

Glennifer Brae - Reclassification and rezoning

Proposal Title : **Glennifer Brae - Reclassification and rezoning**

Proposal Summary : **This Planning Proposal (PP) will rezone & reclassify the Glennifer Brae & Wollongong Conservatorium of Music lands. The Conservatory lands will be rezoned from RE1 Public Recreation to SP2 Infrastructure - Educational establishment. This will allow the site to be sold to the University of Wollongong to be developed as a Creative Arts Centre. The Glennifer Brae Manor House & grounds will retain the RE1 zoning but be reclassified as operational land to allow the property to be leased to the University for functions.**

PP Number : **PP_2012_WOLLG_001_00** Dop File No : **12/01954**

Proposal Details

Date Planning Proposal Received :	23-Jan-2012	LGA covered :	Wollongong City
Region :	Southern	RPA :	Wollongong City Council
State Electorate :	WOLLONGONG	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	Cnr Murphys Avenue & Robsons Road		
Suburb :	Keiraville	City :	Wollongong
		Postcode :	2500
Land Parcel :	Lot 3 DP252694		

DoP Planning Officer Contact Details

Contact Name : **Louise Wells**
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RPA Contact Details

Contact Name : **Edith Barnes**
 Contact Number : **0242277616**
 Contact Email : **ebarnes@wollongong.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
 Contact Number :
 Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Illawarra Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	68

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**
If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**
If Yes, comment :

Supporting notes

Internal Supporting Notes :	The property is part of the extended Botanic Gardens site (owned by Wollongong Council) and encompasses the Glennifer Brae Manor House, a number of school buildings (currently used by the Conservatory of Music) and landscaped surrounds. Council previously operated the Manor as a wedding/function venue but this ceased in 2009 following a business analysis that found it was not cost effective. The PP would allow Council to lease the Manor House to the University while ensuring community access to this State Heritage item & gardens. The sale of other Conservatory lands to the University will enable it to develop a Creative Arts Centre which will provide employment & a useful educational facility for the University. The PP is consistent with the Illawarra Regional Strategy - it provides employment, protects an item of environmental heritage, and does not have any negative environmental impacts.
External Supporting Notes :	Council is seeking to rezone and reclassify lands at the Botanic Gardens and Glennifer Brae Manor House to enable the sale of Conservatory of Music land to the University to enable the development of a Creative Arts Centre while the Manor House will be leased and managed by the University.

Adequacy Assessment**Statement of the objectives - s55(2)(a)**

Is a statement of the objectives provided? **Yes**

Comment : **Council has provided a clear summary of the objectives of the PP.**

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

Is an explanation of provisions provided? **Yes**

Comment : **Council has provided a clear explanation of zone changes & additional provisions**

required to implement the PP.

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

2.3 Heritage Conservation

3.4 Integrating Land Use and Transport

4.4 Planning for Bushfire Protection

5.1 Implementation of Regional Strategies

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

Is the Director General's agreement required? Yes

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

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

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

The Director General's approval is required in relation to Direction 6.2 Reserving Land for Public Purpose & Direction 6.3 Site Specific Provisions.

2.3 Heritage Conservation - the PP will not reduce the protection for the State Heritage Item. Consultation with Heritage Office will occur through the PP process. The PP is consistent with this Direction.

3.4 Integrating Land Use & Transport - Council has identified that, while the proposed educational establishment is not within a 'centre', it is an extension of the existing University. This direction applies to land zoned 'for residential, business, industrial, village or tourist purposes'. It could be argued in any case that this PP (which relates to land zoned RE1 & SP2) is not subject to the direction.

4.4 Planning for Bushfire Protection - the subject land is identified as bushfire prone. The proposed development will occur on land with direct road frontage and a Bushfire Assessment would form part of any DA. Council will consult with the RFS as part of the PP which will ensure consistency with the Direction. **RECOMMENDATION** - Consult with NSW RFS.

5.1 Implementation of Regional Strategies - the Illawarra Regional Strategy identifies the University of Wollongong site as key employment lands. The IRS also recognises the importance of the education sector in the regional economy. This PP will supply additional employment. The PP will also assist in protecting an item of State Heritage significance. The PP is consistent with the IRS and therefore the Direction.

6.2 Reserving land for public purpose - this direction requires that a PP not reduce land available for public purposes without the agreement of the DG. This PP will rezone part of the site from RE1 to SP2 - Educational Establishment. The Director General's agreement is required on the basis that the reduction of land zoned RE1 is minor and that the impacts of the change will not restrict public access to the area.

RECOMMENDATION - Seek the DG's agreement to the change in RE1 Zone at the time of finalising the LEP, otherwise it is suitable for exhibition.

6.3 Site Specific Provisions - The PP will introduce a number of site specific controls. On the RE1 land (ie Glennifer Brae Manor House & grounds) - it will permit the use of the site for a function centre, educational establishment & car park. These uses are not considered appropriate on all RE1 zoned land. The PP will also include specific controls for the part of the lot zoned SP2 including maximum floor area for the buildings. These specific controls are considered justified given the need to protect the State significance heritage building and current use of the site for educational purposes. **RECOMMENDATION** - The DG can be satisfied that the site specific requirements are of minor significance given the open space and heritage significance of the site.

Although Council identified that SEPP No 55 - Remediation of Land applies, however, it has also identified that preliminary investigations do not identify any potential

contamination of the site. the SEPP does not apply in this instance.

The PP is not inconsistent with any SEPPs. The future development of the site may be subject to the Infrastructure SEPP.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain : **As explained above, the Director General's will need to agree under Direction 6.2 Reserving Land for Public Purpose to a change in the RE1 Zone and he can be satisfied that the inconsistency with Direction 6.3 Site Specific Provisions is of minor significance.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Council has provided a map that identifies the site. However, for exhibition, Council will need to prepare maps that clearly express the changes in zoning and height controls proposed for the site.
RECOMMENDATION - Council is to prepare amending maps for zoning and height of buildings for the site.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes to exhibit the PP for 28 days.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons : **Council's proposed process and consultation is considered adequate.**

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Wollongong LEP was notified in February 2010.**

Assessment Criteria

Need for planning proposal :

The PP is the only way to achieve Council's identified outcomes for the site.

Glennifer Brae Manor House - a state significant heritage item - is currently unoccupied and unused and will likely fall into disrepair if this situation continues. Council has identified that it is not cost effective for it to operate and maintain the property. Leasing it to the University will retain the asset in public ownership but enable maintenance and improvements to be made. The PP will also ensure continued public access to the site.

The existing school buildings are also in a state of disrepair. The sale of this lot to the University of Wollongong for a Creative Arts Centre will provide economic and social benefits, while still allowing public access. Council will enter into an agreement with the University to require that, should the University want to sell the site, it can only be sold to Council (under strict conditions - e.g. CPI + improvements).

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Consistency with strategic planning framework :

The PP is based upon a Council service review which identified that the current business model was not financially viable.

The PP is consistent with the Illawarra Regional Strategy.

Environmental social economic impacts :

The PP will not have negative environmental impacts - the site does contain an area identified as biodiversity land however the proposal will result in development on cleared areas of the site. Other environmental issues (noise, geotech, riparian, etc) will be considered as part of any future DA.

The PP will have positive economic and social impacts - it will provide employment (approx. 8 at the Manor & 60 at the Arts Centre) and will allow for the expansion of the educational services provided by the university. It will assist in maintaining and improving a state significant heritage item. It will provide community access to the Manor House and grounds. The agreement with the university provides guaranteed tenancy for the Conservatorium of Music.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) :
Department of Education and Communities
Office of Environment and Heritage
NSW Rural Fire Service
Transport for NSW - Roads and Maritime Authority
Sydney Water

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

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

If no, provide reasons : **The PP delivers significant economic and heritage benefits. It is consistent with the Illawarra Regional Strategy and relevant state policies and directions.**

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

No additional studies are considered necessary. Issues such as traffic, noise, etc will be considered as part of any DA.

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
20120123 - Planning Proposal.pdf	Proposal	Yes
20120123 - Planning Proposal submitted by Graham Bell Bowman & TCG Planning.pdf	Proposal	Yes

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Wollongong City Council_23-01-2012 00_00_00_Wollongong - Planning Proposal - Glennifer Brae - Lot 3 DP 252694 Murphys Avenue & Robsons Road Keiraville_.pdf 1129_001.pdf	Proposal Covering Letter Drawing	Yes No
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Planning Team Recommendation

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

S.117 directions:

- 2.3 Heritage Conservation
- 3.4 Integrating Land Use and Transport
- 4.4 Planning for Bushfire Protection
- 5.1 Implementation of Regional Strategies
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information : It is recommended that the proposal proceeds through the Gateway subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for 28 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009). This will involve the preparation of Maps that clearly identify changes to zone and height of buildings.

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act.

Department of Education and Communities
Office of Environment and Heritage
NSW Rural Fire Service
Transport for NSW - Roads and Maritime Authority
Sydney Water
Endeavour Energy (identified by Council)

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

SECTION 117 DIRECTIONS

5. The Council will consult with the NSW Rural Fire Service and take into account its comments.

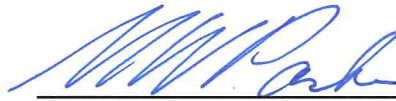
6. The Director General's agreement is required in relation to s117 Direction 6.2 Reserving Land for Public Purposes for a reduction in the RE1 Public Recreation Zone. The DG can be satisfied that the PP is suitable for public exhibition and will formally consider agreement under this s117 Direction when the LEP is submitted for finalisation.

7. The Director General can be satisfied that the PP is consistent with all other s117 Directions or that any inconsistencies are only of minor significance. Further referral under these Directions is not required for the Plan while it remains in this form.

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Supporting Reasons : The PP is consistent with the Illawarra Regional Strategy and relevant state policies and directions.
 The PP will provide for the protection of - and continued public access to - a state significant heritage item.
 The establishment of a Creative Arts Centre for the University of Wollongong will provide employment and an important educational facility on land linking with the existing university campus.

Signature: _____



Printed Name: _____

MARK PARKER
Local Planning Manager

Date: _____

3rd February 2012