



KIAMA MUNICIPAL COUNCIL
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CC

Version 2
February 2019

Planning Proposal to Amend LEP 2011



With respect to:

Amendments to Introduce
Dual Occupancy and Multi
 Dwelling Housing
Development Standards

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Planning Proposal for amendments to introduce dual occupancy and multi dwelling housing development standards of the *Kiama Local Environmental Plan 2011*.

Part 1 – Statement of the objectives

The Planning Proposal (PP) seeks to amend the Kiama Local Environmental Plan (LEP) 2011 to introduce a minimum lot size and/or a dwelling density for dual occupancy, manor house and multi dwelling housing (terrace) development in the R2 Low Density Residential and R3 Medium Density Residential zones.

The objective of this PP is to:

- Introduce a minimum lot size and/or a dwelling density of 300m² per dwelling for dual occupancies and multi dwelling housing (terraces) in R2 Low Density Residential zones in Kiama, Gerringong and Gerroa;
- Introduce a minimum lot size and/or a dwelling density of 400m² per dwelling for dual occupancies and multi dwelling housing (terraces) in R2 Low Density Residential zones in Jamberoo;
- Make multi dwelling housing (terraces) permissible with consent in the R2 Low Density Residential zone; and
- Introduce a minimum lot size and/or a dwelling density of 200m² per dwelling for dual occupancies, manor houses and multi dwelling housing (terraces) in the R3 Medium Density Residential zone.
- Include a new savings transition clause to ensure that proposed amendments do not affect any development applications or appeal process.

Part 2 – Explanation of provisions

The Kiama LEP 2011 is to be amended by:

1. Adding a clause to establish a minimum lot size and/or a dwelling density for dual occupancy, manor house and multi dwelling housing (terrace) development in the R2 Low Density Residential and R3 Medium Density Residential zones;
2. Amending the Land Use Table to make *multi dwelling housing (terraces)* permissible with consent within the R2 Low Density Residential zone; and
3. Adding a savings transition clause to ensure that proposed amendments do not affect any development applications or appeal process.

R2 Low Density Residential Zone

The R2 Low Density Residential zone applies to areas of Kiama, Gerringong, Gerroa and Jamberoo. Dual occupancies are permissible with consent within the R2 zone. At present the Kiama LEP does not prescribe a minimum lot size for dual occupancies.

To establish an appropriate dwelling density to be reflected in the minimum lot size controls, Council have reviewed all dual occupancies approved by Council in the last five (5) years (i.e.

2014-2019). The minimum lot sizes/ dwelling densities have been calculated in Tables 1 & 2 in Appendix 2. On average across the Municipality (with the exception of Jamberoo), developments have been approved with a dwelling density of one dwelling per 339m² of site area. In Jamberoo, as would be expected, this figure is greater at one dwelling per 447m². Rounding to the nearest 100m² for ease of application, these densities would equate to:

- 600m² minimum lot size for dual occupancies
- 800m² minimum lot size for dual occupancies in Jamberoo

The introduction of the new definition of multi dwelling housing (terraces) presents an opportunity for this type of residential development to also be made permissible in the R2 zone. This style of development has direct frontage to the street for all dwellings and provides for private open space at the rear of the dwellings which are consistent with the outcomes for other forms of residential development in the R2 zoned areas. Applying the dwelling densities discussed above, this would translate to a minimum lot size for terrace housing of 900m² across the Municipality and 1200m² at Jamberoo.

For the R2 zone this proposal seeks to ensure that the size of each resulting lot for each dwelling associated with a dual occupancy or multi dwelling housing (terraces) is 300m² across the Municipality (with the exception of Jamberoo), and 400m² in Jamberoo.

R3 Medium Density Residential Zone

The R3 Medium Density Residential zone applies to areas of Kiama, Gerringong and Gerroa (there are no R3 zones in Jamberoo). With the introduction of the new Code, manor houses and multi dwelling housing (terraces) will be made permissible within the R3 zone. Dual occupancies are also permissible with consent within the R3 zone. At present the Kiama LEP does not prescribe a minimum lot sizes for dual occupancies, manor houses or multi dwelling housing (terraces).

When compared to the R2 zone a higher level of dwelling density should be encouraged within the R3 zone. As outlined above, it is suggested to introduce a dwelling density that equates to one dwelling per 300m² for dual occupancies R2 Low Density Residential in Kiama, Gerringong and Gerroa and one dwelling per 400m² in Jamberoo. For residential development in the R3 zone an appropriate dwelling density of one dwelling per 200m² is suggested. This would translate to the introduction of a minimum lot size of 400m² for dual occupancies and 800m² for manor houses and multi dwelling housing (terraces) in the R3 Medium Density Residential zone. This dwelling density is not dissimilar to the average dwelling density of all multi dwelling housing development approved by Council in the last five (5) years (i.e. 2014-2019). On average across the Municipality, developments have been approved with a dwelling density of one dwelling per 218m² of site area. The minimum lot sizes/ dwelling densities have been calculated in Table 3 in Appendix 2.

For the R3 zone this proposal seeks to ensure that the size of each resulting lot for each dwelling associated with a dual occupancy, manor house or multi dwelling housing (terraces) is 200m² across the Municipality.

Part 3 – Justification for objectives

3.1: Is the planning proposal a result of strategic study or report?

The Planning Proposal is not the result of any strategic study or report. The Planning Proposal is the result of a Council resolution to endorse the subject amendments to the LEP 2011.

The necessity to make the intended amendments to the Kiama LEP 2011 has become evident as a result of the publication of the new Low Rise Medium Density Housing Code. The new Code will apply to all R1, R2, R3 and RU5 zoned land in the State. Where permitted by the LEP, dual occupancies, manor houses and multi dwelling housing (terraces) may be carried out as Complying Development.

Dual occupancies are permissible in all residential zones throughout the Municipality under the provisions of the Kiama LEP 2011. The new Code, and associated amendment to the Standard Instrument LEP, will make manor houses and multi dwelling housing (terraces) permissible with consent within the R3 Medium Density Residential zone which applies in parts of Kiama, Gerringong and Gerroa.

Where a LEP does not prescribe a minimum lot size for dual occupancies the new Code enables dual occupancies to be built on 400m² lots. The same scenario will exist for manor houses and multi dwelling housing (terraces) which will be able to be built on 600m² lots. At present the Kiama LEP does not prescribe minimum lot sizes for dual occupancies or manor houses and multi dwelling housing (terraces) and therefore the aforementioned minimum lot sizes would apply.

Net Impact of Proposed Amendments

As outlined above, this proposal seeks to ensure that the size of each resulting lot for each dwelling associated with a dual occupancy or multi dwelling housing (terraces), in the R2 zone, is 300m² across the Municipality (with the exception of Jamberoo), and 400m² in Jamberoo. In the R3 zone this proposal seeks to ensure that the size of each resulting lot for each dwelling associated with a dual occupancy, manor house or multi dwelling housing (terraces) is 200m² across the Municipality. A quantitative assessment of the number of residential lots affected by the proposed amendment has been carried out which is shown in the following tables. There is a total of 7388 R2 Low Density Residential zoned lots in the Municipality and 509 lots zoned R3 Medium Density Residential.

Table 1: Number of R2 Low Density Residential Zoned lots Affected.

	R2 Low Density Residential zones in Kiama, Gerringong and Gerroa	R2 Low Density Residential zones in Jamberoo	Total
Lots less than proposed dwelling density (i.e. 600m ² or 800m ²)	3,001	144	3145

Lots less than existing minimum lot size (i.e. 450m ² or 800m ²)	709	144	853
Total Number of Lots Affected	2,292	0	2,292

Upon initial review, there is a total of 2,292 lots zoned R2 Low Density Residential in Kiama, Gerringong and Gerroa that will be affected by the proposed amendment. These lots have areas less than 600m² (i.e. proposed dwelling density) but greater than the existing minimum lot size (i.e. 450m²). There are no lots zoned R2 Low Density Residential in Jamberoo that will be affected by the proposed amendment. This is due to the fact that the proposed dwelling density is the same size as the existing minimum lot size (i.e. 800m²).

In order to further quantify the impacts of the proposed amendment, the lots identified in Table 1 above have been critically analysed to determine if there are any other circumstances that would reduce the number of lots affected by the proposed amendment.

Table 2: Number of R2 Low Density Residential Zoned lots with other constraints.

	R2 Low Density Residential zones in Kiama, Gerringong and Gerroa	R2 Low Density Residential zones in Jamberoo
Lots already containing dual occupancies	467	16
Lots containing public infrastructure	34	4
Total Number of Lots	501	20

There are 501 lots in Kiama, Gerringong and Gerroa that either contain existing dual occupancies and public infrastructure. There are 20 lots in Jamberoo with the same constraints.

Table 3 tallies the total number of R2 Low Density Residential Zoned lots impacted by the proposal. A total of 1,791 lots across the Municipality are impacted by the proposed amendment. This equates to approximately 24% of all R2 Low Density Residential Zoned lots (i.e. 1,791 out of 7,388 R2 zoned lots).

Table 3: Total number of R2 Low Density Residential Zoned lots impacted by proposal.

	R2 Low Density Residential zones in Kiama, Gerringong and Gerroa	R2 Low Density Residential zones in Jamberoo
Lots Affected	2,292	0
Lots with other constraints	501	20
Total Number of Lots Affected	1,791	0

There are no lots zoned R3 Medium Density Residential that will be affected by the proposed amendment because the proposed dwelling density (i.e. 400m²) is less than the existing minimum lot size (i.e. 450m²).

Table 4: Number of R3 Medium Density Residential Zoned lots Affected.

	R3 Medium Density Residential zones
Lots less than existing minimum lot size (i.e. 450m ²)	90
Lots less than proposed dwelling density (i.e. 400m ²)	79
Total Number of Lots Affected	0

It should be acknowledged that the 1,791 lots, referred to above, will only be impacted in regards to the applicability of the new Code. As part of the Development Application process, Council can vary the development standards contained in the LEP via a variation under Clause 4.6 – Exception to Development Standards. It is foreseeable that development proposals may be received in the future that are under the minimum lot size that is now being proposed. In these cases, where the development results in a positive planning, environmental and social outcome, Council is prepared to be flexible with the application of the minimum lot size for development applications.

As per Planning Circular PS 18-003 Council can assume the Secretary's concurrence for development applications which request variations, under Clause 4.6 – Exception to Development Standards, for the proposed dwelling density. Such variation requests will only need to be reported to the elected Council if the proposal contravenes the proposed dwelling density by more than 10%. The figures in Appendix 2 illustrate that only six (6) dual occupancies approved by Council in the last five (5) years (i.e. 2014-2019) would have contravened the proposed dwelling density by more than 10%. A total of 93 dual occupancies were approved in the Kiama Municipality in the last five (5) years.

There is no net impact, either positive or negative, of the proposed density controls against the likely benefits of permitting multi-dwelling housing (terraces) in the R2 zone. The same dwelling density for dual occupancies will be applied to multi-dwelling housing (terraces) in the R2 zone. The introduction of multi-dwelling housing (terraces) in the R2 zone will however result in positive social benefits as it will permit a new form of dwelling type that is often desirable for aging and low income households.

The NSW Minister for Planning advised Councils with concerns about the new Code to request inclusion to a schedule that will provide a 12 month deferral of the new Code to allow Councils time to insert mechanism/controls into their LEPs. Council requested a Gateway Determination to insert mechanism/controls into their LEP. This version of the Planning Proposal has been produced in order to satisfy the requirements of the Gateway Determination issued by the NSW Department of Planning and Environment (DPE) 1 August 2018.

This Planning Proposal focusses on amendments to the Kiama LEP 2011 that will enable a more appropriate application of the Code.

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

A Planning Proposal is the only mechanism available for amending the current provisions of the LEP.

3.3: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?

The applicable regional strategy for the area is the Illawarra-Shoalhaven Regional Plan (ISRP). It is considered that the proposed amendments to the LEP 2011 are consistent with Goal 2 – A Variety of Housing Choices, with homes that meet needs and lifestyles of the ISRP.

By introducing multi dwelling housing (terraces) as a permissible land use in the R2 zone the PP is consistent with Direction 2.1 – Provide sufficient housing supply to suit the changing demands of the region, 2.2 – Support housing opportunities close to existing services, jobs and infrastructure in the region's centres and 2.3 – Deliver housing in new release areas best suited to build new communities, provide housing choice and avoid environmental impact as it will assist in supplying sufficient housing, support housing opportunities close to existing services and deliver housing in new release areas.

Introducing minimum lot sizes for dual occupancies, multi dwelling housing (terraces) and manor houses, will enable a more appropriate application of the new Code within the Municipality. This will ensure that appropriate housing is supplied, particularly close to existing services. In this regard the PP is consistent with Direction 2.1 – Provide sufficient housing supply to suit the changing demands of the region and 2.2 – Support housing opportunities close to existing services, jobs and infrastructure in the region's centres.

3.4: Is the Planning Proposal consistent with a council's local strategy or other local strategic plan?

Council's applicable local strategy is the Kiama Urban Strategy (KUS). It is considered that the proposed amendments to the LEP 2011 are consistent with Strategic Direction 4.1 – Urban Infill of the KUS.

As part of formulating the KUS Council considered that urban infill was a priority and should be maximised as it would protect agricultural land resources and respond to changing housing needs of an ageing population. By introducing multi dwelling housing (terraces) as a permissible land use in the R2 zone the PP is consistent with Strategic Direction 4.1 – Urban Infill of the KUS as it will assist in providing for urban infill development.

Introducing minimum lot sizes for dual occupancies, multi dwelling housing (terraces) and manor houses will ensure the appropriate application of the new Code. This in turn will ensure that urban infill is appropriately managed.

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

There are no State Environmental Planning Policies that can contain provisions relating to the preparation of an environmental planning instrument that are applicable for this proposal.

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

A Section 9.1 Ministerial Directions - Compliance Checklist has been compiled by Kiama Council and is included in Appendix 1.

Council finds the proposal consistent with all applicable Section 9.1 Ministerial Directions with the exception of Direction 3.1 – Residential Zones as it contains provisions which will reduce the permissible residential density of land. The Proposal is justifiably inconsistent with Direction 3.1 as any change to the current scenario will reduce the permissible residential density of land. For this reason the inconsistency is considered to justifiable as it is of minor significance.

The necessity to make the intended amendments to the Kiama LEP 2011 has become evident as a result of the publication of the new Low Rise Medium Density Housing Code. The publication of the new Code has resulted in an internal strategic review of the new Code and the current provisions of the LEP. This review has considered the objectives of this direction and is confident that the proposal is justifiably inconsistent with Direction 3.1 – Residential Zones.

3.7: 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 PP will not alter any existing measures to conserve that critical habitat or threatened species, populations or ecological communities, or their habitats. The protection of these environmental issues would be considered as part of any future development application under the existing provisions of the LEP, *Biodiversity Conservation Act 2016* and the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

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

Due to the nature of the subject proposal it is considered unlikely that any environmental effects will occur as a result of the proposed changes. The protection of these environmental issues would be considered as part of any future development application under the existing provisions of the LEP, *Biodiversity Conservation Act 2016* and the *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*.

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

The proposal is the result of both social and economic responses to the introduction of the new Code. The subject PP seeks to enable more efficient residential development that will result in both a positive social and economic effects.

Economic Benefits

The proposal will facilitate the appropriate application of the new Code in the Municipality. This will enable more development to be considered as Complying Development. The appropriate application of Complying Development in the Municipality will result in faster approval timeframes. This in turn will result in positive economic benefits as it will facilitate growth and development which has the potential to stimulate the Municipality's economy.

The introduction of multi dwelling housing (terraces) as a permissible land use in the R2 zone will also facilitate growth and development in the Municipality.

Social Benefits

The introduction of multi dwelling housing (terraces) as a permissible land use in the R2 zone will provide for a wider range of housing options in the Municipality. This type of residential accommodation has the potential to result in social benefits as, due to its low maintenance nature, is a housing type often utilised for aging in place.

The community have raised concerns with the new Code. The proposal will facilitate the appropriate application of the new Code in the Municipality. The proposal will ensure that dual occupancies, manor houses and multi dwelling housing (terraces) occur in an appropriate fashion. The proposal will reduce the concerns raised by the community and as such will result in social benefits.

In light of this the proposal will result in both a positive social and economic effects.

3.10: Is there adequate public infrastructure for the planning proposal?

Generally, the proposal will not increase the current demand on public infrastructure. The proposed dwelling density for dual occupancy, manor house and multi dwelling housing

(terrace) development is consistent with the rate of the development currently occurring. The proposal does not include urban expansion or increased residential densities.

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

Pre Gateway consultation

The proposal is very minor in nature and as such, no State or Commonwealth authorities have been consulted as part of the preparation of this Planning Proposal.

Post Gateway consultation

The NSW Rural Fire Service will be consulted with following the receipt of a gateway determination, in accordance with Direction 4.4 – Planning for Bushfire Protection. Council will consult with any other agency that the DPE considers appropriate.

Part 4 – Mapping

Nil

Part 5 – Community Consultation

Council requests that the planning proposal be exhibited for a period of 28 days and include:

- Advertisement in Local Newspaper,
- Hard copies made available at the Council Administration Building and relevant libraries,
- Electronic copy on Council's website,
- Notification letters to affect land owners and relevant community groups,
- Notification letters to relevant State agencies and other authorities/agencies nominated by the DPE.

Part 6 – Project Timeline

The timeframe for the Planning Proposal is that, from date of Gateway determination to date of submission to DPE, to finalise the LEP is a period of 12 months.

	Timeframe	Possible dates
Submit planning proposal to NSW Department of Planning &		July 2018

	Timeframe	Possible dates
Environment (DPE) seeking a Gateway Determination		
Receive Gateway Determination	4 weeks from submission date	August 2018
Preparation of any outstanding studies (if required)	6 weeks from notification of Gateway determination.	N/A
Consult with State/Commonwealth agencies	4 weeks from completing review of any outstanding studies	February 2019
Exhibition of PP and technical Studies (assuming no requirements to return to Gateway post additional studies)	4 weeks from completing review of any outstanding studies	March 2019
Date of Public Hearing (if applicable)	N/A	N/A
Review of Submissions and Preparation of report to Council	4 weeks	April 2019
Report to Council following exhibition	First available round after completion of review of submissions (allow 8 weeks)	April/May 2019
Submission to DPE for finalisation of LEP	2 weeks from Council meeting	May-June 2019
Anticipated date LEP will be notified.	2 weeks from date of submission to DPE	June 2019

Appendix 1 - Section 9.1 Ministerial Directions – Compliance Checklist
prepared by Kiama Municipal Council

Ministerial Direction	Comment
1. Employment and Resources	These directions do not apply to the Proposal
2. Environment and Heritage	
2.1 Environment Protection Zones	<p>The PP does not seek to reduce the environmental protection standards that apply to land within an environment protection zone or to land currently identified for environment protection purposes.</p> <p>The Planning Proposal is consistent with Direction 2.1 – Environment Protection Zones.</p>
2.2 Coastal Protection	<p>The subject PP will not alter the existing provisions of the LEP which give effect to the NSW Coastal Policy etc.</p> <p>The Planning Proposal is consistent with Direction 2.2 – Coastal Protection.</p>
2.3 Heritage Conservation	<p>The subject PP will not alter the existing provisions of the LEP which give effect to the heritage conservation.</p> <p>The Planning Proposal is consistent with Direction 2.3 – Heritage Conservation.</p>
2.4 Recreation Vehicle Areas	<p>The subject PP will not alter existing development permissibility within the municipality, in particular recreation vehicle areas.</p> <p>The Planning Proposal is consistent with Direction 2.4 – Recreation Vehicle Area.</p>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	This direction does not apply to the Kiama Municipality.
3. Housing, Infrastructure and Urban Development	

Ministerial Direction	Comment
3.1 Residential Zones	<p>The subject PP will broaden the choice of building types in the R2 zone as it seeks to make multi dwelling housing (terraces) permissible with consent.</p> <p>The subject PP will make more efficient use of existing infrastructure by ensuring appropriate residential densities across the Municipality.</p> <p>The subject PP will reduce the consumption of land for housing on the urban fringe as it seeks to prohibit dual occupancies in this area. In this regard the PP is inconsistent with Direction 3.1 1 – Residential Zones.</p> <p>However, the PP is justifiably inconsistent with Direction 3.1 – Residential Zones. At the present the LEP does not contain provisions that establish a permissible residential density of land. In this regard any change to the current scenario will reduce the permissible residential density of land. Approximately 24% of all R2 Low Density Residential Zoned lots will be impacted in regards to the applicability of the new Code. As part of the Development Application process, Council can vary the development standards contained in the LEP via a variation under Clause 4.6 – Exception to Development Standards. It is foreseeable that development proposals may be received in the future that are under the minimum lot size that is now being proposed. In these cases, where the development results in a positive planning, environmental and social outcome, Council is prepared to be flexible with the application of the minimum lot size for development applications.</p> <p>As per Planning Circular PS 18-003 Council can assume the Secretary's concurrence for development applications which request variations, under Clause 4.6 – Exception to Development Standards, for the proposed dwelling density. Such variation requests will only need to be reported to the elected Council if the proposal contravenes the proposed dwelling density by more than 10%. The figures in Appendix 2 illustrate that only six (6) dual occupancies approved by Council in the last five (5) years (i.e. 2014-2019) contravened the proposed dwelling density by more than 10%.</p>

Ministerial Direction	Comment
	<p>For this reason the inconsistency is considered to justifiable as it is of minor significance.</p> <p>The necessity to make the intended amendments to the Kiama LEP 2011 has become evident as a result of the publication of the new Low Rise Medium Density Housing Code. The publication of the new Code has resulted in an internal strategic review of the new Code and the current provisions of the LEP. This review has considered the objectives of this direction and is confident that the proposal is justifiably inconsistent with Direction 3.1 – Residential Zones.</p>
3.2 Caravan Parks and Manufactured Home Estates	<p>The subject PP will not alter existing development permissibility within the municipality, in particular caravan parks and manufactured home estates.</p> <p>The Planning Proposal is consistent with Direction 3.2 – Caravan Parks and Manufactured Home Estates.</p>
3.3 Home Occupations	<p>Home Occupations are permitted without consent within both the R2 Low Density Residential and R3 Medium Density Residential a zones under the LEP 2011. The subject PP would not alter this permissibility.</p> <p>The Planning Proposal is consistent with Direction 3.3 – Home Occupations.</p>
3.4 Integrating Land Use and Transport	<p>The subject PP will not create, alter or remove a zone or a provision relating to urban land.</p> <p>The Planning Proposal is consistent with Direction 3.4 – Integrating Land Use and Transport.</p>
3.5 Development Near Licensed Aerodromes	This direction does not apply to the Proposal
3.6 Shooting Ranges	This direction does not apply to the Proposal
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Chapter 3.2 of the Acid Sulfate Soils Planning Guidelines state that an Acid Sulfate Soils Study should be prepared when an intensification of land

Ministerial Direction	Comment
	<p>use on acid sulfate soil is proposed. It is noted that this chapter specifically refers to a proposal for rezoning. In this regard it is not considered necessary to prepare an Acid Sulfate Soils Study as this PP does not involve an intensification of land uses on land identified as having a possibility of containing acid sulfate soils. The subject PP will not alter the existing acid sulfate soils controls contained in Clause 5.1 of the LEP 2011.</p> <p>The Planning Proposal is consistent with Direction 4.1 – Acid Sulfate Soils.</p>
4.2 Mine Subsidence and Unstable Land	This direction does not apply to the Proposal
4.3 Flood Prone Land	This direction does not apply to the Proposal.
4.4 Planning for Bushfire Protection	<p>The PP will apply to land identified as being bush fire prone land.</p> <p>Council will consult with the NSW Rural Fire Service following the receipt of a gateway determination.</p> <p>The subject PP will not alter the existing relationship between the LEP and <i>Planning for Bushfire Protection 2006</i>.</p> <p>The Planning Proposal is consistent with Direction 4.4 – Planning for Bushfire Protection.</p>
5. Regional Planning	
5.1 Implementation of Regional Strategies	This direction does not apply to the Kiama Municipality.
5.2 Sydney Drinking Water Catchments	This direction does not apply to the Kiama Municipality.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	This direction does not apply to the Kiama Municipality.

Ministerial Direction	Comment
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	This direction does not apply to the Kiama Municipality.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked 18 June 2010
5.6 Sydney to Canberra Corridor	Revoked 10 July 2008
5.7 Central Coast	Revoked 10 July 2008
5.8 Second Sydney Airport: Badgerys Creek	Revoked 20 August 2018
5.9 North West Rail Link Corridor Strategy	This direction does not apply to the Kiama Municipality.
5.10 Implementation of Regional Plans	<p>The Planning Proposal is consistent with the Illawarra-Shoalhaven Regional Plan (see Section 3.3 of this report).</p> <p>The Planning Proposal is therefore consistent with Direction 5.10 – Implementation of Regional Strategies.</p>
5.11 Development of Aboriginal Land Council Land	This direction does not apply to the Kiama Municipality.
6. Local Plan Making	
6.1 Approval and Referral Requirements	<p>The PP does not propose any additional provisions that would require the concurrence, consultation or referral of future development applications to a Minister or public authority.</p> <p>The Planning Proposal is therefore consistent with Direction 6.1 – Approval and Referral Requirements.</p>
6.2 Reserving Land for Public Purposes	<p>The Planning Proposal does not include any provisions that relate to the use of land reserved for public purposes.</p> <p>The Planning Proposal is therefore consistent with Direction 6.2 – Reserving Land for Public Purposes.</p>
6.3 Site Specific Provisions	This direction does not apply to the Planning Proposal

Ministerial Direction	Comment
7. Metropolitan Planning	These directions do not apply to the Kiama Municipality.

Appendix 2 – Lot Sizes of Approved Dual Occupancies & Multi Dwelling Housing

2014		2015		2016		2017		2018	
Kiama, Gerringong & Gerroa	Jamberoo	Kiama, Gerringong & Gerroa	Jamberoo	Kiama, Gerringong & Gerroa	Jamberoo	Kiama, Gerringong & Gerroa	Jamberoo	Kiama, Gerringong & Gerroa	Jamberoo
754.23	-	576.65	-	568.2	-	801.89	823.89	663.88	910.27
605.29	-	448.48	-	590.08	-	563.42	1011.79	1095.76	893.99
551.32	-	616.16	-	550.22	-	548.19	829.55	684.9	-
566.42	-	622.85	-	540.03	-	693.89	-	618.055	-
783.62	-	610.55	-	572.16	-	1095.76	-	736.02	-
775.3	-	738.88	-	690.92	-	698.96	-	890.11	-
571.48	-	783.62	-	663.15	-	475.5	-	568.36	-
604.75	-	559.52	-	746.99	-	589.34	-	812.95	-
810.9	-	-	-	1048.17	-	537.46	-	584.16	-
633.66	-	-	-	954.12	-	551.05	-	597.97	-
-	-	-	-	649.1	-	554.13	-	755.76	-
-	-	-	-	559.52	-	574.31	-	574.77	-
-	-	-	-	-	-	577.95	-	555.31	-
-	-	-	-	-	-	661.98	-	598.92	-
-	-	-	-	-	-	495.08	-	715	-
-	-	-	-	-	-	486.22	-	494.61	-
-	-	-	-	-	-	489.67	-	833.82	-
-	-	-	-	-	-	540.95	-	566.99	-
-	-	-	-	-	-	556.64	-	647.55	-
-	-	-	-	-	-	989.96	-	811.27	-
-	-	-	-	-	-	763.06	-	823.89	-
-	-	-	-	-	-	1632.98	-	627.16	-
-	-	-	-	-	-	860.16	-	637.92	-

Planning Proposal to amend LEP 2011 with respect to:
Amendments to Introduce Dual Occupancy and Multi Dwelling Housing Development Standards

-	-	-	-	-	-	802.89	-	811.27	-		
-	-	-	-	-	-	-	-	625.39	-	Average Dwelling Density	
-	-	-	-	-	-	-	-	548.5	-	Kiama, Gerringong & Gerroa	Jamberoo
665.7	0	619.6	0	677.7	0	689.2	888.4	687.7	902.1	677.98	895.27

Table 1: Lot sizes of Dual Occupancies Approved in land zoned R2 Low Density Residential

2014	2015	2016	2017	2018	
468.92	621.65	2031.54	736.76	-	
-	-	669.72	666.3	-	
-	-	650.39	-	-	
-	-	621.34	-	-	Average Dwelling Density
468.92	621.65	3972.99	1403.06	0	808.33

Table 2: Lot sizes of Dual Occupancies Approved in land zoned R3 Medium Density Residential

Size of Lot	No of Units
1155.86	7
889.5	5
1949.17	5
840.61	46
1868.28	4
2931.53	10
1970.99	4
1149.05	5
2034.69	3
1107.46	4
806.49	3
2012.43	3
668.89	3
1195.3	16
950.24	4
763.05	7
2022.95	9
2031.54	3
9633.28	4
1330.82	6
596.48	5
683.43	6
1099.02	6
Total	39691.06
Average Dwelling Density	236.26

Table 3: Lot sizes of Multi dwelling housing Approved between 2014-2019.