



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Wollongong Local Environmental Plan 2009 (Amendment No 18)

Your ref: Sok Khim Ly
Our ref: FB e2014-022-d07

In my opinion the attached draft environmental planning instrument may legally be made.

When the instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, consisting of a stylized 'D' followed by a horizontal line and a small flourish.

(D COLAGIURI)
Parliamentary Counsel

20 June 2014



New South Wales

Wollongong Local Environmental Plan 2009 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

Minister for Planning

Wollongong Local Environmental Plan 2009 (Amendment No 18)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Wollongong Local Environmental Plan 2009 (Amendment No 18)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the following land:

- (a) land known as the Wollongong City Centre,
- (b) Lots 87–95, DP 9233, Yuruga Street, Austinmer.

4 Maps

The maps adopted by *Wollongong Local Environmental Plan 2009* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Wollongong Local Environmental Plan 2009

[1] Clause 7.18

Insert after clause 7.17:

7.18 Design excellence in Wollongong city centre and at key sites

- (1) The objective of this clause is to deliver the highest standard of architectural and urban design.
- (2) This clause applies to development on any of the following land involving the construction of a new building or external alterations to an existing building:
 - (a) land within the Wollongong city centre,
 - (b) land shown edged heavy black and distinctively coloured on the Key Sites Map (a *key site*).
- (3) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.
- (4) In considering whether development to which this clause applies exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - (b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,
 - (c) whether the proposed development detrimentally impacts on view corridors,
 - (d) whether the proposed development detrimentally overshadows an area shown distinctively coloured and numbered on the Sun Plane Protection Map,
 - (e) how the proposed development addresses the following matters:
 - (i) the suitability of the land for development,
 - (ii) existing and proposed uses and use mix,
 - (iii) heritage issues and streetscape constraints,
 - (iv) the location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
 - (v) bulk, massing and modulation of buildings,
 - (vi) street frontage heights,
 - (vii) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
 - (viii) the achievement of the principles of ecologically sustainable development,
 - (ix) pedestrian, cycle, vehicular and service access, circulation and requirements,
 - (x) impact on, and any proposed improvements to, the public domain.

- (5) Development consent must not be granted to the following development to which this clause applies unless a design review panel has reviewed the design of the proposed development:
 - (a) development in respect of a building that is, or will be, greater than 35 metres in height,
 - (b) development having a capital value of more than \$1,000,000 on a key site,
 - (c) development for which the applicant has chosen to have such a review.
- (6) In this clause:
design review panel means a panel of 2 or more persons established by the consent authority for the purposes of this clause.

[2] Clause 8.1 Objectives for development in Wollongong city centre

Insert “and (in so far as it relates to the Wollongong city centre) clause 7.18” after “this Part”.

[3] Clause 8.5 Design excellence

Omit the clause.