

Planning Proposal – Wollongong LEP 2009 (St Joseph's Catholic Convent and Church, Bulli - Heritage) Amendment

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF DRAFT LEP: PP-2016/5 St Joseph's Former Catholic Convent and St Joseph's Church, Bulli - Heritage Amendment

ADDRESS OF LAND:

The subject land applies to Lot 1 DP 86818 48-50 Park Road, Bulli (see Figure 1).

DESCRIPTION OF LAND:

The site is located at 48-50 Park Road, Bulli (see Figure 1).

The site contains a Convent and Church which Council has resolved to list as heritage items

BACKGROUND:

The precinct is part of the Catholic Church, Convent and school site at 48 – 50 Park Road, Bulli. In November 2015, Council received a nomination from a member of the church parish for the heritage listing of the former convent building. In December 2015, Council's Heritage Advisor carried out a heritage assessment of the former convent building, as well as the adjacent St Joseph's Roman Catholic Church. The assessment recommended that both buildings be added to Wollongong Local Environmental Plan 2009 as items of local heritage.

Council at its meeting on 25 July 2016 resolved to prepare a draft Planning Proposal to amend the Wollongong LEP 2009 to include the St Joseph's Roman Catholic Church and Former St Joseph's Roman Catholic Convent, 48-50 Park Road Bulli within Schedule 5 as heritage items.

Part 1: OBJECTIVES OR INTENDED OUTCOMES OF THE PLANNING PROPOSAL:

What is the purpose of the Planning Proposal?

To amend the Wollongong Local Environmental Plan 2009 to;

- Add St Joseph's Roman Catholic (former) Convent and St Joseph's Roman Catholic Church to Schedule 5 of the Wollongong Local Environmental Plan 2009;
- Add St Joseph's Roman Catholic (former) Convent and St Joseph's Roman Catholic Church to the Wollongong Local Environmental Plan 2009 Heritage Map, showing heritage items within the area.

Part 2: EXPLANATION OF THE PROVISIONS OF THE PLANNING PROPOSAL:

How are the objectives of the Planning Proposal to be achieved? How will the LEP be changed?

The Planning Proposal will make the following amendments to the Wollongong Local Environmental Plan 2009;

- Add St Joseph's Roman Catholic (former) Convent and St Joseph's Roman Catholic Church to Schedule 5 of the Wollongong Local Environmental Plan 2009;
- Add St Joseph's Roman Catholic (former) Convent and St Joseph's Roman Catholic Church to the Wollongong Local Environmental Plan 2009 Heritage Map.

Part 3: JUSTIFICATION FOR THE PLANNING PROPOSAL:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?	No – the Planning Proposal is the result of a heritage nomination from the community regarding the preservation of the former St Joseph's Roman Catholic Convent. On 6 April 2016, Council made an Interim Heritage Order on the former St Joseph's Roman Catholic Convent building to enable Council to consider the heritage significance of the building. Council's Heritage Advisor provided a heritage assessment of the former convent building as well as the adjacent St Joseph's Roman Catholic Church building. This assessment recommended that both buildings should be listed in Wollongong LEP 2009 as local heritage items. Council at its meeting of 25 April 2016 considered the proposed heritage listing, submissions made in relation to the proposed heritage listing, and resolved to seek a "gateway" determination for the Planning Proposal.
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The planning proposal is considered the best way of achieving the stated objective of listing the two buildings as local heritage items.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?	Yes – the Planning Proposal is in keeping with the Illawarra Shoalhaven Regional Plan Direction 3.4, as it allows for the long term protection of the region's cultural heritage.
5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	The planning proposal is consistent with the overall vision contained in the Wollongong Community Strategic Plan 2022. The planning proposal will meet with the objective "Community awareness and appreciation of heritage is increased" under the Community Goal "We value and protect our environment".
6. Is the planning proposal consistent with applicable State Environmental Planning Policies?	Refer to Table A – Checklist of State Environmental Planning Policies.
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	Refer to Table B – Checklist of Ministerial Directions.

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	The planning proposal is not likely to cause any impacts, as it protects two heritage buildings within an existing developed area.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	The Planning Proposal will not create additional environmental effects.
10. How has the planning proposal adequately addressed any social and economic effects?	The proposed listing of the two buildings as items of local heritage significance will allow for the protection of these items which are of significance to the local community.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	Public utility infrastructure is provided to the area. The planning proposal will not increase demand on local services.
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	If the Planning Proposal passes the “Gateway” determination, consultation will occur with Heritage Branch of the NSW Office of Environment and Heritage.

PART 4: MAPS, WHERE RELEVANT, TO IDENTIFY THE INTENT OF THE PLANNING PROPOSAL AND THE AREA TO WHICH IT APPLIES

Figure 1.0 Planning Proposal Map showing Heritage Items





**St Joseph's Catholic Church and Convent -
Location and Curtilage Map 48-50 Park Road Bulli**

- | | |
|--------------------|------------------------|
| Subject Site | St Joseph's Convent |
| St Joseph's Church | LEP2009 Heritage Items |

Drawn By: H.Jones
Date: 08.07.2018
Date of Aerial Photography: 2014
MAP: 48-50 Park Rd Bulli 08-07-18.cde

Part 5: DETAILS OF COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL:

The revised Gateway Determination will confirm community consultation requirements. If the revised Planning Proposal is supported, the Proposal will be exhibited for a minimum period of *twenty eight (28) days*, and include:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *Electronic copy on Council's website;*
- *Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Environment.*

Part 6: PROJECT TIMELINE

A primary goal of the plan making process is to reduce the overall time taken to produce LEPs. This timeline tentatively sets out expected timelines for major steps in the process. These timeframes are subject to change and are to be used as a guide only. The Minister may consider taking action to finalise the LEP if timeframes approved for the completion of the Planning Proposal are significantly or unreasonably delayed.

#	Action	Estimated Timeframe	Responsibility
1	Anticipated date of Gateway Determination	2 months	Department of Planning and Environment
2	Government agency consultation	21 days	Agencies
3	Public exhibition period	4 weeks	Council
4	Date of Public Hearing (<i>if applicable</i>)	N/A	Council
5	Consideration of submissions	2 weeks	Council
6	Assessment of proposal post-exhibition	2 weeks	Council
7	Report to Council	2 months	Council
8	Final maps and Planning Proposal prepared	2 weeks	Council
9	Submission to Department for finalisation of LEP	1 week	Council
10	<i>Anticipated date RPA will make the LEP</i>	<i>Unknown</i>	Department of Planning and Environment
11	Anticipated date Council will forward final Planning Proposal to DoPE for notification	Unknown	Council
12	Anticipated date LEP will be notified	May 2017	Parliamentary Counsel and DP&E

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
State policies			
SEPP No. 1	Development Standard	N/A	N/A
SEPP No. 14	Coastal Wetlands		N/A
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	N/A
SEPP No. 21	Caravan Parks		N/A
SEPP No. 26	Littoral Rainforests		No littoral rainforests identified by the policy in the Wollongong LGA.
SEPP No. 30	Intensive Agriculture	N/A	N/A
SEPP No. 33	Hazardous and Offensive Development	Yes	Does not contradict the SEPP
SEPP No. 36	Manufactured Home Estates	N/A	N/A
SEPP No. 44	Koala Habitat Protection	Yes	The precinct does not constitute 'potential koala habitat'.
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	N/A
SEPP No. 50	Canal Estate Development	N/A	N/A
SEPP No. 52	Farm Dams, Drought Relief and Other Works	Does not apply to Wollongong	
SEPP No. 55	Remediation of Land	N/A	N/A
SEPP No. 62	Sustainable Aquaculture	N/A	N/A
SEPP No. 64	Advertising and Signage	N/A	N/A
SEPP No. 65	Design quality of residential apartment development	N/A	N/A
SEPP No. 71	Coastal Protection	N/A	N/A
SEPP	Affordable Rental Housing (revised schemes) 2009	N/A	N/A
SEPP	Housing for Seniors or People with a Disability 2004	N/A	N/A
SEPP	Building Sustainability Index: BASIX 2004	N/A	N/A
SEPP	Exempt and Complying Development Codes 2008	N/A	N/A
SEPP	State and Regional Development 2011	Yes	Complies with the objectives of the SEPP
SEPP	State Significant Precincts 2005	Yes	Complies with the objectives of the SEPP
SEPP	Development on Kurnell Peninsula 2005	Does not apply to Wollongong	N/A

State Environmental Planning Policy		Compliance	Comment
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	N/A
SEPP	Three Ports 2013	Yes	This Planning Proposal seeks to amend the Three Ports SEPP, but is in keeping with the intent of that policy. The amendments would enable efficient economic use of the land, whilst still maintaining the long term protection of the land for port and port-related uses.
SEPP	Mining, Petroleum Production and Extractive Industries 2007	N/A	N/A
SEPP	Infrastructure 2007	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Temporary Structures 2007	N/A	N/A
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	N/A
SEPP	Rural Lands 2008	Does not apply to Wollongong	N/A
SEPP	Affordable Rental Housing 2009	N/A	N/A
SEPP	Western Sydney Employment Area 2009	Does not apply to Wollongong	N/A
SEPP	Exempt and Complying Development Codes 2008	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	N/A
SEPP	Integration and Repeals 2016	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Miscellaneous Consent Provisions 2007	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Penrith Lakes Scheme 1989	N/A	N/A
SEPP	Rural Lands 2008	N/A	N/A
SEPP	Sydney Drinking Water Catchment 2011	N/A	N/A
SEPP	Urban Renewal 2010	Yes	The Planning Proposal is consistent with the SEPP

Table B - Checklist of Section 117 Ministerial Directions

Ministerial Direction		Comment
Employment and Resources		
1.1	Business and Industrial Zones	N/A
1.2	Rural Zones	N/A
1.3	Mining, Petroleum Production and Extractive Industries	N/A
1.4	Oyster Aquaculture	N/A
1.5	Rural Lands	N/A
Environment and Heritage		
2.1	Environment Protection Zone	N/A
2.2	Coastal Protection	N/A
2.3	Heritage Conservation	The precinct contains buildings which Council's heritage assessment recommends that they be listed as local heritage items. The planning proposal is consistent with this direction.
2.4	Recreation Vehicle Areas	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
Housing, Infrastructure and Urban Development		
3.1	Residential Zones	N/A – The site is within a residential zone. No zone changes are proposed. The planning proposal is consistent with this direction.
3.2	Caravan Parks and Manufactured Home Estates	N/A
3.3	Home Occupations	N/A
3.4	Integrating Land Use and Transport	N/A
3.5	Development Near Licensed Aerodromes	N/A
3.6	Shooting Ranges	N/A
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	The Planning Proposal does not increase bushfire risk nor increase development within bushfire risk areas.
Regional Planning		

5.1 Strategies	Implementation of Regional	The planning proposal will enable protection of the region's cultural heritage in accordance with the Illawarra Shoalhaven Regional Plan.
5.2 Catchments	Sydney Drinking Water	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 Highway, North Coast	N/A
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A
5.8 Creek	Second Sydney Airport: Badgerys	N/A
5.9 Strategy	North West Rail Link Corridor	N/A
5.10	Implementation of Regional Plans	The planning proposal will enable protection of the region's cultural heritage in accordance with the Illawarra Shoalhaven Regional Plan.
Local Plan Making		
6.1 Requirements	Approval and Referral	The planning proposal complies with the direction and does not envisage additional approval or referral requirements.
6.2 Purposes	Reserving Land for Public	N/A
6.3	Site Specific Provisions	The planning proposal does not contain unnecessary site specific provisions.
Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N/A

