

Expansion of Local Business Centres in Bellambi and Windang

Proposal Title : **Expansion of Local Business Centres in Bellambi and Windang**

Proposal Summary : **It is proposed to rezone sites at Bellambi and Windang from Residential to Business Zones.**

PP Number : **PP_2012_WOLLG_011_00**

Dop File No : **12/20064**

Proposal Details

Date Planning : **06-Dec-2012**

LGA covered : **Wollongong City**

Proposal Received :

Region : **Southern**

RPA : **Wollongong City Council**

State Electorate : **WOLLONGONG**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Rothery Road**

Suburb : **Bellambi**

City : **Wollongong**

Postcode : **2518**

Land Parcel : **Lot 11 DP 1084344; Lot 2 DP 38303; Lot 3 DP 38303; Lot A DP 158987**

Street : **Pioneer Road**

Suburb : **Bellambi**

City : **Wollongong**

Postcode : **2518**

Land Parcel : **Lot 11 DP 1084344**

Street : **Acacia Street**

Suburb : **Windang**

City : **Wollongong**

Postcode : **2528**

Land Parcel : **Lot 7, Section A, DP 19008**

Expansion of Local Business Centres in Bellambi and Windang

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	Illawarra Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of
Conduct has been
complied with : **Yes**
If No, comment :

Have there been meetings or
communications with
registered lobbyists? : **No**
If Yes, comment :

Supporting notes

Internal Supporting Notes : **The proposal involves the expansion of the Bellambi and Windang local centres through the rezoning of residential lots.**

Council has proposed the Bellambi rezonings to reinstate a business zone that applied to the sites prior to Wollongong LEP 2009 coming into effect. It is unclear why the business zone was changed to residential through WLEP 2009. The sites are currently occupied by a mixture of commercial and residential uses.

Council has proposed the Windang rezoning in order to facilitate a pharmacy development on the site.

Expansion of Local Business Centres in Bellambi and Windang

External Supporting Notes : It is proposed to rezone 53 Pioneer Road and 203 - 207 Rothery Street, Bellambi (approx. 3,200 square metres) from R2 Low Density Residential to B1 Neighbourhood Centre Zone and to increase the allowable Floor Space Ratio from 0.5:1 to 0.75:1. This would result in the former business zoning of the sites prior to Wollongong LEP 2009 being re-instated.

It is proposed to rezone 19 Acacia Street, Windang (607 square metres) from R2 Low Density Residential Zone to B2 Local Centre Zone and to increase the allowable Floor Space Ratio from 0.5:1 to 0.75:1.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : The statement adequately describes the intent of the proposal to increase business zones in local centres at Bellambi and Windang and to increase the floor space ratio for these sites.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The explanation of provisions describes the mapping changes needed to the LEP. The Land Zoning Zoning and FSR Maps for the sites will be amended to introduce B2 Local Centre Zone and increase the floor space ratio from 0.5:1 to 0.75:1.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

2.2 Coastal Protection

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified? **SEPP No 71—Coastal Protection**

e) List any other matters that need to be considered :

SEPP 71 applies as the sites are located within the Coastal Zone. The proposals are not inconsistent with SEPP 71 and the area is already developed for urban purposes. SEPPs (BASIX); (Housing for Seniors etc); (Infrastructure); and (Major Projects) only have relevance to the development application process and raise issues that need to be considered in the assessment of a DA.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

S117 DIRECTIONS

The proposal is considered to be consistent (or any inconsistencies are only of minor significance) with the following relevant S.117 Directions:

s117 1.1 Business and Industrial Zones - It is consistent with this s117 as it will increase the amount of land available for commercial uses, facilitate development and encourage employment growth at a local scale.

s117 2.2 Coastal Protection - the Director General can be satisfied that the proposal is consistent with the Direction as the land is physically and visually isolated from the coast and has already been developed.

s117 3.4 Integrating Land Use and Transport - the Director General can be satisfied that

Expansion of Local Business Centres in Bellambi and Windang

the proposal is consistent with the policy as the land is serviced by public transport.

The proposal is inconsistent with the following s.117 Directions, however, Council has argued that the Director General can be satisfied that the inconsistencies are of minor significance or have been justified:

s117 3.1 Residential Zones - this Direction applies as it is proposed to rezone residentially zoned land. However, as the proposal only affects approx. 3,800 square metres of land, Council has argued that the Director General can be satisfied that the inconsistency is of minor significance.

s117 3.4 Flood Prone Land - this Direction applies as the Windang site is flood prone land. The site is currently zoned for residential development. The proposal will result in a slight increase in the density of development of the land by increasing the allowable floor space ratio from 0.5:1 to 0.75:1. However, as the site has an area of 607 square metres only and as residential development is already permitted on the land it is considered that the Director General can be satisfied that the inconsistency is of minor significance only.

The proposal is generally consistent with all other s.117 Directions or any inconsistencies are of minor significance only.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The mapping provided clearly identifies the proposed changes to the Land Zoning and FSR Maps. Council should be required to provide maps consistent with the Mapping Guidelines for exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council proposes to exhibit the proposal for a period of 28 days which is considered reasonable.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The Principal LEP (Wollongong LEP 2009) is in place.

Assessment Criteria

Need for planning proposal : A planning proposal is needed to permit business uses that Council has identified as being suitable for the subject sites or is already existing.

Expansion of Local Business Centres in Bellambi and Windang

Consistency with strategic planning framework :

The proposal is not inconsistent with the strategic planning framework. It is consistent with the Illawarra Regional Strategy as it will provide additional opportunities for employment.

Environmental social economic impacts :

The proposal will create employment opportunities through additional business zoned land. The Windang proposal will also create the opportunity for a medical centre that would be a valuable asset to the local community.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **DG**

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **The proposal addresses an anomaly in zoning at Bellambi and would create additional commercial opportunities at Windang.**

No public authority consultation is considered necessary.

Council's project timeline estimates that the project would be completed within 10 months following the Gateway Determination. It is considered that 9 months should be adequate to allow completion of the project.

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

No studies are required.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Council letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Maps.pdf	Map	Yes
Council report.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
 2.2 Coastal Protection
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 4.1 Acid Sulfate Soils
 4.3 Flood Prone Land

Additional Information : **That the delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act, that an amendment to the Wollongong Local Environmental Plan 2009 to amend the Zoning and Floor Space Ratio Maps for the relevant sites should proceed subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the Planning Proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of Planning Proposals and the specifications for material that must be made publicly available along with Planning Proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not have any bearing on the need to conduct a public hearing under the provisions of any other legislation.

3. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

4. For exhibition purposes Council should provide Maps consistent with the Department's Mapping Guidelines.

S117 DIRECTIONS

5. The proposal is considered to be consistent with, or any inconsistencies are only of minor significance, the following relevant S.117 Directions:

s117 1.1 Business and Industrial Zones;
s117 2.2 Coastal Protection; and
s117 3.4 Integrating Land Use and Transport.

6. The proposal is inconsistent with the following s.117 Directions, however, the Director General can be satisfied that the inconsistencies are of minor significance only:

s117 3.1 Residential Zones - this Direction applies as it is proposed to rezone residentially zoned land. However, as the proposal only affects approx. 3,800 square metres of land, the Director General can be satisfied that the inconsistency is of minor significance.

s117 3.4 Flood Prone Land - this Direction applies as the Windang site is flood prone land. The site is currently zoned for residential development. The proposal will result in a slight increase in the density of development of the land by increasing the allowable floor space ratio from 0.5:1 to 0.75:1. However, as the site has an area of 607 square metres only and as residential development is already permitted on the land it is considered that the Director General can be satisfied that the inconsistency is of minor significance.

7. The Director General can be satisfied that the proposal is consistent with all other relevant s117 Directions applying to the land or any inconsistencies are only of minor significance.

Expansion of Local Business Centres in Bellambi and Windang

8. No further consultation is required in relation to any s117 Directions while the Planning Proposal remains in its current form.

Supporting Reasons : The proposed Business Zones are adjacent to existing Business Zones or the land was formerly zoned for commercial purposes. They will provide potential for additional employment and enhanced services in the localities.

Signature:



Printed Name:

Mark Parker
Local Planning Manager

Date:

14th December 2012