

REF: CM3/10

REZONING OF 455-459 PRINCES HIGHWAY (LOT 2 DP 830398), 15 NICHOLSON ROAD (LOT 2 DP 572839) AND 7 NICHOLSON ROAD (LOT 1 DP 524220), WOONONA

Report of Manager Environmental Strategy and Planning (KA) 18/01/10

SU26996

PRECIS

In July 2009, Council resolved under Section 54(4) of the Environmental Planning and Assessment Act 1979 to prepare a Planning Proposal to rezone part of the Woonona Bulli RSL Club site from the SP3 Tourist zone to the R2 Low Density Residential zone, to enable the Club to sell surplus land. The NSW Department of Planning Gateway Determination, dated 6 October 2009, requested that Council consider rezoning the land to a higher residential density. The Club supported this suggestion.

The purpose of this report is to seek a Council resolution to amend the Planning Proposal in response to the Gateway Determination recommendation.

RECOMMENDATION

- 1 A revised Planning Proposal be submitted to the Department of Planning seeking a Gateway Determination for a R3 Medium Density Residential zoning for part of Woonona Bulli RSL Club, 455-459 Princes Highway (Lot 2 DP 830398), 15 Nicholson Road (Lot 2 DP 572839) and 7 Nicholson Road (Lot 1 DP 524220), Woonona.**
- 2 If the revised Planning Proposal is supported by the Department of Planning, then it is to be exhibited for a minimum period of twenty eight (28) days for community feedback.**

BACKGROUND

Council at its meeting of 28 July 2009 resolved under Section 54(4) of the Environmental Planning and Assessment Act 1979 to prepare a Planning Proposal in relation to the draft Wollongong Local Environmental Plan 2009 to rezone part of the Woonona Bulli RSL Club site (Lot 101) to the R2 Low Density Residential zone.

The Woonona Bulli RSL Club is located at 455-459 Princes Highway, Woonona. The RSL Club site has an area of approximately 2.25ha and is zoned SP3 Tourist under the Wollongong Local Environmental Plan (LEP) 2009, which is expected to be approved by the Minister for Planning in early 2010. The Club also owns an adjoining battleaxe lot (Lot 2 DP 572839), zoned R2 Low Density Residential under Wollongong Local Environmental Plan 2009.

During the exhibition of the draft Wollongong Local Environmental Plan 2009, a submission was received from the Club requesting the consideration of rezoning 7,500m² of the Club's land (Lot 2 DP 830398) from SP3 Tourist to R2 Low Density Residential. This would enable the Club to sell the surplus land for housing. The balance of the Club's land is proposed to retain the SP3 Tourist zone. The owner of 7 Nicholson Road (Lot 1 DP 524220, 900m² in area and zoned SP3 Tourist), which is surrounded by the Club's land, also requested to be considered in the rezoning. A site map is provided as **Attachment 1**.

A Development Application (DA-2008/1049) submitted by the Club has been approved to realign boundaries and create two (2) lots – one (Lot 100) containing the Club and associated car parking, and the other to consolidate the remaining excess car park area and adjoining battleaxe lot (Lot 101). Lot 101 is the subject of this planning proposal.

On 6 October 2009 the Department of Planning issued a Gateway Determination, providing advice that the Planning Proposal should proceed to exhibition. In that Determination, however, the Director-General requested that Council consider the potential to rezone the site to allow a higher density of residential development, ie R3 Medium Density Residential (**Attachment 2**). The Club supported this suggestion. For a Planning Proposal to be amended, a new Council resolution is required.

The purpose of this report is to seek a Council resolution to amend the Planning Proposal in response to the Gateway Determination recommendation.

PROPOSAL

The request to rezone the land to the R2 Low Density Residential zone was supported as it was consistent with the zoning of the surrounding land and the site is not considered a significant tourism location. A R3 Medium Density Residential zone would permit larger medium density development. The following table compares the generic standards for the two (2) zones:

	R2 Low Density Residential zone	R3 Medium Density Residential zone
Maximum floor space ratio	0.5:1	0.75:1
Maximum building height	9m	11m
Minimum lot size for subdivision	450m ²	450m ²
Additional uses permitted in the R3 zone		• Backpackers' accommodation • Residential flat buildings • Serviced apartments

The sites are relatively level with a slight fall from the northwest to southeast. A piped watercourse runs beneath the sites which collects stormwater runoff from the sites.

Consultation with Council's traffic engineers confirms that the existing road network configuration is able to accommodate the additional development anticipated of a R3 Medium Density Residential zoning. The loss of parking capacity through the boundary realignment and rezoning will be compensated through the replacement of the existing bowling greens with parking areas, as approved in DA-2008/1049.

Council records list the site as an uncategorised flood risk precinct. A flood assessment was prepared for the site as part of the boundary adjustment (DA-2008/1049), which indicated a portion of flood-free area and a medium risk precinct. The flood study concluded there is potential for residential development. Council's Stormwater Engineer has reviewed the concept stormwater plan submitted with the Development Application and has granted a satisfactory referral subject to conditions. There are no other natural hazards or site constraints that would affect the proposal.

A key objective of the R3 Medium Density Residential zone is to provide for a range of residential densities and for urban consolidation in appropriate locations. The Illawarra Regional Strategy identifies the need for a further 38,000 new dwellings to cater for growth and declining occupancy rates over the next 25 years, and includes an action to encourage greater utilisation of available infrastructure through an appropriate housing mix around regional centres, major towns and towns, including Woonona.

It is recommended that Council support the Director-General's suggestion to rezone the site to allow a higher density of residential development, ie R3 Medium Density Residential zone

(Attachment 3). An R3 zoning for the site would allow a maximum permissible height limit of 11 metres, representing no change from the current SP3 Tourist zone (Attachment 4), and a maximum permissible floor space ratio of 0.75:1 (Attachment 5), and a minimum lot size of 449m² (Attachment 6).

CONSULTATION AND COMMUNICATION

Should Council resolve to prepare a revised Planning Proposal for the sites in question, the revised proposal will be submitted to the Department of Planning. The Department's Gateway determination will detail the required consultation with the State and Commonwealth Public Authorities. The revised Planning Proposal and Gateway Determination will be publicly exhibited for community comment.

Following the public exhibition period a further report will be submitted to Council on the submissions received during the exhibition period.

CONCLUSION

The Gateway Determination process in relation to a Planning Proposal submitted for 455-459 Princes Highway (Lot 2 DP 830398) and 7 Nicholson Road (Lot 1 DP 524220), Woonona has recommended that Council investigate an R3 Medium Density Residential rather than an R2 Low Density Residential zoning for the site. Following evaluation, this proposal is supported. A Council resolution will allow the preparation of a revised Planning Proposal for the sites discussed in this report for submission to the Department of Planning.

Exhibition of the Planning Proposal will enable the consideration of community and stakeholder issues.

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ATTACHMENTS

1. Site map for 455-459 Princes Highway (Lot 2 DP 830398), 15 Nicholson Road (Lot 2 DP 572839) and 7 Nicholson Road (Lot 1 DP 524220), Woonona
2. Gateway Determination dated 6 October 2009 for 455-459 Princes Highway (Lot 2 DP 830398) and 7 Nicholson Road (Lot 1 DP 524220), Woonona
3. Proposed Zoning Map indicating an R3 zone
4. Proposed Height map indicating a maximum permissible height of 11 metres
5. Proposed Floor Space Ratio map indicating a maximum permissible floor space ratio of 0.75:1
6. Proposed Minimum Lot Size map indicating a minimum subdivision standard of 449m²

Minute No.

ITEM 3 - REZONING OF 455-459 PRINCES HIGHWAY (LOT 2 DP 830398), 15 NICHOLSON ROAD (LOT 2 DP 572839) AND 7 NICHOLSON ROAD (LOT 1 DP 524220), WOONONA (SU26996) - REPORT OF MANAGER ENVIRONMENTAL STRATEGY AND PLANNING (KA) 18/01/10

4 RESOLVED UNANIMOUSLY that -

- 1 A revised Planning Proposal be submitted to the Department of Planning seeking a Gateway Determination for a R3 Medium Density Residential zoning for part of Woonona Bulli RSL Club, 455-459 Princes Highway (Lot 2 DP 830398), 15 Nicholson Road (Lot 2 DP 572839) and 7 Nicholson Road (Lot 1 DP 524220), Woonona.**
- 2 If the revised Planning Proposal is supported by the Department of Planning, then it is to be exhibited for a minimum period of twenty eight (28) days for community feedback.**

ITEM 4 - TOWN AND VILLAGE PLANS (SU8124) - REPORT OF MANAGER ENVIRONMENTAL STRATEGY AND PLANNING (DG) 11/01/10

5 RESOLVED UNANIMOUSLY that -

- 1 Council seek community comment on the proposed priority list for developing town and village plans.**
- 2 The proposed priority list of Town and Village Plans be placed on public exhibition for a period of four (4) weeks.**

ITEM 5 - A COASTAL ZONE MANAGEMENT PLAN FOR WOLLONGONG (ESP-080.03.002) - REPORT OF MANAGER ENVIRONMENTAL STRATEGY AND PLANNING (PG) 13/01/10

6 RESOLVED UNANIMOUSLY that the information in this report be noted.

INFRASTRUCTURE AND WORKS DEPARTMENT

ITEM 6 - MULLET AND BROOKS CREEKS FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN (SU18726) - REPORT OF MANAGER INFRASTRUCTURE (PG) 19/01/10

7 RESOLVED UNANIMOUSLY that Council -

- 1 Adopt the Mullet and Brooks Creeks Floodplain Risk Management Study and Plan.**
- 2 Acknowledge the extent of the work by the Committee and thank them for their contribution.**