

# PLANNING PROPOSAL – RECLASSIFICATION AND SALE OF SIX SURPLUS COUNCIL PROPERTIES

To amend Wollongong LEP 2009

PP-2018-WOLLG-001

**LOCAL GOVERNMENT AREA:** Wollongong City Council

**NAME OF DRAFT LEP:** Proposed Reclassification of six (6) surplus Council properties

**ADDRESSES OF LAND:**

This Planning Proposal details changes sought to Wollongong Local Environmental Plan 2009 to reclassify six lots and rezone three of the lots to enable their sale.

- Lot 16 DP 216777 Range Place, Bulli (reclassify only);
- Lot 2 DP231004 rear of 46 Montague Street, North Wollongong (reclassify only);
- Lot 87 DP 32081 Baringa Place, Dapto (reclassify only);
- Lot 1 DP 214743 part of Bloomfield Avenue Park, Corrimal (reclassify and rezone);
- Lot 6 DP 39037 No 26 Park Road, Bellambi (reclassify and rezone);
- Lot 5 DP 217372 No 18 Stanbrook Avenue, Mount Ousley (reclassify and rezone).

This document has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning and Infrastructure's *A Guide to Preparing Planning Proposals* (2012). It has been prepared seeking a Gateway Determination.

17/7/19  
VJW

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## Part 1 – Statement of objectives or intended outcomes

The key objective of this Planning Proposal is to:

- a. Reclassify the following lots from Community Land to Operational Land:
  - i Lot 1 DP 214743 part of Bloomfield Avenue Park, Corrimal;
  - ii Lot 87 DP 32081 Baringa Place, Dapto;
  - iii Lot 16 DP 216777 Range Place, Bulli;
  - iv Lot 6 DP 39037 No 26 Park Road, Bellambi;
  - v Lot 5 DP 217372 No 18 Stanbrook Avenue, Mount Ousley;
  - vi Lot 2 DP231004 rear of 46 Montague Street, North Wollongong.
- b. Rezone the following lots from RE1 Public Recreation to R2 Low Density Residential:
  - i Lot 6 DP39037 No 26 Park Road, Bellambi;
  - ii Lot 5 DP217372 No 18 Stanbrook Avenue, Mount Ousley;
- c. Rezone the following lots from RE1 Public Recreation to E3 Environmental Management:
  - i Lot 1 DP214743 part of Bloomfield Avenue Park, Corrimal.

The intended outcome of the Planning Proposal is to enable the various sites to be sold.

## Part 2 – Explanation of provisions

The land is classified as Community Land in terms of Section 27 and Clause 6 of Schedule 7 of the Local Government Act 1993.

It is proposed that the 6 lots be reclassified as Operational land.

It is proposed that 2 of the lots be rezoned from RE1 Public Recreation to R2 Low Density Residential, with a floor space ratio of 0.5:1 and minimum lot size of 449m<sup>2</sup>.

It is proposed that one lot be rezoned to E3 Environmental Management, with a floor space ratio of 0.1:1 and a minimum lot size of 199m<sup>2</sup>.

The objective of the Planning Proposal can be achieved through the following amendments to Wollongong LEP 2009:

- Map amendments:

	Proposed Zoning Map amendment	Proposed Floor Space Ratio Map amendment	Proposed Minimum Lot size Map amendment
Lot 6 DP39037 No 26 Park Road, Bellambi	R2 Low Density Residential	0.5:1	449m <sup>2</sup>
Lot 5 DP217372 No 18 Stanbrook Avenue, Mount Ousley	R2 Low Density Residential	0.5:1	449m <sup>2</sup>
Lot 1 DP214743 part of Bloomfield Avenue Park,	E3 Environmental Management	0.1:1	199m <sup>2</sup>



Corrimal			
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The map amendments are shown in Part 4 – Mapping.

- Amend Schedule 4 Classification and reclassification of public land, Part 2 Land classified, or reclassified, as operational land – interests changed, to include:

Column 1 Locality	Column 2 Description	Column 3 Any trusts etc not discharged
Corrimal	Lot 1DP214743	Nil
Dapto	Lot 87 DP32081	Nil
Bulli	Lot 16 DP216777	Two easements to drain water
Bellambi	Lot 6 DP39037	Nil
Mount Ousley	Lot 5 DP 217372	Nil
North Wollongong	Lot 2 DP231004	Nil

Council has identified the following interests that will be required to be discharged:

**18 Stanbrook Ave, Mount Ousley, Lot 5 DP217372**

It appears there are no interests to be discharged.

**Lot 16 Range Place, Bulli.**

2 covenants are required to be discharged regarding mining and fencing i.e D78631 and J99693.

There are two easements to drain water which need to remain.

**Lot 6 DP398037, 26 Park Road, Bellambi**

K20000P is required to be discharged regarding registration of instruments not authorised by LGA 1919.

**Lot 87 DP32081 Baringa Place, Dapto**

Need to discharge 2 covenants re mining and fencing, D332429 and J131647.

Discharge D332429 re excludes minerals and is subject to right to mine.

Discharge G115761- Right of Carriageway as public pathway is being retained.

**Bloomfield Park Avenue, Lot 1 in DP214743.**

No interests to discharge.

**Lot 2 DP231004 rear of 46 Montague Street, North Wollongong.**

No interests to discharge.

The following excerpt maps from Wollongong LEP 2009 and context plan illustrate the current situation and location in relation to the subject sites:

Land Description	Land Details
Lot 1 DP214743 Bloomfield Avenue, Corrimal Size: 1262.672m <sup>2</sup>	Zoning: RE1 Public Recreation Bushfire prone land Heritage (Landscape: Ficus Obliqua (adjoining the site)) Riparian Land and Watercourse
Lot 87 DP 32081 Baringa Place Dapto Size: 455m <sup>2</sup>	Zoning: R2 Low Density Residential Acid Sulphate Soils – Class 5
Lot 16 DP216777 Range Place Bulli Size: 1687.558m <sup>2</sup>	Zoning: R2 Low Density Residential Acid Sulphate Soils – Class 5
Lot 6 DP39037 26 Park Road Bellambi Size: 1285.225m <sup>2</sup>	Zoning: RE1 Public Recreation Riparian Land & Watercourse
Lot 5 DP217372 18 Stanbrook Avenue Mt Ousley Size: 774.538m <sup>2</sup>	Zoning: RE1 Public Recreation
Lot 2 DP231004 Rear of Montague Street North Wollongong Size: 130.591m <sup>2</sup>	Zoning: IN2 Light Industrial Acid Sulphate Soils – Class 4



**Part 3 – Justification****Section A – Need for the Planning Proposal****Q1: Is the planning proposal a result of strategic study or report?**

This Planning Proposal is not the result of any strategic study or report.

The proposed reclassification and rezoning of the sites were considered by Council as part of two Council reports on 30 October 2017 (5 sites) and 27 June 2016 (Montague Street site).

**Part of Bloomfield Ave. Park, Corrimal, Lot 1 DP 214743**

This land came to Council in approximately 1961 as part of a subdivision. It was transferred for use as Public Garden and Recreation Space. It is currently zoned RE1 Public Recreation and measures 1157m<sup>2</sup>. The land has no development value due to the majority of it being in a high flood risk precinct. The five adjoining land owners of Lots 2 to 6 DP214743 located in front of the subject land have approached Council to purchase the land. If the reclassification is successful it is proposed to subdivide Lot 1 DP214743 into five lots for sale to the adjoining owners. A market valuation report was obtained in August 2016 which valued the proposed five lots. Agreement has not yet been reached with the adjoining owners but negotiations will continue.

There are no caveats or covenants on the Certificate of Title. Lot 7 DP214743, which is Council community land adjoining Lot 1 will be retained as Community land.

**Lot 87 Baringa Place, Dapto, Lot 87 DP 32081**

This land came to Council in August 1962 for use as Public Garden and Recreation Space as part of a subdivision. It is zoned R2 Low Density Residential and measures 455m<sup>2</sup>. Two adjoining land owners have approached Council to purchase the land as it is located behind their properties and they are concerned about illegal activities and loitering. If the reclassification is successful it is intended to subdivide part of the land into two lots for sale to these owners. There is a public footpath on part of the land which will be retained as it provides access from Baringa Place through to Moomba Street and the Dapto Town Centre and is well used by the public. A market valuation report was obtained in October 2016 which valued the land. Negotiations will be held with the two adjoining land owners.

There are two covenants on the land which can be extinguished as part of the sale as they are of no consequence. One created in 1962, states that the land is only to be used for Public Garden and Recreation Space, which it is not currently used for as it is vacant, with no play equipment on it. The other is no longer relevant as it refers to smelting works, mineral rights and fencing.

**Lot 16 Range Place, Bulli, Lot 16 DP 216777**

This land came to Council in approximately 1962 as part of a subdivision by Beacon Subdivisions Pty Ltd. It was transferred for use as Public Garden and Recreation Space. It was originally zoned 6(a) Public Recreation under the Illawarra Planning Scheme Ordinance 1968 and was rezoned to 2(a) Residential A on 21/7/89 by Wollongong LEP No.165. With the introduction of the Local Government Act 1993, the site was inadvertently classified as community land. The site was proposed for reclassification in 2000 and 2008, but the reclassification did not proceed. It is currently zoned R2 Low Density Residential and measures 1682m<sup>2</sup>. A market valuation report was obtained in October 2016 which valued the land as one lot and per lot if subdivided into two lots. It is proposed to subdivide the land into two lots if successfully reclassified and place both lots on the open market for sale by public auction.

There are two covenants on the Certificate of Title which can be extinguished upon sale as they are of no consequence, one concerning fencing and the other concerning minerals and fencing.



**26 Park Road, Bellambi, Lot 6 DP 39037**

This land came to Council in approximately 1956 as part of a subdivision. It was transferred for use as Public Garden and Recreation Space. A market valuation report obtained in November 2016 valued the land as if reclassified to operational land and rezoned to R2 Low Density. If this occurs it is proposed to sell the land on the open market by public auction. The land is located in a medium flood risk precinct but advice obtained from Council's flooding section is that the land is still developable provided it follows the controls of the Wollongong Development Control Plan 2009. The valuation report takes this into account.

**18 Stanbrook Avenue, Mount Ousley, Lot 5 DP 217372**

This land came to Council in approximately 1962 as part of a subdivision. It was transferred for use as Public Garden and Recreation Space. It is currently zoned RE1 Public Recreation and measures 771.4m<sup>2</sup>. A market valuation report obtained in June 2016 valued this land as if it was free from infrastructure and zoned R2 Low Density.

Currently Vodafone and the NBN have infrastructure on it. It is worthwhile reclassifying it to operational land as firstly due to the infrastructure on it, it is not used by the community and, secondly, Council may be able to negotiate with Vodafone and the NBN to relocate their infrastructure in the future. There are no caveats or covenants on the Certificate of Title.

At its meeting of 30 October 2017, Council considered a report on the proposed reclassification and rezoning of 5 sites.

The report concluded as follows:

*It is proposed to reclassify the five parcels of land from Community Land to Operational Land to enable their sale. It is further proposed to rezone three of the properties from RE1 Public Recreation to R2 Low Density Residential. The part of Bloomfield Ave. Corrimal, being Lot 1 DP 214743 and Lot 87 Baringa Place, Dapto, being Lot 87 DP820321 are proposed to be sold to the adjoining land owners.*

Council resolved (minute No.130/2017), as follows:

1. *A draft Planning Proposal be prepared to amend the Wollongong Local Environmental Plan (LEP) 2009 to:*
  - a *Reclassify the following lots from Community Land to Operational Land:*
    - i Lot 1 DP 214743 part of Bloomfield Avenue Park, Corrimal;
    - ii Lot 87 DP 320821 Baringa Place, Dapto; [typographical error should read DP32081]
    - iii Lot 16 DP 216777 Range Place, Bulli;
    - iv Lot 6 DP 39037 No 26 Park Road, Bellambi;
    - v Lot 5 DP 217372 No 18 Stanbrook Avenue, Mount Ousley.
  - b *Rezone the following lots from RE1 Public Recreation to R2 Low Density Residential:*
    - i Lot 6 DP39037 No 26 Park Road, Bellambi;
    - ii Lot 5 DP217372 No 18 Stanbrook Avenue, Mount Ousley;
    - iii Lot 1 DP214743 part of Bloomfield Avenue Park, Corrimal.
- 2 *The draft Planning Proposal be referred to the NSW Department of Planning and Environment for a Gateway determination.*
- 3 *Following the Gateway determination, the draft Planning Proposal be exhibited for a minimum period of 28 days, and a public hearing be held as part of the exhibition.*



- 4 The Department of Planning and Environment be advised, that as the draft Planning Proposal involves Council land, Council does not seek to utilise its plan making delegations to finalise the draft Planning Proposal.*
- 5 Following the exhibition, a report on the exhibition, public hearing and submissions received be presented to Council for consideration.*
- 6 As part of the report, and subject to the reclassifications and rezonings being approved, Council determine whether to approve the sale of the properties, and grant the General Manager delegated authority to finalise the details of the sales.*
- 7 Authority be granted to affix the Common Seal of Council to any documents necessary to finalise this matter.*

At its meeting on 27 June 2016, Council considered a report on the proposed reclassification of Lot 2 DP231004 Montague Street, North Wollongong. The report noted as follows:

*Lot 2 DP 231004 is vacant Council Community land which is land locked and is therefore surplus to Council requirements. It is only suitable for use by the adjoining owner which is Unit 11, 46 Montague Street. The reclassification and sale to the owner of Unit 11 will provide Council with funds.'*

Council resolved (minute No. 70/2016) as follows:

- 1. Lot 2 DP231004 which is Council Community land be reclassified to Operational land and sold to the adjoining owner of Unit 11, 46 Montague Street, North Wollongong.*
- 2. The owner of Unit 11, 46 Montague Street, North Wollongong pay Council an amount of \$36,000 (GST exclusive) in compensation for the purchase of Lot 2 DP231004 as per the valuation advice obtained by Council.*
- 3. The owner of Unit 11, 46 Montague Street, North Wollongong be responsible for all costs associated with the reclassification and sale.*
- 4. The General Manager be authorised to sign all related documents and authority be granted for the use of the Common Seal of Council on any documentation required to give effect to this resolution.*

**Q2: Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

All the properties are classified as Community Land under the provisions of the Local Government Act 1993 which possess statutory limitations on their use. To achieve the long term objective for each parcel, each lot must first be reclassified to Operational Land and three lots rezoned. This can only be achieved via a Planning Proposal, proposing an amendment to Schedule 4 and the maps of Wollongong LEP 2009.

The Planning Proposal will enable the sale of the six sites. The six lots of community land are largely unused by the general public, the sales will generate income to Council and the maintenance burden will be removed.



It is considered that the Planning Proposal is the best means of achieving the stipulated objective.

### Section B – Relationship to strategic planning framework

**Q3: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?**

The intended Planning Proposal for the nominated sites is not a matter addressed by any applicable regional or subregional strategies.

**Q4: Is the Planning Proposal consistent with a council's local strategy or other local strategic document (eg. Wollongong Community Strategic Plan)?**

#### Wollongong 2022 – Community Strategic Plan

Wollongong 2022 is a long term plan that identifies where the Wollongong community want to be in the future. It outlines Wollongong community's priorities and aspirations and how these will be achieved through a primary vision and six primary goals.

#### **Our Community Vision**

From the mountains to the sea, we value and protect our natural environment and we will be leaders in building an educated, creative and connected community.

#### **Our Community Goals**

To support the achievement of our community vision, collaborative efforts will focus on six interconnected goals:

- 1 *We value and protect our environment*
- 2 *We have an innovative and sustainable economy*
- 3 *Wollongong is a creative, vibrant city*
- 4 *We are a connected and engaged community*
- 5 *We are a healthy community in a liveable city*
- 6 *We have sustainable, affordable and accessible transport.*

The Planning Proposal is consistent with the following objectives of Council's Community Strategic Plan:

#### **We value and Protect our Environment**

The Plan seeks to protect the unique environmental quality of the City by ensuring that the impact of new development is minimised through the preservation of sensitive sites and landscapes.

The reclassification will have no impact upon the environment.

#### **We are a connected and engaged community**

Preliminary notification of the proposed reclassification of Lot 2 DP231004, rear of Montague Street, North Wollongong occurred in the Wollongong Advertiser on 9 December 2015 and notification was forwarded to adjoining owners on Montague Street. No objections were received.

Preliminary notification of the proposed reclassification / rezoning of the other five properties were advertised in the Illawarra Mercury in May 2016. Notification was forwarded to local land owners within a one kilometre radius of each property advising of the proposed reclassification and subsequent sale. The owners were advised that they could submit comments on the proposal if they wished to do so.

No objections were received for Lyndon Street, Corrimal.

Comments received regarding the other properties included the following;

- That the footpath be retained in Baringa Place to provide public access between Baringa Place and Dapto Town Centre, St Johns Church and Moombarra Street. This will occur.
- Concern from the Range Place residents of the possibility of increased parking on the street. This would be addressed at the Development Application Stage. There was also a lot of interest received in purchasing the land.
- Concern from the owner of 28 Park Road, Bellambi, that any development on 26 Park Road might increase flooding on his property. This would be addressed at the Development Stage.
- Concern from the owners of 22 Park Road, Bellambi, that if the land is developed there will be no access to the waterway behind it, which they have an expectation for Council to maintain. However Council owns Community land at 34 Park Road, Bellambi, which could be used to gain access or it could be sought from the railway side of the waterway, if Council is responsible for the maintenance of the waterway.
- Concern from local residents in Stanbrook Avenue that the land should be left for what it was originally intended, concern about development removing mature trees on the site and concern about increased parking on the street. The trees and parking would be addressed at the development application stage. At the moment the property is not being used for its intended purpose due to the infrastructure placed by Vodafone and the NBN to which Council had no option but to agree under the Telecommunications Act.

Relevant internal and community consultation has been undertaken during the process of selecting the sites for reclassification and disposal and during the exhibition of the planning proposal. Letters were sent to residents in the vicinity of the sites and notices published in the newspaper. Submissions were reported to Council as part of the consideration of the planning proposal.

Subsequent to Gateway Determination, there was additional community engagement and a public hearing [12 September 2018] as part of the planning proposal process.

#### **We are a healthy community in a liveable City**

Council on behalf of the community supports the preparation of the Planning Proposal to reclassify the subject sites, as the proposal purports to achieving specific goals of Council, specifically Community goal number 5 "*We are a healthy community in a liveable city*".

This Planning proposal will not hinder the key policy directions of the Community Strategic Plan.

#### **Q5: Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The Planning Proposal is consistent with applicable State Environmental Planning Policies. Refer to Table A – Checklist of State Environmental Planning Policies.



**Q6: Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

The reclassification is not inconsistent with the Ministerial Directions issued in accordance with Section 117 to the Environmental Planning and Assessment Act, 1979.

Refer to Table B – Checklist of Ministerial Directions.

<b>Section C – Environmental, social and economic impact</b>
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**Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The Planning proposal will not have a detrimental impact on critical habitat or threatened species populations or ecological communities or their habitats.

**Q8: Are there any likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

Initial site investigations have identified the following site constraints:

Land Description	Land Details
Lot 1 DP214743 Bloomfield Avenue, Corrimal Size: 1262.672m2	Zoning: RE1 Public Recreation Bushfire prone land Flood Prone Land Heritage (Landscape: Ficus Obliqua (adjoining the site)) Riparian Land and Watercourse
Lot 87 DP 32081 Baringa Place, Dapto Size: 455m2	Zoning: R2 Low Density Residential Acid Sulphate Soils – Class 5
Lot 16 DP216777 Range Place Bulli Size: 1687.558m2	Zoning: R2 Low Density Residential Acid Sulphate Soils – Class 5
Lot 6 DP39037 26 Park Road Bellambi Size: 1285.225m2	Zoning: RE1 Public Recreation Flood Prone Land Riparian Land and Watercourse
Lot 5 DP217372 18 Stanbrook Avenue Mt Ousley Size: 774.538m2	Zoning: RE1 Public Recreation
Lot 2 DP231004 Rear of Montague Street North Wollongong Size: 130.591m2	Zoning: IN2 Light Industrial Acid Sulphate Soils – Class 4

The proposed reclassification of the subject sites shall have no immediate environmental impact as there shall be no change to the existing use of the sites. Once sold the properties may be subject to development applications for permissible development, such as residential development. The impact of any development will be assessed as part of the development application.

**Q9: Has the planning proposal adequately addressed any social and economic effects?**

The proposal specifically delivers on the following core business activities as detailed in the Property Services Service Plan 2017-18.

- Sale and purchase of land on behalf of Council
- Work with tenants and Infrastructure Strategic Planning to improve assets to achieve an improved outcome for the community
- Management of Council's property legislative requirements

The proposal will have a positive social and economic benefit.

#### Section D – State and Commonwealth interests

##### **Q10: Is there adequate public infrastructure for the planning proposal?**

The future development of the sites would have minimal impact of available public infrastructure.

##### **Q11: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

There has been consultation with State and Commonwealth public authorities as part of the exhibition.

NSW Rural Fire Service raise no objection to the Planning Proposal.

Sydney Water raise no objection to the Planning Proposal.

#### Part 4 – Mapping

The proposed map amendments to Wollongong LEP 2009:

1. Land Zoning Maps (LZN)
2. Floor Space Ratio (FSR)
3. Minimum Lot Size (LSZ)

#### Part 5 – Community Consultation

Following the gateway determination, the planning proposal was exhibited for a minimum period of 28 days from Friday 28 June to Friday 3 August 2018 and included:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *Electronic copy on Council's website;*
- *Notification letters to surrounding and nearby property owners; and*
- *Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Infrastructure including:*

Under the Environmental Planning and Assessment Act 1979, a public hearing was conducted by an independent facilitator, Mr Michael Muston, on Wednesday 12 September 2018.

#### **Clause 29 Public Hearing into reclassification**



- (1) A Council must arrange a public hearing under Section 57 of the Environmental Planning and Assessment Act, 1979, in respect of a planning proposal under Part 3 of that Act to reclassify community land as operational land, unless a public hearing has already been held in respect of the same matter as a result of a determination under section 56(2)(e) of that Act.
- (2) A Council must, before making any resolution under Section 32, arrange a public hearing in respect of any proposal to reclassify land as operational land by such a resolution. (Local Government Act, 1993).

### Part 6 – Projected Timeline

A primary goal of the plan making process is to reduce the overall time taken to produce LEPs. This timeline tentatively sets out expected timelines for major steps in the process. These timeframes are subject to change and are to be used as a guide only. The Minister may consider taking action to finalise the LEP if timeframes approved for the completion of the Planning Proposal are significantly or unreasonably delayed.

#	Action	Estimated Timeframe	Responsibility
1	Anticipated date of Gateway Determination	February 2018	DPE
1	Anticipated date of Gateway Determination	April 2018	DPE
2	Anticipated completion of required technical studies	N/A	N/A
3	Government agency consultation	June 2018	Agencies
4	Public exhibition	June – August 2018	Council
5	Date of Public Hearing (if applicable)	September 2018	Council
6	Consideration of submissions	October 2018	Council
7	Report to Council	April 2019	Council
8	Final maps and planning proposal prepared	May 2019	Council
9	Submission to Department for finalisation of LEP	June 2019	Council
10	Anticipated date RPA will make the LEP	August 2019	DPE
11	Anticipated date LEP will be notified	September 2019	Parliamentary Counsel and DPE

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
SEPP No. 1	Development Standard	N/A	Not applicable to this Planning proposal.
SEPP No. 14	Coastal Wetlands	N/A	Not applicable to this Planning Proposal.
SEPP No. 15	Rural Land Sharing Communities	Does not apply to Wollongong	N/A
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	N/A
SEPP No. 21	Caravan Parks	Yes	Not applicable to this Planning Proposal.
SEPP No. 26	Littoral Rainforests	N/A	No littoral rainforests identified by the policy in the Wollongong LGA
SEPP No. 30	Intensive Agriculture	N/A	Not applicable to this Planning Proposal.
SEPP No. 33	Hazardous and Offensive Development	N/A	Not applicable to this Planning Proposal.
SEPP No. 36	Manufactured Home Estates	N/A	Not Applicable to this Planning Proposal.
SEPP No. 44	Koala Habitat Protection	N/A	The sites do not represent 'potential koala habitat' or 'core koala habitat' as defined in SEPP 44.
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	N/A
SEPP No. 50	Canal Estate Development	N/A	Not applicable to this Planning Proposal.
SEPP No. 52	Farm Dams, Drought Relief and Other Works	Does not apply to Wollongong	N/A
SEPP No. 55	Remediation of Land	N/A	Not applicable to this Planning Proposal.
SEPP No. 56	Sydney Harbour Foreshores and Tributaries	Does not apply to Wollongong	N/A
SEPP No. 62	Sustainable Aquaculture	N/A	Not applicable to this Planning Proposal.
SEPP No. 64	Advertising and Signage	N/A	Not applicable to this Planning Proposal.
SEPP No. 65	Design quality of residential flat development	N/A	Not applicable to this Planning Proposal.
SEPP No. 70	Affordable Housing (revised	Does not apply to	N/A



State Environmental Planning Policy		Compliance	Comment
	schemes)	Wollongong	
SEPP No. 71	Coastal Protection	N/A	Not applicable to this Planning Proposal.
SEPP	Kurnell Peninsula 1989	Does not apply to Wollongong	N/A
SEPP	Penrith Lakes Scheme 1989	Does not apply to Wollongong	N/A
SEPP	Housing for Seniors or People with a Disability 2004	N/A	Not applicable to this Planning Proposal.
SEPP	Building Sustainability Index: BASIX 2004	N/A	Not applicable to this Planning Proposal.
SEPP	State Significant Projects 2005	N/A	Not applicable to this Planning Proposal.
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	N/A
SEPP	Mining, Petroleum Production and Extractive Industries 2007	N/A	Not applicable to this Planning Proposal.
SEPP	Infrastructure 2007	N/A	Not applicable to this Planning Proposal.
SEPP	Miscellaneous Consent Provisions 2007	N/A	Not applicable to this Planning Proposal.
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	N/A
SEPP	Rural Lands 2008	Does not apply to Wollongong	N/A
SEPP	Affordable Rental Housing 2009	N/A	Not applicable to this Planning Proposal.
SEPP	Western Sydney Employment Lands 2009	Does not apply to Wollongong	N/A
SEPP	Exempt and Complying Development Codes 2008	N/A	Not applicable to this Planning Proposal.
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	N/A
SEPP	Urban Renewal 2010	N/A	Not applicable to this Planning Proposal.
SEPP	State and Regional Development 2011	N/A	Not applicable to this Planning Proposal
SEPP	Sydney Drinking Water Catchment 2011	N/A	Not applicable to this Planning Proposal
SEPP	Three Ports 2013	N/A	Not applicable to this Planning

State Environmental Planning Policy		Compliance	Comment
			Proposal
SEPP	Integration and Repeals 2016	N/A	Not applicable to this Planning Proposal
SEPP	Educational Establishments and Child Care Facilities 2017	N/A	Not applicable to this Planning Proposal
SEPP	Vegetation in non-rural areas 2017	N/A	Not applicable to this Planning Proposal
<b>Deemed SEPPS( former Regional Plans)</b>			
Illawarra REP 1	Illawarra	Repealed within Wollongong	N/A
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	N/A
Greater Metropolitan REP No.2	Georges River catchment	N/A	Not applicable to this Planning Proposal



Table B - Checklist of Section 117 Ministerial Directions

Ministerial Direction		Comment
<b>1. Employment and Resources</b>		
1.1	Business and Industrial Zones	Direction does not apply.
1.2	Rural Zones	Direction does not apply
1.3	Mining, Petroleum Production and Extractive Industries	Direction does not apply
1.4	Oyster Aquaculture	Direction does not apply
1.5	Rural Lands	Direction does not apply
<b>2. Environment and Heritage</b>		
2.1	Environment Protection Zone	Direction does not apply
2.2	Coastal Protection	Direction does not apply
2.3	Heritage Conservation	Direction does not apply
2.4	Recreation Vehicle Areas	Direction does not apply
2.5	Application of E2 and E3 zones and Environmental Overlays in Far North Coast LEPs	Not applicable to Wollongong
<b>3. Housing, Infrastructure and Urban Development</b>		
3.1	Residential Zones	The Planning Proposal will not change existing provisions for housing and essential services.
3.2	Caravan Parks and Manufactured Home Estates	The Planning Proposal will not change existing provisions for Caravan parks.
3.3	Home Occupations	The Planning Proposal will not change existing provisions for Home Occupations.
3.4	Integrating Land Use and Transport	The Planning Proposal shall not change the provisions for land uses and building forms to the extent that the objectives of this Direction need to be involved.
3.5	Development Near Licensed Aerodromes	Direction does not apply
<b>4. Hazard and Risk</b>		
4.1	Acid Sulfate Soils	The Planning Proposal will have no impact upon this Direction.
4.2	Mine Subsidence and Unstable Land	Direction does not apply.

4.3 Flood Prone Land	<p>Lot 1 DP214723 and Lot 6 DP39037 are noted as being identified as Flood Prone Land.</p> <p>Noting this, the proposal is considered to be generally consistent with the Direction as it does not seek to intensify the land use nor does the proposal in its current form constitute development. However, Council's Flooding Division have reviewed the proposal and noted that development potential is probable subject to compliance with Council's controls ensuring that public risk is negated.</p> <p>The Planning Proposal is considered to be generally consistent with this Direction.</p>
4.4 Planning for Bushfire Protection	<p>The Planning Proposal is consistent with this direction because it does not alter the provisions relating to bushfire protection.</p> <p>Furthermore, it is noted that Lot 1 DP214743 has been identified as bushfire prone land. The Proposal is not inconsistent with the Direction as it does not seek to intensify the land use nor is any development proposed as a component of this application.</p> <p>Should development be proposed adequate arrangements for bushfire protection, having regard to PBP 2006, would be dealt with in accordance with a future Bushfire Impact Assessment.</p> <p>As such, it is considered that the Planning Proposal will have no impact upon this Direction.</p>
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	Revoked 17/10/17
5.2 Sydney Drinking Water Catchments	Direction does not apply
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Wollongong
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Wollongong
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable to Wollongong
5.8 Second Sydney Airport: Badgerys Creek	Not applicable to Wollongong
5.9 North West Rail Link Corridor Strategy	Not applicable to Wollongong



5.10	Implementation of Regional Plans	Not inconsistent with the Illawarra Shoalhaven Regional Plan
<b>6. Local Plan Making</b>		
6.1	Approval and Referral Requirements	The proposal is consistent with this direction because it does not alter the provisions relating to approval and referral requirements.
6.2	Reserving Land for Public Purposes	The Planning Proposal does not affect land reserved for public purposes nor does it change existing reservations.
6.3	Site Specific Provisions	Direction does not apply.
<b>7. Metropolitan Planning</b>		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Not applicable to Wollongong
7.2	Implementation of Greater Macarthur land Release investigation	Not applicable to Wollongong
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable to Wollongong
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to Wollongong

