

Tuggerah Town Centre

Planning Report

DRAFT



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Executive Summary

In 2009, the former Minister for Planning & Infrastructure requested a State Significant Site Study be prepared for the Westfield Tuggerah shopping centre and adjacent site, known as the “Gateway” site.

Consequently in 2013, the rezoning of these sites under Wyong LEP 2013 was identified as a Deferred Matter, pending the resolution of a number of issues by the Department of Planning & Environment (the Department).

Since 2009, The Department has been considering a proposal for commercial and retail development on part of the Gateway site in the context of longer term development of the Tuggerah town centre.

The Planning Report assesses the proposal as being consistent with the Central Coast Regional Strategy and the Wyong Shire Retail Centres Strategy. In particular, the proposal will encourage investment in the Tuggerah-Wyong Major Centre and new local employment opportunities. This is important as the Region’s population is also expected to grow by around 80,000 by 2031.

The proposal will allow for an additional 30,000m² of commercial floor space, including bulky goods outlets, with extensive on-site parking on part of the Gateway site. Planning issues relating to the proposal have been assessed. In particular, the impacts and management of drainage; traffic and access; and ecology have been addressed in the report.

Drainage will be managed on the Gateway site with the aim to contain flows to pre-development levels. Various measures including a detention basin, bioretention basin and riparian corridor will be used to manage impacts of development on part of this site.

Traffic and access has been assessed and the proposal is expected to generate increased traffic on the local major roads. The intersection of Wyong Road and Tonkiss Street will need to be upgraded to manage increased traffic flows generated by the proposed commercial development on the Gateway site. A Planning Agreement will ensure funding for this upgrade, which is expected to cost \$15 million.

The ecology impacts have been assessed in an Ecological Impact Statement that includes both the Gateway and existing shopping centre sites. The proposed Environmental Conservation areas will ensure that high value vegetation and habitats are conserved and managed in the future and allow for other development to be considered on the remainder of these sites in the future.

The proposal will be implemented by amending Wyong LEP 1991 and Wyong LEP 2013. This will enable the early stages of development on the Gateway site to proceed. Council may consider later stages of development on the remainder of the Gateway site and elsewhere in the Tuggerah-Wyong Major Centre in time.

1 Introduction

1.1 Background

In January 2009, the Minister declared the Tuggerah town centre a potential State Significant Site (SSS). The Department of Planning was directed to commence preparing a study to determine how the town centre could develop in a way that would assist with the delivery of jobs and housing targets for Wyong Shire over the next 25 years.

The study area included the Gateway site and the existing Westfield shopping centre site as well as the area between the shopping centre and either side of the northern railway line. The site is an integral part of the Tuggerah-Wyong Major Centre and contributes to the growth of this centre. The proposed development of the Gateway site included proposals for retail, in particular bulky goods, mixed retail and residential development.

The Central Coast Regional Strategy identifies Tuggerah-Wyong as the only Major Centre in Wyong, with a development target of 4,000 new dwellings and 5,500 new jobs by 2031.

Wyong Council has completed various planning strategies, an updated planning instrument and guidelines that relate to the future of the Tuggerah-Wyong centre, including:-

1. Wyong Shire Retail Centres Strategy 2013;
2. Wyong LEP 2013; and
3. Wyong DCP 2013.

The relationship of these to the Gateway site and the existing Westfield shopping centre at Tuggerah are outlined in more detail in Section 3.

Development on the Gateway site is expected to be staged in line with the progressive growth of the town centre. The early stage is expected to include retail development, in particular bulky goods outlets. A Mixed Use zone is intended to provide flexibility to enable the transition from the commercial development on the adjacent Westfield shopping centre to possible residential and other urban uses at a later stage on the remainder of the Gateway site.

1.2 Purpose of this Report

This report reviews the proposed development in the Tuggerah-Wyong Major Centre that will initially provide additional employment opportunities for this community and also enable residential development in the longer term.

The report assesses the proposed development at Tuggerah on the sites that were deferred in Wyong LEP 2013 as shown at Figure 1.

Tuggerah site



Figure 1. Gateway site and Westfield shopping centre at Tuggerah

The sites were deferred from the Wyong LEP 2013 to allow resolution of outstanding matters relating to both of the sites. Under the deferral these sites retained their existing land use zoning under Wyong LEP 1991. Key issues are the consideration of natural vegetation areas on the sites, and consideration of a contribution to the upgrade of major road infrastructure as a consequence of planned development on the Gateway site. The deferred area is shown at Figure 2.

Wyong LEP 2013

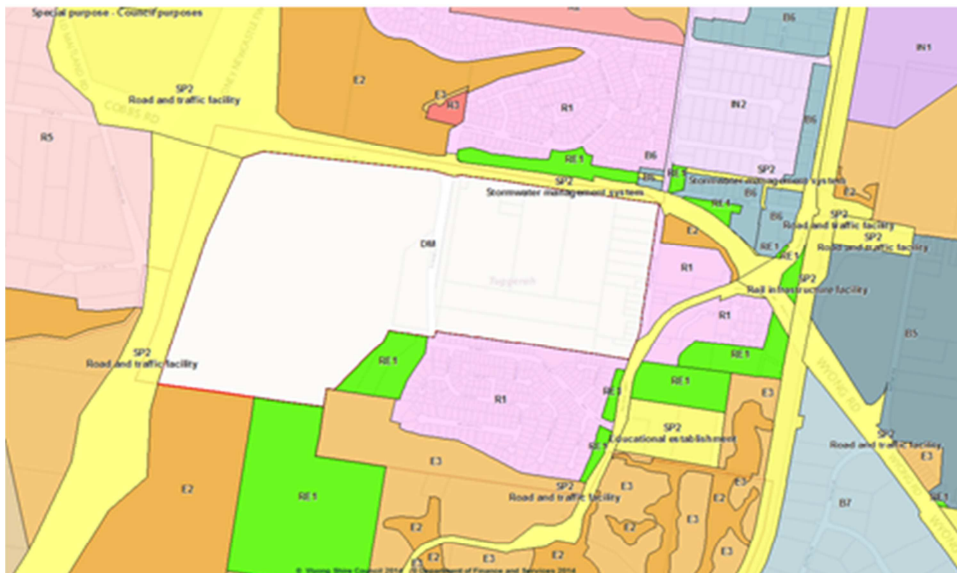


Figure 2. Extract from Wyong LEP 2013 Zoning Map showing deferred area in white

The report proposes to rezone these sites so that future development is subject to the same planning controls and is consistent with the new zones in Wyong LEP 2013.

2 Planning Context

2.1 Location

Tuggerah is located in the Central Coast Region of NSW, within the Wyong Shire Local Government Area. It is approximately 110 kilometres north of Sydney and 65 kilometres south of Newcastle. The F3 Sydney to Newcastle Freeway defines the western edge of the sites at Tuggerah and provides regional access to the centre via the Wyong Road interchange. Wyong Road provides the main east–west transport route between the Freeway and Wyong and other coastal suburbs in the Shire. The Pacific Highway provides an alternative regional access for north-south traffic between Lake Macquarie and Gosford. To the east of the Pacific Highway is the main northern railway with a station at Tuggerah.

Employment and retail land uses are dispersed, with Westfield shopping centre to the west of the railway and Pacific Highway. The Supa Centa is located to the east of the railway and these two sites provide the major retail and bulky goods shopping destinations respectively in Tuggerah. Tuggerah Straight is located to the north of Wyong Road and provides light industrial and supporting retail uses along the Pacific Highway towards Wyong.

Tuggerah Business Park is located to the south-east of the railway and south of the Supa Centa. This area provides office space and warehousing facilities. These areas are shown at Figure 3.



Figure 3 Area surrounding the site at Tuggerah (Source: Google Earth)

2.2 Site Description

The Gateway site is located at the western entrance to Tuggerah and is adjacent to the F3 Freeway at the Wyong Road interchange. It is a 40 hectares site currently used for grazing cattle. The site slopes generally from south towards Wyong Road. There is a substantial amount of landfill along the northern part of the site and the main drainage course is also located in this part of the site. Most of the site has been cleared of former vegetation for grazing, however, there are remnant stands of vegetation on parts of the site as shown at Figures 4 and 5.



Figure 4. Most of the Gateway site has been cleared and is used for grazing cattle.



Figure 5. Remnant parcels of vegetation on the gateway site

The existing Westfield Tuggerah shopping centre is located to the east of the Gateway site and to the south of Wyong Road. The site is approximately 28 hectares and contains a large retail outlet with extensive parking facilities at grade, incorporated in the development, as shown in Figure 6.



Figure 6. Westfield shopping centre and parking area at Tuggerah

The area of the site to the south has extensive areas of vegetation shown at Figure 7.



Figure 7. The area to the south of the shopping centre that fronts Tonkiss Street

2.3 Current Land use Zoning

As these sites were deferred from Wyong LEP 2013, the principal planning instrument affecting land use is the former Wyong LEP 1991.

Under the provisions of Wyong LEP 1991:

- The major part of the Gateway site is zoned 10a *Investigation Precinct Zone*;
- A small portion in the southeast corner is zoned 7a *Conservation Zone*;
- The main shopping centre site is zoned 3a *Business Centre Zone*;
- A small part of the site along the southern boundary is zoned 7a *Conservation Zone*; and,
- A small part of the site is zoned *General Residential 2b*.

3 Strategic and Statutory Framework

3.1 State and Regional Planning Strategies

3.1.1 Central Coast Regional Strategy 2006-2031

The Strategy covers the two local government areas of Gosford City and Wyong Shire. The region's current population is expected to grow by around 80,000 by 2031. This growth is largely attributed to the region's proximity to Metropolitan Sydney. The major part of this growth is expected to be in Wyong Shire.

A challenge for the region is that a large proportion (about 25 percent) of the working population commutes out of the region for employment. The Strategy aims to encourage local job opportunities to reduce the proportion of people commuting outside the area for work. Tuggerah- Wyong is identified as a major centre with the capacity for 5,500 new jobs.

Retail is an important activity in the regional economy and is currently the second largest employer by industry with about 15 percent of the workforce.

The Strategy proposes that there will be no new urban or rural residential development for land to the west of the F3 freeway, however, employment opportunities around the F3 freeway interchanges may be considered.

3.1.2 Wyong Shire Retail Centres Strategy

Council undertook a review of retail centres in the Shire during 2011 and 2012, and prepared a Strategy to manage and promote the development of retail centres. The Wyong Shire Retail Centres Strategy was adopted by Council in November 2013.

3.1.2.1 Strategic framework

The strategic framework for the centres will allow for:

- Centres to grow and respond to the changing retail environment;
- Centres that have the capacity to meet the growth in demand generated by population growth;
- Centres that provide residents with the widest possible range of shopping opportunities and commercial services;
- Conveniently located and accessible centres;
- Protection of the integrity of the existing centres network and viability of existing centres to ensure that they continue to provide for the needs of the community;
- Protection and creation of employment opportunities in centres; and
- Sustainable centres in terms of infrastructure provision particularly transport infrastructure.

Tuggerah-Wyong is a major employment centre in the Shire. Expansion of the regional centre will result in the creation of jobs which will assist in addressing unemployment in the area.

The hierarchy of centres within the Wyong Shire retail network identifies Tuggerah-Wyong as the major centre serving the whole of the LGA in terms of higher order comparison shopping, and provides for a range of business, retail, cultural, entertainment and recreational activities.

3.1.2.2 Retail catchment

The 2011/12 Retail Centres Review demonstrated that there are significant opportunities to expand the supply of retail floorspace within the Wyong retail network, particularly within the major centre at Tuggerah.

It is expected that if the current retail centre at Tuggerah is expanded, it could result in a reasonable proportion of expenditure from Wyong households being retained within Wyong Shire. This could have flow on effects to other lower order centres by reducing the number of trips beyond the LGA for retail purchases.

Increasing the quantum of floorspace and the range of goods and products available in these precincts could have the effect of attracting expenditure from areas beyond the Wyong Shire and, in particular, from the western areas of Lake Macquarie, which are also likely to experience significant population growth in the short to medium term. This expenditure will supplement that available from Wyong households and could result in the amount of floorspace that might be supportable being more than if the precincts were only relying on expenditure from Wyong households.

3.1.2.3 Bulky goods

At present, it is estimated that there is a shortfall in bulky goods floorspace provision in the order of 21,000m². This shortfall will increase as the population of Wyong increases.

By 2021 the growth in population would be such that there could be \$427 million of bulky goods expenditure available from all households in Wyong which could potentially support a total of 84,000m² of bulky goods retail floorspace. This is about 34,000m² more than is currently provided.

These estimates are based solely on expenditure from Wyong households and do not factor in the potential for bulky goods precincts in Wyong to attract expenditure from areas beyond the LGA. The concept plan for Tuggerah considers the development of bulky goods floorspace within this centre. It is appropriate that this major centre be the focus of additional floor space provision given the presence of the Tuggerah Supa Centa development and the other retail activities in the local area. There is sufficient space available within the Tuggerah major centre to accommodate a significant amount of bulky goods floorspace. The market will determine, to a certain extent how much bulky goods floorspace might be provided within the Tuggerah major centre, however, there must be a balance in terms of the location of such floorspace.

Opportunities to provide for the expansion of existing centres by applying a mixed use zone to land on the fringe of some local or town centres could alleviate the pressure to consider proposals for out of centre developments and also provide a degree of flexibility of use. Where an extension to a centre is proposed, it is necessary to assess any impacts on the surrounding area. This is outlined in more detail in section 4 - Planning Issues.

3.2 Statutory Planning Framework

3.2.1 NSW Environmental Planning and Assessment Act 1979

The *NSW Environmental Planning and Assessment Act, 1979 (EP&A Act)* and the *NSW Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)* provide the statutory planning context for environmental planning context for environmental assessment and approval in NSW. Within the study area of the Tuggerah town centre, Planning and Environment has been considering a proposal for development on part of the Gateway site under the former Part 3A of the EP&A Act.

Determination of this proposal has depended on the consideration and finalisation of an agreement on a contribution to upgrade major road infrastructure, and to protect areas of native vegetation on the sites. These matters are outlined in more detail in section 4.2 and 4.3 respectively.

The SEPP rezones the sites that were deferred from the Wyong LEP 2013. It amends the Zoning Map, so that the development on these sites is consistent with the provisions of new zones in Wyong LEP 2013.

3.2.2 Section 117

Section 117 Directions of the EP&A Act require councils to address a range of matters when seeking to rezone land. They have been addressed at Appendix B.

3.2.3 Biodiversity

An Ecological Impact Assessment (EIA) has been prepared, which assesses the impact of the proposed development on the sites, within the context of the legislative framework for ecological assessment. The conclusions on conservation significance; impact evaluation and mitigation measures are outlined in Section 4.3 Ecology. The EIA is included in Appendix C.

3.3 Local Planning Framework

As noted in Section 2.3 the principal instrument currently affecting the land is the former Wyong LEP 1991.

The proposed SEPP will ensure that the the planning instrument applying to these Westfield Tuggerah shopping centre site and the Gateqay site at will be the provisions in Wyong LEP 2013, and planning guidelines in Wyong DCP 2013. Subject to the EP&A Act 1979, Wyong Council will be the development consent authority once the SEPP is published.

4 Planning Issues

4.1 Flooding and Hydrology

The Gateway site is situated within a larger catchment that extends at least 1 kilometre to the west of the F3 freeway and 300 metres to the south of the southern boundary. The larger catchment drains through the Gateway site and discharges through culverts under Wyong Road in the north-east corner of the site.

A Stormwater Management assessment prepared by Mott MacDonald outlines water management objectives for the site as follows:

1. Management of Mardi Creek:
To manage the Mardi Creek flows through the site in a constructed “natural” waterway that meets the requirements of the Office of Environment and Heritage (OEH), formerly the Department of Water.
2. Water Quantity Management:
To restrict post-development site outflows to pre-development levels. This also assumes that site inflows from upstream will similarly be restricted to their current pre-development levels. Water management facilities within the Gateway site will be designed to cater for development of this site and future development of upstream land will be required to similarly ensure that flows do not exceed pre-development levels.
3. Water Quality Management:
Water quality objectives will be set by Wyong Council.

Advice from the Office of Environment and Heritage (OEH – then Department of Natural Resources) and with Wyong Council, has established the following with respect to the management of the Mardi Creek corridor:

1. It is proposed that the creek line through the Gateway site be harnessed to a defined corridor along the northern boundary of the site. It shall provide for a constructed base flow channel represented as a “natural creek line” within a 25 metre wide riparian corridor. This will provide for the design pre-development flood flows from the upstream contributing catchments.
2. Water quantity management is expected to require a detention basin to the west of the proposed Business area on the Gateway site. Details of the location and sizing will be finalised at the development stage.
3. Water quality management is expected to require a bioretention basin, likely to be an integral part of the detention basin. Details of the location and sizing will be finalised at the development stage.
4. Water quantity and quality measures relating to flows from development on the business area may include:
 - strategically located retention systems and gross pollutant traps on the car park drainage lines;
 - biofiltration pits at tree wells to treat dirty water runoff from the car park; and
 - bioswales through the car park area.

4.2 Traffic and Access

The Gateway site at Tuggerah has frontage to the F3 freeway (west), Wyong Road (north) and Tonkiss Street (east). The site has good access to the regional road network being located adjacent to the F3 freeway between Sydney and Newcastle. It is also adjacent to Wyong Road and close to the Pacific Highway at Tuggerah.

Existing public transport services are provided by buses operating from an interchange to the rear of the adjacent shopping centre site. Buses provide local and regional services from the interchange, including connection to Tuggerah and Wyong stations. Tuggerah station is about 1.2 kilometres to the east of the Gateway site.

To cater for future development consideration has been given to amplifications and upgrades to key local roads, including the Pacific Highway and intersections like Wyong Road and the Pacific Highway. These upgrades will eventually be required irrespective of development on the Gateway site. Traffic and access has been considered for development of part of the Gateway site for an expansion of retail outlets, including bulky goods stores with a gross floor area of up to 30,000m². Access to proposed development on the Gateway site would be from Tonkiss Street. This street also provides access to the adjacent Westfield shopping centre and a residential area to the south. Tonkiss Street has a four lane divided carriageway adjacent to the site and intersects with Wyong Road at a two lane roundabout.

A traffic review has been prepared by Colston Budd Hunt & Kafes to consider whether traffic from bulky goods development on the Gateway site can be accommodated by the adjacent road network. Traffic flow data and estimates of future traffic growth along Wyong Road provided by RMS were used. The additional traffic from the proposed development was assigned to the local road network. The analysis of estimated traffic flows indicated that the intersections along Wyong Road at Tonkiss Street and Gavenlock Road could be accommodated by the 2021 road network. However, the intersection of Tonkiss Street and Wyong Road will require upgrading to traffic signal control in order to cater for traffic generated by future development on the Gateway site and the general increase in traffic along Wyong Road. The traffic intersection is shown at Figure 8.



Figure 8. Tonkiss Street leading to the intersection with Wyong Road.

The planned upgrade to the intersection of Tonkiss Street and Wyong Road has been agreed by RMS and will be funded by the developer of the Gateway site under a Planning Agreement (PA). The upgrade will be paid for as a road works contribution amount of \$15 million or an agreement to provide works in kind.

4.3 Ecology

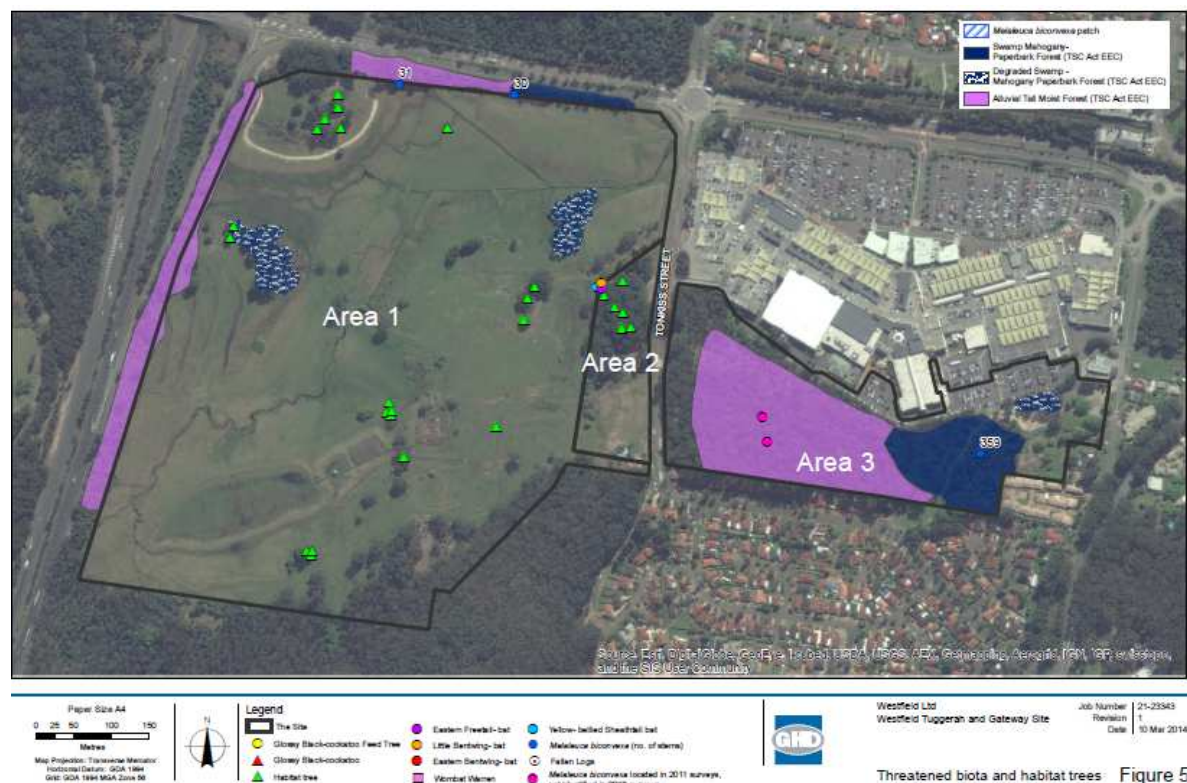
The existing Westfield shopping centre site was deferred from Wyong LEP 2013. An issue for resolution was the matter of the proposed environmental conservation areas on this site and the likely link to similar areas on the adjacent Gateway site. The map exhibited with the draft Wyong LEP 2013 indicated a mix of business zoned land and land to be retained for environmental conservation (E2). It was necessary to review the areas proposed for environmental conservation to ensure that such areas could be effectively identified and protected in the future.

GHD has prepared an EIA report that assesses biodiversity and recommends areas for environmental conservation on both sites with the aim of identifying which areas need to be set aside for longer term environmental conservation. These areas are shown zoned Environmental Conservation E2 on the proposed zoning map at Appendix A. The ecological assessment considers the flora and ecological communities on both sites.

The proposal will allow the clearing of some isolated or disturbed edges of larger stands of vegetation on the Gateway site (0.85ha), with appropriate offsets by consolidating the environmental conservation (E2) areas on both sites. The net gain of area set aside for environmental conservation on these sites is 1.93ha.

In addition to these offsets, the approach to managing drainage on the Gateway site will include a detention basin with reinstatement of native riparian and wetland vegetation to the west and along the northern boundary of the new development on land zoned B4 and Wyong Road. Mitigation measures include avoiding development in areas of high biodiversity value and minimising impact on the natural environment surrounding the site to reduce impacts on threatened species and their habitats.

The ecological assessment has considered the significance of impacts across both sites within the deferred areas in Wyong LEP 2013. The setting aside of the high valued environmental conservation areas on the remainder of the Gateway site will ensure that these habitats are protected in future and that other forms of development may be considered on the remainder of this site that is proposed to be zoned RU6.



4.4 Bushfire

A Bushfire Protection Assessment Report has been prepared by Conacher Travers. This assessment considers the whole Gateway site including the possible development of the remainder for residential purposes. The assessment considers:

- the location of the site and surrounding land uses;
- topography, slope and drainage; and
- vegetation on the site and adjacent to the site

A fire in the open forest vegetation to the west of the freeway would develop significant intensity. However, the assessment considers that the separation distance provided by the F3 and its elevated road reserve would negate any threat from the western aspect. The riparian corridor planned along

the northern boundary of the site is assessed as the bushfire behaviour of rainforest. The open forest to the east of the site situated between the existing shopping centre and the residential area to its south, is separated by Tonkiss Street, a 20 metre managed road reserve. The proposed business development on the Gateway site is located in the vicinity of these two areas.

The behaviour of bushfires burning within the open forest to the south of the Gateway site, would see fires travelling quickly upslope and away from the site or slowly down the slope. Either of these scenarios would present a minimal threat to development on the southern part of the site from an operational fire fighting perspective. There is significant distance between the proposed business development and this part of the Gateway site.

Wyang Council's bushfire prone mapping confirms that most of the Gateway site is not bushfire prone, other than the boundaries which are shown as buffer areas. The stand of existing vegetation on the eastern part of the site fronting Tonkiss Street is shown as a possible source of potentially hazardous fuel and would need to be considered in relation to development in the vicinity. It is expected that this source will be removed by development on this part of the site.

4.5 Heritage

There are no statutory heritage listings that apply to the Gateway site. A heritage impact statement prepared by Conybeare Morrison outlines an assessment of both Indigenous and Non-indigenous heritage significance that may apply to parts of the Gateway site.

Most of the site has been extensively disturbed and cleared for use as an abattoir and grazing. Following the closure of the abattoir in 1989, the buildings were demolished. Some artefacts from the use of the site as an abattoir may be found when future works are being undertaken. A large amount of spoil from the adjacent shopping centre site was deposited in the north-eastern part of the site, close to Wyong Road. The major part of the proposed retail development on the Gateway site is situated in this area.

While no Indigenous archaeological sites were found on the Gateway site, the sandstone outcrop in the north-west corner of the site is identified as likely to contain sub-surface cultural deposits. The proposed development does not extend to this part of the Gateway site.

4.6 Soil Contamination and Acid Sulphate Soils

URS Australia prepared an assessment of potential soil contamination on the Gateway site and identified the following as possible sources:-

1. Past operations of the abattoir including detection of phenols and cresols in the water and sediment of dams on the site;
2. Asbestos fragments from the demolition of the abattoir;
3. A large stockpile located in the north-east of the site, which originated from the construction of the shopping centre on the adjacent site to the east;
4. Two smaller stockpiles of fill located to the east of the former abattoir site, the origin of this is unknown; and

5. Potential for acid sulphate soil conditions in low lying areas of the site.

Soil and water samples were analysed from more than 70 sites across the Gateway property and the results indicated that water quality guidelines were exceeded for total metals at two dam sites. Remnant piping containing asbestos was identified at one location and asbestos fibres were detected in soil at another location. The assessment concluded that the asbestos remediation undertaken in 1994 had been completed satisfactorily.

The existence of actual and potential acid sulphate soil conditions was identified in low lying areas of the site. It is noted that the Wyong LEP 2013 - Acid Sulphate Soils map indicates that the northern part of the Gateway site as potential Class 4. This is the part of the site that is now largely covered by landfill as shown at Figure 9.



Figure 9. Area of landfill on the Gateway site.

The URS assessment concluded that there was no constraint to rezoning the Gateway site for urban uses as a result of land contamination.

Detailed design at the development stage should consider:-

1. Preparation and implementation of an Acid Sulphate Management Plan during disturbance of soils in low lying areas of the site;
2. Removal and disposal of asbestos containing materials on the site; and
3. Appropriate management of the fill containing anthropogenic materials located adjacent to the existing Tonkiss Street entrance to the Gateway site.

4.8 Service and Utility Infrastructure

An assessment of services infrastructure was prepared for development on the Gateway site by Hughes Trueman. Wyong Council is the water and sewer services authority. The site is adjacent to reticulated water and sewer mains and at the time of the study, council advised that there was capacity to service the initial stages of development on this site.

There is a 132kV high voltage overhead power line in a 30 metre easement running north-south through the site. The initial stage of development is well clear of this easement, however later stages may require the relocation of this line. Connection to the local distribution network may require some upgrading depending on the power needs of the initial stage of development.

There is a secondary gas main in Tonkiss Street and the site can be serviced from the existing mains in the area.

The servicing of the site with telecommunications, water, sewer, electricity and gas does not present a major constraint to the proposed development on the site.

Arrangements for connection to local infrastructure services will depend on staging and can be made at the Development Application stage.

4.9 Visual Impact

The Gateway site is considered to present an “iconic” opportunity being located on a major approach to Tuggerah centre from the F3 freeway and Wyong Road. The location of a 25 metre buffer along the northern boundary of the proposed development and Wyong Road provides both an effective part of the solution to the management of stormwater runoff from the site, and an opportunity for a landscaped vegetative edge along Wyong Road. Similarly, the extensive parking areas proposed as part of the development on the site can also be landscaped and softened by tree planting. The visual impact of the proposed development is capable of being addressed at the Development Application stage.

5 Statutory and Development Controls

5.1 Proposed Amendment to Wyong LEP 2013

The SEPP amends the Objectives of Zone for B3 *Commercial Core*, so any reference to “Wyong central business district” will be amended to “Tuggerah-Wyong central business district”. The amended Objective of Zone will be consistent with the Central Coast Regional Strategy and the Wyong Shire Retail Centres Strategy.

The SEPP proposes to amend the Zoning Map in Wyong LEP 1991. The proposed map amendment is shown at Appendix A.

The following zones will apply to the land in the deferred area at Tuggerah as shown on Land Zoning Map

- RU6 Transition, to ensure that interim land uses do not have an adverse impact on the development potential of land for future investigation in the Wyong Settlement Strategy.
- R1 General Residential, to provide for a variety of housing types and densities.
- B3 Commercial Core, to encourage appropriate employment opportunities, development and investment in the Tuggerah-Wyong central business district.
- B4 Mixed Use, to encourage active retail and business development including bulky goods premises that require a large floor area.
- E2 Environmental Conservation, to protect, manage and restore areas of high ecological value.

The planning instrument that will apply to the deferred sites will be Wyong LEP 2013. The SEPP will no longer have effect on the site once the rezoning has occurred.

5.2 Statements of Consistency

The SEPP proposes to rezone the land uses on the sites at Tuggerah, which were deferred in the making of Wyong LEP 2013. These proposed land uses are considered to be consistent with State and Regional Planning Strategies that apply to the Central Coast and Wyong Shire.

An assessment of consistency with Section 117 Directions is included at Appendix B. An assessment of existing natural vegetation on these sites has resulted in the proposal to zone some areas for *Environmental Conservation* (E2). While there will be some impact on Existing Native Vegetation (ENV), it is intended that the clearing of vegetation in some areas will be offset by the protection and improved management of other ENV on the sites. The assessment of impact on threatened species has been addressed in the EIA. It is concluded that that the proposal is unlikely to impose a “significant effect” on any EPBC Act threatened or migratory species and hence is unlikely to constitute a controlled action under the EPBC Act.

6 Conclusion

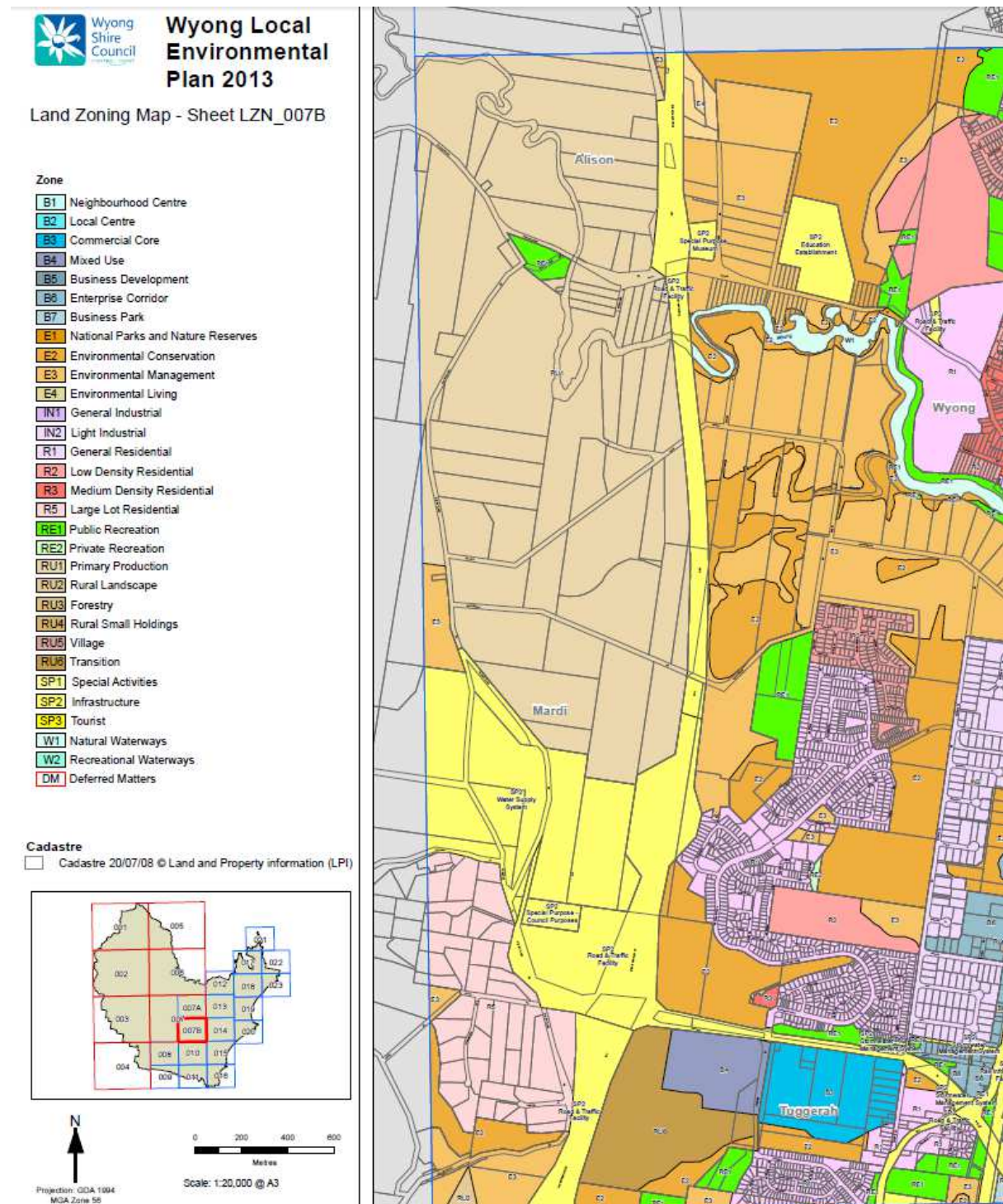
The proposed development on the Gateway site has been considered in the context of its likely contribution to the planning strategies for employment growth in the Tuggerah town centre. The zoning change will enable development that is best located in a major centre with Wyong Council as consent authority.

Areas of highly valued native vegetation will be set aside for long term conservation. The impact of traffic generated by the development on the Gateway site will be addressed by a contribution to upgrade the local road network.

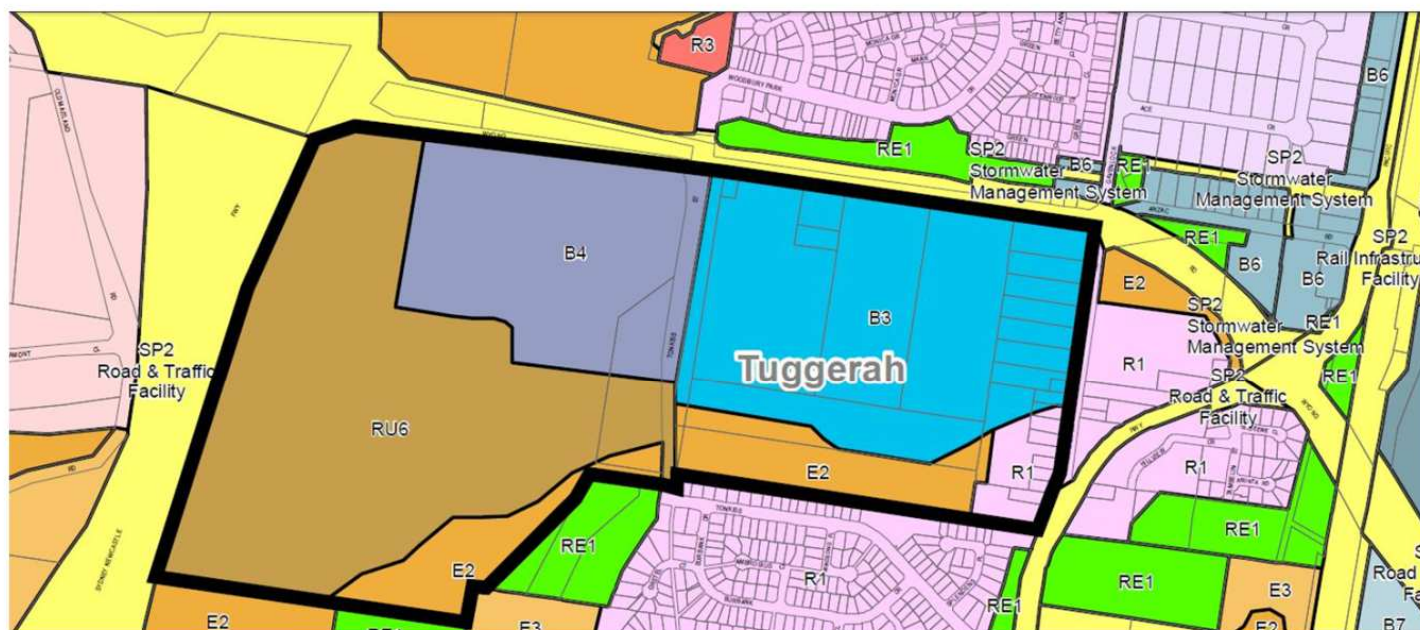
The zoning change will enable the first stages of development on the Gateway site to proceed and allow Council to consider later stages that are expected to provide for residential; open space and

recreation uses; drainage retention basin(s); and other associated uses that are suitable on this iconic site, close to major transport and the centre of Tuggerah.

APPENDIX A - Draft Zoning Map for Wyong LEP 2013



TAG C – PROPOSED ZONING



- B3 B3 – Commercial Core
- B4 B4 – Mixed Use
- RU6 RU6 – Transition
- E2 E2 – Environmental Conservation

APPENDIX B - Consistency with Section 117 Directions

Section 117 Direction	Compliance
1. Employment and Resources	
Direction 1.1 – Business and Industrial Zones	The proposed SEPP amendment will encourage employment growth and the viability of Tuggerah, an identified major centre on the Central Coast. This is consistent with the direction
Direction 1.2 – Rural Zones	The land is currently zoned Investigation Precinct and proposed to be zoned Transition. The plan is consistent with the strategies for development in the Central Coast Regional Strategy and is consistent with this direction.
Direction 1.3 – Mining, Petroleum Production and Extractive Industries	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 1.4 – Oyster Aquaculture	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 1.5 – Rural Lands	The plan is considered to be inconsistent with the direction. The land is currently zoned Investigation Precinct and proposed to be zoned Transition; Mixed Uses; and Environmental Conservation. The plan is consistent with the strategies for development in the Central Coast Regional Strategy. Accordingly, the inconsistency with the direction is considered to be justified
2. Environment and Heritage	
Direction 2.1 – Environmental Protection Zones	Plan includes provisions to facilitate the protection and conservation of significant vegetation through the E2 Conservation Zone. The rezoning provides for 5.28 hectares of conservation land, predominantly located in the south and south-east of the sites. This area relates to existing vegetation. The plan is considered consistent with this direction relating to the environmental protection zones
Direction 2.2 – Coastal Protection	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 2.3 – Heritage Conservation	The direction is not applicable as there are no items of state or local heritage significance within the vicinity of the sites
Direction 2.4 – Recreation Vehicle Areas	The direction is not applicable to the proposed development of the land at Tuggerah
3. Housing, Infrastructure and Urban Development	
Direction 3.1 – Residential Zones	The plan replaces a small area of existing General residential use that was deferred from Wyong LEP 2013
Direction 3.2 – Caravan Parks and Manufactured Home Estates	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 3.3 – Home Occupations	The plan is consistent with the direction as it permits home occupations in the R1 General residential zone without consent
Direction 3.4 – Integrating Land Use and Transport	The objective and requirements of the direction are achieved through the upgrade of the bus interchange on the Westfield shopping site, and the links to Tuggerah and Wyong stations and bus services elsewhere in Wyong
Direction 3.5 – Development Near Licensed Aerodromes	The direction is not applicable to the proposed development of the land at Tuggerah
4. Hazard and Risk	
Direction 4.1 – Acid Sulphate Soils	The land is partially subject to acid sulphate

	soils. Wyong LEP includes provisions to regulate works in areas with acid sulphate soils. The adoption of appropriate practices during development will ensure that this matter can be managed without impact. The plan is considered to be inconsistent with the direction, but the inconsistency is of minor significance
Direction 4.2 – Mine Subsidence and Unstable Land	The sites are not within a mine subsidence district. There are no significant issues with land stability in the area. The plan is consistent with the direction
Direction 4.3 – Flood Prone Land	Wyong LEP includes provisions to regulate works in areas that are flood prone. The adoption of appropriate flood mitigation works during development will ensure that this matter can be managed without impact to adjacent properties. The plan is inconsistent with the direction, but the inconsistency is of minor significance
Direction 4.4 – Planning for Bushfire Protection	The plan is consistent with the direction and provides for appropriate APZs and perimeter roads having regard to <i>Planning for Bushfire Protection 2006</i>
5. Regional Planning	
Direction 5.1 – Implementation of Regional Strategies	The plan supports the aims for development and employment growth in centres as outlined in the Central Coast Regional Strategy and is consistent with the direction
Direction 5.2 – Sydney Drinking Water Catchments	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 5.3 – Farmland of State and Regional Significance on the NSW Far North Coast	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 5.4 – Commercial and Retail Development along the Pacific Highway, North Coast	The direction is not applicable to the proposed development of the land at Tuggerah
Direction 5.5 – Development in the Vicinity of Ellalong, Paxton and Millfield	The direction was revoked in June 2010
Direction 5.6 – Sydney to Canberra Corridor	The direction was revoked in July 2008
Direction 5.7 – Central Coast	The direction is consistent with direction 5.1
Direction 5.8 – Second Sydney Airport: Badgerys Creek	The direction is not applicable to the proposed development of the land at Tuggerah
6. Local Plan Making	
Direction 6.1 – Approval and Referral Requirements	The plan is consistent with the direction and does not contain provisions requiring concurrence, consultation or referral which have not been approved. The plan does not identify any development as designated development
Direction 6.2 – Reserving Land for Public Purposes	The plan does not create, amend or reduce any existing reservations without approval
Direction 6.3 – Site Specific Provisions	The plan does not include site specific provisions and development will be regulated by the provisions of Wyong LEP. The plan is consistent with the direction

APPENDIX C - Ecological Impact Assessment