to explore potential bio banking and offsetting opportunities not available under community classification.

The reclassification of the property will allow Council to explore development opportunities with Cresthaven Shopping Centre. The reclassification will not affect possible EECs on the property or the use of use of the oval for recreational purposes. Options to subdivide the property should include separating a portion of the property adjoining the shopping centre and the oval and the remaining larger parcel could be reclassified back to community land via a Council resolution.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs

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Recommendation – continue with reclassification to operational

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36. 2W Bundeena Road, Glenning Valley (Lot 105 DP 805181) [CEN]

Area (sqm)	70340
Current Zoning LEP 1991	1(c) Non Urban Constrained Lands and 7(g) Wetlands Management
Proposed Zoning LEP 2012	E2 Environmental Conservation and E3 Environmental Management

Comment

The property was identified as part of the submission made by Community Environment Network (CEN). The submission did not provide site specific reasons against reclassification however highlighted the loss of endangered ecological communities (EECs), community access to walking tracks, parks, facilities, potential sale of the properties as reasons for opposing reclassification.

Environmental zoned land is valuable for Council for exploring bio banking and offsetting opportunities not available under community classification.

Note: The report on LEP Public Hearing prepared for Council by appointed independent chairperson Peter Walsh recommended that the property retain community classification for the purposes of consideration of the existence of EECs in the context of land reclassification. A multidisciplinary staff panel would review the suitability of reclassification proposals. The report from the chair did not strictly oppose reclassifying land which contains EECs.

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37. 30W Sandra Street, Jilliby (Lot 8 DP 825848) [CEN]

Area (sqm)	24000
Current Zoning LEP 1991	7(c) Scenic Protection Small Holdings and 7(a) Conservation
Proposed Zoning LEP 2012	E2 Environmental Conservation

Comment

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