

Corrimal & Beach Streets, Wollongong - increase height & floor space ratio

Proposal Title : **Corrimal & Beach Streets, Wollongong - increase height & floor space ratio**

Proposal Summary : **It is proposed to increase the allowable building height from 9 metres to 32 metres and to increase the allowable floor space ratio from 0.5:1 to 1.5:1 for the site**

PP Number : **PP_2012_WOLLG_002_00** Dop File No : **12/03487**

Proposal Details

Date Planning Proposal Received : **21-Feb-2012** LGA covered : **Wollongong City**

Region : **Southern** RPA : **Wollongong City Council**

State Electorate : **WOLLONGONG** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **208 - 212 Corrimal Street**

Suburb : **Wollongong** City : **Wollongong** Postcode : **2500**

Land Parcel : **lots 35, 36, 37 DP 19969**

Street : **1 & 25 Beach Street**

Suburb : **Wollongong** City : **Wollongong** Postcode : **2500**

Land Parcel : **lot 38 DP 19969; and lots A, B & C DP 401196**

DoP Planning Officer Contact Details

Contact Name : **Graham Towers**

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RPA Contact Details

Contact Name : **Kathryn Adams**

Contact Number : **0242277107**

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DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Illawarra Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	170

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

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

Supporting notes

Internal Supporting Notes :	On 20 May 2010 the Southern Region JRPP refused a development application for an aged care facility, independent living units, community facilities and commercial premises on the site. The Department on 19 August 2010 issued a site compatability certificate for a seniors housing development on the site.
External Supporting Notes :	It is proposed to increase the building height from 9m to 32m and floor space ratio controls from 0.5:1 to 1.5:1 for the land in order to facilitate a multi storey aged care and seniors housing development. The proposed development would include a mixture of independent living units, care facilities, community facilities and retail shops.

Adequacy Assessment

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

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

Comment : **The statement clearly identifies the objectives which is to increase the building height and fsr for the site.**

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

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

Comment : **The statement clearly identifies the proposed provisions which are changes to the Height of Buildings and Floor Space Ratio Maps.**

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

2.2 Coastal Protection

3.1 Residential Zones

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

5.1 Implementation of Regional Strategies

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

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP No 71—Coastal Protection

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

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

Nil

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

S117 DIRECTIONS

The proposal is considered to be consistent or any inconsistencies are only of minor significance with relevant S.117 Directions with the exception of 4.1 Acid Sulphate Soils. The proposal does not amend the zoning but increases the development potential of the site.

s117 1.1 Business and Industrial Zones - It is consistent with this s117 as it will facilitate development, encourage employment growth and support the Wollongong City Centre.

s117 2.2 Coastal Protection - The proposal is not inconsistent with this s117 and the Wollongong LEP 2009 includes the standard coastal clause.

s117 3.1 Residential Zones - The proposal is consistent with this s117 in that the proposal will provide additional housing choice and a range of much needed seniors housing. The site is adequately serviced.

s117 3.4 Integrating Land Use and Transport - It is consistent with this s117 as the site is within 800m of the Wollongong City Centre, has access to public transport and is well located near services and facilities.

s117 4.1 Acid Sulphate Soils - The proposal applies to land assessed as containing acid sulfate soils. The proposal is inconsistent with this s117 as the RPA has not provided an ASS Study assessing the appropriateness of the changes in intensity of land use which is required prior to consultation under s57. Other wise Wollongong LEP 2009 contains the standard ASS clause which will ensure that the matter will be adequately dealt with in the development assessment stage.

RECOMMENDATION: Council is to provide an ASS Study to the Regional Director of the Southern Region prior to consultation under s57.

s117 4.3 Flood Prone Land - This s117 applies to the site. A Flood Impact Report has been prepared that demonstrates how the proposed development responds to the flooding impact. The proposal does not rezone the land but does increase development

potential. It has been demonstrated through the previous development application that flooding issues on-site can be satisfactorily addressed. The inconsistency can be considered to be of minor significance.

s117 5.1 Implementation of Regional Strategies - It is consistent with this s117 because it will provide additional housing for seniors within a Regional City.

SEPPs

SEPP55 Remediation of Land - A preliminary assessment under SEPP 55 has been undertaken which demonstrates that development of the site for seniors housing can be undertaken.

SEPP 65 Design Quality of Residential Flat Development and SEPP 71 Coastal Protection - These SEPPs only apply to the extent of development applications. These will need to be addressed as part of the assessment of a future development application.

SEPPs (BASIX); (Housing for Seniors etc); (Infrastructure); and (Major Projects) - These SEPPs also only have relevance to the development application process and raise issues that need to be considered at that time.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The maps provided clearly show the proposed changes to the Height of Building and Floor Space Ratio Maps.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council has indicated that it intends to exhibit the proposal for 28 days which is supported.

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

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

Assessment Criteria

Need for planning proposal : A Planning Proposal is the most appropriate way to progress this proposal. The Department has previously advised that the variations to height and floor space ratio are too large to consider under a development application. The Department supports the proposed development and has issued a site compatibility certificate for an fsr of 1:1 applying the 0.5:1 bonus provisions of the Seniors' Housing

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SEPP.

Consistency with strategic planning framework :

The proposal is generally consistent with the strategic planning framework and would result in much needed seniors' housing.

There is another large seniors' housing development in vicinity of the site and the proposed building height and bulk will be similar to the existing development.

Environmental social economic impacts :

The proposal would have significant social and economic impacts through the provision of much needed seniors' housing. It will result in investment and employment during construction. It is also estimated that 170 people would be employed on-site to run the facility.

Assessment Process

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

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

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**
Transport for NSW - Roads and Maritime Services

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Several studies have been carried out for this site in relation to the previous development application.

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
maps.pdf	Map	Yes
20120221 - Planning Proposal.pdf	Proposal	Yes
covering letter.pdf	Proposal Covering Letter	Yes
report and minutes.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones
- 2.2 Coastal Protection
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 5.1 Implementation of Regional Strategies

Additional Information :

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

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

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

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- Transport for NSW - Roads and Maritime Services

Each public authority is to be provided with a copy of the Planning Proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that it will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the Planning Proposal.

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

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

S117 DIRECTIONS

Recommend that the DG can be satisfied that:

5. The Planning Proposal is considered to be consistent with the following s.117 Directions:

1.1 Business and Industrial zones as it will facilitate development and encourage employment growth.

3.1 Residential Zones in that the proposal will provide additional housing choice and a range of much needed seniors' housing.

3.4 Integrating Land Use and Transport as the site is within 800m of Wollongong City Centre; has access to public transport; and is well located near services and facilities.

5.1 Implementation of Regional Strategies because it will provide additional housing for seniors within a Regional City satisfying an aim of the Illawarra Regional Strategy.

6. The inconsistency with s117 Direction 4.3 Flood Prone Land is only of minor significance as Council has considered a Flood Impact Report for the proposal that identifies that the proposed development can address the flooding issues.

7. The proposal is inconsistent with s117 Direction 4.1 Acid Sulfate Soils as an acid sulfate soils study has not been provided to the DG that addresses the appropriateness of the land use intensification. Council is to provide an ASS Study, in accordance with clause (6) of the s117 Direction, to the Regional Director of the Southern Region prior to

consultation under s57.

8. The proposal is consistent with all other s117 Directions applying to the land or any inconsistencies are only of minor significance. No further consultation is required in relation to s117 Directions 1.1; 3.1; 3.4; 4.3; and 5.1 while the Planning Proposal remains in its current form.

SEPPs

9. The Director General can be satisfied that the Council has furnished a report under clause (6) of SEPP 55 Remediation of Land that demonstrates that while the site is contaminated the proposed development is capable of compliance.

10. SEPP 65 Design Quality of Residential Flat Development; SEPP 71 Coastal Protection; SEPP (BASIX); SEPP (Housing for Seniors.); SEPP (infrastructure); and SEPP (Major Projects) only apply to the extent of development applications. The issues they raise will need to be addressed as part of the assessment of a future development application, however, are not required to be addressed for the Planning Proposal.

Supporting Reasons :

The Planning Proposal is supported as the Department considers the site to be appropriate for seniors housing of the type proposed and has issued a site compatibility certificate for this use.

The proposal will result in much needed housing for seniors and will have economic benefits.

There is another large seniors' housing development in vicinity of the site and the proposed building height and FSR will be similar to the existing development nearby.

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

6th March 2012