

Correction of an anomaly by reclassifying part of the Lake Illawarra Foreshore at Windang from Community land to Operational land.

Proposal Title : Correction of an anomaly by reclassifying part of the Lake Illawarra Foreshore at Windang from Community land to Operational land.

Proposal Summary : This reclassification was inadvertently left out of Amendment No.1 to Wollongong LEP 2009 when it was notified. This amendment would correct this anomaly by reclassifying the land.

PP Number : PP_2011_WOLLG_007_00 Dop File No : 10/0006

Proposal Details

Date Planning Proposal Received : 04-May-2011 LGA covered : Wollongong City

Region : Southern RPA : Wollongong City Council

State Electorate : SHELLHARBOUR Section of the Act : 55 - Planning Proposal

LEP Type : Reclassification

Location Details

Street : Windang Road

Suburb : Windang City : Wollongong Postcode : 2500

Land Parcel : lot 102 DP 1005245; lot 1 DP 610406

DoP Planning Officer Contact Details

Contact Name : Graham Towers

Contact Number : 0242249467

Contact Email : graham.towers@planning.nsw.gov.au

RPA Contact Details

Contact Name : Edith Castro

Contact Number : 0242276160

Contact Email : ecastro@planning.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre : N/A Release Area Name :

Regional / Sub Regional Strategy : Illawarra Regional Strategy Consistent with Strategy : Yes

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MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

In 2008 Council commenced 3 separate LEP's to reclassify land as a result of a previous review of Council owned land. This reclassification was first proposed as an LEP (02/08) and was then brought into the new plan making system as a Planning Proposal. The proposal was exhibited, a public hearing was held and its reclassification was endorsed by Council. It was to be included in Amendment 1 to Wollongong LEP 2009 which included several reclassifications and a number of rezonings, however it was inadvertently left out of the LEP which was notified. Council has asked that the land be reclassified.

External Supporting
Notes :

It is proposed to correct an anomaly by reclassifying this land which was left out of amendment 1 to Wollongong LEP 2009 by error.

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : Council has requested that this site is reclassified as it was intended to be included in an LEP which previously reclassified land.

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

Is an explanation of provisions provided? No

Comment : However, it is clear that Council would like to include this site in schedule 4 of Wollongong LEP 2009 as originally intended. Council originally proposed the site to be entered into part 2 of schedule 4 of the LEP.

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

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Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified? **N/A**

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

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **While no amendment is required to LEP maps, Council has provided mapping which identifies the site.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Community consultation has been carried out. Council's LEP 02/08 which included the reclassification was exhibited between 15 September 2009 and 27 November 2009. A public hearing has been held in relation to the reclassification.**

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 : **Council's intention to include the reclassification as part of Amendment 1 to Wollongong LEP 2009 is clear. The reclassification was left out due to an oversight and was not intentional.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Wollongong LEP 2009 is already in place.**

Assessment Criteria

Need for planning proposal : **An amendment to the LEP is required to reclassify the site to operational land which will enable it to be leased to an adjoining caravan park.**

Consistency with strategic planning framework : **The proposal is not inconsistent with strategies.**

Environmental social economic impacts : **The reclassification would allow the land to be leased to an adjoining caravan park which would generate a source of income for Council and provide opportunities for tourism.**

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Assessment Process

Proposal type : **Minor** Community Consultation Period : **Nil**

Timeframe to make LEP : **3 Month** Delegation : **Minister**

Public Authority Consultation - 56(2)(d) :

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

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
Bringing LEP into PP.pdf	Determination Document	No
Council report & resolution.pdf	Proposal Covering Letter	No
Draft LEP.pdf	Proposal	No
LEP Panel report and determination.pdf	LEP Approval	No

Planning Team Recommendation

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

S.117 directions:

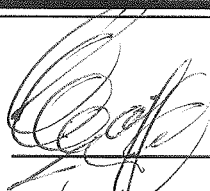
Additional Information : **It is recommended that the Planning Proposal proceed and that no exhibition is required as there are no changes except to incorporate an addition to schedule 4 that was unintentionally left out when amendment 1 to Wollongong LEP 2009 was finalised.**

Supporting Reasons : **The proposal would correct an anomaly which occurred when the site was not included in amendment 1 to Wollongong LEP 2009.**

No parties would be adversely affected by the reclassification and it would allow Council land to be leased to an adjoining caravan park.

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Signature:



Printed Name:

Neil McGaffin

Date:

18-10-11

