



KIAMA MUNICIPAL COUNCIL
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Date 2013

Planning Proposal to Amend LEP 2011



With respect to:
Lot 20 DP 1151501
15 Caliope Road,
KIAMA NSW 2533

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Name of Planning Proposal: Planning Proposal to amend LEP 2011 with respect to: Lot 20 DP 1151501, 15 Caliope Road, KIAMA, NSW 2533.

Part 1 – Statement of objectives or intended outcomes

The intended outcomes of this Planning Proposal are:

- To ensure that the whole of Lot 20 DP 1151501 is zoned an R2 Low Density Residential zone. This will enable the lot to be developed.

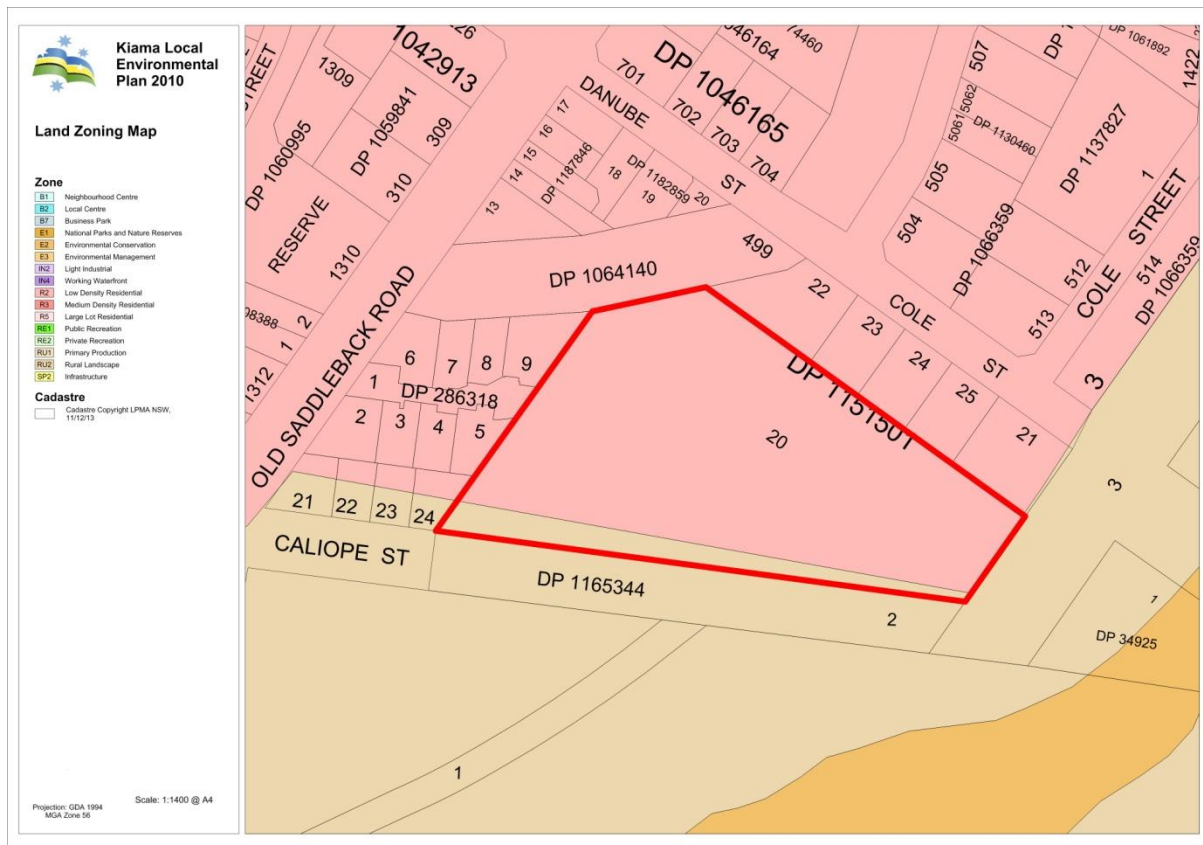
Part 2 – Explanation of provisions

The provisions will apply to two (2) portions of Lot 20 DP 1151501, totalling 1420.6 and 264 square metres respectively. The subject site, (15 Caliope Road, Kiama), is located on the south west edge of the Kiama urban area and is approximately 200 metres west of the Princes Highway.

Lot 20 DP 1151501 is currently dual zoned R2 Low Density Residential and RU2 Rural Landscape. The portion of land to be rezoned from RU2 Rural Landscape consists an area of 1420.6 square metres along the southern boundary and 26.4 square metres along the eastern boundary. This zoning inconsistency is considered to be the result of a mapping anomaly. The Planning Proposal aims to rectify this anomaly by applying an R2 Low Density Residential zoning consistent with the remainder of Lot 20.

The following excerpt maps from Kiama LEP 2011 and context plan illustrate the current situation and location in relation to Subject site:

Kiama LEP 2011 Zoning Map Sheet LZN_008 (Current Zoning)



Kiama LEP 2011 Lot Size Map LSZ_008 (Current Lot Size)



Context Plan of the Subject Site:



The proposal will amend Kiama LEP 2011 in the following manner:

1. Amend the Land Zoning Map - Sheet LZN_012 applying to the subject site from RU2 Rural Landscape to R2 Low Density Residential zone.
2. Amend the Lot Size Map - Sheet LSZ_012 for Lot 20 DP 1151501 to apply a minimum lot sizes of 450 square metres to the whole of Lot 20.
3. Amend the Height of Buildings Map - Sheet HOB_012 to apply a maximum building height of 8.5 metres to the whole of Lot 20.
4. Amend the Floor Space Ratio Map - Sheet FSR_012 applying to Lot 20 DP 1151501 to incorporate an FSR of 0.45:1 to the whole of Lot 20.

Part 4 of this Planning Proposal illustrates the proposed map amendments to Kiama LEP 2011.

Part 3 – Justification

Q1: Is the Planning Proposal a result of strategic study or report?

The Planning Proposal has been facilitated by the Kiama Urban Strategy. The subject site was identified as site 16; a small urban release area in Council's adopted Urban Strategy.

The subject site is currently dual zoned R2 Low Density Residential and RU2 Rural Landscape under Kiama LEP 2011. Whilst the majority of the subject site has been zoned R2, consistent with the recommendations of the Kiama Urban Strategy, a portion of the land along the southern and eastern boundary has been omitted from this zoning and remains RU2. This zoning inconsistency is considered to have occurred as a mapping anomaly.

The RU2 Rural Landscape zoning requires a minimum lot size of 40ha for a dwelling, whilst the remainder of the land has a minimum lot size of 450m² per dwelling. The current zoning would render the small parcel of RU2 zoned land undevelopable. Council therefore considers it appropriate to rezone that RU2 zoned land, in order to facilitate development of the entire allotment.

The intended outcomes will be achieved by an amendment to the Kiama LEP 2011 and associated zoning maps.

Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

In order to achieve the desired outcome of providing an additional supply of residential lots in accordance with Kiama Council's adopted Urban Strategy, the following options were available to Council:

Option A

- To rezone a portion of the site from RU2 Rural Landscape to R2 Low Density Residential, in order to provide an additional supply of residential lots in accordance with the Kiama Council's adopted Urban Strategy.
- Amend the Land Zoning Map - Sheet LZN_012 applying to the subject site from RU2 Rural Landscape to R2 Low Density Residential zone.

- Amend the Lot Size Map - Sheet LSZ_012 for Lot 20 DP 1151501 to apply a minimum lot size of 450 square metres to the whole of Lot 20.
- Amend the Height of Buildings Map - Sheet HOB_012 to apply a maximum building height of 8.5 metres to the whole of Lot 20.
- Amend the Floor Space Ratio Map - Sheet FSR_012 applying to Lot 20 DP 1151501 to incorporate an FSR of 0.45:1 to the whole of Lot 20.

Comment:

This is considered the best means of achieving the desired outcomes as the zoning of the land will reflect the residential uses.

Option B

- Retain the current R2 Low Density Residential and RU2 Rural Landscape zone and amend "Schedule 1 Additional Permitted Uses" to allow for residential development in line with the findings of the Kiama Urban Strategy utilising this clause.

Comment:

This option is not seen as appropriate by KMC. It is preferable to have zones reflect the intended land use.

Q3: Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The Planning Proposal is consistent with the Illawarra Regional strategy. The Planning Proposal will assist in delivering a range of housing types and a quantum of controlled urban growth in Kiama.

Q4: Is the Planning Proposal consistent with a council's local strategy or other local strategic document?

The Planning Proposal has been facilitated by the Kiama Urban Strategy. The site was identified as Site 16; a Greenfield Urban Expansion within the Kiama Urban Strategy and as a result, the majority of the site was zoned R2 Low Density Residential under the Kiama LEP 2011.

Q5: Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The planning policy is consistent with applicable State Environmental Planning Policies, in particular:

SEPP 55 – Remediation of Land	Statement of Compliance
Objective of this Policy	
The objective of this policy is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the Environment. <i>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</i> <i>(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</i> <i>(c) by requiring that a remediation work meet certain standards and notification requirements.</i>	Consistent. A Stage 1 Contamination Assessment of the site was undertaken by Strategic Environmental & Engineering Consulting. The assessment on the subject site concluded that there were no signs of past or present potentially contaminating activities on the subject land.

SEPP Rural 2008	Statement of Compliance
<i>a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas</i>	Consistent. The subject site is surrounded by residential development to the north, west and east. The portion of land zoned RU2 has a narrow configuration and comprises an area of only 1, 4447 square metres. The proposal has occurred as the result of a mapping anomaly which has resulted in a dual zoning of R2 and RU2 land. This close proximity to existing residential housing, combined with the fact that the parcel of land is already predominantly zoned R2 Low Density, illustrates that the subject site is no long productive agricultural land. This proposal will not undermine potential productive and sustainable economic activities within this locality.
<i>b) recognition of the importance of rural lands and agricultural and the changing nature of agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or state,</i>	Consistent. The portion of land zoned RU2 comprises an area of 1, 4447 square metres, which is not considered an appropriate size to allow for productive agricultural uses. The subject sites proximity to existing residentially zoned land, its identification in the Kiama Urban Strategy, and as the site is already predominantly zoned R2 Low Density Residential all indicate that the site is no longer suitable for productive agricultural purposes.

	As such, the proposal is not considered to undermine the importance of rural lands and agriculture.
<i>c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,</i>	Consistent. The portion of the land currently zoned RU2 has an area of 1, 4447 square metres and as such, has minimal agricultural capacity. The proposal will enable the development potential of the site to be reused and will assist Kiama Municipal Council meet its targets for the Illawarra Regional Strategy. This will contribute to the social, economic and environmental interests of the community.
<i>d) in planning for rural lands, to balance the social, economic and environmental interests of the community,</i>	Consistent. <u>Comment:</u> See 7(c) above.
<i>e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,</i>	Consistent. The proposal is supported by a: - Flora and Fauna Assessment; and - Stage 1 Site Contamination Assessment These two documents confirm that the site is not contaminated and will not have any significant impacts on biodiversity values. There are watercourses to the north and south of the subject site; however, these will not be affected as a result of the proposal.
<i>f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,</i>	Consistent. The proposal will enable development potential of the site in accordance with R2 zoning objectives providing diversity to the housing mix within the region and will contribute to the social, economic, and environmental interests of the community.
<i>g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,</i>	Consistent. Factors have been considered.
<i>h) ensuring consistency with any applicable regional strategy of the Department of Planning or any application local strategy endorsed by the Director-General.</i>	Consistent. The proposal is consistent with the regional strategy from the Department of Planning or any application local strategy endorsed by the Director-General.

Q5a: Is the Planning Proposal consistent with applicable deemed State Environmental Planning Policies?

Illawarra Regional Environmental Plan No. 1:

The subject site is located within the area affected by the provisions of the Illawarra Regional Environmental Plan No. 1 (IREP1), the aims of which are to maximise the opportunities for the people of the region and the State to meet their individual and community economic and social needs by:

IREP 1	
Aims and Objectives	Statement of Compliance
<i>a) identifying regional planning issues and provisions applicable or potentially applicable:</i> <i>i) to actual development which may be carried out on land within the region, and</i> <i>ii) to the overall planning of the region consistent with the policies for draft local environmental plan preparation specified in Part 2-16,</i>	Consistent. The subject site is within an area of land identified as having landscape or environmental attributes. The subject site is predominantly zoned R2 Low Density Residential. The proposal to modify the zone boundary so it correlates with the southern and eastern boundaries of the site is not considered to affect scenic amenity of the area, particularly given the small portion of land that will be rezoned.
<i>b) advising Government, public authorities and other persons in determining the way in which they may:</i> <i>i) manage their land resources,</i> <i>ii) exercise their functions,</i> <i>iii) order their priorities and allocation of their fund in relation to the planning of the region, having regard to the principles specified in Parts 2-16, and</i>	
<i>c) establishing parameters and controls relating to development, particularly as they relate to the environmental quality and social well-being of residents of the region.</i>	

Illawarra Regional Environmental Plan No 2 – Jamberoo Valley

The Illawarra Regional Environmental Plan No. 2 – Jamberoo Valley is not applicable to this site.

Q6: Is the Planning Proposal consistent with applicable Ministerial Directions (s 117 directions)?

The applicant has prepared a section 117 directions table of compliance and this has been included in Table 6 of this proposal. Council required the applicant to undertake a Flora and Fauna Assessment, Aboriginal Heritage Assessment and a Stage 1 Contamination Assessment, in order to ascertain if the proposal would meet the objectives of s 117 directions, section 2 Environment and Heritage and 4 Hazard and Risk. Council is satisfied that the development is satisfactory.

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 has been supported by a Flora and Fauna Assessment. According to the assessment, no threatened flora species or endangered ecological communities listed on the Threatened Species Conservation Act or the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 were recorded within the subject land.

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

In order to carry out due diligence with respect to processing this proposal, Council requested that the applicant obtain a number of technical studies. The studies looked at different facets which are discussed below and include;

- Flora and Fauna Impact Assessment
- Aboriginal Heritage Assessment
- Phase 1

Stage 1 - Contamination Assessment – prepared by Strategic Environmental and Engineering Consulting

As the site is a Greenfield site and has been used for agricultural purposes, Council requested that the applicant prepare a preliminary site contamination report. The report concluded that there are no signs of past or present potentially contaminating activities on the subject land.

Aboriginal Archaeological Study prepared by Myall Coast Archaeological Services

The study found that the area is considered 'disturbed land' which mitigates risk for potential heritage. It concluded that "given the disturbed nature of the study area, its lack of depositional qualities and infrequent occupation it is highly unlikely that Aboriginal objects exist on or below the land." It is therefore concluded that Aboriginal objects will not be harmed by existing activities but more importantly by the proposed planning proposal and subsequent activity.

Flora and Fauna Impact Assessment prepared by Southeast Engineering and Environmental

The Planning Proposal has been supported by a Flora and Fauna Assessment. The site is not constrained; no threatened flora species or endangered ecological communities listed on the Threatened Species Conservation Act or the Commonwealth Environmental Protection and Biodiversity Conservation Act 1999 were recorded within the subject land. The report did note that two (2) endangered flora species, *Cynanchum elegans* and *Zieria granulate* were found adjacent to the site along the creek-line to the south east of the site; however, it is not considered that these will be impacted by the proposal in any way.

Q9: Has the Planning Proposal adequately addressed any social and economic effects?

The proposal has adequately addressed social and economic effects. In order to demonstrate compliance, a Net Community Benefit test has been prepared and is attached in Appendix 2.

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

As this is a Planning Proposal the details of site servicing are indicative only and would be further addressed in any subsequent development application. The applicant has provided details of the ability to obtain servicing on site.

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

Pre Gateway consultation

No Government Agencies or Authorities were consulted during the pre- gateway determination.

Post Gateway consultation

It is proposed that the following State authorities would be consulted following Gateway determination.

- NSW Rural Fire Service
- NSW Department of Primary Industries
- NSW Office of Environment and Heritage
- NSW Office of Water
- Sydney Water
- Endeavour Energy

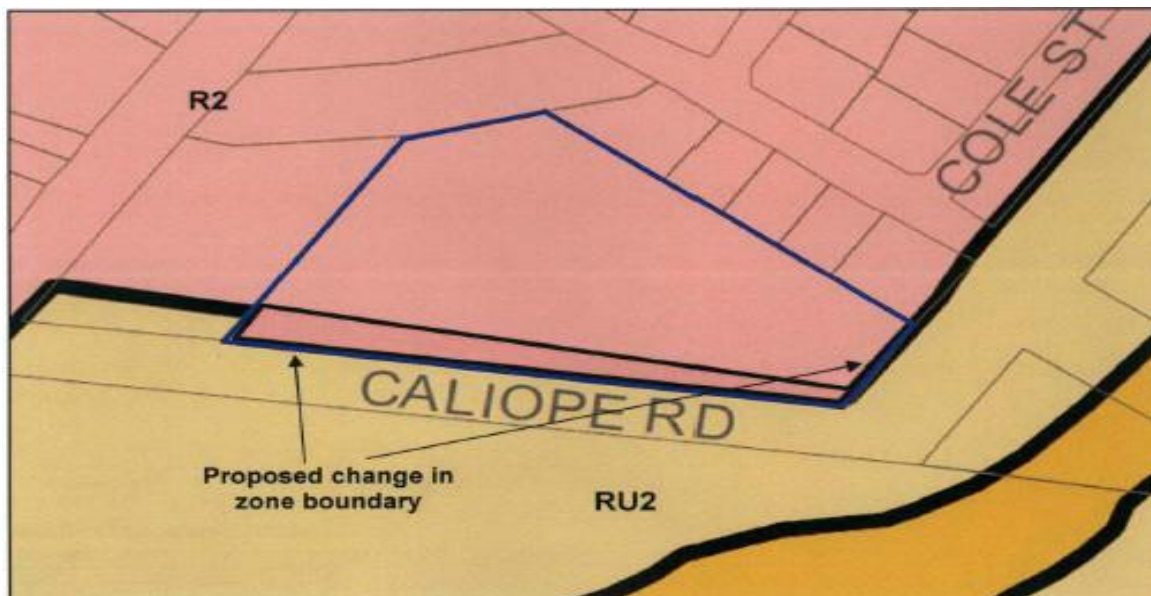
Council requests that Gateway nominates any other State or Commonwealth authorities required for consultation. All identified authorities/stakeholders will be notified during the exhibition period.

Part 4 – Mapping

The proposed map amendments to Kiama LEP 2011:

Land Zoning Map sheet LZN_012

Amend the Land Zoning Map - Sheet LZN_012 applying to the subject site from RU2 to R2 zone.



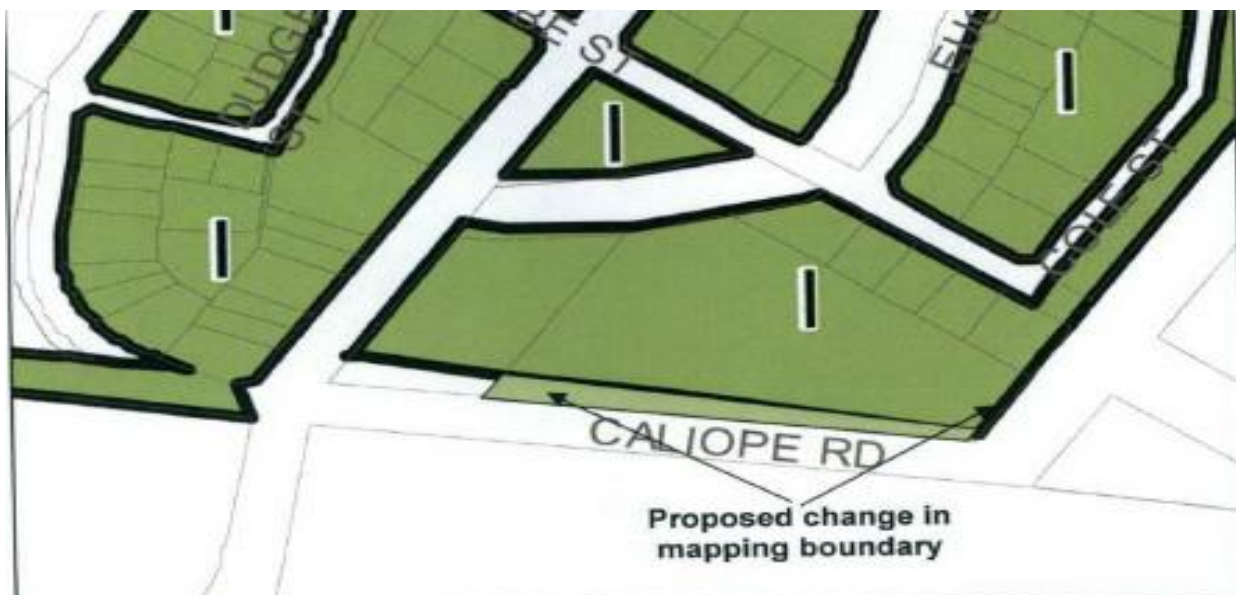
Lot Size Map sheet LSZ_012

Amend the Lot Size Map - Sheet LSZ_012 applying to Lot 20 DP 1151501 to introduce minimum lot sizes of 450 sqm.



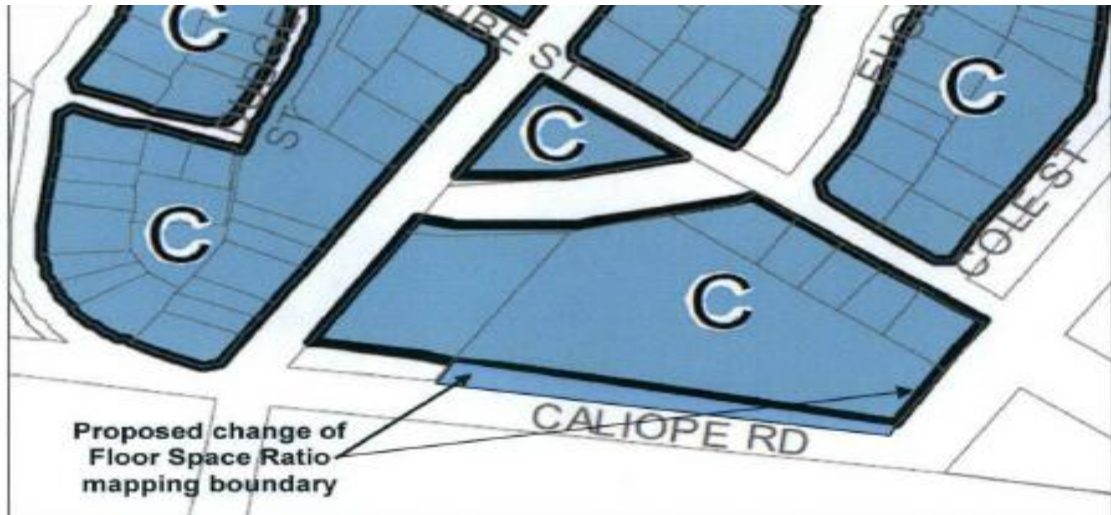
Height of Buildings Map sheet HOB_012

Amend Height of Buildings Map - Sheet HOB_012 applying to Lot 20 DP 1151501 to apply 8.5m.



Floor Space Ratio Map – Sheet FSR_012

Amend Floor Space Ratio Map - Sheet FSR_012 applying to Lot 20 DP 1151501 to incorporate a floor space ratio of C 0.45:1.



Part 5 – Community Consultation

Council requests that the Planning Proposal be exhibited for a period of 14 days.

Council requests that Gateway provide a list of State and Commonwealth Authorities for consultation. All identified authorities/ stakeholders will be notified during the exhibition period.

Part 6 – Timeframe

The timeframe for the Planning Proposal is that, from date of Gateway determination to date of submission to DoPI, to finalise the LEP is a period of 12 months.

	Timeframe	Possible dates assuming Gateway determination by end February 2014	Responsibility
Anticipated commencement date (dependant on Gateway determination)			DoPI
Preparation of any outstanding studies (if required)	6 weeks from notification of Gateway determination.	11 April 2014	Applicant
Consult with State/Commonwealth agencies	4 weeks from completing review of any outstanding studies	9 May 2014	Agencies
Exhibition of PP and technical Studies (assuming no requirements to return to Gateway post additional studies)	4 weeks from completing review of any outstanding studies	6 June 2014	Council
Date of Public Hearing (if applicable)	N/A	N/A	Council
Review of Submissions and Preparation of report to Council	4 weeks	4 July 2014	Council
Report to Council following exhibition	First available round after completion of review of submissions (allow 8 weeks)	29 August 2014	Council
Final Maps and Planning Proposal documents prepared	4 weeks from Council meeting	26 September 2014	Council
Submission to DoPI for finalisation of LEP			Council
Anticipated date Council will forward final Planning Proposal to	3 months from Department finalisation notification	26 December 2014	Council

	Timeframe	Possible dates assuming Gateway determination by end February 2014	Responsibility
DoPI for notification			
Anticipated date LEP will be notified.	Unknown		Parliamentary Counsel and DoPI

Appendix 1

Section 117 Ministerial Directions – Compliance Checklist prepared by Kiama Municipal Council

Ministerial Direction	Comment
1. Employment and Resources	N/A
1.1 Business and Industrial Zones	N/A
1.2 Rural Zones (1) The objective of this direction is to protect the agricultural production value of rural land	The subject site is currently zoned RU2 Rural Landscape under Kiama LEP 2011. Whilst the majority of lot 20 has been zoned R2, consistent with the recommendations of the Kiama Urban Strategy, a portion of the land along the southern and eastern boundary has been omitted from this zoning and remains RU2. The primary use although identified as a rural land zone is not for agricultural production and is of minimal value as rural land. The RU2 Rural Landscape zoning requires a minimum lot size of 40ha for a dwelling, whilst the remainder of the land has a minimum lot size of 450m² per dwelling. The current zoning would render the small parcel of RU2 zoned land undevelopable. Council therefore considers it appropriate to rezone that RU2 zoned land, in order to facilitate development of the entire allotment. The subject site is surrounded by residential development to the north, west and east. The sites close proximity to existing residential housing, combined with the fact that the parcel of land is already predominantly zoned R2 Low Density, illustrates that the subject site is no long productive agricultural land and will not undermine potential productive and sustainable economic activities within this locality.
1.3 Mining Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	See Direction 1.2 above.

Ministerial Direction	Comment
(1) The objectives of this direction are to: (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic development of rural lands for rural and related purposes.	
2.1 Environment Protection Zones	N/A
2.2 Coastal Protection	N/A
2.3 Heritage Conservation	N/A
2.4 Recreation Vehicle Areas	N/A
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones To ensure the orderly and economic use or development of residential land.	The proposal will enable development potential of the site in accordance with R2 zoning objectives and thereby assist meeting the objectives of the Illawarra Regional Strategy. Development will contribute to the social, economic, and environmental interests of the community.
3.2 Caravan Parks and Manufactured Home Estates	N/A
3.3 Home Occupations	N/A
3.4 Integrating Land Use and Transport (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: a) improving access to housing, jobs and services by walking, cycling and public transport, and b) increasing the choice of available transport and reducing dependence on cars, and c) reducing travel demand including	Consistent.

Ministerial Direction	Comment
the number of trips generated by development and the distances travelled, especially by car, and d) supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.	
3.5 Development Near Licensed Aerodromes	N/A
4. Hazard and Risk	
4.1 Acid Sulfate Soils	N/A
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	N/A
4.4 Planning for Bushfire Protection	N/A
5. Regional Planning	
5.1 Implementation of Regional Strategies (1) The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in regional strategies	The Illawarra Regional Strategy is the key strategic policy document applying to the local government area of Kiama. The site was identified as a future urban release area in the Kiama Urban Strategy; however, the site is not specifically identified as a future urban release area in the Illawarra Regional Strategy. The site is located on the fringe of Kiama and no longer considered productive agricultural land. Rezoning of the land will assist Kiama in meeting its housing targets for the Illawarra Regional Strategy.
5.2 Sydney Drinking Water Catchments	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development along the Pacific	N/A

Ministerial Direction	Comment
Highway, North Coast	
5.8 Second Sydney Airport: Badgerys Creek	N/A
6. Local Plan Making	
6.1 Approval and Referral Requirements	N/A
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	N/A
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan for Sydney 2036	N/A

Appendix 2

Net Community Benefit test prepared by Urbis Pty Ltd on behalf of the Applicant

The following addresses the evaluation criteria for conducting a “net community benefit test” within the Draft Centres Policy (2009) as required by the guidelines for preparing a Planning Proposal.

NET COMMUNITY BENEFIT TEST

EVALUATION CRITERIA	Y/N	COMMENT
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800m of a transit node)?	Yes	The proposal is consistent with key elements of the Illawarra Regional Strategy as discussed in Section 3.3 and Appendix F.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes	The proposed development of the site for residential development is of an appropriate scale and density for its location on the fringe of Kiama. The site is a natural extension to the fringe of Kiama. The site is not specifically identified as a future urban release area in the Illawarra Regional Strategy; however, it is identified within the Kiama Urban Strategy. The strategy specifies that release areas outside of the identified areas need to demonstrate compliance with the Strategies sustainability criteria.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	No	The proposed rezoning is unlikely to create a precedent or change the expectations of the site. The proposal has occurred as the result of a mapping anomaly. The RU2 portion of the site is 1, 4447 square metres and not currently utilized for productive agriculture. Further to this, the allotment is predominantly zoned R2 and the proposal will enable development

		potential of the site in accordance with the R2 zoning objectives and thereby enable low density housing, which will provide diversity to the housing mix within the region. The sites location provides a unique opportunity to deliver a residential development which acts as a natural extension to the fringe of Kiama.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes	There are no other known spot rezoning's in the locality that are being considered.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	No	The sites proposed use for residential development will not provide many ongoing employment opportunities on the site, with the exception of additional construction jobs within the local government area which will be beneficial to the local economy. Given Kiama's limited economic and employment role within the Illawarra, it is considered that more ongoing employment and economic opportunities will be available in Wollongong, Shellharbour and Kiama.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No	The proposal will have no detrimental impact on the supply of residential lands. The proposal will increase the supply of residential lands and will contribute to meeting regional and local housing supply targets for additional dwellings.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Yes	The site is located on Caliope Road, which is off Old Saddleback Road, the site is considered to be well serviced locally. Kiama centre and associated residential areas are serviced by local buses. Vehicular access to the site will be provided off Caliope Road. A future DA for the residential development will determine the potential impact of the proposed development on existing utilities; however, given the sites close proximity to existing residential areas, no servicing problems are envisaged.

Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	No	The location of the residential development in close proximity to Kiama's existing services, will assist in reducing travel for future residents by providing for convenient accommodation close to nearby services. To the extent that the use will provide for additional car travel, the amount of car parking is consistent with Council provisions. This car parking provision will be complemented with a reasonable standard of public transport accessibility in the town centre of Kiama.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	No	No known significant government investments are being undertaken in the area. The proposal does not require further government investment in public infrastructure, it will utilise the existing infrastructure and services beyond the property boundaries.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	No	The proposal will not impact on land that the government has identified a need to protect. The site is not prone to detrimental environmental impacts that would impact upon the development or safety of future occupants.

Will the LEP be compatible/complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Yes	The rezoning of part of the site to R2 low density residential is consistent with the existing adjoining zoning of the site to the north, east and west. The majority of adjoining residential areas are also R2 zoning, with the exception of land to the south. The proposed zoning would therefore not be considered out of character with the surrounding area. The scale and type of density allowed within the R2 zone is consistent with the scale and type of development proposed. The development would be compatible with surrounding land uses with further consideration on amenity and design will be included at the lodgment of future DAs.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Yes	The proposal will not impact upon retail and commercial premises in the area. The proposed development is solely for residential uses.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N/A	No, the proposed residential development on the fringe of Kiama has no potential to develop into a centre in the future.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?		The development will improve competition and diversity of accommodation within the Illawarra region and the Kiama local government area, which will lead to better prices and services to customers. Additionally, the proposed development concept will generate additional jobs during construction. As the subject site is currently dual zoned, implications of not proceeding will reduce the development potential of the site.