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IRF21/711

Gateway determination report – PP-2021-2310

Short Street Corrimal

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Flood Impact Assessment – May 2017
Landscape Plan – June 2017
Preliminary Site Investigation – November 2012
Traffic Report – June 2017
Corrimal Mixed Use Development – Design report – June 2017

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Wollongong
PPA	Wollongong City Council
NAME	Short Street Corrimal
NUMBER	PP-2021-2310
LEP TO BE AMENDED	Wollongong LEP 2009
ADDRESS	3 to 13 Short Street; and 312 to 324 Princes Highway, Corrimal
RECEIVED	29/01/2021
FILE NO.	IRF21/711 (EF21/1391)
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to amend Wollongong Local Environmental Plan 2009 (Wollongong LEP 2009) to:

- Rezone the land and amend planning controls to facilitate medium density residential development over part of the site;
- Apply an RE2 zoning to land that will contain a reconstructed watercourse; and
- Correct a zoning anomaly by rezoning a small area of SP2 land within Ziems Park to RE1 Public Recreation consistent with the remainder of the park.

The objectives of this planning proposal are clear and adequate.

In conjunction with the planning proposal, Council is also proposing to enter into a planning agreement to require that 5% of residential units are available for affordable rental housing and require flood mitigation works to be undertaken prior to the redevelopment of the site.

Council will also require a site specific DCP to provide detailed guidance on the development of this key site.

1.3 Explanation of provisions

The planning proposal seeks to amend the Wollongong LEP 2009 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Zone	SP2 Infrastructure (Car Park) R2 Low Density Residential	R3 Medium Density Residential RE2 Private Recreation RE1 Public Recreation Note: an area of R2 land will retain the R2 zoning – no change
Maximum height of the building (HOB)	9m	15m on R3 & part RE2 9m remainder of RE2 No HOB on RE1 land
Floor space ratio	0.5:1 on R2 land No FSR on SP2 land	1.5:1 on R3 & part RE2 0.5:1 remainder of RE2 No FSR on RE1 land
Minimum lot size	450m ² for R2 land No MLS for SP2 land	450m ² on R3, R2 and RE2 No MLS on RE1 land
Number of dwellings	2	40
Number of jobs	N/A	N/A
Additional Permitted Use	N/A	Flood mitigation works
Design Excellence	N/A	Identify site as 'Key Site' under clause 7.18 Design Excellence

New Part 7 Local Provision	N/A	<p>Clause to include:</p> <ul style="list-style-type: none"> • Sun plane protection to prevent overshadowing of public open space; • Require development to exhibit design excellence; • Allow for lift towers/plant/etc to exceed HOB limits; • Requirement for alternative car parking arrangements for adjoining shopping centre prior to development of site (currently this site is overflow car park for centre); and • Require future development of R3 land to involve consolidation of lots.
Sun Plane Protection	N/A	Add to sun plane protection map and include in new local provision (see point above).

The explanation of provisions notes that the 15m HOB and 1.5:1 FSR will only apply to the R3 zoned area. However, the mapping applies these controls to part (but not all) of the RE2 zoned land. The mapping should be updated to provide consistency between the written and mapped controls – this will also comply with the recommendations of the Southern Regional Planning Panel.

The Southern Regional Planning Panel also suggested that additional design analysis was required to ensure that a 15m height and 1.5:1 FSR would work together to yield an appropriate built form.

Proposed Gateway conditions which may result in changes to the proposal:

- Prior to exhibition the HOB and FSR mapping should be amended to ensure that the 15m HOB and 1.5:1 FSR aligns with the R3 zone boundary; and
- Prior to exhibition an analysis should be undertaken to consider whether the proposed 1.5:1 FSR controls will yield an appropriate built form outcome, given the proposed 15m height and proposed sun-plane restrictions.

1.4 Site description and surrounding area

The subject land is located on the south east corner of Short Street and Princes Highway, Corrimal. Corrimal Shopping Centre is north of the site across Short St and Corrimal Community Centre – including the library and public swimming pool – is located east of the site. There is residential development to the south of the property and a service station across the Princes Hwy to the west.

The site has an area of approximately 7500m² and comprises 11 lots.

It is used as an overflow car park for users of the Corrimal Shopping Centre and visitors to adjoining community facilities, including the Corrimal District Community Centre and Library, swimming pool and recreational area.

The land is cleared of vegetation with almost all the land serving as a hard-stand car park.

There is a piped creek under the car park and water drains across the site into Corrimal Creek. The land is categorised as high flood risk.



Figure 1 Subject site (source: Wollongong Council report - 20 December 2020)



Figure 2 Site context (source: Wollongong Council report - 20 December 2020)

1.5 Mapping

The planning proposal includes mapping showing the proposed changes to the following maps which are suitable for exhibition:

- land zoning (LZN);
- minimum lot size (MLS);
- height of buildings (HOB);
- floor space ratio (FSR);
- key sites (KYS); and
- sun plane protection (SPP).

Current and proposed zone maps are included below. All maps can be viewed at **Attachment Maps**.



Figure 3 Current zoning map (source: Planning Proposal)

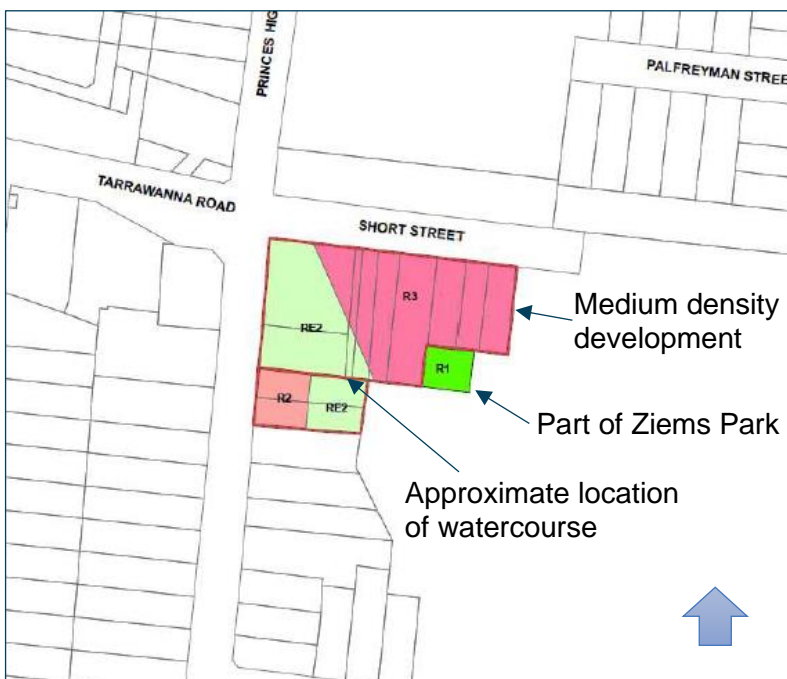


Figure 4 Proposed zoning map (source: Planning Proposal)

1.6 Background

The Southern Regional Planning Panel undertook a Rezoning Review of the planning proposal to rezone land and amend development controls for land at 3–13 Short Street and 312–324 Princes Highway, Corrimal.

On 9 November 2020, the Panel determined that the proposal had both strategic and site-specific merit and should be progressed for a Gateway determination. In supporting the proposal, the Panel

identified issues that should be further considered and made recommendations for potential Gateway conditions (**Attachment D**).

Wollongong Council resolved on 7 December 2020 that it would accept the role of planning proposal authority and progress the proposal.

2 Need for the planning proposal

The Southern Regional Planning Panel determined that the planning proposal had both strategic and site-specific merit.

The proposal will support housing within an existing centre with access to retail, commercial and social infrastructure. It will also provide for an improved flood outcome on the subject land and surrounding area through the realignment and re-establishment of a watercourse through the site.

3 Strategic assessment

3.1 Regional Plan

Illawarra Shoalhaven Regional Plan (ISRP)

The ISRP applies to the Wollongong LGA and was adopted by the Department in 2015.

The ISRP identifies Corrimal as an urban centre located within the 'northern corridor' with a focus for increased housing activity and notes that changes to planning controls may be required to facilitate this outcome.

The proposal addresses the goals and directions of the ISRP as follows:

Goal 2 – a variety of housing choices with homes that meet needs and lifestyles

Direction 2.1: provide sufficient housing supply to suit the changing demands of the region.

Direction 2.2: support housing opportunities close to existing services, jobs and infrastructure

This proposal will provide medium density housing in an existing urban area with access to jobs, infrastructure, retail and commercial services, recreational facilities and public transport.

Goal 3 – a region with communities that are strong, healthy and well-connected

Direction 3.1: grow opportunities for investment and activity in the region's network of centres.

Residential development in the centre will support the commercial and retail centre of Corrimal.

The 2015 ISRP is under review with consultation on the draft ISRP 2041 occurring in late 2020. The proposal is considered to be consistent with the draft plan which identifies Corrimal as a Strategic centre. In particular, the proposal is consistent with Objective 18: Provide housing supply in the right locations, as Corrimal is identified as having capacity for housing growth with connections to public transport and open spaces.

The proposal is also generally consistent with Objective 19: Deliver housing that is more diverse and affordable, by providing new medium density housing in a location close to shops, services and transport.

3.2 Local

The proposal is consistent with the following local plans and strategies:

Table 4 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	The Wollongong LSPS includes Chapter 8 – Key Localities. The LSPS identifies Corrimal as a district centre surrounded by a range of residential housing types and a variety of light industries. The LSPS references the Corrimal Town Centre Plan (see below).
Corrimal Town Centre Plan 2015-2025	<p>Council has adopted the <i>Corrimal Town Centre Plan 2015 – 2025</i> which identifies Corrimal's strategic opportunity for growth given its accessibility, services and proximity to Wollongong. The Plan sets a maximum building height of 15m.</p> <p>The proposal is consistent with the objectives of the strategy relating to connections and smart growth.</p>

3.3 Local planning panel (LPP) recommendation

The Wollongong Local Planning Panel considered this proposal on 2 April 2020 and concluded that the proposal had both strategic and site-specific merit and should be submitted for a Gateway determination.

In supporting the proposal, the Panel made recommendations relating to car parking, flooding, building height, affordable housing, design and the need for a site specific DCP. The Panel recommendations have been incorporated into the proposal (**Attachment E**).

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 5 Section 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
2.6 Remediation of Contaminated Land	Yes	The objective of this direction is to ensure that contamination and remediation have been considered by a planning proposal authority. This proposal is supported by a State 1 Preliminary Site Investigation. The Panel has recommended a more detailed Site Audit and Phase 2 assessment be required as a condition if a Gateway determination is issued.

4.3 Flood Prone Land	No	This proposal rezones flood prone land for residential development which renders it inconsistent with this direction. The inconsistency is justified as proposed mitigation works will improve flood outcomes for the subject land and surrounding area. The inconsistency is therefore considered to be of minor significance.
6.2 Reserving land for public purposes	Yes	This proposal corrects an anomaly whereby an existing corner of Ziems Park is zoned SP2 Infrastructure. The land is already public land and should be zoned RE1 consistent with the remainder of the park. It is recommended that the Secretary agree to this small increase in public zoned land.

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

4 Site-specific assessment

4.1 Environmental

The primary environmental issue for the site is flooding.

Council engineers worked with the proponents on flood design and modelling to demonstrate that a channel can be constructed to ensure that the development area will be wholly outside of the flood planning area, while alleviating flooding in the surrounding area.

Council will enter into a planning agreement to ensure that the floodway works are completed prior to any development of the site.

The proposed channel will be protected from development through an RE2 zoning.

Both the Southern Regional Planning Panel and Council have identified the need for additional and/or updated studies to ensure that the impacts of future development will be acceptable. The following studies are recommended:

- Updated Phase 1 Site Assessment;
- Stage II Site Contamination Assessment;
- Remediation Action Plan;
- Revised Traffic Impact Assessment prepared in accordance with RMS Guide to Traffic Generating Development; and
- Revised Urban Design Analysis to inform sun-plane protection provisions.

Council has also identified that a Draft DCP will be prepared and exhibited with the planning proposal to provide guidance on the development outcomes for the site – including the retention of significant trees. The Panel supported this approach.

4.2 Social and economic

The subject land is located on the fringe of the Corrimal centre. Adjoining the site are residential, retail, recreational and business uses. The use of the site for medium density

residential development will support the centre and provide housing with access to public transport, commercial and social infrastructure.

The proposal includes a clause to ensure that future development does not overshadow or otherwise negatively impact adjoining community facilities and to ensure that alternative parking for the shopping centre is available prior to the loss of the site as an overflow car park.

4.3 Infrastructure

Infrastructure and services are available to the site.

5 Consultation

5.1 Community

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate , and forms a condition of the Gateway determination.

5.2 Agencies

The proposal does not specifically raise which agencies will be consulted and notes that the Gateway determination will identify required consultation.

It is recommended the following agencies be consulted on the planning proposal:

- NSW Department of Primary Industries – Water;
- NSW Environmental Protection Agency;
- NSW DPIE – Environment, Energy and Science;
- NSW Heritage; and
- Transport for NSW.

6 Timeframe

Council proposes a 12 month time frame to complete the LEP.

Council intends to prepare and exhibit a site-specific DCP with the proposal and the Gateway will require several additional studies. The 12 month time frame will be tight and the Department will continue to monitor the progress of this planning proposal.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

The Panel recommended that Council be authorised as the local plan-making authority.

However, as Council did not originally support the proposal which has subsequently been identified by the Panel as having merit, it is considered that delegations not be issued to Council to finalise.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal was found to have both strategic and site-specific merit by the Southern Regional Planning Panel;
- The proposal will provide medium density housing within an existing centre with access to services and infrastructure;
- The proposal is consistent with the Illawarra Shoalhaven Regional Plan and relevant state and local planning; and
- Additional studies have been required to address concerns over traffic, over-shadowing of public facilities, contamination, and design.

Prior to exhibition the proposal should be updated to:

- Amend the HOB and FSR mapping to ensure that the 15m HOB and 1.5:1 FSR aligns with the R3 zone boundary as identified in the Explanation of provisions.

Further amendments to the FSR controls may be required following an analysis that consider whether the proposed 1.5:1 FSR controls will yield an appropriate built form outcome given the 15m height and proposed sun-plane restrictions

Council and the Panel identified the need for the following additional studies prior to exhibition:

- Updated Phase 1 Site Assessment
- Stage II Site Contamination Assessment and Remediation Action Plan
- Revised Traffic Impact Assessment prepared in accordance with RMS Guide to Traffic Generating Development
- Revised Urban Design Analysis to inform sun-plane protection provisions.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 4.3 Flood Prone Land are minor or justified
- Agree to the minor increase in public zoned land.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal is to be updated to:

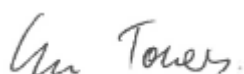
- Amend the HOB and FSR mapping to apply the 15m height and 1.5:1 FSR controls to the proposed R3 areas only – this will ensure consistency between the written and mapped controls.

It is noted that additional analysis of the 1.5:1 FSR control to ensure that it will yield an appropriate design outcome with the proposed 15m HOB and sun-plane protection provisions may result in changes to proposed controls.

2. The following studies are required prior to community consultation:

- Updated Phase 1 Site Assessment;
- Stage II Site Contamination Assessment;
- Remediation Action Plan;
- Revised Traffic Impact Assessment prepared in accordance with RMS Guide to Traffic Generating Development;
- Revised Urban Design Analysis to inform sun-plane protection provisions; and

- Analysis of the 1.5:1 FSR control on R3 area to consider whether works with proposed 15m HOB and sun-plane protection provisions to deliver an appropriate design outcome.
3. Consultation is required with the following public authorities:
 - NSW Department of Primary Industries – Water;
 - NSW Environmental Protection Agency;
 - NSW DPIE – Environment, Energy and Science;
 - NSW Heritage; and
 - Transport for NSW.
 4. The planning proposal should be made available for community consultation for a minimum of 28 days.
 5. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
 6. Given the nature of the proposal which has been the subject of a rezoning review, Council should not be authorised to be the local plan-making authority.



16/03/21

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22/03/2021

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Attachment A – Planning Proposal
Attachment B – Gateway determination

Attachment C – Letter to Council

Attachment D – Southern Regional Planning Panel – record of decision

Attachment E – Wollongong Local Planning Panel – record of decision