

Department of Planning, Housing and Infrastructure

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State Assessed Planning Proposal 205 and 207-209 Wallarah Road, Kanwal

Finalisation Report

June 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

Published by NSW Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au

First published: June 2025

Department reference number: EF23/5943

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1 Introduction

This report presents the Department of Planning, Housing and Infrastructure's (the Department) assessment of the State-assessed Planning Proposal (SAPP) for Wyong Village (formerly Oasis Caratel Caravan Park) at 205 and 207-209 Wallarah Road, Kanwal.

The Kanwal Planning Proposal (the Planning Proposal) was selected to be assessed under the 2023 Rezoning Pathways program as it responded to key objectives, including:

- demonstrated public benefits through housing supply and alignment with state policies and land-use strategies
- contribution to affordable and social housing outcomes
- understanding of impediments to delivery and pathway to resolution
- whether infrastructure is available, or funding is committed for critical infrastructure.

The Planning Proposal and Explanation of Intended Effects (EIE) were publicly exhibited between 27 May and 24 June 2024. The Department has reviewed and considered concerns raised in the submissions in finalising the plan.

The EIE assessed the planning proposal for 205 and 207-209 Wallarah Road, Kanwal and proposed an increase in the building heights and FSR provisions across the site by amending the *Central Coast Local Environmental Plan (LEP) 2022*.

This report documents the consultation process and the way the concerns raised in the submissions have been addressed to make the recommendation to amend planning controls in the Central Coast LEP 2022.

1.1 Site Description & Regional Context

The site (shown in **Figure 1**) is located at 205 and 207-209 Wallarah Road, Kanwal in the Central Coast local government area (LGA), approximately 150 metres east of the intersection of Wallarah Road with the Pacific Highway and Sparks Road.

The site has an area of approximately 5.3 hectares and is bound by Wallarah Road to the south, a mix of low and medium density residential and light industrial uses to the west and 40 Lake Haven Drive (Wyong Rugby Club) to the east and north. The portion of 40 Lake Haven Drive that adjoins the site's northern boundary contains dense vegetation.

The site slopes down from its Wallarah Road frontage to an unnamed watercourse along the northern boundary. The majority of the site is disturbed and, though zoned for general residential uses, currently operating as a privately-owned caravan park known as Wyong Village (formerly Oasis Caratel Caravan Park). The park is owned and managed by Vivacity and

contains 145 approved sites: 100 long-term and 45 short-term sites (no tourism sites). Some remnant vegetation is located along the watercourse, along the northern boundary of the site.

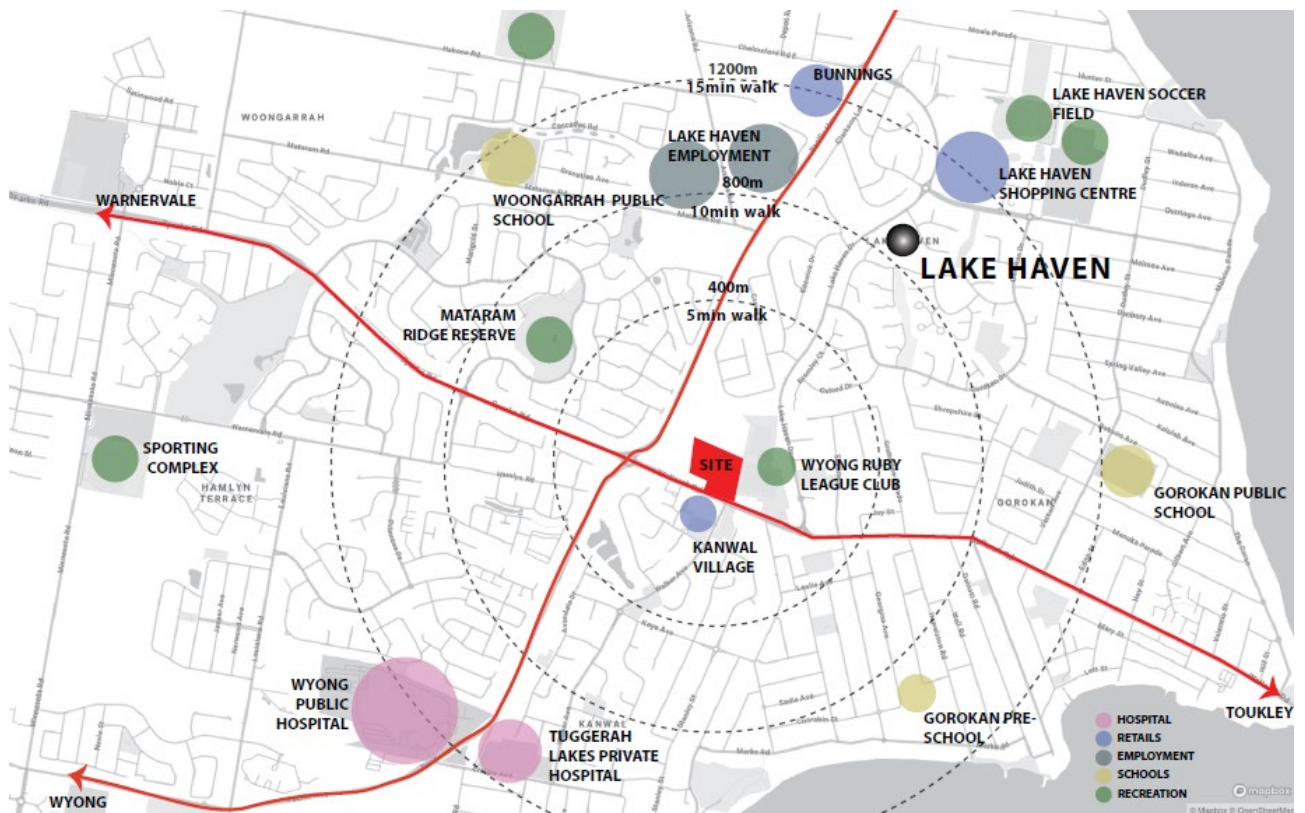


Figure 1: Site (PTW Architects 2024, Urban Design Report, p. 11)

1.2 Explanation of Intended Effect: Exhibited Amendments

The draft Planning Proposal and EIE, as publicly exhibited (**Attachment C** and **Attachment D**), proposed to amend planning controls for 205, 207-209 Wallarah Road, Kanwal to deliver approximately 675 new homes (apartments), including 15% dedicated to affordable housing for a minimum of ten years, as detailed in **Table 1**.

Table 1: Existing and exhibited controls

Control	Existing	Exhibited
Land use zone	R1 General Residential	No change
Maximum height of building	12m	A range of heights from 18m to 42m
FSR	0.5:1	1.35:1
Affordable housing provision	Nil	Introduce an affordable housing provision to supply 15% affordable housing for a minimum of 10 years to be managed by a registered community housing provider

2 Public Exhibition

2.1 Public Exhibition Period

The Planning Proposal and supporting documentation was publicly exhibited between 27 May and 24 June 2024 on the Department's Planning Portal website:

[Wallarah Road and Pacific Highway Kanwal | Planning Portal - Department of Planning and Environment](#)

The documents exhibited were:

- Explanation of Intended Effect
- FAQ Wallarah Road, Kanwal
- Planning Proposal, supporting technical reports and independent peer review reports.

2.2 Public Notice

A notice of exhibition was placed in the Coast Community News on 30 May 2024, advertising the details of public exhibition and how to provide feedback.

2.3 Notification to Landowners & Key Stakeholders

The Department issued letters to the residents and tenants within the site, and to landowners within a one-kilometre radius that provided details of the exhibition period and how to have their say.

The Department also notified key stakeholders of the exhibition, including Central Coast Council (Council), State agencies and essential services providers.

The proponent lead engagement with the community during exhibition. The proponent met with the tenants of the caravan park ahead of exhibition to provide them with details of the proposal, including their obligations under the *Residential (Land Lease) Communities Act 2013*.

3 Submissions

3.1 Summary

A total of 127 submissions were received during the exhibition period. A breakdown of submissions is in **Table 2**.

Table 2: Summary of submissions received

Submission author	Number of submissions
Local Council	1
Government agencies	7
Organisations	5
Community	114
Total	127

Key comments supporting the proposal included:

- close proximity to existing services and centres
- increased investment in the Central Coast, including through upgrades to road infrastructure
- helping to address the housing shortage through increased housing supply, including affordable housing and seniors housing
- inclusion of public open space
- minimal environmental impacts.

Key comments or objections to the proposal included:

- increased traffic impacts and inadequate existing public transport or pedestrian connectivity
- height, bulk and scale and density being inconsistent with character of the locality
- closure of the caravan park and impacts on the existing residents, insufficient replacement affordable housing.

3.2 Table of Public Submissions

The issues raised by individuals and organisations are listed and summarised in **Table 3**, along with the Department's response. A redacted copy of all public submissions is provided in

Attachment E. The Department is satisfied concerns raised by the community have been resolved or are capable of being resolved at Development Application (DA) stage, as outlined below.

Table 3: Summary of public submissions

Public submissions	Department response
<p>Traffic, public transport and active transport</p> <p>Concerns raised with respect to the adequacy of the surrounding road, active transport and public transport networks to accommodate the increase in demand.</p> <p>Concerns raised with the quantity of parking to be provided.</p>	<p>TfNSW provided in its submission that the surrounding road network can be upgraded to accommodate the increased traffic generated by the Planning Proposal. Refer to the detailed comments provided in response to the submission from Transport for NSW in Section 3.3.2.</p>
<p>Height, bulk and scale, density and character</p> <p>Concerns raised with respect to the increased density, height, and bulk and scale and associated impacts on local character.</p>	<p>The increased density, bulk and scale will facilitate increased housing supply, including 15% of homes dedicated as affordable housing. The site is within an appropriate location for increased density due to its proximity to existing and emerging centres within the Central Coast LGA.</p> <p>Any future DA will be required to be supported by a design verification statement, design report and a visual impact assessment and reviewed by a design review panel to minimise impacts and deliver optimal planning outcomes</p>
<p>Impacts on the existing caravan park residents and insufficient replacement affordable housing</p> <p>Concerns raised with respect to the eviction of existing caravan park residents, insufficient replacement affordable housing and the financial impacts of loss of property values within the caravan park during the SAPP process.</p>	<p>Under the current planning framework, the landowner could submit a DA for redevelopment of the site for general residential uses. As compared to current conditions, the Planning Proposal will ensure that any redevelopment of the site contains a minimum of 15% of homes as affordable housing.</p> <p>The <i>Residential (Land Lease) Communities Act 2013</i> provides an overarching legal framework for caravan parks and sets out the rights and responsibilities of the operator and residents. Under the Act, the following steps must be followed:</p>

Public submissions	Department response
	<ul style="list-style-type: none"> the operator must give 30 days' notice to residents before lodging a DA once a DA is approved, the operator must give a minimum of 12 months' notice before termination of the site agreement the operator must make reasonable efforts to obtain or assist the homeowners in finding alternative accommodation. This may include the payment of compensation. <p>The Assistance Protocol for Residential Park Closures was developed by Housing NSW in conjunction with other agencies. The Protocol provides a framework for cooperation between agencies in providing assistance for residential park residents displaced by a residential park closure, in order to assist them to access the services they require, and to prevent them from becoming homeless.</p>
<p>Social infrastructure and essential services</p> <p>Concerns raised with respect to the capacity of hospitals, ambulance, schools, child care, medical centres, shopping centres and essential services (electricity, stormwater, sewer, water, etc.).</p>	<p>The Planning Proposal is supported by:</p> <ul style="list-style-type: none"> a Water Cycle and Stormwater Management & Preliminary Servicing Summary (Northrop 2023) which confirmed that the site has existing gas, sewer and water connections (though upgrades to a water main will be required) and stormwater can be managed on-site a Community and Social Needs Study (AAP Consulting 2024) which confirmed that development enabled by the Planning Proposal is likely to create demand for 24 child care spaces but will not generate demand for a new primary or secondary school. <p>It is noted that child care and medical centres are permitted with consent in the zone.</p>
<p>Open space provision</p> <p>Concerns raised with respect to the inadequacy of open space to be provided.</p>	<p>A requirement has been incorporated in the Central Coast LEP 2022 post-exhibition to require that any future DA includes at least 15,600m² of publicly accessible open space.</p>

Public submissions	Department response
Adjoining bushland Concerns raised with respect to loss of vegetation within the site and to the north of the site, including critical habitat for threatened species.	The Department is satisfied that the site has sufficient area to accommodate the development. Refer to the detailed comments provided in response to the submission from BCS in Section 3.3.4 .
Economic impacts Concerns raised with respect to economic impacts to existing businesses within nearby centres.	A requirement has been incorporated in the Central Coast LEP 2022 to restrict GFA for the purposes of office or retail premises to not more than 1,000m ² to ensure that the Planning Proposal will not have any impact on hierarchy of centres within the LGA.
Geotechnical conditions Concerns raised with respect to land subsidence as a result of historic mining activities.	Investigation into land subsidence and consultation with Subsidence Advisory NSW forms part of the DA assessment process.
Crime and safety Concerns raised with respect to existing crime and safety issues in the area and impacts of development on crime and safety.	The reference design incorporates crime prevention through environmental design (CPTED) principles. CPTED principles will be considered further at DA stage to minimise crime and improve safety.

3.3 Comments Provided by Public Agencies

Relevant agencies were consulted during the exhibition process (**Attachment F**). This section provides a summary of each agency's feedback and the Department's response.

3.3.1 Central Coast Council

Table 4: Summary of Council's submission

Council comment	Department response
Hierarchy of centres within the LGA Council raised concerns that the proposed maximum height and FSR would compete with established regional centres.	The increased maximum height and FSR facilitate increased residential development, with supporting retail that will not compete with existing centres. A requirement has been incorporated in the Central Coast LEP 2022 to

Council comment	Department response
	restrict GFA for the purposes of office or retail premises to not more than 1,000m ² .
<p>Strategic context</p> <p>Council raised concerns with the strategic merit of the Planning Proposal due to inconsistency with the Central Coast Local Strategic Planning Statement (LSPS) 2020 and Central Coast Regional Plan 2041.</p>	<p>The Department is satisfied the proposal is generally consistent with the strategic direction and objectives of the Central Coast Local Strategic Planning Statement (LSPS) 2020 and Central Coast Regional Plan 2041.</p>
<p>Traffic, public transport and active transport</p> <p>Concerns raised with respect to the adequacy of the surrounding road, active transport and public transport networks to accommodate the increase in demand.</p>	<p>TfNSW provided in its submission that the surrounding road network can be upgraded to accommodate the increased traffic generated by the Planning Proposal. Refer to the detailed comments provided in response to the submission from Transport for NSW in Section 3.3.2.</p>
<p>Social infrastructure and essential services</p> <p>Concerns raised with respect to the adequacy of the surrounding social infrastructure and essential services (electricity, stormwater, sewer, water, etc.) networks to accommodate the increase in demand.</p>	<p>The Planning Proposal is supported by:</p> <ul style="list-style-type: none"> • a Water Cycle and Stormwater Management & Preliminary Servicing Summary (Northrop 2023) which confirmed that the site has existing gas, sewer and water connections (though upgrades to a water main will be required) and stormwater can be managed on-site • a Community and Social Needs Study (AAP Consulting 2024) which confirmed that development enabled by the Planning Proposal is likely to create demand for 24 child care spaces but will not generate demand for a new primary or secondary school. <p>It is noted that child care and medical centres are permitted with consent in the zone.</p>
<p>Impacts on the existing caravan park residents and insufficient replacement affordable housing</p>	<p>Under the current planning framework, the landowner could submit a DA for redevelopment of the site for general residential uses. As compared to current conditions, the Planning Proposal will ensure that any redevelopment of</p>

Council comment	Department response
<p>Concerns raised with respect to the eviction of existing caravan park residents and insufficient replacement affordable housing.</p>	<p>the site contains a minimum of 15% of homes as affordable housing.</p> <p>The <i>Residential (Land Lease) Communities Act 2013</i> provides an overarching legal framework for caravan parks and sets out the rights and responsibilities of the operator and residents. Under the Act, the following steps must be followed:</p> <ul style="list-style-type: none"> • the operator must give 30 days' notice to residents before lodging a DA • once a DA is approved, the operator must give a minimum of 12 months' notice before termination of the site agreement • the operator must make reasonable efforts to obtain or assist the homeowners in finding alternative accommodation. This may include the payment of compensation. <p>The Assistance Protocol for Residential Park Closures was developed by Housing NSW in conjunction with other agencies. The Protocol provides a framework for cooperation between agencies in providing assistance for residential park residents displaced by a residential park closure, in order to assist them to access the services they require, and to prevent them from becoming homeless.</p>
<p>Adjoining bushland</p> <p>Concerns raised with respect to loss of vegetation within the site and to the north of the site, including critical habitat for threatened species.</p>	<p>The Department is satisfied that the site has sufficient area to accommodate the development. Refer to the detailed comments provided in response to the submission from BCS in Section 3.3.4.</p>
<p>Planning framework</p> <p>Council raised concerns with respect to the lack of a site-specific development control plan (DCP) for the site.</p>	<p>A site-specific DCP is not required as, under Section 2.10 of <i>State Environmental Planning Policy (Planning Systems) 2021</i>, DCPs do not apply to State significant development (SSD) applications. Any future DA will be required to be supported by a design verification statement,</p>

Council comment	Department response
	design report and a visual impact assessment and reviewed by a design review panel to minimise impacts and deliver optimal planning outcomes.
<p>Public open space poorly connected to surrounding area</p> <p>Council raised concerns that the public open space within the site would not connect with surrounding public open space and would therefore present as private open space.</p>	There are limited opportunities for open space connectivity due to the ownership pattern of surrounding land. Nevertheless, the Planning Proposal results in an improvement on current conditions by requiring the provision of 15,600m ² of publicly accessible open space.

3.3.2 Transport for NSW (TfNSW)

TfNSW confirmed that development incorporating 575 homes and 1,000m² of GFA for commercial purposes can proceed prior to any upgrade of the Pacific Highway/Wallarah Road/Sparks Road roundabout to traffic signals. The remaining 100 homes (to achieve the total of 675 homes) would be subject to the roundabout being upgraded to signalisation. TfNSW noted that it does not have upgrade plans or funding for upgrade of the intersection and therefore recommended the imposition of a dwelling cap on the site, tied to upgrades of the intersection.

Department Response

Further consultation between the applicant and TfNSW was undertaken post-exhibition (refer to **Section 4.4**). The upgrade of the Pacific Highway/Wallarah Road/Sparks Road intersection has been added to the Urban Development Program (UDP) Infrastructure Opportunities list, supported by Council and TfNSW.

An updated traffic impact assessment, prepared in accordance with the Guide to Transport Impact Assessment (TfNSW 2024), and consultation with TfNSW will be required at DA stage. These will specify required upgrades to roads and infrastructure to support the development.

3.3.3 Department of Climate Change, Energy, the Environment and Water – Biodiversity, Conservation and Science Group (BCS)

Stormwater and Flooding

BCS raised concerns with the stormwater modelling in the Water Cycle and Stormwater Management Report (Northrop 2023), the use of catchment-scale flood modelling to inform bioretention basin design requirements and the operation and maintenance requirements for the bioretention basins.

Department Response

The Water Cycle and Stormwater Management & Preliminary Servicing Summary (Northrop 2023) demonstrates that flooding in the 1% annual exceedance probability (AEP) and probable maximum flood (PMF) events would be constrained to the northern boundary.

The applicant provided additional information post-exhibition relating to modelling and operation and maintenance of bioretention basins and BCS confirmed that it is satisfied remaining stormwater and flooding issues can be resolved at DA stage (refer to **Section 4.2**).

Biodiversity

BCS recommended retention and provision of a 30 metre buffer from development to native vegetation along the northern boundary of the site, as well as provision of a biodiversity management plan for the northern boundary area. It also noted that any DA that includes the removal of mapped Swift Parrot Important Habitat within the site may constitute a serious and irreversible impact (SAIL) on biodiversity values, in which case the consent authority would be required to, under the *Biodiversity Conservation Act 2016*, refuse consent to the DA.

Department Response

The applicant submitted a preliminary biodiversity development assessment report (BDAR) (AEP 2023) with the Planning Proposal. It concluded that due to the majority of the site comprising exotic species, cleared and built areas, impacts would be limited to 0.66 hectares of native vegetation, incurring two ecosystem credits and two Swift Parrot credits. However, Swift Parrot Important Habitat mapping was reduced post-exhibition, such that the Department is satisfied that SAILS are capable of being avoided (refer to **Section 4.3**). Nevertheless, an updated BDAR to offset the residual impacts of the development (or a BDAR Waiver if impacts can be avoided) will be required at DA stage.

3.3.4 Central Coast Local Health District (CCLHD)

CCLHD indicated its support for increased affordable housing within the area. However, it raised concerns with respect to impacts of the development on health services, helicopter flight paths to the Wyong Hospital, traffic generation and vehicle dependency, solar access, natural ventilation and overshadowing and safety. It also raised concerns with contamination risk and designing for families.

Department Response

TfNSW provided in its submission that the surrounding road network can be upgraded to accommodate the increased traffic generated by the Planning Proposal (refer to **Section 3.3.2**).

Development enabled by the Planning Proposal will be subject to the solar access and natural ventilation requirements in the Apartment Design Guide (ADG), given effect under Chapter 4 of *State Environmental Planning (Housing) 2021*. The design review panel will have regard to overshadowing impacts in determining design excellence. At least 15,600m² of open space is to be provided for the benefit of families.

Medical centres are permitted with consent in the general residential land zone.

The Department is satisfied that the increased heights enabled by the Planning Proposal will not to impact helicopter flight paths. Nevertheless, more detailed analysis can be provided, if required, at DA stage.

3.3.5 Department of Primary Industries and Regional Development (DPIRD)

DPIRD confirmed in its submission that it is satisfied that the proposed amendments to planning controls will not adversely impact critical habitat, threatened species, populations or ecological communities, or their habitats.

3.3.6 Rural Fire Service (RFS)

The RFS confirmed in its submission that the Strategic Bushfire Study (Bushfire Planning Australia 2024) submitted with the Planning Proposal is generally acceptable in relation to the requirements established by Chapter 4 of Planning for Bush Fire Protection (PBFP) 2019.

3.3.7 National Broadband Network Company (NBN Co)

NBN Co advised in its submission that it can extend its existing Fibre to the Premises (FTTP) network to the site and implementation of its Smart Places capability which brings the power of the NBN fibre network to outdoor locations, subject to conditions that would be addressed at DA stage.

4 Post-Exhibition Assessment

In this post-exhibition assessment, the Department sought to address concerns relating to water cycle management, biodiversity and conservation, and traffic congestion. Consequently, the Department requested additional technical work be conducted in consultation with the relevant agencies.

4.1 Site-Specific Assessment: Regional and District Plans, SEPPs and 9.1 Directions

The following reassesses the proposal against relevant Section 9.1 Directions, SEPPs, Regional Plan and Council's Local Strategic Planning Statement following public exhibition. It also reassesses any potential key impacts associated with the proposal (as modified).

As outlined in the Explanation of Intended Effect (**Attachment D**), the Planning Proposal:

- remains consistent with the Regional Plan relating to the site
- remains consistent with the Council's Local Strategic Planning Statement
- remains consistent with all relevant Section 9.1 Directions
- remains consistent with all relevant SEPPs
- remains consistent with the Strategic Assessment, including:
 - social and economic impacts
 - environmental impacts
 - infrastructure.

4.2 Stormwater and Flooding

In response to the submission from BCS, the applicant remodelled rainfall loss using Council's data, clarified the land use used for modelling runoff under existing conditions and the adopted pollutant removal efficiency of the concept level design, as well as reviewed the location and design of the bioretention basin.

BCS have since reviewed the outcomes of this post-exhibition work and have no further feedback. Further, BCS has advised bioretention basin design details can be refined at later stages of the assessment process.

4.3 Biodiversity and Conservation

Revised Important Habitat for Swift Parrot mapping in July 2024 has led to a significant reduction in the Biodiversity Values area within the site to 0.01 hectares. The Department is

satisfied the site has sufficient area to accommodate the development, whilst avoiding impacts on mapped Important Habitat for the Swift Parrot.

4.4 Traffic and Transport

In response to the submission from TfNSW, the applicant further refined the traffic modelling to resolve intersection upgrade issues and the concept design to identify issues that can be resolved with TfNSW at the DA stage.

The Department is satisfied that the post-exhibition work has resolved modelling issues and that the outstanding design issues identified by TfNSW can be resolved in consultation with TfNSW at the DA stage.

4.5 Site-Specific LEP Clause

4.5.1 Affordable housing

The EIE specified that the Planning Proposal would introduce a site-specific clause in the Central Coast LEP 2022 that will require that at least 15% of homes are dedicated as affordable housing for a period of at least ten years. Post-exhibition, the site-specific clause has been amended to require that:

- all homes dedicated as affordable housing are managed by a registered community housing provider
- the 15% minimum requirement applies to each building within the development
- a restriction is registered against the title of all homes dedicated as affordable housing to ensure that they are used as such for a period of, following post-exhibition discussions between the Department and proponent, a period of at least 15 years

In addition, the application of Part 2, Division 1 of the *State Environmental Planning Policy (Housing) 2021* has been amended to exclude the site. This will ensure that no further FSR or height bonuses will be available.

The above amendments have been made to ensure that the affordable housing is delivered, offers a high level of amenity to residents and continues to be used for the purposes of affordable housing for the specified period. The approach is consistent with other sites under the SAPP pilot program.

4.5.2 Design excellence

The site-specific clause to be introduced in the Central Coast LEP 2022 has been amended post-exhibition to require that any future DA relating to the site is reviewed by a design review panel to determine if it exhibits design excellence. In determining whether the proposal exhibits design excellence, the design review panel is to consider matters such as:

- the standard of architectural design and land use mix
- impacts on the quality and amenity of the public domain and view corridors
- the suitability of the land for the development
- the relationship of the development with nearby existing or proposed development
- the bulk, massing and modulation of buildings
- street frontage heights and streetscape constraints
- environmental impacts, including sustainable design, overshadowing, wind and reflectivity
- the principles of ecologically sustainable development
- pedestrian, cycle, vehicular and service access and circulation requirements
- the availability of public open space.

The amendment has been made to ensure that a high quality design outcome is achieved. The approach is consistent with other sites under the SAPP pilot program.

4.5.3 Open space

The site-specific clause to be introduced in the Central Coast LEP 2022 has been amended post-exhibition to require that any future DA relating to the site includes at least 15,600m² of publicly accessible open space.

4.5.4 Office and retail premises

The site-specific clause to be introduced in the Central Coast LEP 2022 has been amended post-exhibition to require that any future DA include no more than 1,000m² of GFA for the purposes of office or retail premises.

The amendment has been made to ensure that trip generation from office and retail premises do not exceed the capacity of surrounding road network, and protect the local retail hierarchy.

4.6 State Significant Development Pathway

The site has been listed under Schedule 2 of the Planning Systems SEPP. The listing under Schedule 2 stipulates that any DA that has an estimated development cost of more than \$60 million can be lodged for assessment by the Department as a SSD application.

5 Recommendation

In response to community and agency submissions and the Department's post-exhibition assessment, the following planning provisions have been introduced via the self-repealing *State Environmental Planning Policy (Planning Systems) Amendment (Kanwal Site) 2025* that amends the Central Coast LEP 2022 as follows:

5.1 Central Coast LEP 2022

5.1.1 Written instrument

Introduce a site-specific clause applying to land identified as "205, 207-209 Wallarah Road, Kanwal" on the Key Sites Map, preventing development consent from being granted on land to which the clause applies unless:

- the development has been reviewed by a design review panel, the consent authority takes into account the panel's findings and the consent authority is satisfied that the development exhibits design excellence
- the consent authority is satisfied that at least 15,600m² of land to which the clause applies will be publicly accessible open space
- the consent authority is satisfied that at least 15% of homes in all buildings will be used for the purposes of affordable housing for a period of at least 15 years, managed by a registered community housing provider and registered as a restriction against the title of each affordable housing dwelling
- the consent authority is satisfied that the total gross floor area used for the purposes of office or retail premises not exceed 1,000m².

5.1.2 Mapping amendments

Height of Buildings Map: Amend the Height of Buildings Map (**Attachment B**) as it applies to the site to increase the maximum height of buildings from a blanket 12 metres across the site to a mix of 12, 18, 24, 27, 30, 33, 34 and 42 metres zones within different parts of the site.

Floor Space Ratio Map: Amend the Floor Space Ratio Map (Attachment B) as it applies to the site to increase the maximum FSR from a blanket 0.5:1 to 1.35:1.

Key Sites Map: Identifying the site as "205, 207-208 Wallarah Road, Kanwal" on the Key Sites Map (**Attachment B**).

5.2 Planning Systems SEPP

5.2.1 Written instrument

List the site as 'Kanwal Site' under the Planning Systems SEPP to enable the SSD pathway for development with an estimated development cost of \$60 million or more.

5.2.2 Mapping amendments

Add the site on the State Significant Development Site Map as 'Kanwal Site'.

5.3 Housing SEPP

5.3.1 Written instrument

Exclude the site from the application of Chapter 2, Part 2, Division 1 so that no further height or FSR bonuses will be available.

5.4 Justification for post-exhibition changes

The Department notes that these post-exhibition changes are justified and do not require re-exhibition. It is considered that the post-exhibition changes:

- are reasonable response to comments provided by the public authorities
- do not alter the intent of the Planning Proposal and are minor amendments to the Planning Proposal.

5.5 Recommendation

It is recommended the Governor makes the draft SEPP under clause 3.29(1) of the Act because:

- an Explanation of Intended Effect outlined the intent of planning amendments and has been published
- issues raised during consultation have been addressed or can be addressed through a development assessment
- the draft SEPP has site-specific strategic merit
- the draft SEPP is consistent with the relevant 9.1 Ministerial Directions and State Environmental Planning Policies
- Parliamentary Council opinion.

Attachments

Attachment	Document
A	Amending SEPP
B	Maps
C	Wallarah Road, Kanwal – Planning Proposal
D	Discussion Paper (Explanation of Intended Effects)
E	Public Submissions
F	Agency Submissions