

Minute No.

COUNCIL RESOLUTION EXTRACT FROM MINUTES 12 NOVEMBER 2012

ITEM 2 - DRAFT PLANNING PROPOSAL FOR 19 ACACIA STREET, WINDANG

296 **MOVED** Councillor Kershaw seconded Councillor Connor that Council prepare a draft Planning Proposal for 19 Acacia Street, Windang (Lot 7 Sec A DP 19008) to rezone from R2 Low Density Residential to B2 Local Centre and increase the floor space ratio from 0.5:1 to 0.75:1, and send the draft Planning Proposal to the NSW Department of Planning and Infrastructure for Gateway determination.

An AMENDMENT was MOVED by Councillor Brown seconded Councillor Takacs that a draft Planning Proposal not be prepared for 19 Acacia Street, Windang (Lot 7 Sec A DP 19008) to rezone the site from R2 Low Density Residential to B2 Local Centre.

The AMENDMENT on being PUT to the VOTE was LOST.

In favour	Councillors Brown, Takacs, Petty, Bradbery
Against	Councillors Kershaw, Connor, Dorahy, Colacino, Crasnich and Curran

The MOTION was PUT and CARRIED.

favour	Councillors Kershaw, Connor, Dorahy, Colacino, Crasnich and Curran
Against	Councillors Brown, Takacs, Petty and Bradbery

ITEM 2 DRAFT PLANNING PROPOSAL FOR 19 ACACIA STREET, WINDANG

This report considers a rezoning submission requesting the preparation of a draft Planning Proposal for 19 Acacia Street, Windang being Lot 7 Sec A DP 19008. The submission requests the rezoning of the site from R2 Low Density Residential to B2 Local Centre and increase the floor space ratio from 0.5:1 to 0.75:1 to permit the development of a pharmacy (retail premises) and medical centre. This would enable the proposed relocation of Windang Pharmacy, currently located on the western side of Windang Road.

This report presents the preliminary assessment of the rezoning request and recommends that Council not proceed with the preparation of a Planning Proposal at this stage, and instead consider planning for Windang Town Centre in a holistic manner, as part of the future town and village planning process.

Recommendation

A draft Planning Proposal not be prepared for 19 Acacia Street Windang (Lot 7 Sec A DP 19008) to rezone the site from R2 Low Density Residential to B2 Local Centre.

Attachments

- 1 Site Locality and Land Use map
- 2 Zoning map
- 3 Concept Plan for Proposed Pharmacy and Medical Centre
- 4 Summary of Submissions

Report Authorisations

Report of: Renee Campbell, Manager Environmental Strategy and Planning
Authorised by: Andrew Carfield, Director Planning and Environment - Future, City and Neighbourhoods

Background

A rezoning submission has been received for 19 Acacia Street, Windang (Lot 7 Sec A DP 19008). The site has an area of 607m² and a frontage of 18.3m to Acacia Street (refer to Attachment 1). The site currently contains a single storey dwelling, detached garage and two (2) sheds.

The site is currently zoned R2 Low Density Residential, with a 9m height restriction and a maximum permissible floor space ratio of 0.5:1 under Wollongong Local Environmental Plan 2009 (refer to Attachment 2). The site is bounded by residential

development to the east and south. The Foodworks supermarket car park is located opposite to the north. Neighbouring the site to the west, is the Windang Town Centre, which is zoned B2 Local Centre, and has a 9m height restriction and a maximum permissible floor space ratio of 0.75:1 under Wollongong Local Environmental Plan 2009.

The Windang Town Centre fronts both the eastern and western sides of the busy Windang Road. Windang is a small residential community (population 2,598 - ABS Census 2011) and the town centre contains a variety of businesses that primarily serve the needs of the local population. The Wollongong Retail Centres Study (Hill PDA 2004) noted that Windang Town Centre has little potential for expansion given competition posed by the nearby large centres of Warrawong and Warilla and the limited potential for significant population growth in the area.

Windang Road is heavily trafficked and one of the main thoroughfares between Shellharbour and Wollongong.

The presence of the major road can be viewed as a hindrance to pedestrian activity in the town centre and is an obstacle for east-west pedestrian movement. Despite this, the centre is predominantly at grade and a signalised crossing point near the Acacia Street corner allows pedestrians to cross Windang Road relatively safely. The Pharmacy in its current location has good visibility on Windang Road.

In 2009, the business zones across Wollongong were revised as part of the preparation of the Wollongong Local Environmental Plan to reflect the retail hierarchy established in the Hill PDA Retail Centres Study. Windang is classified as a 'town' in the hierarchy and the town centre was rezoned from 3(b) Neighbourhood Business (under Wollongong Local Environmental Plan 1990) to B2 Local Centre (under Wollongong Local Environmental Plan 2009) to reflect its position in the hierarchy. This expanded the range of permissible commercial uses.

Under the Wollongong Local Environmental Plan 1990, only the eastern side of the Windang Town Centre was zoned for commercial purposes. In recognition of the existing and ongoing commercial uses occupying the western side of Windang Road the shops on the western side were also zoned B2 Local Centre Zone under Wollongong Local Environmental Plan 2009. The rezoning resulted in an increase of retail zoned land from 8,325m² under the Wollongong Local Environmental Plan 1990 to 11,780m² under the Wollongong Local Environmental Plan 2009 which is an increase of 3,455m². A land use survey (Attachment 1) shows that three (3) sites zoned B2 Local Centre are being used for residential purposes and two (2) Council owned lots are part of a park.

This draft Planning Proposal seeks to further extend the town centre eastwards along Acacia Street (which is currently residential in nature) to accommodate a proposed new medical centre and the relocation of the existing Windang Pharmacy.

Council has recently reviewed the Town and Village centres priority list. Town and Village planning endeavours to consider town centre urban design, constraints and planning issues holistically, and is important in ensuring town centres are designed, serviced and developed according to community needs.

On 23 April 2012 Council considered an update on the Town and Village Plan priority list. This report noted that the Windang Town Centre was in decline and in need of revitalisation, and that the catchment population is too small to support the viability of the centre. The Council's resolution raised the priority of the Windang Town Centre to be the second study to commence following completion of the current studies (Warrawong, Wongawilli, Figtree and Unanderra). The Town and Village Plan priority list was reviewed again by Council on 22 October 2012 where Council resolved to bring forward the Gwynneville-Keiraville study which will delay the commencement of future studies. Council also resolved to reconsider the priority list for future Town and Village plans as part of the preparation of the 2013-14 Annual Plan. If Windang remains in the same position on the priority list, it is anticipated that the Windang town centre review will commence in the next financial year (2013-2014).

Proposal

The proposal seeks to rezone 19 Acacia Street, Windang from R2 Low Density Residential to B2 Local Centre to facilitate the proposed development of a pharmacy and medical centre (subject to development consent). The request also seeks to amend the floor space ratio from 0.5:1 to 0.75:1, consistent with the adjoining land zoned B2 Local Centre. No change is proposed to the 9m height restriction.

The proposed pharmacy and medical centre are prohibited within the R2 Low Density Residential zone. The pharmacy would be defined as *retail premises* which is a subset of *commercial premises* and is permitted within the B2 Local Centre zone with consent. The medical centre, proposed to be co-located with the pharmacy is also permitted with consent in the B2 Local Centre land use zone.

The proponent has submitted a Concept Plan detailing how the site is proposed to be developed in the future (refer to Attachment 3) including on-site parking for eleven (11) vehicles at the rear of the property. The proposal includes approximately 214m² of floor space, resulting in a floor space ratio of 0.35:1.

The proponent states that the relocation of the pharmacy from 322 Windang Road to 19 Acacia Street will improve its visibility and accessibility for customers, especially those who are elderly or ill, and will support the viability of the town centre. The proponent reports a decline in trade at the current premises and states the likely closure of a local doctor's surgery will also impact negatively upon business. The proponent states that the Windang Pharmacy may close if trade continues to decline; subsequently the town centre would lose this important service.

Consultation and Communication

Preliminary consultation was carried out prior to the assessment of the rezoning submission. The proposal was placed on limited preliminary notification between 9 July and 23 July 2012. Letters were sent to surrounding and nearby land owners to gather comments to assist Council in forming an opinion on the proposal. Council received two

(2) community submissions during the notification period. One (1) submission objected to the proposal and one (1) submission objected to the medical centre but not to the relocation of the pharmacy (refer to Attachment 4).

The issues raised in objection to the proposal included:

- 1 Does not consider the traffic flow or parking impacts.
- 2 Current location of the pharmacy has good and safe pedestrian access and is highly visible; the proposed site is actually less visible.
- 3 Negative impacts on neighbouring residents.
- 4 To infer that the decline in trade is linked to lack of parking on such a well established and visible business is questionable. More than likely the decline is linked to population demographics and increased competition.
- 5 If the assertion of decline in trade is correct then further extension of business call into question commercial viability.
- 6 Other businesses will push to buy residential land for business purposes.
- 7 The existing medical centre has advised that the planning proposal incorrectly claims that the existing medical centre has closed its books.
- 8 The existing medical centre advised that it has plans and secured funding of \$200,000 to invest in improvements. Modifications to the Development Application were approved in July 2012 and works will be undertaken to meet the needs of the local community.
- 9 The existing medical centre indicated that there is no need for another medical centre as the needs can and will be met by existing service especially in light of the proposed expansion of the current facility.

The issues raised in support of the proposal included:

- 1 Pharmacy relocation would be acceptable as it could complement the existing medical centre. However it is argued that there is no need for an additional medical centre.

Internal consultation revealed that there are major concerns with flooding risks as detailed in the Lake Illawarra Floodplain Risk Management Plan. Council's Flooding and Stormwater team provided the following comments:

- The proposed rezoning is inconsistent with the adopted Lake Illawarra Floodplain Risk Management Plan endorsed by Council on 14 May 2012.
- The development will affect adjacent properties with respect to flooding and cause adverse impacts.
- The proposal does not comply with the NSW Government's Floodplain Development Manual and Policy.

- The development as proposed would have difficulty in satisfying the development controls such as floor levels, flood affectation and evacuation.

If Council were to support the preparation of a draft Planning Proposal, a Flood Study would be requested.

Council's Social Planning team have indicated support for the proposal as Windang has a significantly higher number of elderly people than the Wollongong LGA average, and the natural phenomena of Wollongong experiencing an ageing population over the next 20 years.

If Council proceeds with the draft Planning Proposal it would be forwarded to the NSW Department of Planning and Infrastructure for review. The Department would issue a Gateway determination detailing exhibition requirements and the draft Planning Proposal would be exhibited in accordance with the Gateway determination for a minimum period of twenty-eight (28) days. This process would include community consultation, government agency consultation and internal Council referrals.

Planning and Policy Impact

Planning Policies and Studies

There are a number of studies and policies applicable to the Planning Proposal and these include Illawarra Regional Strategy, Wollongong Retail Centres Study 2004, Lake Illawarra Flood Study 2011 and Wollongong 2022.

Illawarra Regional Strategy

The Illawarra Regional Strategy (2007) states that the centres hierarchy is important as *it defines the function of a range of centres, provides certainty for stakeholders and ensures facilities are located where population and employment growth is occurring*. A commercial hierarchy needs to clearly identify the roles and the relationship of centres. The Strategy identifies Windang as a village centre, which are smaller centres with some residential uses, local retail and specialty tourism retail. Villages service the daily needs of local residents and tourists. The Strategy anticipates that renewal of these villages will occur. It notes that development should be appropriate in scale to protect and enhance the character of these centres.

It is noted that Warrawong Regional centre is within close proximity to Windang and is considered to be an important commercial and retail area particularly for bulky goods and its role is to be maintained.

Wollongong Retail Centre Study 2004 (Hill PDA)

Hill PDA completed a review of the City's existing and emerging retail centres hierarchy to assist Council in addressing the challenge of future growth and to establish framework to guide future development.

The study identified Windang as having a retail floor space of 2,750m² (prior to the Wollongong Local Environmental Plan 2009 being notified). The zoned area has increased to approximately 11,780m² of B2 Local Centre zoned land.

The strategy identified the role of Windang as a small local centre serving a small residential community and its day to day needs and its tourist market (caravan parks). The main issues for Windang were identified as:

- 1 Ability to maintain market share.
- 2 Loss of trade to Warrawong and Warilla Grove.
- 3 Limited potential for growth of trade area.

Its strengths include the

- 1 Spatial concentration of infrastructure.
- 2 Supermarket.
- 3 Location for the local community.
- 4 Proximity to the Lake.

The study identifies the challenge for the centre as being able to maintain its viability in face of continuing and increasing competition. The most likely way to achieve this is by limiting the enlargement of the centre. The recommended strategy for Windang is as follows:

- 1 A strategic framework be prepared for the town centre which seeks to contain and consolidate retail activity within the confines of the existing planning zones.
- 2 Special emphasis be directed towards consolidation and the development of its role as a neighbourhood centre offering a high level of amenity and convenience.

The study also noted that fundamental to proposals for development of new retail floor space should be the provisions of sufficient evidence that there is an established market demand for the type of retail space demonstrating a net community benefit for Wollongong residents.

It further noted that population growth generates retail growth and that retail floor space provision should respond to population growth and decline.

Noting the above and the recent endorsement (14 May 2012) of the Lake Illawarra Floodplain Risk Management Study which indicates that Windang should not be allowed to intensify further, it would be considered inconsistent to further expand the Windang Town Centre at this point in time.

Lake Illawarra Floodplain Risk Management Study 2011

The Lake Illawarra Floodplain Risk Management Study was prepared for the Lake Illawarra Authority, Wollongong City Council and Shellharbour City Council to review flood risk and to examine floodplain management options. The preparation of the study

was overseen by the Lake Illawarra Authority and the Lake Illawarra Floodplain Risk Management Committee. The draft plan was exhibited in November 2011. The plan was endorsed by Council on 14 May 2012.

The Study defines flood risk and flood mitigation works and plans to address flood effects throughout the catchment. This included amongst other recommendations:

- Amendments to existing planning instruments and preparation of new plans and policies, particularly the rezoning of Windang and Primbee areas to accommodate flood isolation and evacuation.

The Study found in reviewing the total hazard of the Lake Illawarra floodplain that there were issues associated with public safety and risk to life that required a statutory basis to manage future risk. Current land use zones enable an increase in the development and population of areas that are now known to become isolated and highly hazardous such as Windang.

The Study states that it would be prudent for Council to review the Wollongong Local Environmental Plan 2009 given the potential isolated nature of Windang having been identified. Reviewing the Wollongong Local Environmental Plan and Chapter E13 Floodplain Management of the Development Control Plan would also be consistent with objective 7.3(1)(e) of the Local Environmental Plan that states '*the objectives of this clause are as follows... to limit uses to those compatible with flow conveyance function and flood hazard*'.

The Plan recommended that: *Council review land zonings in the LEP as soon as practical to determine where the cumulative effects of any intensification of use could impact on emergency response given the potential isolation hazard in Windang. It is recommended that the Planning Zone R2 –Low Density Residential be replaced with Planning Zone E4 – Environmental Living in the Windang Peninsula area.*

This will be considered as part of the Town and Village Planning Study.

As the report indicates that no further residential intensification should occur in Windang and that the Wollongong Local Environmental Plan 2009 has already allowed for expansion of the town centre it is unlikely that there will be increased residential development to justify further expansions of the centre.

Wollongong 2022

Council endorsed the Wollongong 2022 - Our Community Strategic Plan on 25 June 2012. Wollongong 2022 is a longer term plan that identifies where the community wants to be in the future and outlines the community's priorities and aspirations and how these will be achieved.

This report contributes to the Wollongong 2022 objective 2.1: *Local employment opportunities area increased within a strong local economy under the Community Goal – we have an innovative and sustainable economy.*

This report also contributes to the Wollongong 2022 objective 5.1: *There is an increase in the physical fitness, mental health and emotion wellbeing of all our residents and following strategies:*

- *Strategy 5.1.3 - Residents have improved access to affordable and timely medical services.*
- *Strategy 5.1.4 - Flexible services are provided and can adapt to changing community needs and service demands.*
- *Strategy 5.1.6 - The long term needs of the community, including our people and our places, are effectively planned for.*
- *Strategy 5.1.7 - Urban areas are created to provide a healthy living environment for community.*

Under the Community Goal – *we are a healthy community and a liveable city.*

The Delivery Program 2012-17 and Annual Plan 2012-13 assists in the delivery of Wollongong 2022. The Plan lists the Land Use Planning core business as planning policy and strategic studies, planning proposal, town and village plans, management of urban release areas etc.

The draft Planning Proposal seeks to further expand a town centre to enable a use that is already permitted within a larger zoned footprint than was previously permitted under Wollongong Local Environmental Plan 1990.

The draft Planning Proposal is effectively a spot rezoning of one lot that does not consider the overall economic health of the town centre. The proponent argues that the health service is lacking within Windang and that business (economic viability) is in decline; however this is contrary to a recently approved DA-2008/410/D on 16 July 2012 seeking to modify the existing medical centre to provide better disabled access and improve treatment areas and waiting room. This DA enables the existing clinic to conform to Federal Government regulations and allow funding to improve medical equipment to increase patient care.

Furthermore it is unlikely that further expansion of the town centre would improve business viability or the economic viability of the town centre if it is permitted. It is acknowledged that the Planning Proposal would provide the community with additional medical services to further expand while B2 Local Centre zoned land remains underutilised.

Options:

The following options are available for Council to consider:

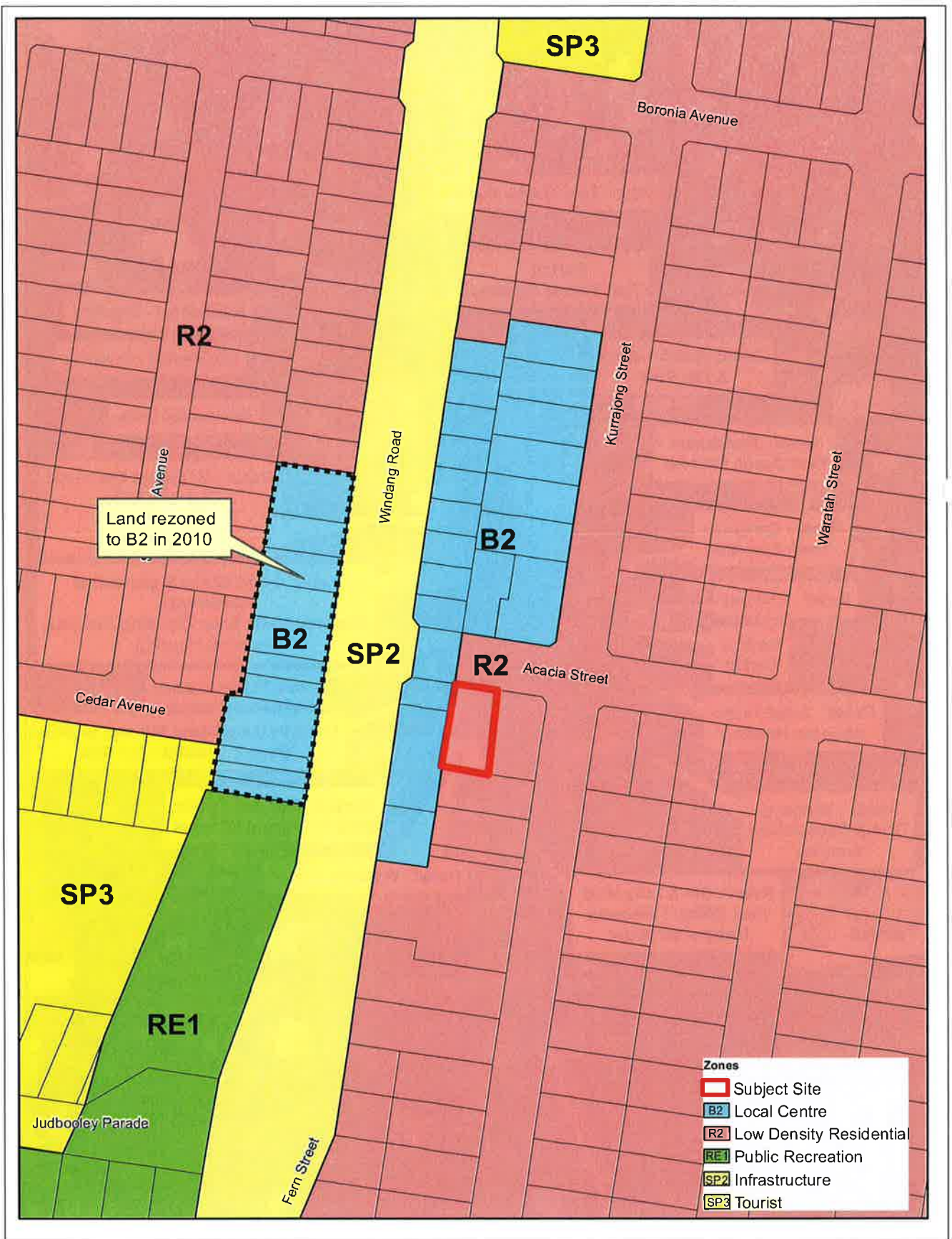
1. Resolve not to amend the existing planning controls and review the town centre as part of the Town and Village Plan in accordance with the priorities list endorsed by Council.

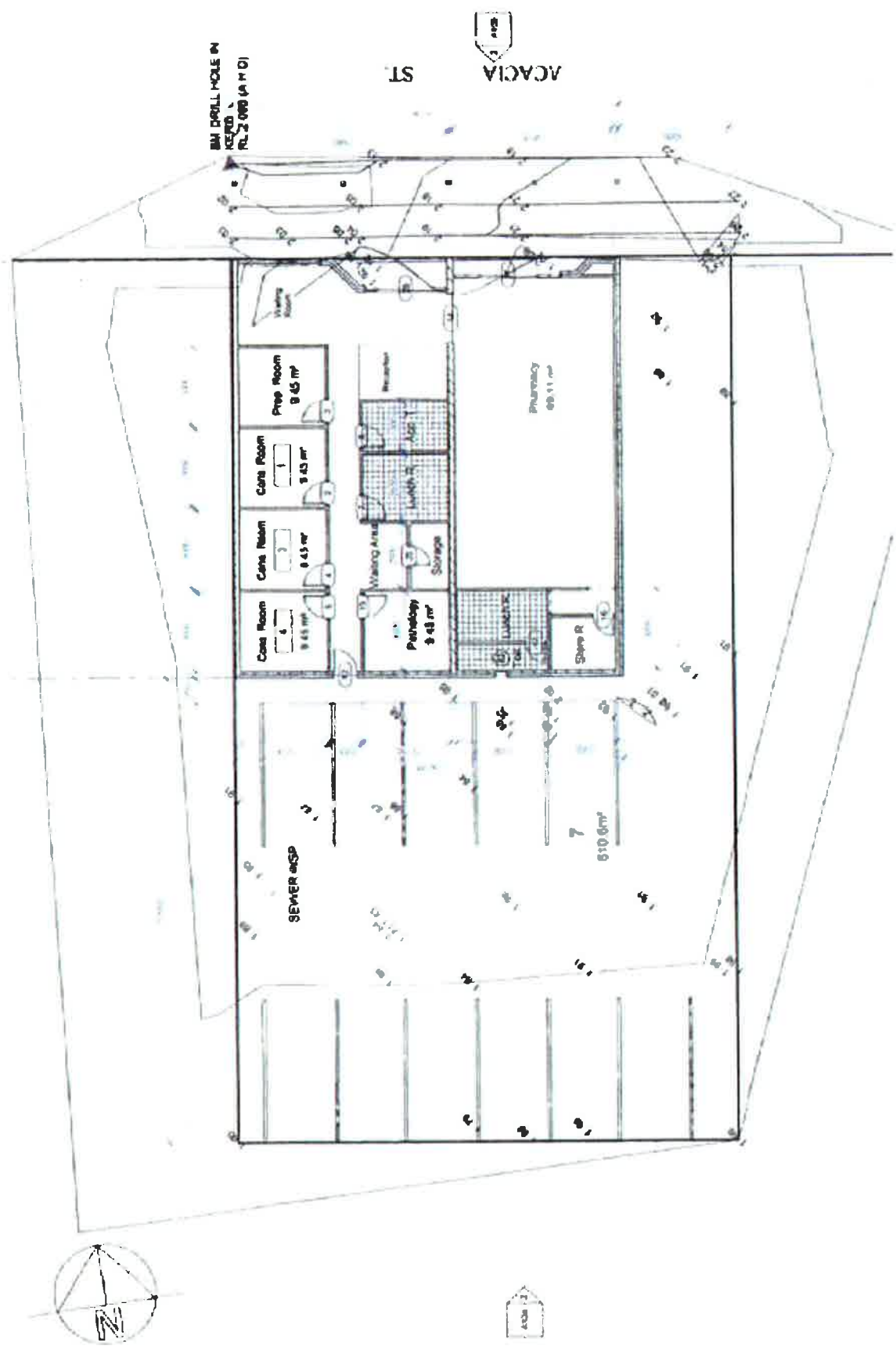
- 2 Resolve to prepare a draft Planning Proposal for 19 Acacia Street, Windang (Lot 7 Sec A DP 19008) to rezone from R2 Low Density Residential to B2 Local Centre and increase the floor space ratio from 0.5:1 to 0.75:1, and send the draft Planning Proposal to the NSW Department of Planning and Infrastructure for Gateway determination.

Conclusion

The proposed rezoning of 19 Acacia Street, Windang is a spot rezoning that does not consider the overall economic health of the town centre nor consider options to utilise the existing stock of B2 Local Centre land. The proponent's argument that the service is lacking in the Windang area is not considered sufficient given an existing medical centre operates in the area. It is considered inappropriate to further expand the B2 Local Centre zone into residential land at this point in time considering the recommendations of the Wollongong Retail Centres Study and the Lake Illawarra Floodplain Risk Management Study. The recommendation of these studies combined with the upcoming Windang Town and Village Plan indicate that any further expansion should be considered as part of a holistic planning study for Windang.







Preliminary Concept Plan – Medical Centre and Pharmacy

Summary of Preliminary Submissions

A summary of the two (2) submissions received during preliminary consultation is provided below.

No	Author	Summary of submission
1	Residents Acacia Street	Objects to proposal: ○ It does not consider increased traffic flow and impacts on surrounding streets ○ It not accurately describe parking demand – parking often overflows into Acacia Street ○ Unlikely that proposed on site parking (11 spaces) will be sufficient to cater for the development ○ Doctors surgery at 16 Acacia St has stopped accepting new patients but still services existing patients and could expand service again in future creating additional parking demand. ○ Current location of pharmacy on Windang Rd has good pedestrian access and is highly visible, proposed site provides reduced visibility. Also less safe for pedestrians given volume of traffic and parked vehicles on Acacia Street ○ Proposal will negatively impact on residents, due to traffic and also queuing of people lining up outside before the shop opens ○ Question the inference that the pharmacy's decline in trade can be attributed to the lack of parking at the current location – the business is firmly established, highly visible and easy to access by pedestrian traffic, more likely that the decline is attributable to other factors such as population demographics, customer service value proposition, increased competition and so forth. ○ If the assertions of the applicant are correct regarding the decline of trade due to parking availability on Windang Road it calls into question the commercial viability of other businesses in the same location. If the application is approved, it sets a precedent for other businesses to purchase residential properties and simply apply for

		rezoning.
2	Windang Beach Family Medical Centre	Objects to proposed medical centre, supports relocation of pharmacy: ○ Disputes statement within planning proposal stating that Medical Centre located at 16 Acacia Street 'has closed its books'. ○ Assumption that new patients not accepted at Windang Medical Centre is incorrect, new patients continue to be accepted. ○ Whilst GP at 320 Windang Rd will be closing at end of year, Windang Medical Centre has a plan to meet growing health needs of the Windang community. ○ In 2010 Windang Medical Centre secured a Primary Care Infrastructure Grant for \$200,000 which is being used to fund capital improvements at the centre. ○ A modification to the medical centre's development application was recently approved on 16 July 2012 and capital works will be undertaken to cater for the health needs of the local community. ○ In support of proposed relocation of pharmacy to 19 Acacia Street but objection to new medical centre. ○ The current and future needs of the local community will be able to be catered for by the current medical practice at 16 Acacia St (diagonally opposite the proposed development site). There is no need for another medical centre at Windang, especially in light of the proposed expansion of the existing facility.

Minute No.

COUNCIL RESOLUTION EXTRACT FROM MINUTES 12 NOVEMBER 2012

ITEM 3 - DRAFT PLANNING PROPOSAL FOR 53 PIONEER ROAD AND 203-207 ROTHERY STREET, BELLAMBI

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 294).

COUNCIL'S RESOLUTION -

- 1 A draft Planning Proposal be prepared for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344); 207 Rothery Street, Bellambi (Lot 2 DP 38303), 205 Rothery Street, Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987) to rezone the land from R2 Low Density Residential to B1 Neighbourhood Centre and increase the Floor Space Ratio from 0.5:1 to 0.75:1.
- 2 The draft Planning Proposal be forwarded to the NSW Department of Planning and Infrastructure for a Gateway determination and if approved exhibited for a minimum period of twenty eight (28) days.

ITEM 3

DRAFT PLANNING PROPOSAL FOR 53 PIONEER ROAD AND 203-207 ROTHERY STREET, BELLAMBI

This report considers the preparation of a draft Planning Proposal requesting the rezoning of 53 Pioneer Road, Bellambi (Lot 11 DP 1084344) from R2 Low Density Residential to B1 Neighbourhood Centre under Wollongong Local Environmental Plan 2009 to better reflect its historic and current land use (six (6) shops). The proposal also requests an increase to the Floor Space Ratio from 0.5:1 to 0.75:1 consistent with other B1 Neighbourhood Centre zones across the Local Government Area.

This report presents the preliminary assessment of the draft Planning Proposal and recommends that Council proceed with the Planning Proposal. As a result of the preliminary assessment of the draft Planning Proposal it is also recommended that Council seek to rezone three (3) neighbouring properties to B1 Neighbourhood Centre being 207 Rothery Street, 205 Rothery Street and 203 Rothery Street, to allow for the clustering of small retail and commercial services in this area.

Recommendation

- 1 A draft Planning Proposal be prepared for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344); 207 Rothery Street, Bellambi (Lot 2 DP 38303), 205 Rothery Street, Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987) to rezone the land from R2 Low Density Residential to B1 Neighbourhood Centre and increase the Floor Space Ratio from 0.5:1 to 0.75:1.
- 2 The draft Planning Proposal be forwarded to the NSW Department of Planning and Infrastructure for a Gateway determination and if approved exhibited for a minimum period of twenty eight (28) days.

Attachments

- 1 Site Locality Map
- 2 Floor Plan of Commercial Complex at 53 Pioneer Road, Bellambi
- 3 Zoning Map
- 4 Floor Space Ratio Map

Report Authorisations

Report of:	Renee Campbell, Manager Environmental Strategy and Planning
Authorised by:	Andrew Carfield, Director Planning and Environment - Future, City and Neighbourhoods

Background

A rezoning proposal has been received for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344). The site has an area of 1,295m² and is located on the south eastern corner of Pioneer Road and Rothery Street with frontages to each being approximately 40m (refer to Attachment 1). The site currently contains a commercial complex with a total gross floor area of 505m² including a pharmacist, supermarket, hair salon, beautician, medical centre and pathology centre. The complex includes seventeen (17) on site car parking spaces accessed by driveways on Rothery Street and Pioneer Road (the latter for egress only).

The site was previously zoned 3(a) General Business under Illawarra Planning Scheme Ordinance (1968) and 3(d) Neighbourhood Business under Wollongong Local Environmental Plan 38 (1984). This zone encompassed 53 Pioneer Road, Bellambi and 207, 205 and 203 Rothery Street, Bellambi being Lot 11 DP 1084344, Lot 2 DP 38303 Lot 3 DP 38303 and Lot A DP 158987 respectively. Upon the gazettal of Wollongong Local Environmental Plan 1990 the site including the adjoining three (3) lots (one of which contains a small shop) were rezoned to 2(b) Medium Density Residential. It is unknown if this was a deliberate change to the zone or if it was an error.

The site is surrounded by residential properties to the east, Bellambi Bowling Club to the north-west and a service station to south west. A small neighbourhood store is located three (3) properties to the east at 203 Rothery Road.

Council's property system indicates the following development history:

- DA 1972/306 – Mixed grocery shop and five (5) car parks (53 Pioneer Road);
- DA 1978/547 – Change of use of a dwelling to a doctors surgery;
- DA 1979/22 – Change of use of part of fruit shop to chemist;
- DA 1996/243 – Awning and minor renovations; and
- DA 2002/2069 – Construction of a single storey commercial building and conversion of doctors surgery into a residential unit with parking for twenty one (21) cars and consolidation of two (2) lots into one (1).

Six (6) separate modifications were subsequently lodged for the original DA. The supermarket is the only premise that has not been altered since 2002.

The range of permitted uses on the site has since been restricted by the introduction of the R2 Low Density Residential zone under the Wollongong Local Environmental Plan 2009. The current uses on the site are no longer permitted in the R2 Low Density Residential Zone and rely on existing use rights.

Nos. 207 and 205 Rothery Street currently contain dwelling houses. A dwelling and small neighbourhood shop are located at 203 Rothery Street. The proponent has sought to rezone only 53 Pioneer Road; however it is appropriate to consider the

rezoning of these additional properties. These properties adjoin the existing commercial complex and the rezoning of these four (4) properties to B1 Neighbourhood Centre would allow the clustering of commercial activities and provide the residents of Bellambi with a small Neighbourhood Commercial Centre within walking distance that could be expanded in the future.

Dwelling houses are not permissible in the B1 Neighbourhood Business zone and the dwellings at 204 and 207 Rothery Street would become existing uses. The B1 Neighbourhood Business zone does permit a greater range of land uses.

Proposal

This proposal seeks to amend the Land Zoning map and the Floor Space Ratio map of Wollongong Local Environmental Plan 2009 for the site as follows:

- Amend the Land Zoning map from R2 Low Density Residential to B1 Neighbourhood Centre; and
- Amend the Floor Space Ratio map from 0.5:1 to 0.75:1 (consistent with B1 Neighbourhood Centre zones throughout the Wollongong Local Government Area).

The intent of the rezoning submission is to reflect the existing established uses on the land, in particular retail premises and medical centres, and permit a range of commercial land uses. These uses are not permitted in the current R2 Low Density Residential zone. The R2 Low Density Residential zone permits neighbourhood shops; however, this definition is not applicable or appropriate for the approved shops and medical centre.

Bellambi has no land zoned to permit the establishment of a neighbourhood centre east of the railway line. A small area of land zoned B1 Neighbourhood Centre (1,500m²) is located on the Russell Vale/Bellambi suburb border on Bellambi Lane. This centre contains the Russell Vale Veterinary Clinic and is not easily accessible to most residents of Bellambi.

The closest retail centre is in Corrimal approximately 1.4km from the current site. Two (2) small neighbourhood centres are located in East Corrimal at Railway Street (800m from the site) and Murray Road (1.2km from the site). The current catchment for the existing small commercial complex at 53 Pioneer Road, Bellambi is described by the proponent to encompass approximately 1,000 dwellings, with approximately 550-600 dwellings within a 500m radius.

The rezoning submission seeks to rezone 53 Pioneer Road (Lot 11 DP 1084344) only; however, if Council supports the preparation of a draft Planning Proposal, then it would be appropriate to also rezone 207 Rothery Street Bellambi (Lot 2 DP 38303), 205 Rothery Street Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987) to B1 Neighbourhood Centre considering the current clustering of services in the area and the local store at 203 Rothery Street.

Therefore, a total land area of 3,071m² is proposed to be rezoned to B1 Neighbourhood Centre. This is comparable to the neighbourhood centres in the adjacent suburb of East Corrimal, the Railway Street neighbourhood centre has 2,759.2m² of land zoned B1 Neighbourhood Centre and the Murray Road neighbourhood centre has 3,831.6m² of B1 zoned land. The suburbs have a similar catchment size, Bellambi has a population of 4,011 and East Corrimal has a population of 3,159 (ABS 2011 Census).

Consultation and Communication

Preliminary consultation was carried out prior to the assessment of the draft Planning Proposal. The proposal was placed on limited preliminary notification between 2 April and 30 April 2012. Letters were sent to gather comments to assist Council in forming an opinion on the proposal. Council did not receive any submissions as part of this preliminary notification.

If Council proceeds with the draft Planning Proposal it would be forwarded to the NSW Department of Planning and Infrastructure for review. The Department would issue a Gateway determination detailing exhibition requirements and the draft Planning Proposal would be exhibited in accordance with the Gateway determination for a minimum period of twenty eight (28) days. This process would include community consultation, government agency consultation and internal Council referrals.

Nos. 207, 205 and 203 Rothery Street contain dwelling houses and all affected landowners will be consulted as part of this draft Planning Proposal as a change in zoning from R2 Low Density Residential to B1 Neighbourhood Centre will have implications for these landowners.

Planning and Policy Impact

There are a number of studies and policies applicable to the Planning Proposal including, the Illawarra Regional Strategy, Wollongong Retail Centres Study 2004, and Wollongong 2022.

Illawarra Regional Strategy

The Illawarra Regional Strategy states that the commercial centres hierarchy is important as it, *'defines the function of a range of centres, provides certainty for stakeholders and ensures facilities are located where population and employment growth is occurring.'*

The Illawarra Regional Strategy does not specifically refer to Bellambi however it does state that Council should encourage the clustering of similar businesses by consolidating existing centres and fast-tracking approvals proposing to cluster business and finance, medical and health and/or research and development services.

It would appear appropriate to allow a small town centre as per the Illawarra Regional Strategy to allow retail, including shops, health and other services in the suburb of Bellambi, given its sizeable population catchment. This small centre, proposed around

the existing commercial complex at 53 Pioneer Road, is located within walking distance for most residents of the suburb and would provide for the day to day convenience needs of local residents. The proposed neighbourhood centre zoning is not expected to adversely impact on neighbouring retail centres as residents of Bellambi would still be reliant on higher order centres such as Corrimal for shopping and employment. Therefore, the proposal is consistent with the commercial centres hierarchy within the Illawarra Regional Strategy.

Wollongong Retail Centre Study 2004 (Hill PDA)

To inform the preparation of the draft Wollongong Local Environmental Plan, the Wollongong Retail Centre Study was completed in 2004. The study reviewed the City's existing and emerging retail centres to assist Council in addressing the challenge of future growth and to establish retail centres hierarchy to guide future retail development.

The strategy did not refer to the site because the site was not zoned for the purpose of a neighbourhood centre. The study identifies that the Corrimal trade area services Corrimal, Tarrawanna, Bellambi and Towradgi.

Allowing a small Neighbourhood Centre zoned to permit the current activities would not be contrary to the Retail Centre Study. A local centre would allow the existing shops to continue to meet the day to day needs of the community and would support some growth in the future should the demand in the area increase. The Planning Proposal does not threaten the retail hierarchy as it proposes to rezone a small area to cater for local convenience shopping and services only. Local convenience centres are described within the Retail Centre Study as generally having a retail floor area of less than 2,000m², for example Austinmer, Primbee and Towradgi Neighbourhood Centres. The study recommends a catchment of 700-1,000 dwellings within 500m in order for a small centre to be economically sustainable. The subject site is considered to meet this criterion as it services a sizable catchment and is considered suitable for a small local convenience centre because it is accessible for pedestrians, close to bus stops, has exposure to a busy local road (Pioneer Road) and increases choice for local residents.

Wollongong 2022

Council endorsed Wollongong 2022 - Our Community Strategic Plan on 25 June 2012. Wollongong 2022 is a long term plan that identifies where the community wants to be in the future and outlines the community's priorities and aspirations and how these will be achieved.

This report contributes to the Wollongong 2022 objective 2.1 *Local employment opportunities are increased within a strong local economy* under the Community Goal 2: *We have an innovative and sustainable economy.*

This report also contributes to the Wollongong 2022 Community Goal 5: *We are a healthy community in a liveable city*, specifically objective 5.1: *There is an increase in the physical fitness, mental health and emotional wellbeing of all our residents*, and the associated strategies:

- *Strategy 5.1.3 - Residents have improved access to affordable and timely medical services.*
- *Strategy 5.1.4 - Flexible services are provided and can adapt to changing community needs and service demands.*
- *Strategy 5.1.6 - The long term needs of the community, including our people and our places, are effectively planned for.*
- *Strategy 5.1.7 - Urban areas are created to provide a healthy living environment for community.*

This Planning Proposal contributes to the achievement of these goals, objectives and strategies as it seeks to provide Bellambi with a small neighbourhood centre including health services in an accessible area, encouraging walking and providing some new employment opportunities. Rezoning the existing shops in the area will allow for future expansion of the neighbourhood centre should future demand occur.

The Delivery Program 2012-17 and Annual Plan 2012-13 assists in the delivery of Wollongong 2022. This proposal delivers on core business of the Land Use Planning team described within the Delivery Program and Annual Plan as planning policy, planning proposals, and town and village planning.

The preparation of a draft Planning Proposal to rezone the site would re-establish an earlier zone and reinforce the current approved uses, enabling those uses to expand in the future and allow a wider range of commercial type uses in the centre. This proposal has the potential to provide an overall public benefit for the local community and surrounding residents. By extending the zone to encompass the area that has previously been zoned to facilitate "Neighbourhood Business" development, the residents of Bellambi will have an area that can service their needs now and into the future noting that there are existing shops at 53 Pioneer Road and a local store at 203 Rothery Street, Bellambi.

Options

The following options are available for Council to consider:

- 1 Resolve not to prepare a draft Planning Proposal for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344).
- 2 Resolve to prepare a draft planning proposal for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344) only, to rezone the land to B1 Neighbourhood Centre and increase the Floor Space Ratio from 0.5:1 to 0.75.
- 3 Resolve to prepare a draft planning proposal for 53 Pioneer Road, Bellambi (Lot 11 DP 1084344); 207 Rothery Street, Bellambi (Lot 2 DP 38303), 205 Rothery Street, Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987) to rezone the land to B1 Neighbourhood Centre and increase the Floor Space Ratio from 0.5:1 to 0.75:1.

Conclusion

The rezoning submission seeks the rezoning of 53 Pioneer Road to reflect the existing established uses on the land, in particular retail premises and medical centres and to permit a range of commercial land uses. These uses are not permitted in the current R2 Low Density Residential zone.

It is considered that the adjoining properties should also be rezoned (207 Rothery Street, Bellambi (Lot 2 DP 38303), 205 Rothery Street, Bellambi (Lot 3 DP 38303) and 203 Rothery Street, Bellambi (Lot A DP 158987). This would recognise the existing shop on 203 Rothery Street and reinstate the zoning that existed before 1990 and allow for future expansion of the neighbourhood centre if future need arose.

There is no neighbourhood centre zone in the suburb of Bellambi east of the railway line and the nearest large commercial centre is Corrimal. The existing shops on Pioneer Road serve the daily needs of local residents and provide a useful service to these residents. The current R2 Low Density Residential zoning on the site does not permit the existing land uses, which were approved under previous planning controls and now rely on existing use rights. This severely limits future redevelopment or expansion of these shops and it is considered appropriate to rezone the site to B1 Neighbourhood Centre to allow a wider range of commercial uses to service the local community.

Supporting the preparation of a Planning Proposal would enable the established centre to continue to operate with limited growth. This will enable the existing business to meet the needs of the community and will allow them business opportunities in the future to expand and or change as community needs change.

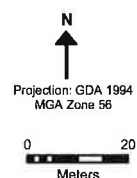
It is therefore recommended that a draft planning proposal be forwarded to the NSW Department of Planning and Infrastructure to rezone the four (4) lots to B1 Neighbourhood Centre and increase the floor space ratio from 0.5:1 to 0.75:1.



**Planning Proposal
53 Pioneer Road and 203-207
Rothery Road Bellambi**



Subject site



Scale 1:1000 @ A3



Map Identification number:
RohrerSI PlanningProposal Aerial.mxd

APPDX V

DA-2002120691D

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ROTHEY ROAD

UNIT 2

2 MILLER ROAD

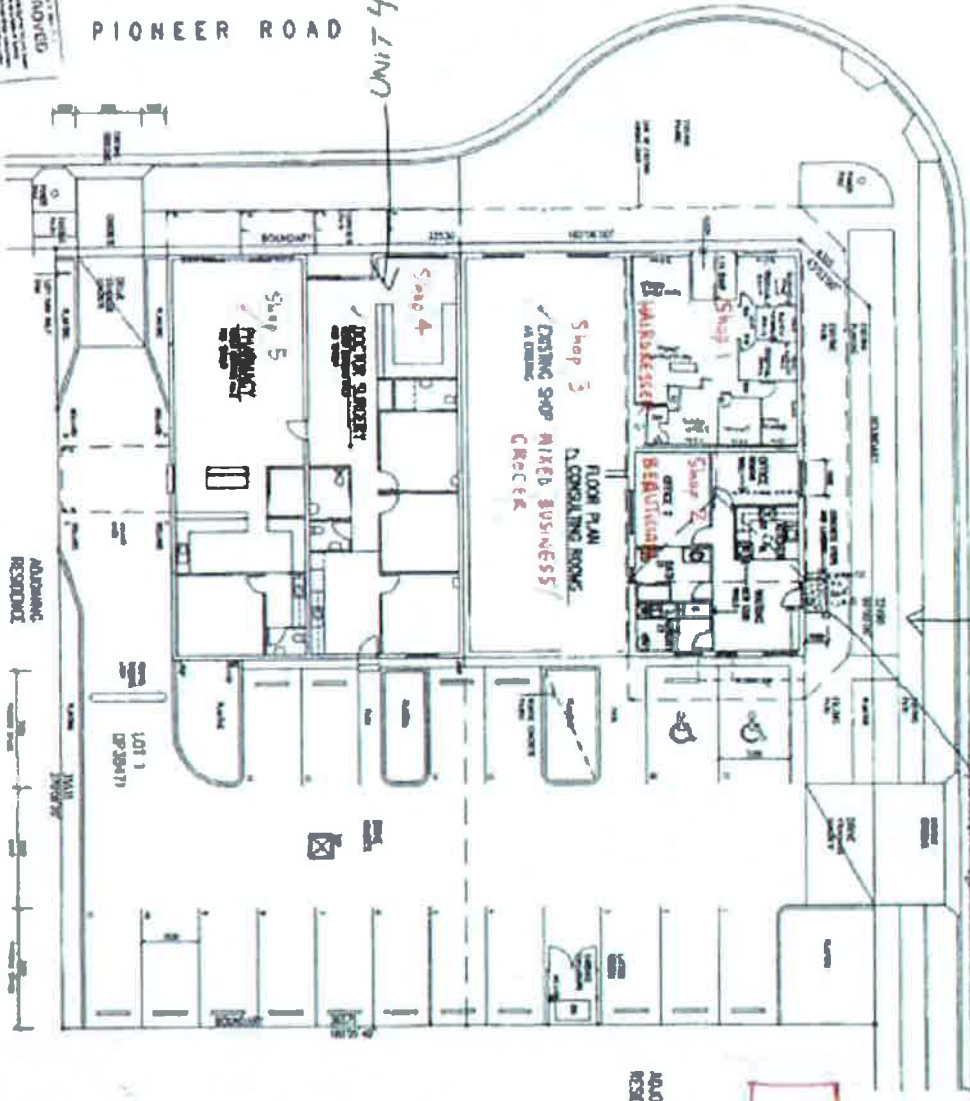
ADJACENT RESIDENCE

NEW

CURRENT USES IN RED EDIT BY TGA PLANNING

PIONEER ROAD

UNIT 4



APPROVED
FOR CONSTRUCTION
DATE 10/10/2002
BY [Signature]
[Stamp]

2002 PLAN
DATE 10/10/2002
BY [Signature]
[Stamp]

ADJACENT RESIDENCE

LOT 1
DP20417

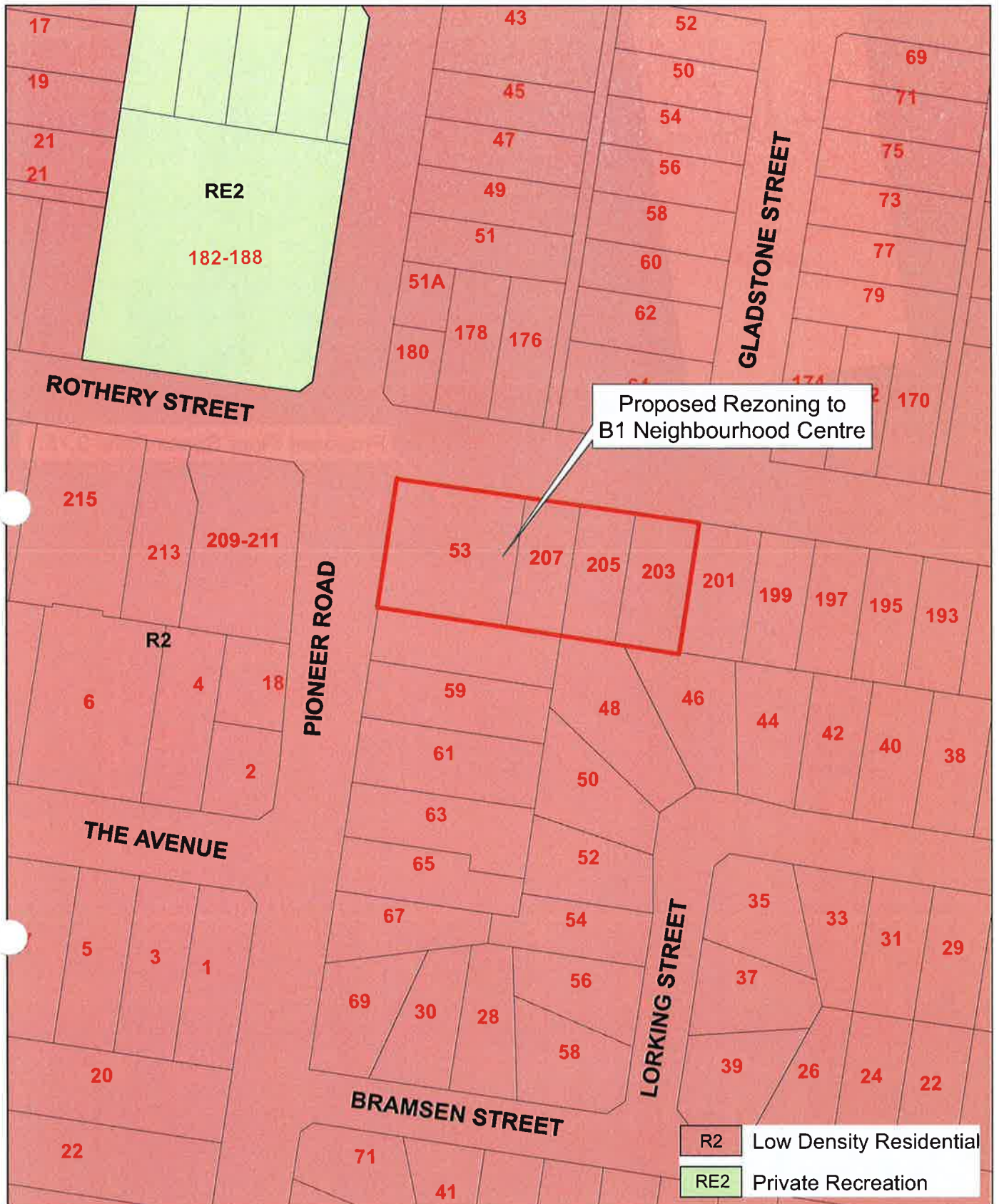
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EAST CORIMAL
PHARMACY
M & V HUSSEIN
35-37 PIONEER ROAD
MILLARS



1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND CONDITIONS OF CONTRACT.

DATE 10/10/2002
BY [Signature]
[Stamp]

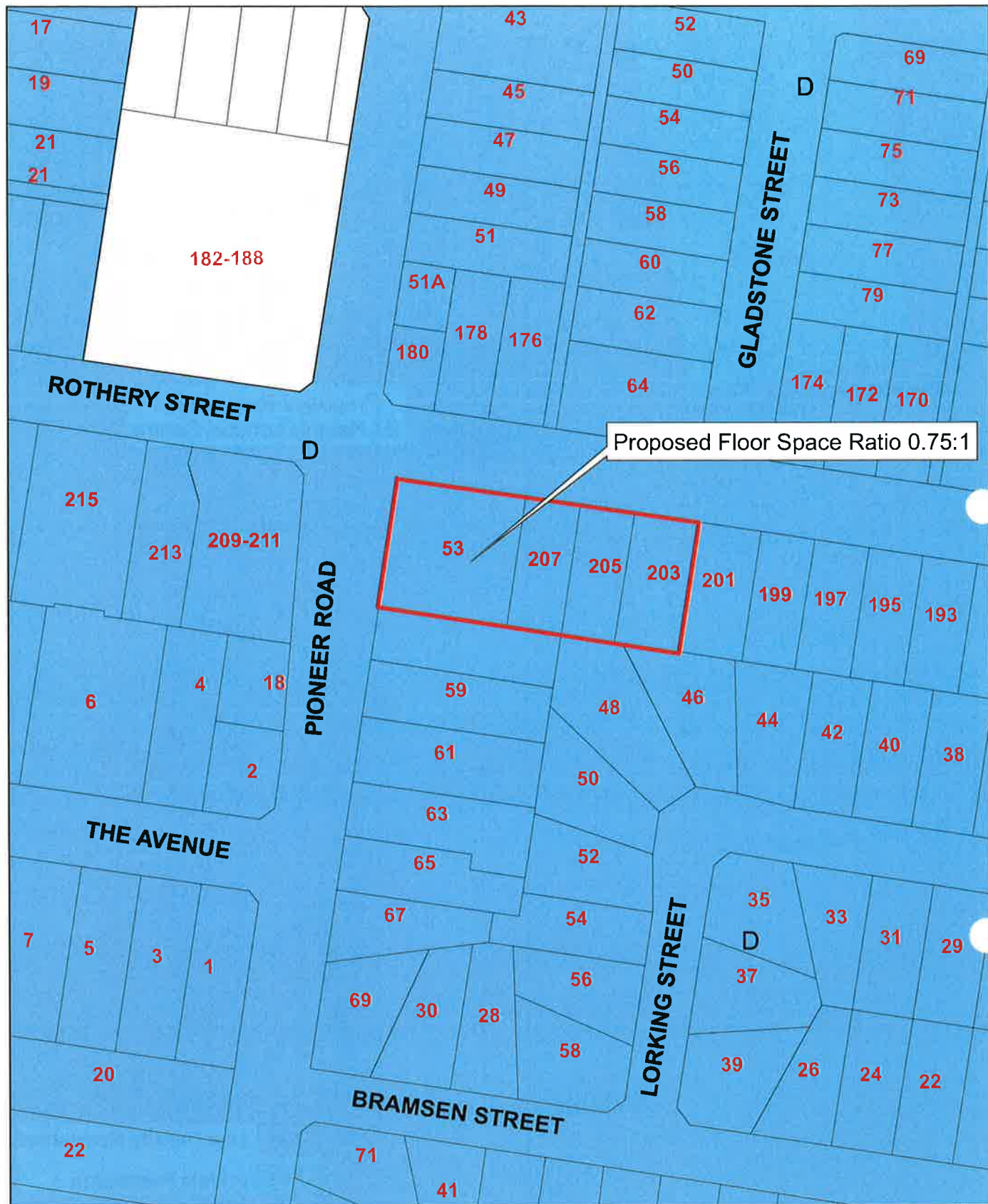


Planning Proposal
53 Pioneer Road and 203-207
Rothery Road Bellambi
Zoning

Subject site

N
↑
Projection: GDA 1994
MGA Zone 56
0 20
Meters
Scale 1:1000 @ A3

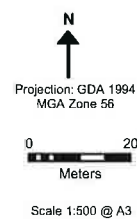




Planning Proposal
53 Pioneer Road and 203-207
Rothery Road Bellambi
Floor Space Ratio

Subject site

D 0.5 :1



Map Identification number:
RotherySt_PlanningProposal_FSR.mxd