



PWG002242

Mr Brett Whitworth
General Manager Southern Region
NSW Department of Planning and Environment
PO Box 5475
WOLLONGONG NSW 2520

Our Ref:
File:
Date:

Z15/49079
PP-2013/9
10 March 2015

Dear Mr Whitworth

DRAFT PLANNING PROPOSAL: 125 LADY WAKEHURST DRIVE, LILYVALE (LOT 1 DP 335557 AND LOT 1 DP 652830)

Council at its meeting of 24 November 2014 considered a report on a draft Planning Proposal seeking to:

- amend the Wollongong Local Environmental Plan 2009 by rezoning Lot 1 DP 335557 from the proposed E2 Environmental Conservation to E3 Environmental Management and rezone Lot 1 DP 652830 from SP2 Infrastructure – Road to E3 Environmental Management with the additional permitted uses of a function centre and tourist and visitor accommodation (subject to development consent) on Lot 1 DP 335557 being permitted within the existing structures (buildings B and C) with no expansion to the existing building footprints; and
- consequential amendments be made on Lot 1 DP 652830 to introduce a minimum lot size of 39.99ha and a maximum building height of 9m.

Council at that meeting resolved that a draft Planning Proposal be submitted to the NSW Department of Planning and Environment seeking a Gateway Determination. A Notice of Rescission was considered by Council on 27 January 2015. The Notice of Rescission on being put to the vote was lost.

Please find attached the following information:

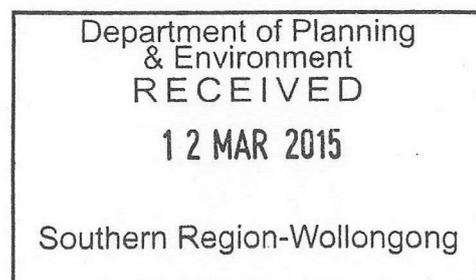
- a copy of the report to Council and minutes (24 November 2014);
- a copy of the draft Planning Proposal; and
- copies of the relevant maps.

Council also resolved to request authority for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.

We now await advice from the Gateway Determination. Please contact me should you require further information.

This letter is authorised by

Kathryn Adams
Strategic Project Officer
Wollongong City Council
Direct Line (02) 4227 7107



Planning Proposal

LOCAL GOVERNMENT AREA: Wollongong City Council

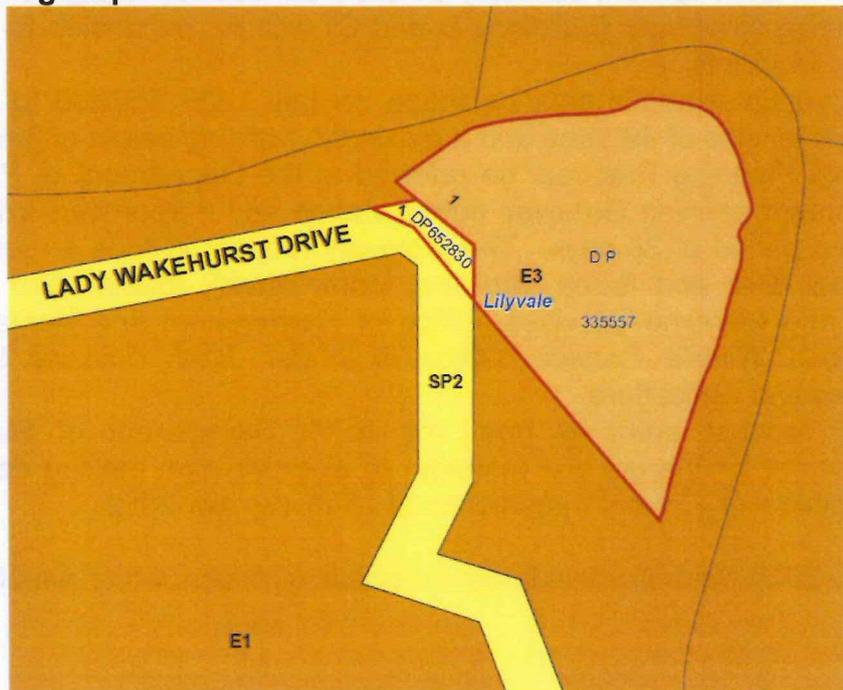
NAME OF DRAFT LEP: Function Centre 125 Lady Wakehurst Drive, Lilyvale

ADDRESS OF LAND: 125 Lady Wakehurst Drive, Lilyvale (Lot 1 DP 335557 and Lot 1 DP 652830)

MAPS: Location Map



Current Zoning Map



Current and Proposed Planning Controls: *see attachments 1-3.*

BACKGROUND:

Historic records indicate that this property was originally settled as a fruit orchard. After changing ownership the site took on the role of accommodating mine workers and loggers. The draft Planning Proposal submission indicates that the previous owner established a holiday let on the site some 20 years ago. However the holiday let, and a more recently established function centre, has been operating without Council's consent. The proponent continued operating the additional uses under the business name "Lilyvale" after purchasing the property on 8 April 2004. On 20 February 2010 the proponent's stake in the property increased to 100%.

The holiday let and function centre were first brought to the attention of Council by a resident of Otford. The investigation of Lilyvale was forwarded to Regulation and Enforcement Division and it was determined the holiday let and function centre were operating without development consent. A Development Application DA-2013/863 was lodged seeking to change the use of the existing house to bed and breakfast accommodation, which was granted development consent on 18 December 2013. On 1 October 2013 a Planning Proposal request was lodged.

The draft Planning Proposal request was considered at a Council meeting dated 24 November 2014. Council resolved:

1. A draft Planning Proposal be prepared for Lot 1 Lady Wakehurst Drive, Lilyvale being Lot 1 DP 335557 and Lot 1 DP 652830 to rezone Lot 1 DP 335557 from the proposed E2 Environmental Conservation to E3 Environmental Management and rezone Lot 1 DP 652830 from SP2 Infrastructure – Road to E3 Environmental Management with the additional permitted uses of a function centre and tourist and visitor accommodation (subject to development consent) on Lot 1 DP 335557 being permitted within the existing structures (buildings B and C) with no expansion to the existing building footprints
2. Consequential amendments be made on Lot 1 DP 652830 to introduce a minimum lot size of 39.99ha and a maximum building height of 9m
3. The draft Planning Proposal be referred to the Department of Planning and Environment seeking Gateway determination and if approved exhibited for a minimum period of 28 days. The Gateway request include a requirement for additional flora and fauna, bushfire, water quality studies and referrals to Roads and Maritime Services, Office of Environment and Heritage/National Parks and Wildlife Service, Office of Water, NSW Primary Industries – Fisheries and Agriculture
4. Council request authority from the NSW Department of Planning and Environment for the general manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.

On 27 January 2015 Council considered a rescission motion, which was lost.

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

Concise statement setting out objectives or intended outcomes of the planning proposal.

The Planning Proposal seeks to meet a number of objectives, viz:

- To retain/reinstate an E3 Environmental Management zone to permit further improvements on existing structures on the site, including an approved bed and breakfast, and permit future structures being developed on the site (Lot 1 DP 335557) on the premise that the E3 zone best reflects the existing land use and character of the site;
- Rezone Lot 1 DP 652830 from SP2 Infrastructure-Road to E3 Environmental Management to maintain a consistent zone over the property; as the land is in private ownership and was removed from the road reserve in 1968. The air photo indicates that the road alignment is not within the road reserve; and
- Allow an additional permitted use of a function centre and tourist and visitor accommodation through Schedule 1, subject to development consent, on Lot 1 DP 335557 within the existing structures (buildings B and C) with no expansion to the existing building footprints.

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

Statement of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed via a LEP.

- Amendment of the Wollongong LEP 2009 Zoning Map in accordance with the proposed zoning map shown as attachment 1, which indicates E3 Environmental Management zoning for part of the site currently proposed to be zoned E2 Environmental Conservation (by the Review of land formerly zoned 7(d) Planning Proposal), and E3 Environmental Management zoning for part of the site currently zoned SP2 Infrastructure - Road;
- Amendment of the Wollongong LEP 2009 Minimum Lot Size Map in accordance with the proposed minimum lot size map shown as attachment 2, which indicates 39.99ha for areas proposed to be zoned E3 Environmental Management;
- Amendment of the Wollongong LEP 2009 Height of Building Map in accordance with the proposed height of building map shown as attachment 3, which indicates a maximum permissible building height of 9 metres for the areas proposed to be zoned E3 Environmental Management; and
- Schedule 1: Additional Permitted Uses – function centre and tourist and visitor accommodation on Lot 1 DP 335557 within the existing structures (buildings B and C) with no expansion to the existing building footprints.

Part 3: JUSTIFICATION OF OBJECTIVES, OUTCOMES AND PROVISIONS AND PROCESSES FOR THEIR IMPLEMENTATION:

Section A – Need for the planning proposal

<p>1. Is the planning proposal a result of any strategic study or report?</p>	<p>The planning proposal request is the result of a report to Council and a Council resolution dated 24 November 2014.</p> <p>The site was included in the review of former 7(d) lands at Helensburgh, Otford and Stanwell Tops. Council resolved on 29 July 2013 to endorse the rezoning of all isolated E3 Environmental Management zoned lands (5 properties) within the Royal National Park to E2 Environmental Conservation. The review noted that the five properties were surrounded by the Royal National Park, were adjacent the Hacking River, had limited services and were bushfire prone. The recommended E2 zoning sought to constrain future development. It was envisaged that over time the properties would be incorporated into the National Park, although they are not identified for acquisition and would not be a priority for acquisition.</p> <p>The Southern Joint Regional Planning Panel was asked to review the draft Planning Proposal for 7(d) lands and concluded that “isolated lots within the Royal National Park are appropriately zoned as E2 Environmental Conservation, noting that a planning proposal has been submitted for Lot 1 DP 335557 to create an additional permitted use that is outside the terms of reference for the Regional Panel’s consideration”.</p> <p>The Planning Proposal request is seeking to retain/reinstate an E3 Environmental Management zone to permit further improvements on existing structures on the site, including an approved bed and breakfast, and permit future structures being developed on the site (Lot 1 DP 335557) on the premise that the E3 zone best reflects the existing land use/built form, limited ecological values and character of the site.</p> <p>The report to Council included the recommendations from a Flora and Fauna</p>
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	<p>Assessment (EcoLogical 2013) which concluded that the site is highly disturbed with extensive cleared areas and landscaping, two dwellings, a shed and roads. The report further concluded that zone E3 most closely reflects the limited ecological values of the site.</p> <p>The planning proposal request notes that an E2 zoning would implement an unreasonably restrictive planning regime on the site, and notes a conclusion from a report to Council dated 29 July 2013 that zone E2 is not appropriate for cleared lots containing dwelling houses.</p> <p>Other supporting documents submitted with the Planning proposal request included:</p> <ol style="list-style-type: none"> 1. Bushfire Assessment (EcoLogical 2013); 2. Paper: "Lilyvale – Essential Tourism Product For The Illawarra" (Pollaers 2013)
<p>2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?</p>	<p>The purpose of the Planning Proposal is to enable continued use and expanded economic use of the existing buildings on the site without the need to rely on existing use rights. Most of the existing improvements on the site would be prohibited if the Council Planning Proposal for former 7(d) lands proceeds without amendment. Reliance on existing use rights to enable continued use of these improvements is not desirable and is contrary to DoPE guidance. A change of zoning back to E3 Environmental Management, with its related minimum lot size of 39.99ha and maximum building height of 9 metres, is required in order to permit further improvements on existing structures on the site, including an approved bed and breakfast, and permit future structures being developed on the site (Lot 1 DP 335557) on the premise that the E3 zone best reflects the ecological values of the site and the existing land use/built form (Reference LEP practice note – Environment Protection Zone PN 09-002).</p> <p>The report to Council included the recommendations from a Flora and Fauna</p>

	<p>Assessment (EcoLogical 2013) which concluded that the site is highly disturbed with extensive cleared areas and landscaping, two dwellings, a shed and roads. No threatened flora species listed under the Threatened Species Conservation Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999 were found on site. No threatened fauna species listed under the TSC Act or the EPBC Act were recorded within the subject site during field surveys. However, it was noted that a range of threatened species may occasionally visit the site. The report concluded that zone E3 most closely reflects the limited ecological values of the site and current land uses.</p> <p>A change of zoning is required from SP2 Infrastructure-Road to E3 Environmental Management to maintain a consistent zone over the property; recognising that the land is in private ownership and was removed from the road reservation in 1968. This area proposed for an E3 Environmental Management zoning will also require an associated change to the permitted lot size (39.99ha) and height of buildings (9 metres) maps.</p>
<p>3. Is there a net community benefit?</p>	<p>A report was prepared in support of the draft Planning Proposal request (“Lilyvale – Essential Tourism Product For The Illawarra” 2013) outlining the significant economic benefits of the Lilyvale operation to the region.</p> <p>The site currently operates as a holiday let and on site function centre, employing six people part time. In 2012 approximately \$800,000 was injected into the local economy through flow on effects from the leasing of Lilyvale. Lilyvale provides a direct financial and employment stimulus to small businesses and residents in the Illawarra region.</p> <p>The Planning Proposal is consistent with the Illawarra Regional Strategy 2006-31 (2007), recognising that the tourism sector continues to use the natural and cultural assets of the Region to increase visitor numbers and drive employment growth. The Regional Strategy</p>

	<p>notes that continued growth in conference events and the accommodation sector would better utilise these assets and strengthen growth in the tourism industry. Tourist and visitor accommodation will address a shortage in visitor accommodation in the northern suburbs of Wollongong and provide support to the tourism sector.</p> <p>The planning proposal is consistent with the draft Illawarra Regional Growth and Infrastructure Plan, which recognises the importance of job creation to provide for a growing population and address the Region's high unemployment rates. The draft Plan specifically focuses on the role tourism that takes advantage of our natural assets will need to play – “building tourism infrastructure that both encourages new visitors and enables visitors to better enjoy the Region is important to boosting this important sector”.</p> <p>The NSW State Plan also identifies tourism as an important contributor to the State economy.</p>
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Section B – Relationship to strategic planning framework

<p>4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?</p>	<p>The planning proposal is consistent with the draft Illawarra Regional Growth and Infrastructure Plan, which recognises the importance of job creation to provide for a growing population and address the Region's high unemployment rates. The draft Plan specifically focuses on the role tourism that takes advantage of our natural assets will need to play – “building tourism infrastructure that both encourages new visitors and enables visitors to better enjoy the Region is important to boosting this important sector”.</p> <p>The Planning Proposal is consistent with the Illawarra Regional Strategy 2006-31 (2007), recognising that the tourism sector continues to use the natural and cultural assets of the Region to increase visitor numbers and drive employment growth. The Regional Strategy notes that continued growth in conference events and the accommodation sector would better utilise these assets and strengthen</p>
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	<p>growth in the tourism industry. Tourist and visitor accommodation will address a shortage in visitor accommodation in the northern suburbs of Wollongong and provide support to the tourism sector.</p> <p>The NSW State Plan also identifies tourism as an important contributor to the State economy.</p>
<p>5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?</p>	<p>The planning proposal is consistent with Council's Wollongong 2022 Community Strategic Plan to guide future development in the City in terms of:</p> <ul style="list-style-type: none"> • Local employment opportunities are increased within a strong economy; and • The Region's industry base is diversified. <p>The planning proposal request is consistent with Wollongong 2022 as it promotes tourism infrastructure and activities and appropriately responds to the ecological values and economic potential of the site.</p>
<p>6. Is the planning proposal consistent with applicable state environmental planning policies?</p>	<p>The planning proposal is consistent with State Environmental Planning Policies.</p> <p>Refer to the attached Table A – Checklist of State Environmental Planning Policies.</p>
<p>7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?</p>	<p>The planning proposal is consistent with applicable Ministerial Directions.</p> <p>Refer to Table B – Checklist of Ministerial Directions.</p>

Section C – Environmental, social and economic impact

<p>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?</p>	<p>The report to Council included the recommendations from a Flora and Fauna Assessment (EcoLogical 2013) which concluded that the site is highly disturbed with extensive cleared areas and landscaping, two dwellings, a shed and roads. No threatened flora species listed under the Threatened Species Conservation Act 1995 or the Environment Protection and Biodiversity Conservation Act 1999 were found on site.</p>
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	<p>No threatened fauna species listed under the TSC Act or the EPBC Act were recorded within the subject site during field surveys. However, it was noted that a range of threatened species may occasionally visit the site. The report concluded that zone E3 most closely reflects the limited ecological values of the site and current land uses.</p> <p>The EcoLogical Australia Fauna and Fauna Assessment report (2013) considers the proposed clearing and thinning of the anticipated 0.21ha is unlikely to have a significant impact on threatened flora and fauna species. The report also details recommendations for impact mitigation measures that will be addressed at the DA stage. It should be noted, however in this context, that the Council resolution limits the additional permitted use of a function centre and tourist and visitor accommodation through Schedule 1 to the existing structures (buildings B and C) with no expansion to the existing building footprints, to ensure that future development considers the characteristics of the precinct and site.</p> <p>The Bushfire Assessment (EcoLogical 2013) also endorses the planning proposal request.</p> <p>It should be noted that the Council resolution included a request that the Gateway include a requirement for additional flora and fauna, bushfire and water quality studies. Specifically, concern was raised during preliminary notification of the planning proposal request that the flora and fauna study had not considered the potential impacts of any planned increase in managed Asset Protection Zones on E1 National Park and Nature Reserve land. It was also deemed necessary to undertake a study to identify the possible impacts on the Hacking River's riparian land and aquatic environments through the intensification of use of the site. Any future DA should address the safeguards to mitigate the risk of effluent escape, given the site's proximity to the Hacking River and reliance on a pump out septic system.</p>
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<p>9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</p> <p>This might include natural hazards such as flooding, land slip, bushfire hazard etc. If it is necessary to undertake technical studies or investigations to address an identified matter, these should be undertaken following the initial gateway determination.</p>	<p>The following documents were submitted in support of the Planning proposal request:</p> <ul style="list-style-type: none"> • Bushfire Assessment (EcoLogical 2013); • Paper: “Lilyvale – Essential Tourism Product For The Illawarra” (Pollaers 2013) <p>The Bushfire assessment (EcoLogical 2013) supports the proposed additional uses of a function centre and tourist and visitor accommodation. The report concludes that the planning proposal request is capable of meeting Direction 4.4 Planning for Bushfire Protection, the requirements of Planning for Bushfire Protection 2006 and Practice Note 2/12 Planning Instruments and Policies. The report concludes that the planning proposal provides compliant APZs, and the site provides for two way access roads which link to perimeter roads and/or the fire trail network and contains adequate water supply for firefighting purposes. Any future DA would be required to comply with all building standards relating to bushfire safety.</p> <p>Advice will be sought through the Gateway process as to any further studies required.</p>
<p>10, How has the planning proposal adequately addressed any social and economic effects?</p>	<p>A report was prepared in support of the draft Planning Proposal request (“Lilyvale – Essential Tourism Product For The Illawarra” 2013) outlining the significant economic benefits of the Lilyvale operation to the region.</p> <p>The site currently operates as a holiday let and on site function centre, employing six people part time. In 2012 approximately \$800,000 was injected into the local economy through flow on effects from the leasing of Lilyvale. Lilyvale provides a direct financial and employment stimulus to small businesses and residents in the Illawarra region.</p>

Section D – State and Commonwealth interests

<p>11. Is there adequate public</p>	<p>Preliminary notification advice from Council’s</p>
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<p>infrastructure for the planning proposal?</p>	<p>Traffic and Transport division concludes that Lady Wakehurst Drive has capacity to carry the anticipated traffic volumes associated with the proposed intensification of use. Upgrading of internal roads would be required to meet bushfire requirements at the DA stage</p> <p>Any future DA should address the safeguards to mitigate the risk of effluent escape, given the site's proximity to the Hacking River and reliance on a pump out septic system.</p> <p>Council in its resolution has requested consultation with the RMS, OEH, Office of Water and NSW Primary Industries – Fisheries and Agriculture should a favourable Gateway Determination be received.</p>
<p>12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?</p>	<p>The Gateway Determination will stipulate the required consultation with public authorities.</p> <p>It is envisaged that the following would be notified as a minimum: Roads & Maritime Services; Office of Environment and Heritage; Office of Water; Rural Fire Service; NSW Primary Industries – Fisheries and Agriculture, and Sydney Water.</p>

Part 4: DETAILS OF COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL:

Any Gateway Determination will confirm community consultation requirements. If the 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 surrounding and nearby property owners;
- Advertisements in local newspapers, and
- Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Environment. It is envisaged that the following would be notified as a minimum: Roads & Maritime Services; Office of Environment and Heritage; Office of Water; NSW Rural Fire Service; NSW Primary Industries – Fisheries and Agriculture, and Sydney Water.

Part 5: PROJECT TIMELINE:

#	Action	Estimated Timeframe	Responsibility
1	Anticipated date of Gateway Determination	2 months	Department of Planning & Environment
2	Government agency consultation	21 days	Agencies
3	Public exhibition period	4 weeks	Council
4	Date of Public Hearing (if applicable)	N/A	
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	Anticipated date RPA will make the LEP	Unknown	Council (if under delegation)
11	Anticipated date Council will forward final Planning Proposal to DoPE for notification	Unknown	Council
12	Anticipated date LEP will be notified	Unknown	Parliamentary Counsel and DoPE

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
State policies			
SEPP No. 1	Development Standard	N/A	
SEPP No. 4	Development Without Consent and miscellaneous Exempt and Complying Development	N/A	Clause 6 and parts 3 and 4 of SEPP were repealed by Wollongong LEP 2009
SEPP No. 6	Number of Storeys in a Building	N/A	
SEPP No. 10	Retention of Low-Cost Rental Accommodation	N/A	
SEPP No. 14	Coastal Wetlands	N/A	
SEPP No. 15	Rural Land Sharing Communities	N/A	
SEPP No. 19	Bushland in Urban Areas	N/A	
SEPP No. 21	Caravan Parks	N/A	
SEPP No. 22	Shops and Commercial Premises	N/A	
SEPP No. 26	Littoral Rainforests	N/A	No littoral rainforests identified by the policy in the Wollongong LGA
SEPP No. 29	Western Sydney Recreational Area	Does not apply to Wollongong	
SEPP No. 30	Intensive Agriculture	N/A	
SEPP No. 32	Urban Consolidation (Redevelopment of Urban Land)	N/A	
SEPP No. 33	Hazardous and Offensive Development	N/A	
SEPP No. 36	Manufactured Home Estates	N/A	
SEPP No. 38	Olympic Games and Related Projects	N/A	
SEPP No. 39	Spit Island Bird Habitat	Does not apply to Wollongong	
SEPP No. 41	Casino/Entertainment Complex	Does not apply to Wollongong	
SEPP No. 44	Koala Habitat Protection	N/A	
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	
SEPP No. 50	Canal Estate Development	N/A	
SEPP No. 52	Farm Dams, Drought Relief and Other Works	N/A	
SEPP No. 53	Metropolitan Residential Development	N/A	
SEPP No. 55	Remediation of Land	N/A	
SEPP No. 56	Sydney Harbour Foreshores and Tributaries	Does not apply to Wollongong	
SEPP No. 59	Central Western Sydney Economic and Employment Area	Does not apply to Wollongong	
SEPP No. 60	Exempt and Complying Development	N/A	
SEPP No. 62	Sustainable Aquaculture	N/A	
SEPP No. 64	Advertising and Signage	N/A	
SEPP No. 65	Design quality of residential flat development	N/a	
SEPP No. 70	Affordable Housing (revised schemes)	N/A	
SEPP No. 71	Coastal Protection	N/A	
SEPP	Housing for Seniors or People with a Disability 2004	N/A	
SEPP	Building Sustainability Index: BASIX 2004	N/A	
SEPP	Major Projects 2005	N/A	
SEPP	Development on Kurnell Peninsular 2005	Does not apply to Wollongong	
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	
SEPP	Mining, Petroleum Production and	N/A	

State Environmental Planning Policy		Compliance	Comment
	Extractive Industries 2007		
SEPP	Infrastructure 2007	N/A	
SEPP	Temporary Structures 2007	N/A	
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	
SEPP	Rural Lands 2008	Does not apply to Wollongong	
SEPP	Affordable Rental Housing 2009	N/A	
SEPP	Western Sydney Employment Lands 2009	Does not apply to Wollongong	
SEPP	Exempt and Complying Development Codes 2008	N/A	
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	
Deemed SEPPS(former Regional Plans)			
Illawarra REP 1	Illawarra	Repealed within Wollongong	
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	
REP	Sustaining the catchments	N/A	
Greater Metropolitan REP No.2	Georges River catchment	N/A	

Table B - Checklist of Section 117 Ministerial Directions

Ministerial Direction	Comment
1. 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
2. Environment and Heritage	
2.1 Environment Protection Zone	<p>Consistent</p> <p>The objective of this Direction is to protect and conserve environmentally sensitive areas. The draft Planning Proposal includes recommendations from A Flora and Fauna survey report that an E3 Environmental Management zoning best reflects the environmental qualities and existing land uses/building structures on the site.</p> <p>The Council resolution contains provisions that facilitate the protection and conservation of environmentally sensitive areas in that any future development for tourism related business must be contained within the current building footprint.</p> <p>The draft Planning Proposal is seeking a zoning back to E3 Environmental Management to reflect the existing current land uses and absence of any vegetation of significance. The planning proposal request is seeking retention of an E3 Environmental Management zoning on the larger lot and the smaller lot is proposed to be rezoned from SP2 Infrastructure to E3 Environmental Management, thereby increasing the total area of environmental zoning.</p>
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	N/A
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
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	<p>Consistent</p> <p>The objective of this Direction is to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and the encourage sound management of bush fore prone areas.</p> <p>The Bushfire assessment (EcoLogical 2013) supports the proposed additional uses of a function centre and tourist and visitor accommodation. The report concludes that the planning proposal request is capable of meeting Direction 4.4 Planning for Bushfire Protection, the requirements of Planning for Bushfire Protection 2006 and Practice Note 2/12 Planning Instruments and Policies. The report concludes that the planning proposal provides compliant APZs, and the site provides for two way access roads which link to perimeter roads and/or the fire trail network and contains adequate water supply for firefighting purposes. Any future DA would be required to comply with all building standards relating to bushfire safety. The RFS will be consulted should the draft planning proposal receive a favourable Gateway Determination.</p>
5. Regional Planning		

5.1	Implementation of Regional Strategies	<p>Consistent</p> <p>The planning proposal is consistent with the draft Illawarra Regional Growth and Infrastructure Plan, which recognises the importance of job creation, and in particular tourism, to provide for a growing population and address our high unemployment rates.</p> <p>Consistent with the Illawarra Regional Strategy 2006-31 (2007), recognising that the tourism sector continues to use the natural and cultural assets of the Region to increase visitor numbers and drive employment growth. The Regional Strategy notes that continued growth in conference events and the accommodation sector would better utilise these assets and strengthen growth in the tourism industry. A function centre will address a shortage in visitor accommodation in the northern suburbs of Wollongong and provide support to the tourism sector.</p> <p>The NSW State Plan also identifies tourism as an important contributor to the State economy.</p>
5.2	Sydney Drinking Water Catchments	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Wollongong
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Wollongong
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable to Wollongong
5.6	Sydney to Canberra Corridor	Not applicable to Wollongong – revoked 10/7/08
5.7	Central Coast	Not applicable to Wollongong – revoked 10/7/08
5.8	Second Sydney Airport: Badgerys Creek	Not applicable to Wollongong
6. Local Plan Making		
6.1	Approval and Referral Requirements	Not applicable
6.2	Reserving Land for Public Purposes	Not applicable
6.3	Site Specific Provisions	<p>Consistent</p> <p>The objective of this Direction is to discourage unnecessarily restrictive site specific planning controls. An additional permitted use is considered appropriate for this site because the site context and biodiversity of the surrounding area warrant special controls that limit development to the current footprint. A change in zone may enable unsuitable uses on the site that may not be compatible with the current site context.</p>
7. Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Not applicable