

- 6 SEP 2013

Southern Region-Wollongong



PWG001616

Mr Brett Whitworth
Regional Director Southern Region
NSW Department of Planning and Infrastructure
PO Box 5475
WOLLONGONG NSW 2520

Your Ref:

PP_2012_WOLLG_004_00

Our Ref:

Z13/161026

File:

ESP-100.01.040

Date:

6 September 2013

Dear Mr Whitworth

FINAL PLANNING PROPOSAL FOR FORMER 7(D) LANDS AT HELENSBURGH, OTFORD AND STANWELL TOPS

Reference is made to the Department's letter dated 2 April 2012 issuing the Gateway determination for the revised draft Planning Proposal affecting the former 7(d) lands at Helensburgh, Otford and Stanwell Tops.

As you are aware, Council commenced the review in 2007 and exhibited two draft concept schemes in 2009 and 2010. The draft Planning Proposal was endorsed by Council on 28 November 2011. The attached report 1 of the Council meeting of 29 July 2013 provides a more detail background summary.

The draft Planning Proposal was exhibited from 6 August to 26 October 2012. Council received over 58,000 submissions, the majority of which were form letters. Council considered the issues raised in the submissions through 13 reports at its meeting on 29 July 2013. Attached is a copy of the Council reports, which details the exhibition arrangements, the submissions received (including a summary of submissions) and discusses the issues associated with the precincts. A copy of the meeting minutes is also attached.

The Council officer reports recommended a number of amendments to the exhibited draft Planning Proposal, the majority of which were endorsed by Council. Council varied the officer recommendations for 3 precincts – Lady Carrington Estate South (proceed with the exhibited E2 zone), Walker Street – Blackwells (proceed with the exhibited IN2 zone), and the Frew Avenue (not vary the minimum lot size to enable a dwelling house to be built on 3 lots).

The benefits of the Planning Proposal include:

- Rezoning one property (33 ha), now part of the Garrawarra State Conservation Area to E1 National Parks, with the support of OEH;
- Rezoning 1129ha to E2 Environmental Conservation;
- Rezoning 6.3ha to B6 Enterprise Corridor to provide local employment opportunities along the Princes Highway;
- Rezoning Symbio Wildlife Park to SP3 Tourist in recognition of this significant visitor facility and to provide improved certainty for future proposals;
- Rezoning 8.4ha to IN2 Light Industry to recognise an existing waste recycling facility and to enable Development Applications to be lodged and assessed for on-going operations, and to provide additional local employment opportunities;

- Rezoning 0.73ha to E4 Environmental Living in recognition of existing dwellings on small residential sized lots;
- Rezoning 79ha to RU2 Rural Landscapes in recognition of the existing agricultural activities and cleared land;
- Retaining an E3 Environmental Management zone over 339ha, including the land on which the majority of dwelling houses are located (note some properties are proposed to have an E2/E3 spilt zone);
- Broadening the permitted uses on the Garrawarra Hospital site, making a minor adjustment to the zone boundary and removing the minimum lot size requirement;
- One additional dwelling house to be constructed in the South Otford precinct.

Five dwelling houses may gain existing use rights through the rezoning to E2 Environmental Conservation (4 in the Royal National Park isolated lots and 1 at Lilyvale), if they were lawfully commenced.

A number of rezoning proposals were lodged as submissions to the draft Planning Proposal. None of the requests were supported as amendments or variations to the Planning Proposal, although it is likely that some may be resubmitted to Council with additional information in the future.

Notably, Council did not support the request made by Smyth Planning on behalf of Ensile Pty Ltd and some landowners within the Land Pooling precinct, which proposed the rezoning and transfer of significant bushland areas to the State, in exchange for residential development in the Lady Carrington Estate South and Land Pooling precinct. Council is not opposed to the transfer of land to the State, but does not support the urban development of the two precincts, indeed Council has resolved to proceed with the E2 Environmental Conservation zoning for these precincts.

To finalise the Planning Proposal the following information is provided:

- A copy of the 13 reports to Council and minutes for the 29 July 2013;
- A map showing the changes recommended by Council officers and those made by Council;
- A copy of the final Planning Proposal document and review of SEPPs, and Section 117 directions;
- A copy of the final maps and draft map cover sheet; and
- A copy of submissions from State agencies received during the exhibition, and the required prior consultation with RFS and DPI.

Please contact me should you require further information.

This letter is authorised by

David Green
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Final Planning Proposal

LOCAL GOVERNMENT AREA: WOLLONGONG

NAME OF DRAFT LEP: REVIEW OF FORMER 7(D) LANDS AT HELENSBURGH, OTFORD AND STANWELL TOPS

ADDRESS OF LAND: HELENSBURGH, OTFORD, STANWELL TOPS AND LILYVALE

MAPS:

- **Location map** (attached)
- **Existing zoning map** (attached) – majority of land is currently zoned E3 Environmental Management
- **Proposed zoning map amendments** (separate attachment)
- **Proposed Floor Space Ratio Map amendments** (separate attachment)
- **Proposed Lot Size Map amendments** (separate attachment)
- **Proposed Height of Building Map amendments** (separate attachment)

Part 1: OBJECTIVES OR INTENDED OUTCOMES OF PROPOSED LEP:

Concise statement setting out objectives or intended outcomes of the planning proposal.

To introduce new planning controls for land formerly zoned 7(d) Hacking River Environmental Protection at Helensburgh, Otford and Stanwell Tops that better reflects land capability and land use, and seeks to protect sensitive environments in some precincts and allow minor development in other precincts.

Part 2: EXPLANATION OF THE PROVISIONS OF PROPOSED LEP:

Statement of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed via a LEP.

Amendment of Wollongong LEP 2009 by changes to the:

- Zoning Map
- Floor Space Ratio Map
- Lot Size Map
- Height of Building Map

(see attachment proposed amendment maps)

A review of the operation of subclauses 4.2A(2)(b) and 4.2A(2)(f) and (g) is also requested. Subclauses (2)(f) and (g) specify minimum lot sizes which have been carried over from the previous Wollongong LEP 1990. However, it has been suggested that subclause (2)(b) enables a dwelling house to be permissible on vacant lots where the lot was in existence prior to the commencement of Wollongong LEP 2009 based on the use being permitted in the land use table, irrespective of the minimum lot size (development standard) requirement. Subclauses (2)(f) and (g) may need to include the words "Despite subclause (2)(b),"... to provide clarity.

Part 3: JUSTIFICATION OF OBJECTIVES, OUTCOMES AND PROVISIONS AND PROCESSES FOR THEIR IMPLEMENTATION:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report? IF YES: - Briefly explain the nature of the study or report and its key findings in terms of explaining the rationale for the proposal. - Submit a copy of the study or report with the planning proposal.	Yes – Council has undertaken a review of the lands formerly zoned 7(d) Hacking River – Environmental Protection under the Wollongong LEP 1990. The majority of the area is zoned E3 Environmental Management under the Wollongong LEP 2009. The review commenced prior to the introduction of the new LEP. The 7(d) zone was introduced in the 1980s and 1990s to protect the Hacking River catchment, however the zone did not account for existing development. The appropriateness of the former 7(d) zone and current E3 zone have been reviewed and changes are proposed. The study area is divided into 26 precincts, each with a complex history, different environmental attributes and land use pattern. In some areas a higher conservation zone is proposed (E2 Environmental Conservation). In other areas where land has been cleared and is being used for farming, housing, tourism, recreation, business or other uses, an alternate zone is proposed. In other areas, no change is proposed Council has previously submitted copies of: - Draft Review of 7(d) Lands at Helensburgh, Otford and Stanwell Tops (Willana 2009) - Draft Review of 7(d) Lands at Helensburgh, Otford and Stanwell Tops - Preliminary Review on issues raised in submissions (WCC 2010) - Draft Review of 7(d) Lands at Helensburgh, Otford and Stanwell Tops - Final Report on issues raised in submissions (WCC 5/7/2011) - the 12 Council reports considered by Council on 28/11/11. Attached is copies of the 13 reports considered by Council on 29 July 2013.
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way? (alternatives to changing the controls on development might include community education and new administrative processes such as pre-application meetings)	Yes – to replace the current E3 Environmental Management zone with more suitable zones, a planning proposal is required.
3. Is there a net community benefit? The Net Community Benefit Test: an assessment should be prepared by the proponent to be submitted to council for endorsement prior to submitting to DoP as part of the Gateway test. The level of	A net community benefit test has not been prepared. The better protection of bushland through the introduction of the E2 zone will be of community benefit. Affected landowners object to the proposed change.

detail and analysis should be proportionate to the size and likely impact of the rezoning.	The rationalisation of zonings to reflect land capability and existing development will provide certainty for land owners. However, large sections of the community object to these proposed changes.
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Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)? • Describe regional or sub-regional strategy outcomes or actions directly relevant to the planning proposal. • Where this is the case, include reasons why the proposal is either explicitly consistent with, or explicitly inconsistent with the outcomes or actions contained in the regional or sub-regional strategy • Where the planning proposal is inconsistent consider whether circumstances have changed, or whether a matter relevant to the planning proposal was not considered in the preparation of the strategy. • Sustainability criteria included in regional strategies should be addressed in the planning proposal.	The proposal is not inconsistent with the Illawarra Regional Strategy (2007). The Illawarra Regional Strategy seeks to: • conserve sensitive environments and habitats – the draft Planning Proposal proposes to rezone large areas to E2 Environmental Conservation. • not promote Helensburgh as an urban release areas – the draft Planning Proposal does not propose urban expansion at Helensburgh.
5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	Council has adopted a Community Strategic Plan. The 2012-13 Annual Plan identified the finalisation of the 7(d) review as a key project. Prior to the exhibition of the draft Planning Proposal, Council exhibited two sets of draft options for the future of the area, resulting in 3,447 submissions and 19,390 submissions, respectively. The majority of submissions want the whole area zoned E2 Environmental Conservation. While the E2 zone is appropriate for large parts of the area, it is not appropriate in other areas which have been cleared and are being used for farmland, housing, tourism or employment uses. The exhibition of the draft Planning Proposal attracted over 58,000 submissions, the majority of which were form letters. See attached report for details of consultation.

6. Is the planning proposal consistent with applicable state environmental planning policies?	The proposal is not inconsistent with any relevant SEPP See attached summary of SEPPs and section 117 Directions.
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)? - Each planning proposal must identify which, if any, section 117 Directions are relevant to the proposal. - Where the planning proposal is inconsistent, those inconsistencies must be specifically justified - Certain directions require consultation with government agencies – if such a direction is relevant, this should be identified however should not take place until the gateway determination is issued, confirming the public authorities to be consulted on the planning proposal.	The proposal is consistent with the majority of relevant section 117 Directions. See attached summary of SEPPs and section 117 Directions. The draft Planning Proposal has minor inconsistencies with Section 117 Direction: 1.5 Rural Lands – reduction of minimum lot sizes for 4 properties zoned E3 Environmental Management, to allow a dwelling house, 2.1 Environmental Protection zones - some areas zoned E3 Environmental Management are proposed to be zoned E2, B6, IN2, E4, R2, RE2, SP3, or RU2 to better reflect land capability and existing land use. The inconsistencies are justified in the attached reports.

Section C – Environmental, social and economic impact

8. 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? IF YES: it will be necessary to carry out an assessment of significance in accordance with section 5A of the EP&A Act and the “Threatened Species Assessment Guidelines” issued by the Department of Environment and Climate Change. Any adverse impact will trigger the requirement under section 34A to consult with the Director General of the Department of Climate Change – such consultation if required does not take place until after the issuing of the initial gateway determination.	The area does contain the EEC Southern Sydney Sheltered Forest. The Planning Proposal does not propose large scale development in these areas. Any individual development proposals that affect the EEC will need to undertake their own assessment. Council is not proposing to undertake a flora and fauna study. The draft Planning Proposal seeks to rezone large areas of bushland (non-EECs, but part of an important habitat linkage) to the E2 Environmental Conservation zone.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? This might include natural hazards such as flooding, land slip, bushfire hazard etc. If it is necessary to undertake technical	The area has a high bushfire risk. Bushfire issues were considered as part of the proposal, including consultation with the RFS. Council has considered the impact clearing for bushfire mitigation would have on the sensitive environments, development in these areas has not been supported. Individual development proposals will need to incorporate bushfire mitigation measures.

studies or investigations to address an identified matter, these should be undertaken following the initial gateway determination.	The study area is not subject to flooding. Steep slopes – development on steep slopes has not been supported. Water quality – the area is in the upper catchment of the Hacking River and flows through the Royal National Park. The Hacking River has poor water quality, and it is important that it does not become worse. Large areas of bushland are proposed to be zoned E2. Any new development proposals will need to incorporate water quality measures.
10. How has the planning proposal adequately addressed any social and economic effects? This includes effects on items or places of European or aboriginal cultural heritage.	There are no non-Indigenous heritage items affected by the proposal. The area does contain Aboriginal heritage. A study has not been undertaken as no development of undisturbed environments is proposed. Large areas of land are proposed to be zoned E2 Environmental Conservation which will better conserve Aboriginal heritage. Other zones are proposed for existing disturbed and developed land, which are unlikely to still contain indigenous heritage. Council is not proposing to undertake an Aboriginal Heritage Study.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal? This applies to planning proposal that may result in residential subdivision in excess of 150 lots, substantial urban renewal, or infill development.	Water & Sewerage – Sydney Water has advised that there is capacity in the system, that they have no plans to expand the network, and any expansion to serve future development will need to be funded by the developers. A sewerage system is available to serve the proposed 1 in Otford South (adjoins Otford).
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination? This is completed following consultation with the State and Commonwealth Public Authorities identified in the gateway determination and must summarise and address issues raised not already dealt with in the planning proposal.	Preliminary consultation occurred with a number of State Authorities (particularly Office of Environment and Heritage, and Sydney Water, and RTA) as part of the preliminary exhibitions. Further consultation occurred as part of the exhibition of the draft Planning Proposal – see reports for details of submissions received. Council received submissions from: • Kate Faehrmann MLC • Rural Fire Service (Gateway requirement); • Department of Primary Industries – Minerals and Petroleum (Gateway requirement); • NSW Department of Primary Industry – Catchment and Lands; • NSW Ministry of Health, and NSW Health South

	Eastern Sydney Local Health • District (same submission); • NSW Office of Environment and Heritage; • NSW Roads and Maritime Service; • Southern Rivers Catchment Management Authority; • Sydney Catchment Authority; • Sydney Water Corporation; • Transgrid; • Sutherland Shire Council; and • Wingecarribee Shire Council. (Copies attached – also see report 1 – attachment 4 for a summary)
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Part 4: DETAILS OF COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL:

Outline the community consultation that is to be undertaken in respect of the proposal, having regard to the requirements set out in the guide (refer to the document “**A guide to preparing local environmental plans**” which outlines the consultation required for different types of planning proposals).

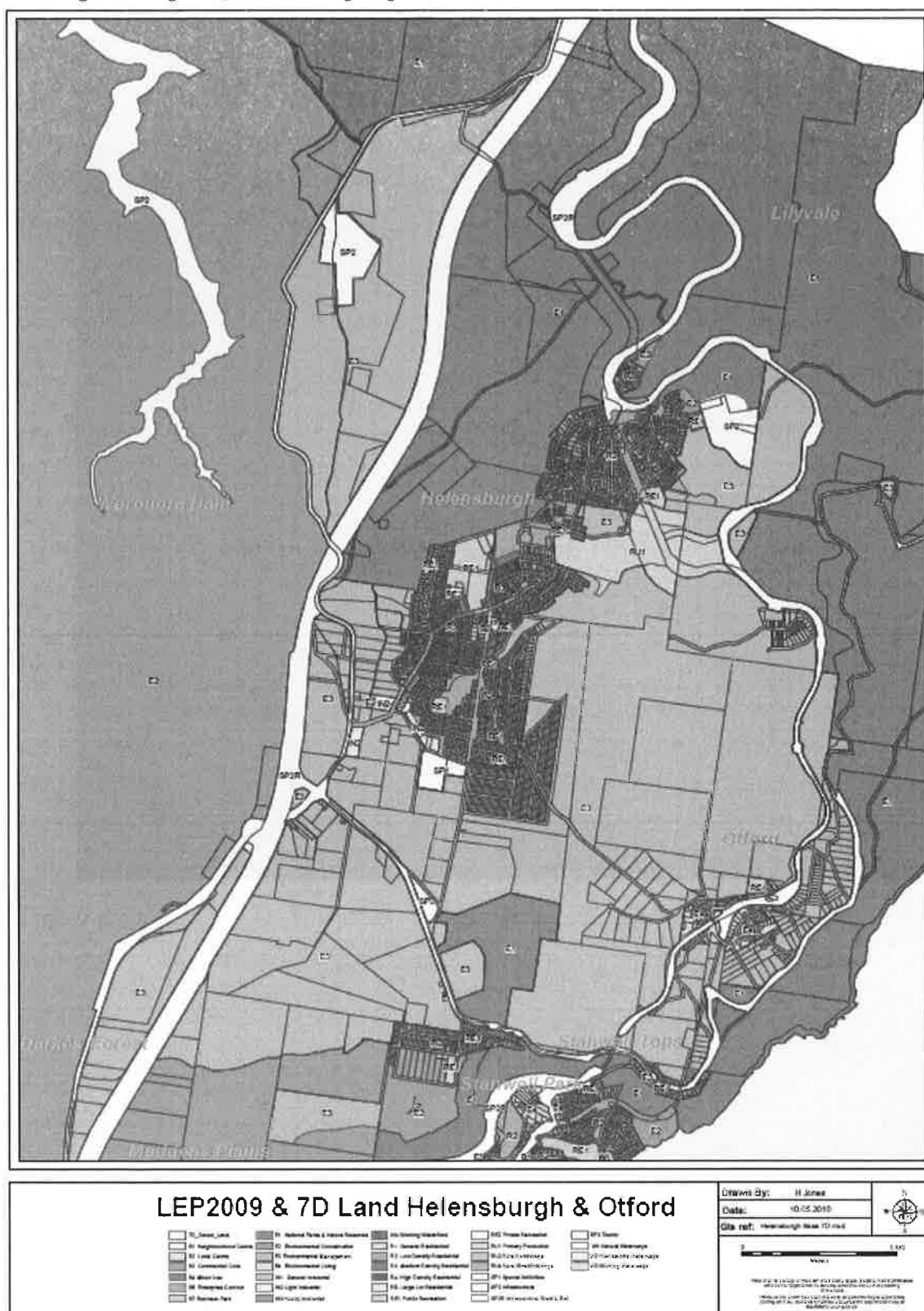
The planning proposal was exhibited from 6 August to 26 October 2012, and included:

- Advertisements in the Illawarra Mercury, Wollongong Advertiser and Sydney Morning Herald;
- Hard copies at Council's Administration building and Wollongong and Helensburgh Libraries;
- Electronic copy on Council's website;
- Notification letters to affected land owners;
- Notification letters to surrounding and nearby property owners (within the 2508 postcode);
- Notification letters to:
 - Sutherland Shire Council
 - Roads and Maritime Authority,
 - Origin Energy,
 - Sydney Water,
 - Rural Fire Service,
 - Office of Environment and Heritage,
 - Hacking River Catchment Management Authority, and
 - Department of Primary Industry.
- Distribution of CDs containing the exhibition material upon request;
- Information session at Helensburgh Community Centre on 28 August 2012;
- Briefing to the Neighbourhood Forum 1 (Helensburgh) on 12 September 2012

Location Map



Existing Zoning map - Wollongong LEP 2009



SCHEDULE OF SEPPS, REPS AND SECTION 117 DIRECTIONS
FOR THE REVIEW OF FORMER 7(D) LANDS

	State/Regional Policy	Compliance	Comment
State policies			
SEPP No. 1	Development Standards	Repealed by the Wollongong LEP 2009 for Wollongong	
SEPP No. 2	Minimum standards for Residential Flat Building	Repealed	
SEPP No. 3	Castlereagh Liquid Waste Depot	Repealed	
SEPP No. 4	Development Without Consent and miscellaneous Exempt and Complying Development	Clause 6 and Parts 3 & 4 repealed by the Wollongong LEP 2009 for Wollongong	
SEPP No. 5	Housing for Older People or People with a Disability	Repealed	
SEPP No. 6	Number of Storeys in a Building	Consistent	
SEPP No. 7	Port Kembla Coal Loader	Repealed	
SEPP No. 8	Surplus Public Lands	Repealed	
SEPP No. 9	Group Homes	Repealed	
SEPP No. 10	Retention of Low-Cost Rental Accommodation	NA	
SEPP No. 11	Traffic Generating Developments	Repealed	
SEPP No. 12	Public Housing (Dwelling Houses)	Repealed	
SEPP No. 13	Sydney Heliport	Repealed	
SEPP No. 14	Coastal Wetlands	NA	
SEPP No. 15	Rural Landsharing Communities	NA	
SEPP No. 16	Tertiary Institutions	Repealed	
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	
SEPP No. 20	Minimum Standards for Residential Flat Development	Repealed	
SEPP No. 21	Caravan Parks	NA	
SEPP No. 22	Shops and Commercial Premises	NA	
SEPP No. 25	Residential Allotment Sizes and Dual Occupancy Subdivision	Repealed	
SEPP No. 26	Littoral Rainforests	NA	
SEPP No. 27	Prison Sites	Repealed	
SEPP No. 28	Town Houses and Villa Homes	Repealed	
SEPP No. 29	Western Sydney Recreational Area	Does not apply to Wollongong	
SEPP No. 30	Intensive Agriculture	N/A	
SEPP No. 31	Sydney (Kingsford Smith) Airport	Repealed	
SEPP No. 32	Urban Consolidation (Redevelopment of Urban Land)	N/A	
SEPP No. 33	Hazardous and Offensive Development	N/A	
SEPP No. 34	Major Employment - Generating Industrial Development	N/A	
SEPP No. 35	Maintenance Dredging of Tidal Waterways	Repealed	

	State/Regional Policy	Compliance	Comment
SEPP No. 36	Manufactured Home Estates	N/A	
SEPP No. 37	Continued Mines and Extractive Industries	N/A	
SEPP No. 38	Olympic Games and Related Projects	N/A	
SEPP No. 39	Spit Island Bird Habitat	Does not apply to Wollongong	
SEPP No. 41	Casino/Entertainment Complex	Does not apply to Wollongong	
SEPP No. 42	Multiple Occupancy and Rural Land	Repealed	
SEPP No. 43	New Southern Railway	Repealed	
SEPP No. 44	Koala Habitat Protection	N/A	
SEPP No. 45	Permissibility of Mining	N/A	
SEPP No. 46	Protection and Management of Native Vegetation	Repealed	
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	
SEPP No. 48	Major Putrescible Landfill Sites	Repealed	
SEPP No. 50	Canal Estate Development	N/A	
SEPP No. 51	Eastern Distributor	Repealed	
SEPP No. 52	Farm Dams and Other Works in Land and Water Management Plan Areas	N/A	
SEPP No. 53	Metropolitan Residential Development	N/A	
SEPP No. 54	Northside Storage Tunnel	Repealed	
SEPP No. 55	Remediation of Land	N/A	
SEPP No. 56	Sydney Harbour Foreshores and Tributaries	Does not apply to Wollongong	
SEPP No. 58	Protecting Sydney's Water Supply	N/A	
SEPP No. 59	Central Western Sydney Economic and Employment Area	Does not apply to Wollongong	
SEPP No. 60	Exempt and Complying Development	Repealed by the Wollongong LEP 2009 for Wollongong	
SEPP No. 61	Exempt and Complying Development for White Bay and Glebe Island Ports	Repealed	
SEPP No. 62	Sustainable Aquaculture	N/A	
SEPP No. 63	Major Transport Proposals	Repealed	
SEPP No. 64	Advertising and Signage	N/A	
SEPP No. 65	Design quality of residential flat development	N/A	
SEPP No. 67	Macquarie generation industrial development strategy	Repealed	
SEPP No. 69	Major electricity supply projects	Repealed	
SEPP No. 70	Affordable Housing (revised schemes)	N/A	
SEPP No. 71	Coastal Protection	N/A	
SEPP No. 72	Linear Telecommunications Development – Broadband	Repealed	
SEPP No. 73	Kosciuszko ski resorts	Repealed	
SEPP No. 74	Newcastle Port and Employment Lands	N/A	
SEPP	Housing for Seniors or People with a Disability 2004	Not inconsistent	
SEPP	Building Sustainability Index: BASIXs 2004	N/A	
SEPP	ARTC Rail Infrastructure 2004	Repealed	
SEPP	Sydney Metropolitan Water Supply 2004	Repealed	
SEPP	Major Development 2005	N/A	
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	
SEPP	Mining, Petroleum Production and Extractive Industries 2007	Not inconsistent	SEPP overrides the LEP
SEPP	Development on the Kurnell Peninsular 2005	Does not apply to Wollongong	
SEPP	Kosciuszko National Park – Alpine	Does not apply	

	State/Regional Policy	Compliance	Comment
SEPP	resorts 2007	to Wollongong	
SEPP	Temporary Structures and Places of Public Entertainment 2007	NA	
SEPP	Infrastructure 2007	Not inconsistent	
SEPP	Rural Lands 2008	NA	
SEPP	Affordable Rental Housing 2009	Not inconsistent	
SEPP	Western Sydney Employment Area 2009	Does not apply to Wollongong	
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	
SEPP	Urban Renewal 2010	NA	
SEPP	Sydney Drinking Water Catchment 2011	NA	
SEPP	Port Botany and Port Kembla	NA	
SEPPs - Former Regional Plans			
Illawarra REP 1	Illawarra	Repealed by the Wollongong LEP 2009 for Wollongong	
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	
REP Greater Metropolitan REP No.2	Sustaining the catchments Georges River catchment	Repealed NA	

Directions issued to Councils under section 117(2) of the Act:

Ministerial Direction		Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	Consistent – the draft planning proposal does not reduce the extent of employment land. Two sites zoned IN2 Light Industry are proposed to be zoned B6 Enterprise Corridor as part of a larger B6 precinct, increasing the extent of employment land. One additional site (parts of 4 lots) on Walker St, is proposed to be zoned IN2 Light Industrial. The balance of the property is proposed to be zoned E2.
1.2	Rural Zones	NA – the planning proposal does not apply to land zoned rural. Some sites on Walker St are proposed to be zoned RU2 Rural Landscapes.
1.3	Mining, Petroleum Production and Extractive Industries	The area contains coal reserves and the Metropolitan Colliery. The Department removed mining as a permitted land use in the E2 and E3 zones during the finalisation of the Wollongong LEP 2009, as mining is controlled under SEPP Mining, Petroleum Production and Extractive Industries 2007. The Gateway determination required consultation with the Department of Primary Industry prior to the exhibition period.
1.4	Oyster Aquaculture	NA
1.5	Rural Lands	NA.

2. Environment and Heritage

2.1 Environment Protection Zone

Consistent – large areas of land currently zoned E3 Environmental Management are proposed to be zoned E2 Environmental Conservation to better protect sensitive bushland. One site is proposed to be zoned E1 National Parks, now part of Garrawarra SCA, E1 zone agreed to by OEH.

Inconsistent – some areas zoned E3 Environmental Management are proposed to be zoned E2, B6, IN2, E4, R2, RE2, SP3, or RU2 to better reflect land capability and existing land use.

The changes are justified in the attached reports.

2.2 Coastal Protection

The study area is within the Coastal zone, however the direction is not relevant to the planning proposal.

2.3 Heritage Conservation

There are no non-indigenous heritage items affected by the proposal.

The area contains Aboriginal heritage, but no known sites are affected.

The Wollongong LEP 2009 contains provisions for the protection of heritage.

2.4 Recreation Vehicle Areas

NA

3. Housing, Infrastructure and Urban Development

3.1 Residential Zones

NA – the planning proposal does not apply to land zoned residential or land where significant residential development is currently permitted.

3.2 Caravan Parks and Manufactured Home Estates

NA

3.3 Home Occupations

NA

3.4 Integrating Land Use and Transport

NA

3.5 Development Near Licensed Aerodromes

NA

3.6 Shooting ranges

NA

4. Hazard and Risk

4.1 Acid Sulfate Soils

NA – no ASS

4.2 Mine Subsidence and Unstable Land

NA – there are coal mines under the study area, but it is not a declared mine subsidence area.

Development is not proposed on steep land or unstable land.

4.3 Flood Prone Land

NA – no flood prone land

4.4 Planning for Bushfire Protection

Relevant – the area has high bushfire risk. The gateway determination required consultation with the RFS. Consideration has been given to the impact of APZs on significant bushland. Development will need to manage impacts on-site.

5. Regional Planning

5.1 Implementation of Regional Strategies

The Illawarra Regional Strategy (2007) – consistent with conservation of sensitive environments strategies. Not inconsistent with other strategies.

5.2 Sydney Drinking Water Catchments

Land owned by the Sydney Catchment Authority is proposed to be zoned E2 Environment Conservation, consistent with the advice of the Authority.

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

5.6 Sydney to Canberra Corridor

Not applicable to Wollongong. Revoked 10/7/08

5.7 Central Coast

Not applicable to Wollongong. Revoked 10/7/08

5.8 Second Sydney Airport: Badgerys Creek

Not applicable to Wollongong

6. Local Plan Making

6.1 Approval and Referral Requirements

No concurrence or referral clauses are proposed.

6.2 Reserving Land for Public Purposes

No land is proposed to be reserved for a public purpose.

Note – a new draft Planning Proposal is being prepared to identify land for acquisition as local open space.

6.3 Site Specific Provisions

NA

7. Metropolitan Planning

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Not applicable to Wollongong