

DRAFT PLANNING PROPOSAL: WOLLONGONG CITY CENTRE - HERITAGE

To amend Wollongong LEP 2009

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF DRAFT LEP: Wollongong City Centre Planning Review – Heritage

ADDRESS OF LAND: Various – 19 properties within the Wollongong City Centre

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Appendix – Supporting Documents submitted with the Planning Proposal Request:

1. Council Report and minutes dated 31st May 2021
2. City Centre Heritage Study – May 2021
3. Mapbook of proposed Heritage Map Additions
4. Advice of Wollongong Local Planning Panel dated 19 March 2021

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Part 1 – Statement of objectives or intended outcomes

The primary objective of this Planning Proposal is to list 19 additional local heritage items on Schedule 5 of the Wollongong Local Environmental Plan 2009 and the accompanying Heritage Map.

Part 2 – Explanation of provisions

As an outcome of the City Centre Planning Review and associated City Centre Heritage Study 2020, a number of additional heritage items have been recommended for listing on Schedule 5 of the Wollongong Local Environmental Plan 2009.

The draft Planning Proposal proposes to add the following 19 additional local heritage items to Schedule 5 of the Wollongong Local Environmental Plan 2009.

Suburb	Item Name	Address	Property Description	Significance	Item No.
Wollongong	Archaeological Site of Wollongong Gaol*	84, 86, 88 Cliff Road and 3, 5 and 7 Hector Street	Lot 5, 6, 7, 8, 9 & 10 DP 11509	Local	61094
Wollongong	Archaeological Remains of The Cricketers Arms Hotel*	Corrimal Street Road Reserve - corner of Crown Street adjacent to 26-28 Burelli Street	Lot 3 DP 1229693, Road Reserve, DP 1226160 & DP 153514	Local	61097
Wollongong	Queens Hotel Archaeological Site*	24 Crown Street (Market Street frontage)	Lot 5 DP 16847	Local	61101
Wollongong	Group of Commercial Buildings on Crown Street (Front of building to 6m).	98-102 Crown Street	Lot 1 DP 163231, Lot 1 DP 657047	Local	61106
Wollongong	"Kawarra Chambers"	118-124 Crown Street	Lot 4 DP 83910	Local	61105
Wollongong	"Bank Chambers" (Front of building to 6m)	127-131 Crown Street	Lot 1-3, DP 1070120	Local	61098

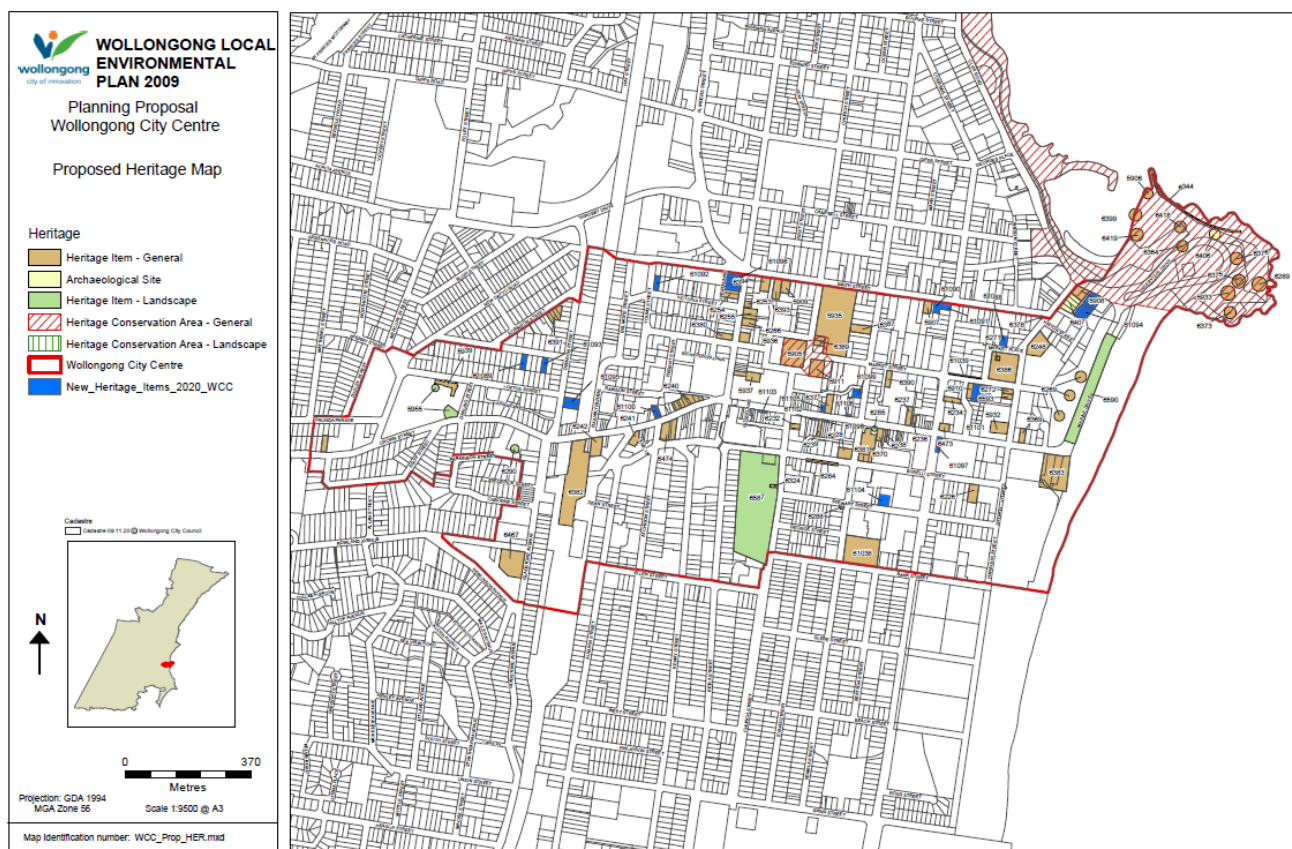
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Site	Address	Property Description	Significance	Item Number
Archaeological Site of Wollongong Gaol*	84, 86, 88 Cliff Road and 2, 4 and 6 Robertson Street	Lot 5, 6, 7, 8, 9 & 10 DP 11509	Local	61094
Archaeological Remains of The Cricketers Arms Hotel*	Corrimal Street Road Reserve - corner of Crown Street adjacent to 26-28 Burelli Street	Road Reserve	Local	61097
"Bank Chambers (Front of building to 6m)	127-131 Crown Street	Lot 1-3, DP 1070120	Local	61098
Caldwell's Building	280-282 Crown Street	Lot 4 & 5 DP 29391	Local	61100
Commercial Frontages (Front of building to 6m)	135, 137-139 Crown Street	Lot 1 DP 603751, Lot 1 DP 546698	Local	61102
Commercial Frontages (Front of building to 6m)	179-189 Crown Street	Lot 1 DP 805952, Lot 1 DP 77246, Lot 1 DP 75289	Local	61103
Commercial Frontages (Front of building to 6m)	98-102 Crown Street	Lot 1 DP 163231, Lot 1 DP 657047	Local	61106
Kawarra Chambers	118-124 Crown Street	Lot 4 DP 83910	Local	61105
Archaeological Site of the Queens Hotel*	24 Crown Street	Lot 5 DP 16847	Local	61101
Former "Berlei Building"	43-47 Denison Street	Lot 32 & 33 Sec 4 DP 1258	Local	61095
Federation House	3 Hercules Street	Lot 24 Sec 3 DP 1258	Local	61093
Interwar House	11 Hercules Street	Lot 20 Sec 3 DP 1258	Local	61089
Group of Commercial Buildings on Keira Street	100-120 Keira Street	Lot 1 DP 129003, Lot 2 Sec B DP 9874, Lot 3, DP 217310, Lot 4, 5 & 6 DP 577095	Local	61096

Site	Address	Property Description	Significance	Item Number
Gloucester House	82-84 Kembla Street	Lot Y & Z DP 418904	Local	61099
Marlborough Court	4 Market Place	Lot 1 DP 1127347	Local	61088
"Braemar" Flats	29 Smith Street	Lot 8 DP 502120	Local	61090
Kingston House	27A Smith Street	Lot 3 DP 17682	Local	61091
"Pious Society of St Charles Sacred Heart Church	28 Stewart Street	Lot 126 DP 596582	Local	61104
Seventh Day Adventist Church	30 Victoria Street	Lot 20 Sec A DP 9874	Local	61092

The additional items will also require relevant updates to the LEP Heritage Maps to include mapping of each proposed heritage curtilage.

The Heritage Map will also be updated to incorporate the additional items as shown below:



Heritage Map showing existing and proposed new Heritage Items (Note – The Mapbook provided in the attachments provides detailed maps of proposed heritage sites)

Part 3 – Justification**Section A – Need for the Planning Proposal****Q1: Is the planning proposal a result of a strategic study or report?**

This amendment forms part of Council's ongoing review of the Wollongong Heritage Schedule.

As background, on 25 May 2020 Council resolved to exhibit a draft Planning Proposal to update the listing details for many of the existing heritage items across the Wollongong LGA. This stage of the project (stage 1) was largely an administrative catch up and did not add any additional items. This stage of the review was finalised and the LEP amendment gazetted on 23 April 2021.

Stage 2 of the Heritage Schedule Review Project involves considering a range of potential new local heritage items across the LGA. Over 150 potential heritage items are being considered as part of Stage 2 of the review, which is expected to be progressed in late 2021.

Concurrently on the 21 September 2020 Council adopted the Wollongong City Centre Urban Design Framework. One of the outcomes of the Wollongong City Centre Urban Design Framework was to review the heritage listings and character buildings within the City Centre as part of the preparation of a new draft Planning Strategy.

In response to the recommendations of the Urban Design Framework, Council Officers have prepared the Wollongong City Centre Heritage Study (Attachment 2). The Study draws together the City Centre components of Stage 2 of Heritage Schedule Review Project into a Precinct based Heritage Study and considers in detail the heritage significance of the City Centre Study Area as a response to the recommendations of the City Centre Planning Review Project.

The Study involved a detailed review of the history, character and development of the City Centre, and detailed consideration of the existing listings within the study area. The study identify gaps and opportunities to explore additional listings, and planning recommendations, to support positive conservation outcomes and retention of key character aspects across the Study Area. Incorporated into this review has been a backlog of nominations and potential heritage sites which have been gathered over a number of years from a range of sources. These include community nominations, sites identified in previous studies including the Twentieth Century Architecture in Wollongong book by Robert Irving, and the Migration Heritage Study.

The Study recommends listing of 19 items within the City Centre boundary. The proposed new items within the City Centre will address the identified gaps in the existing schedule. These include three archaeological sites, two sites identified in the Wollongong Migrant Heritage Study and four proposed character 'façade' listings, as well as a range of sites that represent Twentieth Century Architecture.

On the 31st May 2021 Council resolved to prepare a draft planning proposal to list the additional heritage items identified in the City Centre Study and to seek a Gateway Determination prior to placing the planning proposal on public exhibition. The full Council Report and Minutes are included as an attachment to this Planning proposal.

Wollongong Local Planning Panel

The City Centre Heritage Review was reported to the Local Planning Panel on the 19 March 2021 to obtain their advice on the Strategic Merit of the project, as required under the Environment Planning and Assessment Act 1979.

The Panel provided the following recommendation:

The Panel determined to advise Council that the draft Planning Proposal PP-2020/8 for the Wollongong City Centre Heritage Review has strategic merit and should be progressed.

The Panel gives due consideration to the Wollongong City Centre Heritage Study, and is generally supportive of the recommendations. However the Panel suggests that the proposed listing of the dwelling houses at 3 and 11 Hercules Street should be revisited given the current controls (zoning, height and FSR) of the area. The Panel is also of the view that the heritage listings should ideally be considered concurrently with draft Wollongong City Centre Planning Proposal, so that the heritage items are considered in the context of the urban framework. In the alternate, the draft Wollongong City Centre Planning Proposal should be revisited to have regard to this Planning Proposal.

The full Local Planning Panel advice is included as an attachment to this Planning proposal.

Q2: Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the only means available to Council of achieving the intended outcome of updating and correcting the Heritage Schedule of the Wollongong LEP 2009 to include the additional identified items.

Section B – Relationship to strategic planning framework

Q3: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?

The Planning Proposal is consistent with the Illawarra Shoalhaven Regional Plan Direction 3.4 as it allows for the long-term protection of the region's cultural heritage.

DIRECTION 3.4 Protect the region's cultural heritage

Further the addition of these items has been recommended through a Heritage Study to ensure heritage in the Wollongong City Centre is properly identified and conserved.

Q4: Is the Planning Proposal consistent with a Council's local strategy or other local strategic document (e.g.: Wollongong Community Strategic Plan)?

Community Strategic Plan Wollongong 2022

The Planning Proposal is consistent with the overall vision contained in the Wollongong Community Strategic Plan 2028. The Planning Proposal will meet the objective "Community awareness and appreciation of heritage is increased" under the Community goal "we value and protect our environment".

The project is also consistent with the Wollongong Heritage Strategy 2019-2021 and its accompanying Implementation Plan which identifies the Wollongong Heritage Schedule Review Project.

Q5: Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. Refer to Table A – Checklist of State Environmental Planning Policies.

Q6: Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. Refer to Table B – Checklist of Ministerial Directions.

Section C – Environmental, social and economic impact**Q7: 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 will not cause any ecological impact, as the proposal is only to list additional City Centre sites on the heritage schedule.

Q8: Are there any likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning proposal will ensure appropriate identification and management of the City's Environmental Heritage. It is not anticipated that it will result in any negative environmental effects.

Q9: Has the planning proposal adequately addressed any social and economic effects?

The proposed heritage listings may have some social and economic impacts, particularly with regard to affected property owners. These matters will be a key consideration of the public exhibition process and will be further considered in the post exhibition report to Council. Affected property owners have been notified of the progression of the study and the of the draft Planning Proposal and will be further invited to have formal input to the exhibition process. Any submissions or concerns will be detailed in future Council reporting.

Section D – State and Commonwealth interests**Q10: Is there adequate public infrastructure for the planning proposal?**

Not applicable.

Q11: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

The proposal does not affect any properties owned by State or Commonwealth authorities.

Heritage NSW will be notified of the proposed additions to the Wollongong Local Environmental Plan Heritage Schedule and invited to comment on the draft Wollongong City Centre Heritage Study during the public exhibition period.

Part 4 – Mapping**MAPS, WHERE RELEVANT, TO IDENTIFY THE INTENT OF THE PLANNING PROPOSAL AND THE AREA TO WHICH IT APPLIES**

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A mapbook showing the proposed mapping changes to the Wollongong Local Environmental Plan Heritage Map has been included as an attachment to this Planning Proposal.

Part 5 – Community Consultation

Should a Gateway Determination be issued, the Planning proposal will be exhibited for a minimum period of 28 days and include:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *Electronic copy on Council's website;*
- *Notification letters to affected property owners;*
- *Notification letters to relevant State agencies and other authorities.*

Part 6 – Projected 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	July 2021	Department of Planning, Industry and Environment
2	Government agency consultation	21 days	Council
3	Public exhibition period	August/September 2021	Council
4	Date of Public Hearing (<i>if applicable</i>)	NA	NA
5	Consideration of submissions	2 weeks	Council
6	Assessment of proposal post-exhibition	4 weeks	Council
7	Report to Council	February 2022	Council
8	Final maps and Planning Proposal prepared	March 2022	Council
9	Submission to Department for finalisation of LEP	March 2022	Council
10	Anticipated date RPA will make the LEP	April 2022	Council (if under delegation)
11	Anticipated date LEP will be notified	April 2022	Department of Planning, Industry and Environment

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
SEPP No. 1	Development Standard	N/A	
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	
SEPP No. 21	Caravan Parks	N/A	
SEPP No. 33	Hazardous and Offensive Development	N/A	
SEPP No. 36	Manufactured Home Estates	N/A	
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. 55	Remediation of Land	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)	Does not apply to Wollongong	
SEPP	Aboriginal Land 2019	N/A	
SEPP	Affordable Rental Housing 2009	N/A	
SEPP	Building Sustainability Index: BASIX 2004	N/A	
SEPP	Coastal Management 2018	N/A	
SEPP	Concurrences 2018	N/A	
SEPP	Educational Establishments and Child Care Facilities 2017	N/A	
SEPP	Exempt and Complying Development Codes 2008	N/A	
SEPP	Gosford City Centre 2018	N/A	
SEPP	Housing for Seniors or People with a Disability 2004	N/A	
SEPP	Infrastructure 2007	N/A	
SEPP	Koala Habitat Protection 2019	N/A	
SEPP	Kosciuszko National Park – Alpine	Does not apply to	

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State Environmental Planning Policy		Compliance	Comment
	Resorts 2007	Wollongong	
SEPP	Kurnell Peninsula 1989	Does not apply to Wollongong	
SEPP	Mining, Petroleum Production and Extractive Industries 2007	N/A	
SEPP	Miscellaneous Consent Provisions 2007	N/A	
SEPP	Penrith Lakes Scheme 1989	Does not apply to Wollongong	
SEPP	Primary Production and Rural Development 2019	N/A	
SEPP	State and Regional Development 2011	N/A	
SEPP	State Significant Precincts 2005	N/A	
SEPP	Sydney Drinking Water Catchment 2011	N/A	
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	
SEPP	Three Ports 2013	N/A	
SEPP	Urban Renewal 2010	N/A	
SEPP	Vegetation in Non-Rural Areas 2017	N/A	
SEPP	Western Sydney Employment Area 2009	Does not apply to Wollongong	
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	

Table B - Checklist of Section 9.1 Ministerial Directions

Ministerial Direction	Comment
1. Employment and Resources	
1.1. Business and Industrial Zones	Consistent
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	N/A
2.2. Coastal Protection	N/A
2.3. Heritage Conservation	Consistent – Additions to Schedule 5 to ensure heritage is protected
2.4. Recreation Vehicle Areas	N/A
2.5. Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP	Not applicable to Wollongong
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
3.7. Reduction in non-hosted short-term rental accommodation period	N/A
4. Hazard and Risks	
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	N/A
5. Regional Planning	
5.1. Implementation of Regional Strategies	N/A replaced by Direction 5.6
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,	Not applicable to Wollongong

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Ministerial Direction	Comment
North Coast	
5.5. North West Rail Link Corridor Strategy	Not applicable to Wollongong
5.6. Implementation of Regional Plans	Consistent – will enable protection of region's cultural heritage in accordance with the Illawarra Shoalhaven Regional Plan 2041
5.7. Development of Aboriginal Land Council land	N/A
6. Local Plan Making	
6.1. Approval and Referral Requirements	N/A
6.2. Reserving Land for Public Purposes	N/A
6.3. Site Specific Provisions	N/A
7. Metropolitan Planning	
7.1. Implementation of the Metropolitan Plan for Sydney 2036	Not applicable to Wollongong
7.2. Implementation of the Greater Macarthur Land Release Investigation	Not applicable to Wollongong
7.3. Parramatta Road Corridor urban Transformation Strategy	Not applicable to Wollongong
7.4. Implementation of the North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.5. Implementation of the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.6. Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.7. Implementation of the Glenfield to Macarthur Urban Renewal Corridor	Not applicable to Wollongong
7.8. Implementation of Western Sydney aerotropolis Interim Land use and infrastructure Implementation Plan	Not applicable to Wollongong
7.9. Implementation of Bayside West Precincts 2036 Plan	Not applicable to Wollongong
7.10. Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable to Wollongong