

PLANNING PROPOSAL – LARGE R2 LOTS INTERFACING THE ILLAWARRA ESCARPMENT – MULTIPLE LOTS

To amend Wollongong LEP 2009

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF LEP: Large R2 Zoned Lot Interfacing the Illawarra Escarpment -
Multiple Lots

PP-2023/3

ADDRESS OF LAND: Multiple lots interfacing the Escarpment

Lot Description	Property Address	Owner	Area (HA)
Lot 2 DP 774626	Lot 2 Brokers Rd BALGOWNIE	Private	5.14
Lot X DP 29499	40 Brokers Rd BALGOWNIE	Private	1.63
Lot 100 DP 747146	36 Rose Parade MT PLEASANT	Private	1.478
Lot 101 DP 747146	53A Wellington Drive BALGOWNIE	Private	1.332
Lot 1021 DP 1204935	55A Wellington Drive BALGOWNIE	Private	0.884
Lot 1022 DP 1204935	55B Wellington Drive BALGOWNIE	Private	0.25
Lot 100 DP 585596	6 Paradise Avenue MOUNT PLEASANT	Private	0.079
Lot 102 DP 601108	10 Paradise Avenue MOUNT PLEASANT	Private	0.53
Lot 8 DP 213718	12 Paradise Avenue MOUNT PLEASANT	Private	0.0556
Lot 1 DP 1218223	Railway Crescent STANWELL PARK	RailCorp	0.00506
Lot 1 DP 433638	Railway Crescent STANWELL PARK	Private	0.876
Lot 5800 DP 1132696	Hill Crest Home 1A Railway Crescent STANWELL PARK	Private	4.83
Lot 1 DP 1286300	632 Lawrence Hargrave Drive WOMBARRA	Private	1.554
Lot 2 DP 1286300	636 Lawrence Hargrave Drive WOMBARRA	Private	0.0744
Lot 3 DP 1286300	634 Lawrence Hargrave Drive WOMBARRA	Private	0.0776
Lot 4 DP 1286300	632 Lawrence Hargrave Drive WOMBARRA	Private	0.0808
Lot 5 DP 1286300	630 Lawrence Hargrave Drive WOMBARRA	Private	0.1116
Lot 60 DP 1233680	107 Derribong Drive CORDEAUX HEIGHTS	Private	1.21
Lot 61 DP 1233680	43 Mungurra Hill Road CORDEAUX HEIGHTS	Private	0.259
Lot 1433 DP 748240	Lot 1433 Odenpa Road CORDEAUX HEIGHTS	Private	1.09
Lot 17 DP 1168440	94C Staff Road CORDEAUX HEIGHTS	Private	2.11
Lot 2317 DP 868296	6-10 Moab Place FIGTREE	Private	1.4
Lot 45 DP 261184	54 Nebo Drive FIGTREE	Private	1.039
Lot 19 DP 775348	240-242 O'Briens Road FIGTREE	Private	1.385
Lot 18 DP 775348	236-238 O'Briens Road FIGTREE	Private	1.184
Lot 17 DP 775348	232-234 O'Briens Road FIGTREE	Private	0.5526
Lot 16 DP 775348	230 O'Briens Road FIGTREE	Private	0.1385
Lot 15 DP 775348	228 O'Briens Road FIGTREE	Private	0.1404
Lot 14 DP 775348	226 O'Briens Road FIGTREE	Private	0.1350
Lot 13 DP 775348	222-224 O'Briens Road FIGTREE	Private	1.027
Lot 12 DP 775348	220 O'Briens Road, FIGTREE	Private	0.1616

Lot Description	Property Address	Owner	Area (HA)
Lot 11 DP 775348	216-218 O'Briens Road FIGTREE	Private	1.142
Lot 8 DP 740266	210 O'Briens Road FIGTREE	Private	0.7275
Lot 2604 DP 1004167	70 Jacaranda Avenue FIGTREE	Private	1.533
Lot 2501 DP 876928	11 Manna Avenue FIGTREE	Private	0.1432
Lot 2502 DP 876928	13 Manna Avenue FIGTREE	Private	0.1517
Lot 5 DP 848792	15 Manna Avenue FIGTREE	Private	0.1667
Lot 6 DP 848792	17 Manna Avenue FIGTREE	Private	0.1796
Lot 7 DP 848792	19 Manna Avenue FIGTREE	Private	0.2116
Lot 8 DP 848792	21 Manna Avenue FIGTREE	Private	0.211
Lot 9 DP 848792	23 Manna Avenue FIGTREE	Private	0.4019
Lot 10 DP 848792	25 Manna Avenue FIGTREE	Private	0.3196
Lot 11 DP 848792	27 Manna Avenue FIGTREE	Private	0.1824
Lot 12 DP 848792	29 Manna Avenue FIGTREE	Private	0.206
Lot 1312 DP 1034643	29A Manna Avenue FIGTREE	Private	0.4483
Lot 13 DP 1252847 Now following subdivision Lot Pt 116 DP 1265401	Lot 13 DP 1252847 Redgum Forest Way FIGTREE	Private	18.89
Lot 1326 DP 1239016	35 Gahnia Avenue FIGTREE	Private	0.0544
Lot 1327 DP 1239016	33 Gahnia Avenue FIGTREE	Private	0.179
Lot 1325 DP 1239016	31 Gahnia Avenue FIGTREE	Private	0.0544
Lot 1324 DP 1239016	29 Gahnia Avenue FIGTREE	Private	0.0544
Lot 1323 DP 1239016	27 Gahnia Avenue FIGTREE	Private	0.0852
Lot 1322 DP 1239016	25 Gahnia Avenue FIGTREE	Private	0.0926
Lot 1321 DP 1239016	23 Gahnia Avenue FIGTREE	Private	0.053
Lot 14 DP 1252847	Rainforest Place FIGTREE	Private	4.99
Lot 90 DP 1086429	14 Cosgrove Avenue KEIRAVILLE	Private	4.19
Lot 96 DP 30903	2 Cosgrove Avenue KEIRAVILLE	Private	1.05
Lot 16 DP 730175	147 Koloona Ave MOUNT KEIRA	Private	1.502
Lot 1 DP 826177	165 Koloona Avenue MOUNT KEIRA	Private	0.2698
Lot 2 DP 826177	155 Koloona Avenue MOUNT KEIRA	Private	0.3682
Lot 4 DP 826177	157 Koloona Avenue MOUNT KEIRA	Private	0.5071
Lot 5 DP 826177	159 Koloona Avenue MOUNT KEIRA	Private	0.4681
Lot 6 DP 826177	161 Koloona Avenue MOUNT KEIRA	Private	0.4230
Lot 7 DP 826177	163 Koloona Avenue MOUNT KEIRA	Private	0.2892
Lot 501 DP 1255962	151 Koloona Avenue MOUNT KEIRA	Private	2.218
Lot 502 DP 1255962	153 Koloona Avenue MOUNT KEIRA	Private	6.337
Lot 1 DP 591352	24 Highbank Place MOUNT OUSLEY	Private	0.0171
Lot 73 DP 209750	24 Highbank Place MOUNT OUSLEY	Private	1.919
Lot 1019 DP 811085	Lot 1019 Ribbonwood Rd FARMBOROUGH HEIGHTS	Private	2.05

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Part 1 – Statement of objectives or intended outcomes

The objective of the Planning Proposal is to make a number of amendments to the Wollongong Environmental Plan 2009 land use Zoning, Minimum Lot Size and Floor Space Ratio mapping for multiple lots adjacent to and in proximity to the mapped Illawarra Escarpment boundary. The lots have been identified as they share similar attributes and constraints to lands within the Escarpment and due to their size have the potential for inappropriate residential development that would likely have a negative upon the cultural, environmental and scenic values of the escarpment.

Part 2 – Explanation of provisions

Statement of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed via a LEP:

The Planning Proposal exhibition seeks to amend the Wollongong Local Environmental Plan 2009 zoning map and associated floor space ratio map, minimum lot size map and maximum height of building map. The proposed outcomes will be achieved by:

- Amending the Wollongong Local Environmental Plan 2009 Land Zoning Maps where 68 lots are located throughout the Wollongong Local Government Area, in proximity to the mapped Illawarra Escarpment, in accordance with the proposed zoning maps and described in the table below;
- Amending the Wollongong Local Environmental Plan 2009 Minimum Lot Size Maps in accordance with the proposed minimum lot size maps and described in the table below;

- Amending the Wollongong Local Environmental Plan 2009 Floor Space Ratio Maps in accordance with the proposed floor space ratio maps and described in the table below;
- Amending Height of Building Map for land located at Lot 1 DP 1218223 in accordance with the proposed height map and described in the table below, which indicates a maximum permissible height of no mapped maximum height.

Table: Proposed Wollongong LEP 2009 amendments.

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
Lot 2 Brokers Rd, Balgownie	Lot 2 DP 774626	Northern and southern portions of allotment.	C4 4.24ha	C4: 6,999 m ² 2,599 m ² 1,599 m ² 1,299 m ² 599 m ²	C4: 0.3:1 (see corresponding mapping). C4: 0.5:1 (see corresponding mapping).	9 m (Retain)
		Eastern and centre of allotment.	RE1 0.89ha	RE1: Nil	RE1: Nil	9 m (Retain)
40 Brokers Rd, Balgownie	Lot X DP 29499	Centre of allotment adjacent to Brokers Road	C4 0.74 ha	C4: 999 m ²	0.3:1	9 m (Retain)
		Adjacent to northern, eastern, and southern boundaries	C3 0.91 ha	C3: 4,999 m ²	0.3:1	9 m (Retain)
36 Rose Parade, Mt Pleasant	Lot 100 DP 747146	Entirety of allotment	C4	9,999 m ²	0.3:1	9 m (Retain)
53A Wellington Drive, Balgownie	Lot 101 DP 747146	Entirety of allotment	C4	9,999 m ²	0.3:1	9 m (Retain)
Lot 1021 DP 1204935 Wellington Drive, Balgownie	Lot 1021 DP 1204935	Entirety of allotment	C4	4,999 m ²	0.3:1	9 m (Retain)
Lot 1022 DP 1204935 Wellington Drive, Balgownie	Lot 1022 DP 1204935	Entirety of allotment	C4	1,999 m ²	0.3:1	9 m (Retain)
6 Paradise Avenue, Mount Pleasant	Lot 100 DP 585596	Entirety of allotment	C4	449 m ²	0.3:1	9 m (Retain)
10 Paradise Avenue, Mount Pleasant	Lot 102 DP 601108	Entirety of allotment	C4	1,999 m ²	0.3:1	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
12 Paradise Avenue, Mount Pleasant	Lot 8 DP 213718	Entirety of allotment	C4	449 m ²	0.5:1	9 m (Retain)
Railway Crescent Stanwell Park	Lot 1 DP 1218223	Entirety of allotment	SP2	No Mapped Minimum Lot Size	No Mapped FSR	No Mapped Maximum Height
Railway Crescent Stanwell Park	Lot 1 DP 433638	Entirety of allotment	C4	4,999 m ²	0.3:1	9 m (Retain)
Hill Crest Home 1A Railway Crescent Stanwell Park	Lot 5800 DP 1132696	Entirety of allotment	C4	999 m ² (Retain existing)	0.3:1	9 m (Retain)
632 Lawrence Hargrave Drive, Wombarra (Lot 1 of 5)	Lot 1 DP 1286300	Future Lot 12 and northern part of lot 14	C4	2,999 m ²	0.3:1	9 m (Retain)
		Southern part of Future Lot 14	C3	2,999 m ²	0.3:1	9 m (Retain)
		Location of future Lot 13	C4	899 m ²	0.3:1	9 m (Retain)
		Location of future lot 10	C4	449 m ²	0.3:1	9 m (Retain)
		Approx location of future Lot 6, 7, 8, 9, 11 and road	C4	449 m ²	0.5:1	9 m (Retain)
636 Lawrence Hargrave Drive Wombarra (Lot 2 of 5)	Lot 2 DP 1286300	Approx location of future Lot 2 and road	C4	449 m ²	0.5:1	9 m (Retain)
634 Lawrence Hargrave Drive Wombarra (Lot 3 of 5)	Lot 3 DP 1286300	Approx location of future road and Lot 3	C4	449 m ²	0.5:1	9 m (Retain)
632 Lawrence Hargrave Drive Wombarra (Lot 4 of 5)	Lot 4 DP 1286300	Approx location of future Lot 4 and Lot 1	C4	449 m ²	0.5:1	9 m (Retain)
630 Lawrence Hargrave Drive Wombarra (Lot 5 of 5)	Lot 5 DP 1286300	Approx location of future Lot 5 and Lot 1	C4	449 m ²	0.5:1	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
107 Derribong Drive, Cordeaux Heights	Lot 60 DP 1233680	Entirety of allotment	C4	4,999 m ²	0.3:1	9 m (Retain)
43 Mungurra Hill Road, Cordeaux Heights	Lot 61 DP 1233680	Rezone R2 zoned land within site	C4	2,999 m ²	0.3:1	9 m (Retain)
Lot 1433 Odenpa Road, Cordeaux Heights	Lot 1433 DP 748240	Entirety of allotment	R2 retain	999 m ²	0.3:1	9 m (Retain)
94C Staff Road Cordeaux Heights	Lot 17 DP 1168440	Entirety of allotment	C4	2999 m ²	0.3:1	9 m (Retain)
6-10 Moab Place, Figtree	Lot 2317 DP 868296	Northern portion of allotment.	C3 1.06ha	C4 9,999 m ²	0.3:1	9 m (Retain)
		Southern portion allotment	R2 0.34ha (retain)	R2 499 m ²	0.5:1	9 m (Retain)
54 Nebo Drive, Figtree	Lot 45 DP 261184	Western side of allotment.	C4 0.51 ha	4,999 m ²	0.3:1	9 m (Retain)
		Eastern side of allotment and access handle	C4 0.43 ha	2,999 m ²	0.3:1	9 m (Retain)
240-242 O'Briens Road, Figtree	Lot 19 DP 775348	Land east of the mapped building line constraint.	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449	0.5:1	9 m (Retain)
236-238 O'Briens Road, Figtree	Lot 18 DP 775348	Land adjacent to the northern lot boundary, east of the mapped building line constraint.	C3	39.99 ha	Nil	9 m (Retain)
			C4	999 m ²	0.3:1	9 m (Retain)
		Land on the eastern portion of allotment	R2 (retain)	449 m ²	0.5:1	9 m (Retain)
		Land adjacent to O'Briens Road				

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
232-234 O'Briens Road, Figtree	Lot 17 DP 775348	Land east of the mapped building line constraint.	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
230 O'Briens Road, Figtree	Lot 16 DP 775348	Land east of the mapped building line constraint.	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
228 O'Briens Road, Figtree	Lot 15 DP 775348	Land east of the mapped building line constraint.	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
226 O'Briens Road, Figtree	Lot 14 DP 775348	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land eastern most portion of allotment.	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
222-224 O'Briens Road, Figtree	Lot 13 DP 775348	Adjacent to the mapped building line constraint and eastern most of allotment	C4	999 m2	0.3:1	9 m (Retain)
		Central within the allotment.	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
220 O'Briens Road, Figtree	Lot 12 DP 775348	Land east of the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
			R2 (retain)	449 m2	0.5:1	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
		Land adjacent to O'Briens Road				
216-218 O'Briens Road, Figtree	Lot 11 DP 775348	Western most portion of the allotment	C3	999 m2	0.3:1	9 m (Retain)
		Centre of allotment	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
210 O'Briens Road, Figtree	Lot 8 DP 740266	Land within the east of the allotment.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to O'Briens Road	R2 (retain)	449 m2	0.5:1	9 m (Retain)
70 Jacaranda Avenue, Figtree	Lot 2604 DP 1004167	Adjacent to northern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Centre of allotment	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to southeastern boundary and access handle	R2 (retain)	449 m2	0.5:1	9 m (Retain)
11 Manna Avenue, Figtree	Lot 2501 DP 876928	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m2	0.5:1	9 m (Retain)
13 Manna Avenue, Figtree	Lot 2502 DP 876928	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
		Land adjacent to Manna Ave	R2 (retain)	449 m2	0.5:1	9 m (Retain)
15 Manna Avenue, Figtree	Lot 5 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m2	0.5:1	9 m (Retain)
17 Manna Avenue, Figtree	Lot 6 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m2	0.5:1	9 m (Retain)
19 Manna Avenue, Figtree	Lot 7 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m2	0.5:1	9 m (Retain)
21 Manna Avenue, Figtree	Lot 8 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m2	0.5:1	9 m (Retain)
23 Manna Avenue, Figtree	Lot 9 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m2	0.3:1	9 m (Retain)
		Land adjacent to the	C3	39.99 ha	Nil	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
		southern boundary Land adjacent to Manna Ave	R2 (retain)	449 m ²	0.5:1	9 m (Retain)
25 Manna Avenue, Figtree	Lot 10 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m ²	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m ²	0.5:1	9 m (Retain)
27 Manna Avenue, Figtree	Lot 11 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m ²	0.3:1	9 m (Retain)
		Land adjacent to the southern boundary	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m ²	0.5:1	9 m (Retain)
29 Manna Avenue, Figtree	Lot 12 DP 848792	Adjacent to the mapped building line constraint.	C4	999 m ²	0.3:1	9 m (Retain)
		Land adjacent to northern and southern boundaries	C3	39.99 ha	Nil	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m ²	0.5:1	9 m (Retain)
29A Manna Avenue, Figtree	Lot 1312 DP 1034643	Land within the south of the allotment.	C4	999 m ²	0.3:1	9 m (Retain)
		Land adjacent to Manna Ave	R2 (retain)	449 m ²	0.5:1	9 m (Retain)
Lot 13 DP 1252847 Redgum Forest Way, Figtree	Lot 13 DP 1252847 Now following subdivision	Northern end of allotment crossing Redgum Road.	C4	999 m ²	0.3:1	9 m (Retain)
	Lot Pt 116 DP 1265401	Land within mapped easement adjacent to C2	C4	39.99 ha	Nil	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
		zoned land and north of Redgum Road				
35 Gahnia Avenue, Figtree	Lot 1326 DP 1239016	Southern end of allotment	R2	449 m ²	0.5:1	9 m (Retain)
33 Gahnia Avenue, Figtree	Lot 1327 DP 1239016	Access handle	R2	449 m ²	0.5:1	9 m (Retain)
31 Gahnia Avenue, Figtree	Lot 1325 DP 1239016	Southern end of allotment	R2	449 m ²	0.5:1	9 m (Retain)
29 Gahnia Avenue, Figtree	Lot 1324 DP 1239016	Southern end of allotment	R2	449 m ²	0.5:1	9 m (Retain)
27 Gahnia Avenue, Figtree	Lot 1323 DP 1239016	Access handle	R2	449 m ²	0.5:1	9 m (Retain)
25 Gahnia Avenue, Figtree	Lot 1322 DP 1239016	Access handle	R2	449 m ²	0.5:1	9 m (Retain)
23 Gahnia Avenue, Figtree	Lot 1321 DP 1239016	Southern end of allotment	R2	449 m ²	0.5:1	9 m (Retain)
Rainforest Place, Figtree	Lot 14 DP 1252847	Land adjacent to Rainforest Place and Redgum Forest Way	C4	1,999 m ²	0.3:1	9 m (Retain)
		Land adjacent to Redgum Forest Way	C4	39.99 ha	Nil	9 m (Retain)
14 Cosgrove Avenue, Keiraville	Lot 90 DP 1086429	Western portion of the site	C2	C2: 39.99ha	Nil	9 m (Retain)
		Land west of proposed R2	C3	C3: 39.99 ha	Nil	9 m (Retain)
		Existing R2 zoned Land fronting Cosgrove Avenue.	R2 (retain)	R2 499 m ²	0.5:1	9 m (Retain)
2 Cosgrove Avenue, Keiraville	Lot 96 DP 30903	Western portion of allotment	C2 8622.36 m ²	C2 39.99 ha	C2: Nil	9 m (Retain)
		Eastern portion of allotment	R2 1865.63 m ² (retain)	R2 799 m ²	R2: 0.5:1	9 m (Retain)

Address	Lot and Deposited Plan	Location of land to be rezoned	R2 land proposed to be rezoned	Amended Minimum Lot Size	Amended Floor Space Ratio	Amended Maximum Height
147 Koloona Ave, Mt Keira	Lot 16 DP 730175	Entirety of allotment	C4	4,999 m ²	0.3:1	9 m (Retain)
165 Koloona Avenue, Mount Keira	Lot 1 DP 826177	Eastern portion of including access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
155 Koloona Avenue, Mount Keira	Lot 2 DP 826177	Eastern portion of including access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
157 Koloona Avenue Mount Keira	Lot 4 DP 826177	Eastern access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
159 Koloona Avenue Mount Keira	Lot 5 DP 826177	Eastern access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
161 Koloona Avenue Mount Keira	Lot 6 DP 826177	Eastern access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
163 Koloona Avenue, Mount Keira	Lot 7 DP 826177	Eastern portion of including access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
151 Koloona Avenue Mount Keira	Lot 501 DP 1255962	Eastern portion of site including access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
153 Koloona Avenue Mount Keira	Lot 502 DP 1255962	Eastern access handle	C4	2,999 m ²	0.3:1	9 m (Retain)
24 Highbank Place, Mt Ousley	Lot 1 DP 591352	Entirety of allotment	C4	9,999 m ²	0.3:1	9 m (Retain)
24 Highbank Place, Mt Ousley	Lot 73 DP 209750	Western edge and centre of allotment	C4 1.081 ha	9,999 m ²	0.3:1	9 m (Retain)
		Northern, eastern and portion of southern edge	C3 8486 m ²	7,999 m ²	Nil	9 m (Retain)
Lot 1019 Ribbonwood Rd, Farmborough Heights	Lot 1019 DP 811085	Northern and eastern portions of allotment.	C2 1.62 ha	C2 39.99ha	Nil	9 m (Retain)
		Southern corner of allotment	C4 0.43 ha	C4 999 m ²	0.3:1	9 m (Retain)

Part 3 – Justification

Section A – Need for the Planning Proposal

Q1: Is the Planning Proposal a result of strategic study or report?

The Planning Proposal is the result of Council resolution dated 3 April 2023, following the adoption of the Wollongong Housing Strategy 2023. The Housing Strategy was adopted by Council on the 27 February 2023 and will guide the future housing directions with the Wollongong Local Government Area (LGA) for the next 10-20 years.

The Housing Strategy address overall housing supply and demand, as well as examining various housing sectors that are in need of support, including the homeless, social housing, affordable housing and accessible or supportive housing.

The Housing Strategy contains the following strategies relevant to the Illawarra Escarpment and foothills –

- CW1 Enable housing of the appropriate type in appropriate locations, with suitable landform, access to public transport, town centres and supporting infrastructure that is planned, costed and programmed within an achievable timeline.
- CW7 Retain the Illawarra Escarpment as a conservation area, with very limited opportunity for additional dwellings.
- CW9 Protect the Illawarra Escarpment, Hacking River catchment, significant bushland and ecological areas, floodplains, coastline and other sensitive locations from inappropriate housing development.
- L1 Illawarra Escarpment Foothills (Farmborough Heights to Stanwell Park) – decrease residential development potential due to environmental constraints.

The Housing Strategy contains the following implementation action -

- LZN6 Review the rezoning of large lots in the Illawarra Escarpment foothills to reduce development potential.

A separate implementation action / project (C3) relates to the minimum lot size standard for subdivision and development in the Escarpment foothills and Northern Villages.

Other supporting documents submitted in support of the Planning Proposal includes.

- Review of Residential Large Lots in Proximity to the Illawarra Escarpment (Wollongong City Council, April 2023).

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 facilitate a transition in density and built form from land zoned R2 Low Density Residential to the environmentally sensitive areas of the Illawarra Escarpment while retaining **dwelling house** as a permissible use.

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 Illawarra-Shoalhaven Regional Plan 2041

The Planning Proposal is consistent with the following objectives within the Illawarra Shoalhaven Regional Plan 2041 –

- Objective 11: Protect important environmental assets.
- Objective 12: Build resilient places and communities.
- Objective 13: Increase urban tree cover.
- Objective 18: Provide housing supply in the right locations.
- Objective 19: Deliver housing that is more diverse and affordable.
- Objective 22: Embrace and respect the region’s local character.

The Planning Proposal will reduce the impacts of development upon the natural attributes of the region while building resilient communities less likely to be impact upon by bushfire and geotechnical constraints.

The Regional Plan also identifies the need to prioritise opportunities for new housing in strategic centres, given they are well serviced by utilities, public transport, walking and cycling, education, health, and community infrastructure, and provide shopping, community, and commercial services. Separate Planning Proposal’s will be progressed to increase housing opportunities in appropriate locations.

Q4: Is the Planning Proposal consistent with a council’s local strategy or other local strategic document (eg. Wollongong Community Strategic Plan)?

Our Wollongong Our Future 2032 Community Strategic Plan

This Planning Proposal is consistent with to the delivery of Wollongong 2032 and Goal 1: We values and protect our environment. It specifically delivers on the following –

Community Strategic Plan		Delivery Program 2022-2026	
Strategy		Service	
1.5	Maintain the unique character of the Wollongong Local Government Area, while balancing development, population growth and housing needs	Land Use Planning	

Comment

The Planning Proposal request is likely to result in increased positive environmental outcomes for lands adjacent to the mapped boundary of the Illawarra Escarpment. It is anticipated the proposed rezonings will result in development that will continue to provide housing at an appropriate scale while limiting the impacts upon the scenic, cultural, and environmental attributes of the locations in proximity to the escarpment.

Wollongong Housing Strategy

The Planning Proposal is consistent with Wollongong Housing Strategy 2023. The proposal is consistent strategy - L1 Illawarra Escarpment Foothills (Farmborough Heights to Stanwell Park) – decrease residential development potential due to environmental constraints.

The proposal delivers on the following Implementation Action - LZN6 Review the rezoning of large lots in the Illawarra Escarpment foothills to reduce development potential.

Urban Greening Strategy 2017 - 2037

The *Urban Greening Strategy 2017-2037* aims to strategically increase the quality and quantity of all vegetation in an urban setting. The Strategy identifies opportunities for our city to harness the benefits of trees and vegetation, contributing towards creating a world class urban landscape.

The **Vision** is that:

Wollongong will grow and nurture a healthy, diverse and well-managed urban forest to deliver a renewed and resilient place for people, enterprise and the ecosystems that support us.

The following Principles will inspire and inform Council's approach to urban greening in Wollongong:

- more strategic and targeted urban greening;
- evidence-based decision making and programming;
- enhanced amenity of public spaces;
- maximisation of ecosystem services and biodiversity connections;
- stronger leadership and partnerships with the community; and
- greater diversity of urban greening.

The Planning Proposal is consistent with the Strategy as it seeks to provide a buffer between larger scaled forms of low density residential dwellings and the conservation area of the mapped Illawarra Escarpment.

It is anticipated that each lot considered in the proposal will still retain the permissibility and ability to develop a dwelling house balanced with suitable environmental outcomes that limit the impact on the mapped escarpment areas.

Local Strategic Planning Statement

In 2020 Council adopted the Wollongong Local Strategic Planning Statement (LSPS) 2020 to provide a 20 year land use planning vision for the City. It has drawn on the many existing strategies and plans developed, exhibited and adopted by Council.

The LSPS acknowledges that -

- Wollongong is home to many unique natural ecosystems, threatened species and ecological communities and population grows we will need to balance the social, economic and environmental needs.
- Development and inappropriate land use are identified as key threats to local biodiversity and its ecosystem services, with the potential to impact on public health and amenity.
- There are many lots zoned R2 Low Density Residential from Stanwell Park to Farmborough Heights that are located on the Escarpment foothills but are located outside the Escarpment Strategic Management Plan study area.

- The steep slopes and lush vegetation of the Illawarra Escarpment and its foothills create an attractive environment to live. However, the steep slopes, vegetation cover, bush fire risk, geotechnical risk and flood risk constrains urban development.
- In terms of steep slopes, land with a slope of more than 11 degrees (20 percent) is considered to be unsuitable for urban development, while slopes of 8 – 11 degrees (15-20 percent) is marginal for urban development (Department of Planning 1988).

The Planning Proposal is consistent with the LSPS, as it seeks to rezone land to limit the impacts upon the environment within the steeper slopes of the Illawarra Escarpment.

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

Refer to Table A – Checklist of State Environmental Planning Policies

Specific considerations are given to the following SEPPs.

SEPP (Resilience and Hazards) 2021.

Chapter 2 Coastal management

Chapter 2 Coastal Management of the SEPP seeks to promote an integrated and coordinated approach to land use planning in the coastal zone through managing development in the coastal zone and protecting the environmental assets of the coast.

Chapter 2 of the SEPP is applicable to the Planning Proposal and to coastal land within the existing lots (Lot 1 DP 1286300; Lot 2 DP 1286300; Lot 3 DP 1286300; Lot 4 DP 1286300; Lot 5 DP 1286300); currently zoned R2 Low Density Residential. Currently subdivision works are being carried out onsite associated with an approved Development Application (DA-2019/1198 – Approved 14 Lot Subdivision).

It appears in the SEPP Resilience and Hazard 2021 mapping for the subject sites are within the Coastal Environment Area Map and in Proximity Area for Coastal Wetlands. Additionally, a portion of Lot 1 DP 1286300 is within the Coast Use Area Map. Lot 1 DP also contains land mapped within the SEPP as Littoral Rainforest.

The issued consent applicable to the approved Development Application for subdivision includes conditions for vegetation management and protection in areas mapped as Littoral Rainforest. It is proposed this area be rezoned C3 Environmental Management to reflect the sensitive biodiversity within the mapped area of the site. It is proposed the remainder of the site be zoned C4 Environmental Living with varying Minimum lots sizes, which include 449 m², 899 m² and 2999 m², and a reduced Floor Space Ratio of 0.3:1 has been proposed across. The proposal would allow for dwelling houses, as a permissible use; yet manage the scale of development within the Coastal Environment.

Lot 5800 DP 1132696, known as Hill Crest Home 1A Railway Crescent, Stanwell Park, is mapped as being within the Coastal Environment Area. The site is the location of Hillcrest Retirement Village. Multiple Development Application have been approved for a range of dwelling types across the site.

The proposal seeks to limit further impacts upon the Coastal Environment and the adjacent lands of the Illawarra Escarpment by amending land within the site zoned R2 Low Density Residential to C4 Environmental Living and the Floor Space Ratio mapping from 0.5:1 to 0.3:1.

No further areas are mapped as being within the Coast Environment or Coastal Use areas.

The proposal will strengthen the existing planning controls to manage development and is therefore consistent with the provisions of the SEPP.

Chapter 3 Hazardous and offensive development

The proposal seeks generally to rezone R2 Low Density Residential zoned land to C4 Environmental Living, C3 Environmental Management or C2 Environmental Conservation. The Proposal also seeks to rezone a portion of four lots from C4 Environmental Living to R2 Low Density Residential.

The proposal does not include rezoning land to or from areas with hazardous and offensive development.

The Planning Proposal is consistent with Chapter 3 of the SEPP.

Chapter 4 Remediation of Land

SEPP (Resilience and Hazards) 2021 provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. Subsequently, the SEPP requires consideration of contamination issues as part of the preparation or making of an environmental planning instrument (rezoning) land.

The Planning Proposal includes 12 lots mapped as contaminated land. The lots are located in the Wombarra area and the Figtree area.

Contaminated land is mapped for Lot 1 DP 1286300; Lot 2 DP 1286300; Lot 3 DP 1286300; Lot 4 DP 1286300; Lot 5 DP 1286300 located in Wombarra. Contaminated Land is associated with historical uses upon the site. On 23 October 2019, Development Application DA-2019/1198 was lodged for a 14 Lot subdivision upon the subject lots. The Development Application was determined by way of approval on 25 June 21 and as part of the issued consent it was required that the submission of a Site Auditors Statement and Site Audit Report to Council prior to the issue of the Subdivision Certificate.

Following the approval of DA-2019/1198 a Section 4.56 modification of the original consent was lodged on 11 August 2022. Modification DA-2019/1198/A is currently being assessed by Council. The applicant has been requested to provide additional information, which involves issues of site contamination.

The Planning Proposal applicable to the subject lots does not seek to allow further intensification of the site through additional development. It is not foreseen the Planning Proposal will impact upon the requirements of any approved consent regarding site contamination and site remediation.

Contaminated land is mapped for Lot 1321 DP 1239016; Lot 1322 DP 1239016; Lot 1323 DP 1239016; Lot 1324 DP 1239016; Lot 1325 DP 1239016; Lot 1326 DP 1239016; Lot 1327 DP 1239016. Currently the sites are mapped as split zoned, containing land zoned for R2 Low Density Residential and C4 Environmental Living. Land zoned as C4 Environmental Living is mapped as Contaminated Land under the Contaminated Lands Act 1997.

It is proposed under the Planning Proposal the split zoned lots, where land is mapped as C4 Environmental Living it be rezoned to R2 Low Density Residential. The total land area to be rezoned is approximately 569.23 m².

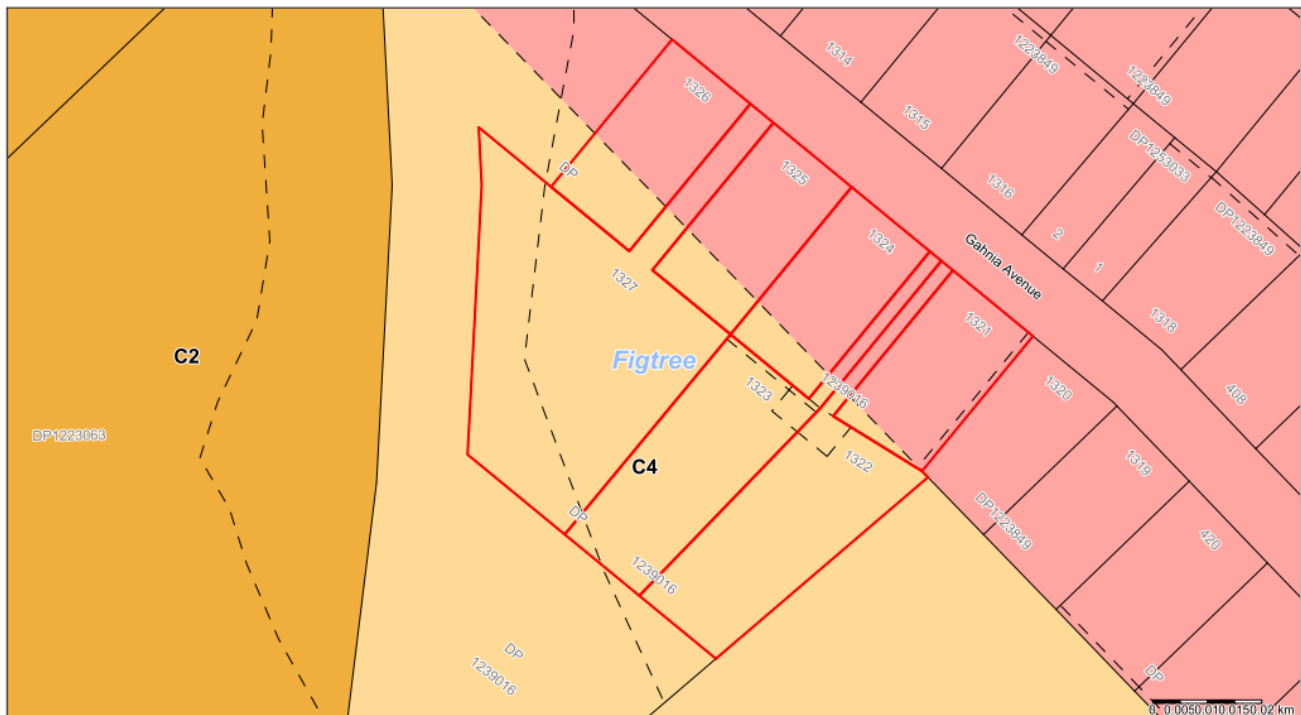


Figure 1: Land Use Zoning Map extracted from Wollongong City Council Intramaps (2023)

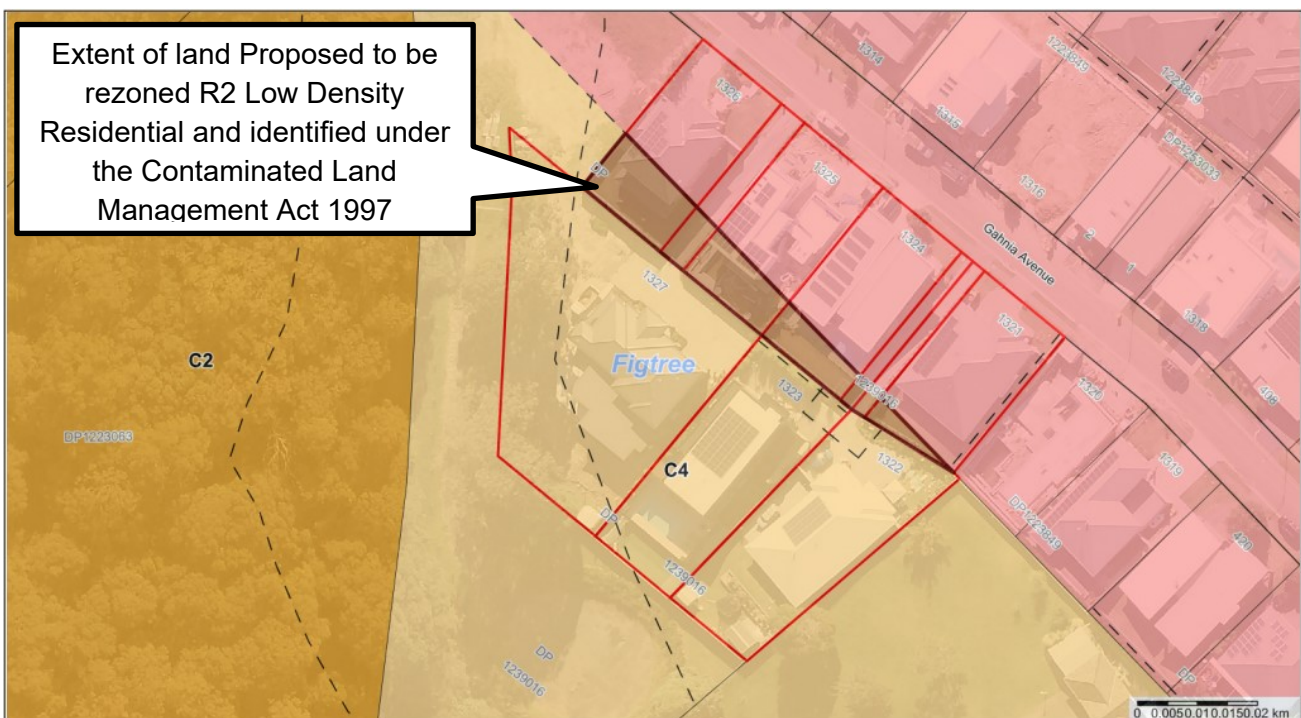


Figure 2: Area of land proposed to be rezoned extracted from Wollongong City Council Intramaps (2023)



Figure 3: Aerial Photography of site extracted from Wollongong City Council Intramaps (2023)

Lot and Deposited Plan number	Total lot area	C4 land to be rezoned R2 (m ²)
Lot 1321 DP 1239016	530.3	41.1
Lot 1322 DP 1239016	926.9	13.2
Lot 1323 DP 1239016	852	12.95
Lot 1324 DP 1239016	544.	113.3
Lot 1325 DP 1239016	544	144.68
Lot 1326 DP 1239016	544	192.2
Lot 1327 DP 1239016	1790	51.8

The lots were created part of an approved Development Application for subdivision DA-2004/175. Following the approval of DA-2004/175, 17 applications to modify the consent were lodged of which 16 were approved. Modification DA-2004/175/O sought to modify conditions regarding contamination. Condition 198 Condition 201 and Condition 202 were added as part of Modification O. Condition 198 required a Site Auditor's Interim Advice Letter being required prior to Issue of Engineering Construction Certificate. Condition 201 Site Remediation required decontamination works to be completed and validated to been undertaken to accredited site auditor's satisfaction for the portion of land acquired from former Lot 3 DP 227274. The draft site auditor's statement (SAS) must be submitted to Council, prior to the Commencement of Works. Condition 202 Site Auditor's Report and Site Auditor's Statement to be submitted prior to the issue of Subdivision Certificate.

Modification DA-2004/175/Q separated the approval of Stage 13 into two stages, being Stage 13a and 13b. The modification was approved on 22 March 2017. The modification resulted in the subject lots being with Stage 13b. A Subdivision Application was lodged with Council to create 8 lots as part of Stage 13b on 22 November 2017 and was determined by way of approval on 14 December 2022.

Since the approval of the subdivision application, 7 of the 8 lots have been developed with residential housing.

The Planning Proposal in this location is to remove the split land use zoning from the subject lots. It was investigated the possibility of increased development potential of each site should the lots be zoned R2 for their entirety. It was found, prior to any proposed rezoning, development on land zoned R2 Low density Residential for Dual Occupancy would be permissible, as each lot has an area greater than the mapped minimum lot size of 449 m². The Planning Proposal is not envisaged to result the increased development potential on each existing lot, as the land to be rezoned is considered minor in area and will not result in lots that are greater than the minimum lot size which could theoretically be subdivided without an approved Dual Occupancy. The Planning Proposal does not seek adjust the existing contaminated land mapping or the requirement for contamination matters to be addressed when submitting a Development Application.

It is considered the Planning Proposal is not inconsistent with the SEPP (Resilience and Hazards) 2021.

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

The Minister for Planning, under section 9.1 of the EP&A Act issues Directions that relevant planning authorities, in this case Wollongong Council, must follow when preparing Planning Proposal's for new Local Environmental Plans.

An assessment against the most recent Ministerial Directions has been undertaken for planning consistency.

The directions cover the following broad categories:

- Planning Systems and Planning Systems – Place Based.
- Design and Place
- Biodiversity and Conservation
- Resilience and Hazards
- Transport and Infrastructure
- Housing
- Industry and Employment
- Resources and Energy
- Primary Production

A complete assessment of the Planning Proposal's consistency against all s.9.1 directions is provided at Table B. The following Ministerial Directions (s.9.1 Directions) are highlighted with respect to the Planning Proposal.

Direction 1.1 Planning Systems

The objectives of Direction 1.1 is to *'give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans'*.

The direction indicates that a Planning Proposal must be consistent with a Regional Plan released by the Minister for Planning.

The proposal is consistent with the following objectives within the Illawarra Shoalhaven Plan 2041

Objective 11: Protect important environmental assets.

Objective 12: Build resilient places and communities.

Objective 13: Increase urban tree cover.

Objective 18: Provide housing supply in the right locations.

Objective 19: Deliver housing that is more diverse and affordable.

Objective 22: Embrace and respect the region's local character.

It is expected the proposal will add to the protection of the Illawarra Escarpment through land use zoning that will provide serve as a buffer between the sensitive cultural, environmental and scenic locations of the escarpment and increasing development for housing in the lower elevated residential areas.

The proposal seeks to manage permissible development in proximity to the Illawarra Escarpment and promote the building of resilient places and communities. A primary objective of the proposal is to rezone R2 Low Density Residential land that is constrained by natural hazards to land uses that manage permissible development outcomes and densities that are appropriate for the location.

It is expected tree cover will be increased in appropriate locations, as a result of the proposal. As the sites are largely zoned R2 Low Density Residential and currently have the ability to further subdivided it is expected increased development would further decrease the existing urban tree cover. The zones proposed will promote further tree cover with appropriate development outcomes.

The proposal will result in a range of housing options that are fit for the purpose for the constrained nature of the subject sites. It is anticipated the proposal will promote a diverse range of dwelling types in locations that are planned greater increases in populations.

The proposal is consistent with the Regional Plan 2041 by protecting the Illawarra Escarpment and associated environmental assets. The Illawarra Escarpment in proximity to the land to be rezoned is a significant asset to the region by providing a unique natural and local character to the Wollongong Local Government Area.

Direction 3.1 Conservation Zones

The objective of Direction 3.1 is to *'The objective of this direction is to protect and conserve environmentally sensitive areas'*.

The direction indicates that a Planning Proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas and must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land).

The proposal largely seeks to rezone land currently zoned for R2 Low Density Residential uses. It is anticipated the proposal will maintain the existing visual interface between residential zoned land and the natural areas of the Illawarra Escarpment. As a result, the proposal will benefit conservation zoned land, identified in the Illawarra Escarpment Strategic Management Plan 2015.

The proposal does include rezoning a small portion of 7 split zoned lots from C4 Environmental Living to R2 Low Density Residential. Currently the sites are developed and contain dwelling houses. It is expected the rezoning will not have an impact upon the escarpment lands as it is

within an existing approved subdivision, which allows for dwelling houses. It is not expected the land to be rezoned will have further development potential for subdivision than existing.

It is considered the Planning Proposal is consistent with the Ministerial Direction.

Directions 3.2 Heritage Conservation.

The objective of Direction 3.2 is to '*conserve items, areas, objects and places of environmental heritage significance and indigenous significance*'.

The Direction indicates that a Planning Proposal must contain provisions that facilitate the conservation of items of historical significance to an area.

Aboriginal Heritage

The Planning Proposal includes Lot 502 DP 1255962, which is mapped as being in the location of Aboriginal Heritage. It is not expected the proposal will impact Aboriginal Heritage upon the site. The location of the rezoning of land from R2 Low Density Residential to C4 Environmental Living is limited to the access handle created under an approved Planning Proposal and subdivision. The location of the rezoning is limited to the lower elevated portions of the site and not in the higher elevations in proximity to Mount Keira, where items of Aboriginal Heritage would likely be prominent. Furthermore, the Planning Proposal will not result in the ability to further increase the development potential of the site.

It is not expected the Planning Proposal will result in negative impacts upon items or locations recorded as containing Aboriginal Heritage.

Heritage (European)

The Planning Proposal includes land located at Lot 5800 SP 1132696 which contains local heritage item No. 5901, "Hillcrest". The lot is included in land to be rezoned from R2 Low Density Residential to C4 Environmental Living. The site contains approved Seniors Housing development which has considered the heritage item in the Development Application phase of assessment. It is likely the proposal will contribute to the ongoing conservation of the heritage item through managing future development outcomes through the proposed amendments to the planning controls.

Natural Heritage

The proposal is applicable to land located at Lot 90 DP 1086429, Lot 501 DP 1255962 and Lot 502 DP 1255962 which are mapped as containing heritage landscape. The heritage landscape is associated with the Illawarra Escarpment. The proposal will not have a negative impact upon the lots to be rezoned.

Upon Lot 90 DP 1086429 it is proposed the existing C2 Environmental Conservation Land on site will not be amended. It is also proposed a portion of R2 Low Density Residential zoned land will be rezoned to C2 Environmental Conservation. This will transition to C3 Environmental Management and retain a portion of R2 Low Density Residential fronting Cosgrove Avenue. The proposal is expected to continue to permit low density residential uses within the R2 zoned land. Development for residential purposes will not be permitted across the remainder of the site as a result of the proposed minimum lot size of 39.99 ha applying to land zoned C2 Environmental Conservation and C3 Environmental Management.

It is proposed under the Planning Proposal to rezone the R2 Low Density Residential access handles for Lot 501 DP 1255962 and Lot 502 DP 1255962 to C4 Environmental Living. The proposed C4 zoned land will result in a consistent land use zoning across the site. Additionally, the proposed rezoning will not result in the ability for greater development potential or subdivision than existing, due to the limited area of land contained within the access handle. It is there not

expected the Planning Proposal will have a negative impact on areas mapped as Natural Heritage.

It is considered the Planning Proposal is consistent with the Ministerial Direction.

Direction 4.1 Flooding

The objectives of Direction 4.1 are:

- (a) *to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005,*
- (b) *to ensure that the provisions of an LEP on flood prone land is commensurate with the flood hazard and includes consideration of the potential flood impacts both on and off the subject land.*

Direction 4.1 applies when a Planning Proposal creates, removes or alters a zone or a provision that affects flood prone land.

All sites are mapped as being flood affected, with the exception of 13 lots. The lots are located in proximity to: Redgum Ridge, Figtree; Obrien's Road, Figtree; Paradise Avenue, Mount Pleasant; Highbank Place, Mount Ousley.

The Planning Proposal requests seeks to amend the Wollongong LEP 2009 land use Zoning, Minimum Lot Size and Floor Space Ratio mapping for multiple lots adjacent to and in proximity to the mapped Illawarra Escarpment boundary. The lots have been identified as they share similar attributes and constraints to lands within the Escarpment and due to their size have the potential for inappropriate residential development that would likely have a negative upon the cultural, environmental and scenic values of the escarpment.

The Planning Proposal request is likely to result in increased positive environmental outcomes for lands adjacent to the mapped boundary of the Illawarra Escarpment. It is anticipated the proposed rezonings will allow for some development occur to provide housing albeit at a reduced rate and at an appropriate scale that considers the site constraints, while limiting the impacts upon environmental attributes, which includes flooding.

It is considered the Planning Proposal is not inconsistent with the Ministerial Direction.

Direction 4.2 Coastal Management

The objective of Direction 4.2 is to *'protect and manage coastal areas of NSW'*.

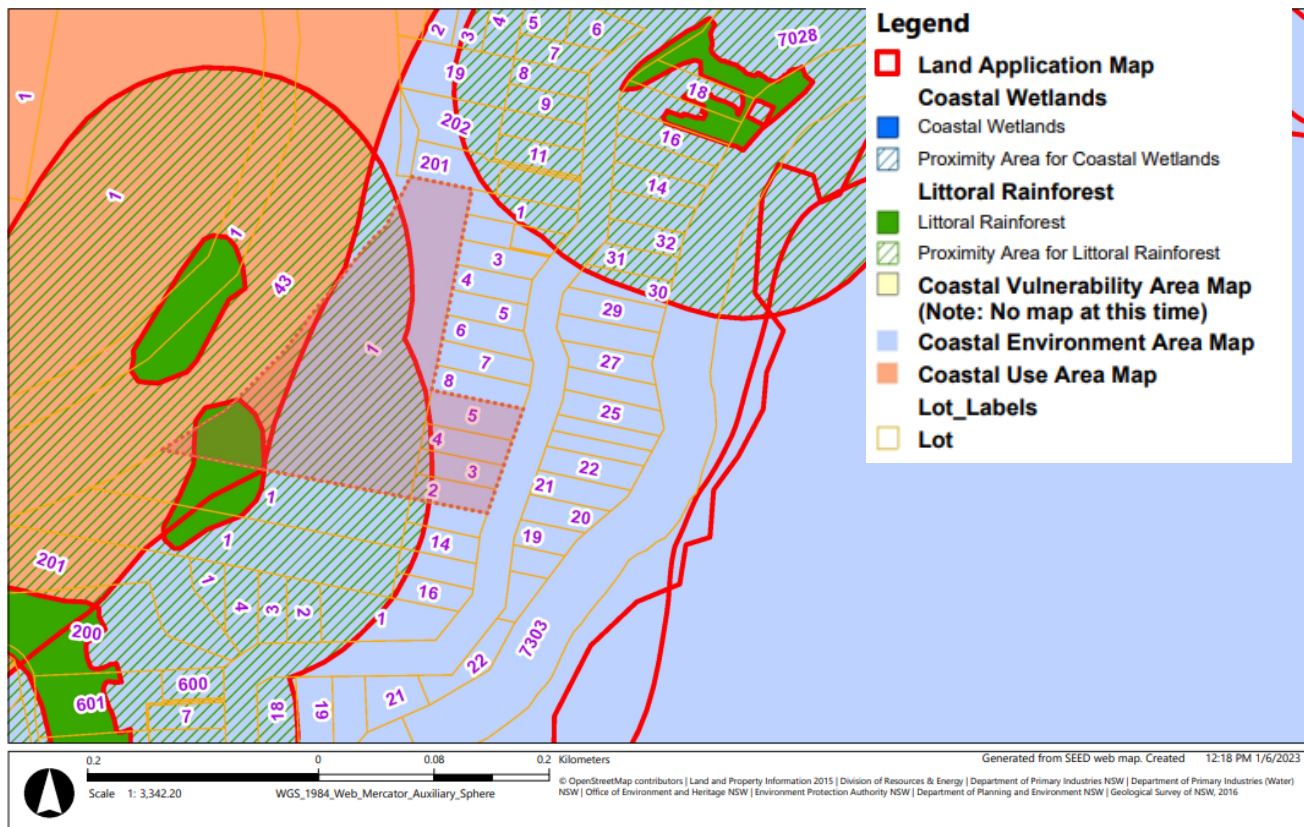


Figure 4: Subject Wombara sites and SEPP (Resilience and Hazards) 2021 mapping, Seed web map (2023)

It is considered the Planning Proposal is consistent with the Ministerial Direction 4.2.

The proposal is considered to be consistent with the objectives of the Coastal Management Act 2016 through managing the coastal environment that consistent with the principles of ecologically sustainable development.

The proposal seeks to protect the coastal environment values, including vegetation and character while allowing for sustainable development through sustainable land use planning decision-making.

The Planning Proposal does not seek to rezone land, which would enable increased development or more intensive land-use on land mapped as being within the Coastal zoned areas.

The proposal seeks to strengthen the protection of areas mapped as littoral upon Lot 1 DP 1286300 through an amendment to land use zoning and minimum lots size. It is proposed areas mapped as containing littoral rainforest will be rezoned to C3 Environmental Management with a minimum lot size of 2,999 m² from R2 Low Density Residential with a minimum lot size of 449 m². The remainder of the lot will be rezoned to C4 Environmental Living with a various minimum lot sizes of 2,999 m², 899 m² and retain some less sensitive areas as 449 m², it is also proposed the Floor Space Ratio be amended from 0.5:1 to 0.3:1. It should be noted an approved Development Application applies was approved for the site for a 14 lot subdivision. The approved application has been considered when drafting the proposal. The proposal will result, theoretically, in significantly less development than if existing zoning controls were retained post the issue of a Subdivision Certificate.

Lot 5800 DP 1132696 is mapped as being in the Costal Environment Area and Land Application Map. The land is currently zoned R2 Low Density Residential and has an approved Aged Care Facility operating on site. It is proposed that the R2 zoned land be rezoned C4 Environmental Living with a Minimum Lot Size of 999 m² and an FSR of 0.3:1 with no change to the existing 9 m maximum building height. It is expected the Planning Proposal will better manage land uses on site in context of the natural features and surroundings, which includes the Coastal Environment

It is considered the Planning Proposal is not inconsistent with the Ministerial Direction.

Direction 4.3 Planning for BushFire Protection

- (a) *The objective of the Direction is to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and*
- (b) *encourage sound management of bush fire prone areas*

A large portion of the Lots within the Planning Proposal are mapped as bushfire prone. It is considered the Planning Proposal is generally consistent with aim and objectives of Planning for Bushfire Protection 2019, as the proposal will generally reduce or limit future residential development in areas mapped as Bush Fire Prone. Where land is to be rezoned to R2 Low Density Residential, these sites have been subject of a Planning Proposal, Subdivision Application and have now been developed for residential purposes and are managed accordingly.

It is expected should the Planning Proposal progress that the NSW RFS will be referred the proposal prior to public exhibition, as required under the Environmental Planning and Assessment Act (1979) NSW.

It is considered the Planning Proposal is not inconsistent with the Ministerial Direction.

Direction 4.4 Remediation of Contaminated Land

The objective of Direction 4.4 is to *'reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities'*.

The Planning Proposal is not inconsistent with the Ministerial Direction 4.4 Remediation of Contaminated Land

The Planning Proposal includes 12 lots mapped as contaminated land. The lots are located in the Wombarra area and the Figtree area.

Contaminated land is mapped for Lot 1 DP 1286300; Lot 2 DP 1286300; Lot 3 DP 1286300; Lot 4 DP 1286300; Lot 5 DP 1286300 located in Wombarra. Contaminated Land is associated with historical uses upon the site. On 23 October 2019, Development Application DA-2019/1198 was lodged for a 14 Lot subdivision upon the subject lots. The Development Application was determined by way of approval on 25 June 21 and as part of the issued consent it was required that the submission of a Site Auditors Statement and Site Audit Report to Council prior to the issue of the Subdivision Certificate.

Following the approval of DA-2019/1198 a Section 4.56 modification of the original consent was lodged on 11 August 2022. Modification DA-2019/1198/A is currently being assessed by Council. The applicant has been requested to provide additional information, which involves issues of site contamination.

It is considered when referring to the NSW Government's Contaminated Land Planning Guidelines that sufficient investigations have occurred and is currently being assessed under the Development Application process. It is envisaged suitable management processes will be required and included in the modified consent and prior to the issue of a Subdivision Certificate.

The Planning Proposal applicable to the subject lots does not seek to impact upon site contamination and does not seek to allow further intensification of the site through additional development. It is not foreseen the Planning Proposal will impact upon the requirements of any approved consent regarding site contamination and remediation.

Contaminated land is mapped for Lot 1321 DP 1239016; Lot 1322 DP 1239016; Lot 1323 DP 1239016; Lot 1324 DP 1239016; Lot 1325 DP 1239016; Lot 1326 DP 1239016; Lot 1327 DP

1239016. Currently the sites are mapped as split zoned, containing land zoned for R2 Low Density Residential and C4 Environmental Living. Land zoned as C4 Environmental Living is mapped as Contaminated Land under the Contaminated Lands Act 1997.

It is proposed under the Planning Proposal the split zoned lots, where land is mapped as C4 Environmental Living it be rezoned to R2 Low Density Residential. The total land area to be rezoned is approximately 569.23 m².

Lot and Deposited Plan number	Total lot area	C4 land to be rezoned R2 (m ²)
Lot 1321 DP 1239016	530.3	41.1
Lot 1322 DP 1239016	926.9	13.2
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Lot 1325 DP 1239016	544	144.68
Lot 1326 DP 1239016	544	192.2
Lot 1327 DP 1239016	1790	51.8

The lots were created part of an approved Development Application for subdivision DA-2004/175. Following the approval of DA-2004/175, 17 applications to modify the consent were lodged of which 16 were approved. Modification DA-2004/175/O sought to modify conditions regarding contamination. Condition 198 Condition 201 and Condition 202 were added as part of Modification O. Condition 198 required a Site Auditor's Interim Advice Letter being required prior to Issue of Engineering Construction Certificate. Condition 201 Site Remediation required decontamination works to be completed and validated to been undertaken to accredited site auditor's satisfaction for the portion of land acquired from former Lot 3 DP 227274. The draft site auditor's statement (SAS) must be submitted to Council, prior to the Commencement of Works. Condition 202 Site Auditor's Report and Site Auditor's Statement to be submitted prior to the issue of Subdivision Certificate.

Modification DA-2004/175/Q separated the approval of Stage 13 into two stages, being Stage 13a and 13b. The modification was approved on 22 March 2017. The modification resulted in the subject lots being with Stage 13b. A Subdivision Application was lodged with Council to create 8 lots as part of Stage 13b on 22 November 2017 and was determined by way of approval on 14 December 2022.

Since the approval of the subdivision application, 7 of the 8 lots have been developed with residential housing.

The Planning Proposal in this location is to remove the split land use zoning from the subject lots. It was investigated the possibility of increased development potential of each site should the lots be zoned R2 for their entirety. It was found, prior to any proposed rezoning, development on land zoned R2 Low density Residential for Dual Occupancy would be permissible, as each lot has an area greater than the mapped minimum lot size of 449 m². The Planning Proposal is not envisaged to result the increased development potential on each existing lot, as the land to be rezoned is considered minor in area and will not result in lots that are greater than the minimum lot size which could theoretically be subdivided without an approved Dual Occupancy. The Planning Proposal does not seek adjust the existing contaminated land mapping or the requirement for contamination matters to be addressed when submitting a Development Application.

It is considered site contamination has sufficiently been investigated, assessed and managed through the Planning Proposal, Application for subdivision, Issue and registration of the Subdivision certificate and Development Application Stages.

It is considered the Planning Proposal is not inconsistent with the Ministerial Direction 4.4.

Direction 5.1 Integrating Land Use and Transport

The objectives of this Direction in relation to the Planning Proposal are to ensure that land use locations achieve the following planning objectives:

- (a) *improving access to housing, jobs and services by walking, cycling and public transport, and*
- (b) *increasing the choice of available transport and reducing dependence on cars, and*
- (c) *reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and*
- (d) *supporting the efficient and viable operation of public transport services, and*
- (e) *providing for the efficient movement of freight.*

The Planning Proposal requests seeks to amend the Wollongong LEP 2009 land use Zoning, Minimum Lot Size and Floor Space Ratio mapping for multiple lots adjacent to and in proximity to the mapped Illawarra Escarpment boundary. The lots have been identified as they share similar attributes and constraints to lands within the Escarpment with limited transport infrastructure when compared with residential areas surrounding Wollongong town centres.

The Planning Proposal is capable of complying with the nominated objectives.

Direction 6.1 Residential Zones

The objectives of Direction 6.1 are:

- (a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) *to minimise the impact of residential development on the environment and resource lands.*

The Planning Proposal requests seeks to amend the Wollongong LEP 2009 land use Zoning, Minimum Lot Size and Floor Space Ratio mapping for multiple lots adjacent to and in proximity to the mapped Illawarra Escarpment boundary. The lots have been identified as they share similar attributes and constraints to lands within the Escarpment and due to their size have the potential for inappropriate residential development that would likely have a negative upon the cultural, environmental and scenic values of the escarpment.

The Planning Proposal request is likely to result in increased positive environmental outcomes for lands adjacent to the mapped boundary of the Illawarra Escarpment. It is anticipated the proposed rezonings will result in development that will continue to provide housing at an appropriate scale while limiting the impacts upon the scenic, cultural, and environmental attributes of the locations in proximity to the escarpment.

The proposal, while limiting the overall lot yield potential, still provides the opportunity for some properties to subdivide, all be it at a reduced density. It is noted some lots will not be able to be subdivided due to the proposed amendment to mapped Minimum Lot Sizes. It is projected, based

upon the proposed changes a theoretical 230 lots could be achieved. This figure is likely to remain as projected due to dual occupancies not being a permissible use within environmental zoned lands within Wollongong LEP 2009.

Based on the above calculations the proposal would result in a theoretical yield reduction of 471 lots. It should be noted this total includes already approved Development Applications for subdivision and adjustments to minimum lot sizes for individual sites.

The Planning Proposal is consistent with the environmental outcomes set within the Wollongong Housing Strategy 2023.

The proposal is conducive with the nominated objectives.

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?

It is not envisaged the proposal will result in the likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal. It is envisaged that the Planning Proposal request is likely to result in increased positive environmental outcomes for lands adjacent to the mapped boundary of the Illawarra Escarpment.

Council's mapping has identified a number of threatened flora and fauna species within 1000m radius of the subject sites.

In addition to the mapped threatened flora and fauna, Endangered Ecological Communities identified under the Biodiversity Conservation Act 2016 (NSW) and the Environmental Protection Biodiversity Conservation Act 1999 (Federal) within subject lots.

- MU13 Illawarra and South Coast Lowlands Forest and Woodland
- MU23 Illawarra Lowlands Grassy Woodland
- MU4 Illawarra Subtropical Rainforest
- MU5 Littoral Rainforest

The Planning Proposal request is not likely to result in negative environmental impacts and is not inconsistent with the Ministerial Direction.

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

Bush Fire Prone Land

The proposal largely seeks to rezone R2 Low Density Residential Land to Environmental land use zoning except for 7 number of Lots which have been detailed below. It is expected that the proposal will continue to allow for development. However, as it is generally proposed land be zoned for Environmental uses, permitting less intensive forms development, it is expected the proposal will not create an increased risk to bush fire or its impacts.

Lot 1321 DP 1239016; Lot 1322 DP 1239016; Lot 1323 DP 1239016; Lot 1324 DP 1239016; Lot 1325 DP 1239016; Lot 1326 DP 1239016; Lot 1327 DP 1239016 are mapped as Bush Fire Prone and located within an approved subdivision which has now been developed with residential dwellings on each site. The lots listed are mapped as containing split land use zonings with R2 Low Density Residential and C4 Environmental Living. The land proposed to be rezoned to R2 Low Density Residential from C4 Environmental Living is mapped as vegetation buffer.

It is not envisaged rezoning land within the subject Lots, zoned C4 Environmental Living to R2 Low Density residential, will have increase the risk of bush fire or its impacts. The proposed rezoning in this location will remove the split zoning of C4 Environmental Living from sites that have already been developed with each lot containing a dwelling house. The land to be rezoned appears as urban managed rear yards or contained within a paved access handle to the rear battle axe lots. In this location it is not envisaged the proposal will result in the ability to significantly intensify development upon each site.

The Proposal includes rezoning Lot 1 DP 1218223 from R2 Low Density Residential to SP2 Infrastructure (Rail). The Lot has an area of approximately 50.6 m² and is in the ownership of RailCorp. It is not expected rezoning land from R2 Low Density Residential to SP2 Infrastructure (Rail) will result in additional risk of Bushfire as the land is within an exiting rail corridor and adjacent to land zoned for SP2 Infrastructure (Rail).

The Planning Proposal was presented at the 31 October 2023 meeting of the Wollongong Local Planning Panel seeking advice from the WLPP. The WLPP did not raise concerns regarding the Planning Proposal request.

It recommended that the RFS be given the opportunity to comment on the Planning Proposal prior exhibition public exhibition as required under the Environmental Planning and Assessment Act (1979) NSW.

It is considered the Planning Proposal would be able to adequately address the requirements of Planning for Bushfire Protection 2019 and is not inconsistent with the Ministerial Direction.

Geotechnical

Land Stability and geotechnical constraints within Illawarra Escarpment and its foothills have been reported in past studies that support the Planning Proposal and Council's Housing Strategy. The Illawarra Escarpment Strategic Management Plan noted defining the boundary between the mapped Escarpment and the foothills is largely the result of historic land use zoning patterns, vegetation clearing and historic subdivisions layouts. This resulted in a mapped boundary. However, it was acknowledged many of the constraints within the Escarpment land extend into the foothills yet were not included due to historic planning outcomes.

This Planning Proposal seeks manage bulk, scale and the intensity of development on lands that were not included in the mapped Escarpment areas; yet display consistent constraints with the Escarpment and are zoned R2 Low Density Residential.

The Planning Proposal was supported by an attached study identifying site constraints. As part of the study, land stability and slope were used, amongst other variables, to identify sites for that were impacted upon by natural hazards. The review of lots was assisted by interrogating Council's Intramaps mapping system topographical, slope, and land stability layers.

The proposal to rezone land from R2 Low Density Residential to Environmental Land Use zonings considers impacts resulting from varying scales of development upon steep sloping lots and associated natural hazards. It is anticipated through managing the bulk and scale of future development through land use zoning controls that a lower theoretical dwelling yield will result; thus, lowering the potential exposure to geotechnical constraints and hazards.

It is considered the Planning Proposal will not result in additional risks associated with Geotechnical hazards and is consistent with the Ministerial Direction.

Site Contamination

A number of sites have been mapped as contaminated, including under the Contaminated Land Management Act 1997.

Refer to information addressing Ministerial Direction 4.4 under Question 6 of this report.

It is envisaged that the final Planning Proposal will be consistent with the SEPP (Hazards and Resilience) 2021 and the Ministerial Directions.

Foreshore Building Line

The subject sites are not mapped as containing Foreshore land.

The Planning Proposal will not impact upon areas mapped as Foreshore.

Q9: Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal adequately address social and economic effects and it considered that the Planning Proposal will result in negative impact upon Aboriginal and European Heritage Items. Furthermore, it is not expected the Planning Proposal will result in negative impacts upon existing infrastructure, educational establishments, hospitals or established retail centres.

Council investigated known mapped site mapped as having Aboriginal and/or European heritage items. It is not expected there the Planning Proposal will result in negative impacts upon educational establishments or hospitals, and these items have not been included in the proposal for rezoning. The proposal is not likely to result in negative impacts upon existing retail centres. The location of the sites are not mapped for retail uses and are not in proximity of mapped retail centres. The proposal is not likely to have a negative impact upon existing and future infrastructure as the proposal is not expected to result in the increased ability to intensify development upon the subject sites. The proposal will not result in the need for affordable housing to be developed, as the Planning Proposal generally seeks to rezone land from R2 Low density Residential to environmental conservations zones.

Aboriginal Heritage

The Planning Proposal includes Lot 502 DP 1255962, which is mapped as being in the location of Aboriginal Heritage. It is not expected the proposal will impact Aboriginal Heritage upon the site. The location of the rezoning of land from R2 Low Density Residential to C4 Environmental Living is limited to the access handle created under an approved Planning Proposal and subdivision. The location of the rezoning is limited to the lower elevated portions of the site and not in the higher elevations in proximity to Mount Keira, where items of Aboriginal Heritage would likely be prominent. Furthermore, the Planning Proposal will not result in the ability to further increase the development potential of the site.

It is not expected the Planning Proposal will result in negative impacts upon items or locations recorded as containing Aboriginal Heritage.

Heritage (European)

The Planning Proposal includes land located at Lot 5800 SP 1132696 which contains local heritage item No. 5901, “Hillcrest”. The lot is included in land to be rezone from R2 Low Density Residential to C4 Environmental Living. The site contains approved Seniors Housing development which has considered the heritage item in the Development Application phase of assessment. It is likely the proposal will contribute to the ongoing conservation of the heritage item through managing future development outcomes through the proposed amendments to the planning controls.

Natural Heritage

The proposal is applicable to land located at Lot 90 DP 1086429, Lot 501 DP 1255962 and Lot 502 DP 1255962 which are mapped as containing heritage landscape. The heritage landscape is associated with the Illawarra Escarpment. The proposal will not have a negative impact upon the lots to be rezoned. Upon Lot 90 DP 1086429 it is proposed the existing C2 Environmental Conservation Land on site will not be amended. It is also proposed a portion of R2 Low Density Residential zoned land will be rezoned to C2 Environmental Conservation. This will transition to C3 Environmental Management and retain a portion of R2 Low Density Residential fronting Cosgrove Avenue. The proposal is expected to continue to permit low density residential uses within the R2 zoned land. Development for residential purposes will not be permitted across the remainder of the site as a result of the proposed minimum lot size of 39.99 ha applying to land zoned C2 Environmental Conservation and C3 Environmental Management.

It is proposed under the Planning Proposal to rezone the R2 Low Density Residential access handles for Lot 501 DP 1255962 and Lot 502 DP 1255962 to C4 Environmental Living. The proposed C4 zoned land will result in a consistent land use zoning across the site. Additionally, the proposed rezoning will not result in the ability for greater development potential or subdivision than existing, due to the limited area of land contained within the access handle. It is there not expected the Planning Proposal will have a negative impact on areas mapped as Natural Heritage.

It is considered the Planning Proposal adequately addressed any social and economic effects.

Section D – State and Commonwealth interests

Q10: Is there adequate public infrastructure for the Planning Proposal?

Utilities

It is not envisaged the proposal will result in an increased demand on public infrastructure or utilities. The proposal will largely limit future development in locations that have historically been difficult and costly to connect to public infrastructure.

The Planning Proposal does not seek to alter the existing easements required for utilities.

Roads

It is not envisaged the proposal will result in an increased demand on public infrastructure or utilities. The proposal will largely limit future development in locations that have historically been difficult and costly to connect to public infrastructure.

The Planning Proposal does not seek to alter the existing easements required for utilities.

Development Contributions

Wollongong City-Wide Development Contributions Plan is applicable to all lots. The Planning Proposal will not result in changes to changes to the Contributions Plan and will remain applicable to future development applications.

The Planning Proposal is not envisaged to result in additional development and is consistent with Council's adopted Contributions Plan.

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

The Department of Planning and Environment contacted Council and requested minor amendments be made to the Planning Proposal following the 3 April 2023 resolution of Council to progress the proposal and seek a Gateway Determination.

On 29 Jun 2023, representatives of Council, The Department of Planning and Environment and the developer/planning consultant for Wombarra Vista met to discuss the application and operation of the Planning Proposal on the site.

The Department wrote to Council on 1 July 2023 advising the Planning Proposal to be amended and a revised proposal be loaded to the Planning Portal for the Department to continue its assessment of the Gateway determination request. The Department requested the Floor Space Ratio for the approved lots, smaller than 610 m², within Wombarra Vista increase from 0.3:1 to a FSR of 0.5:1 so as not to unreasonably impact the size of dwelling permitted. The letter also noted, in the interest of equity, the proposed FSR for lots smaller than 610 m², for the approved subdivision of land at Wellington Drive Balgownie, be increased from 0.3:1 to 0.5:1.

Council Officers contacted the Department providing further advise on the approved lot sizes in subdivisions located in Balgownie and Wombarra. Upon review of the Department's advice, in the interest of equity, Council Officers contacted the Department noting both subdivisions contained similar approved 'standard' lots that were slightly larger than 610 m².

The Department wrote to Council on 12 July 2023 advising to further revise the Planning Proposal and amend the proposed Floor Space Ratio for lots with the approved subdivision at Wombarra and Balgownie, smaller than 710 m², from 0.3:1 to 0.5:1.

It is noted, 12 Paradise Avenue, Mount Ousley has been included in the revision of smaller lot FSR. The lot was included despite being located in the Suburb of Mount Ousley as it is located in proximity to Wellington Drive, Balgownie.

A list of the approved lots that have been revised and the FSR amended, as per the advice received from the Department, is provided in the Table below.

Street address	Lot and Deposited Plan	Approved Development Application	Approved lots less than 710 m ²	Lot size (m ²)	Current LEP Floor Space Ratio prior to proposal	Originally proposed FRS under proposal	Revised proposed FSR
Lot 2 Brokers Rd, BALGOWNIE	Lot 2 DP 774626	LEC No. 10326 and Subdivision Works Certificate PC-2021/61	2 3 4 10 11	603.9 666.9 617.1 703.1 605.3	0.5:1 0.5:1 0.5:1 0.5:1 0.5:1	0.3:1 0.3:1 0.3:1 0.3:1 0.3:1	0.5:1 0.5:1 0.5:1 0.5:1 0.5:1
630 to 636 Lawrence Hargrave Drive, WOMBARRA	Lot 1 to 5 DP 1286300	DA - 2019/1198	1 2 3 4 5 6 7 8 9 11	609.3 465.2 556.7 450.2 481 460 529.5 484.1 458.2 579.6	0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1	0.3:1 0.3:1 0.3:1 0.3:1 0.3:1 0.3:1 0.3:1 0.3:1 0.3:1 0.3:1	0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1 0.5:1
12 Paradise Avenue, MOUNT PLEASANT	Lot 8 DP 213718			556.4	0.5:1	0.3:1	0.5:1

A copy of the letters received by Council from the Department of Planning and Environment have been attached to this report.

In accordance with the Gateway Determination consultation with the following agencies and departments will occur as part of the Public Exhibition process:

- NSW Department of Planning and Environment - Biodiversity Conservation Division
- NSW Rural Fire Service
- NSW Ambulance Service
- Transport for NSW/ Roads and Maritime Services/
- RailCorp
- State Emergency Services
- Sydney Water
- NSW Heritage
- Endeavour Energy
- Jemena
- Illawarra Local Aboriginal Lands Council.

It should be noted the RFS will given a formal opportunity to comment on the Planning Proposal prior to the public exhibition, as required under the Environmental Planning and Assessment Act (1979).

Part 4 – Mapping

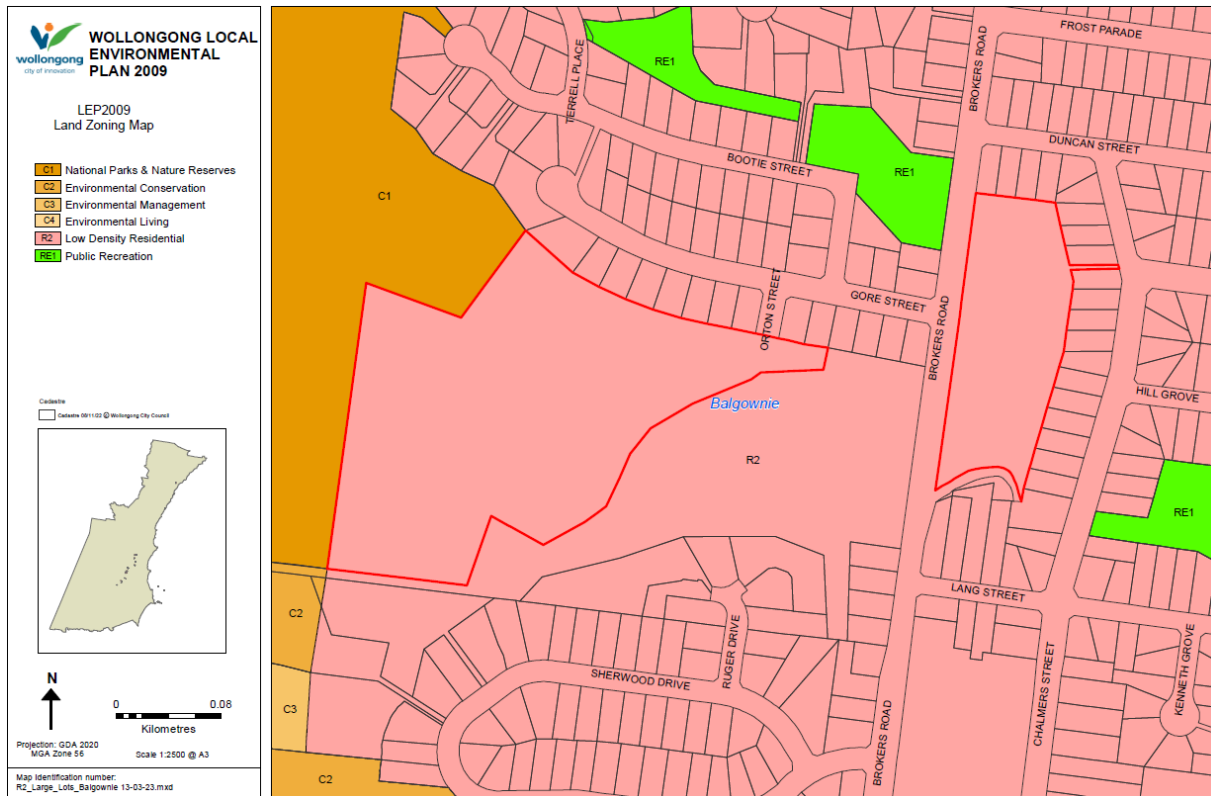
MAPS TO IDENTIFY THE INTENT OF THE PLANNING PROPOSAL

Proposed Planning Controls: changes are proposed to the Zoning Map, Minimum Lot Size Map, and Floor Space Ratio Map. Following are the current Zoning, Minimum Lot Size and Floor Space Ratio Maps for the site, and the proposed map amendments to Wollongong LEP 2009:

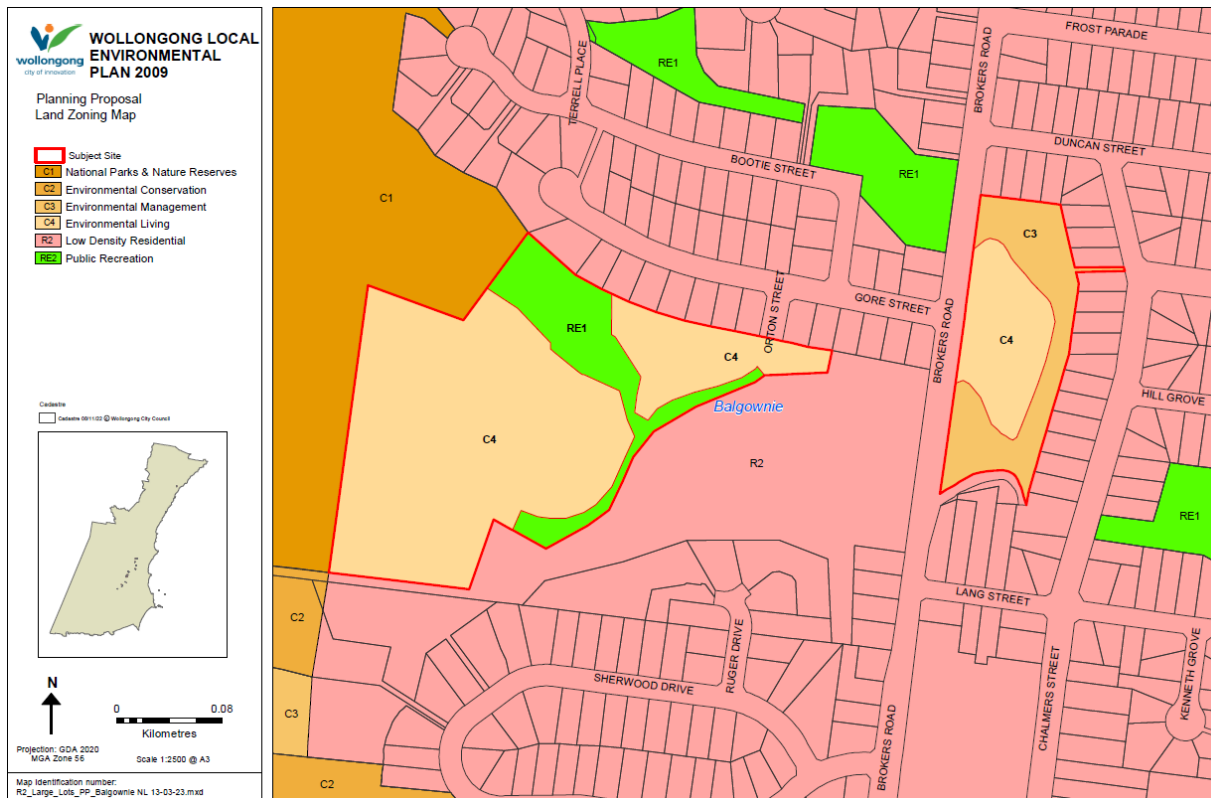
Location: Balgownie – Foothills Road, Orton Street

Land Zoning Map

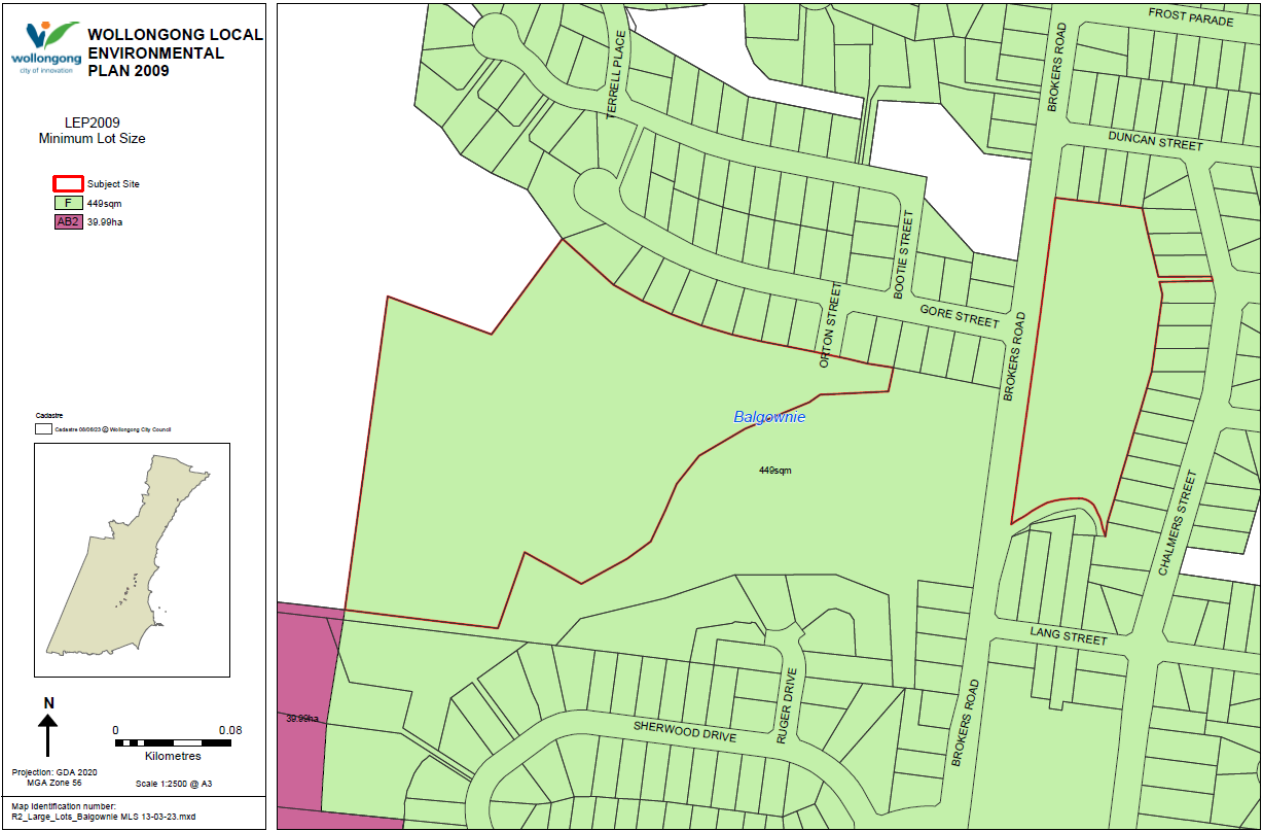
Existing Land Zoning Map



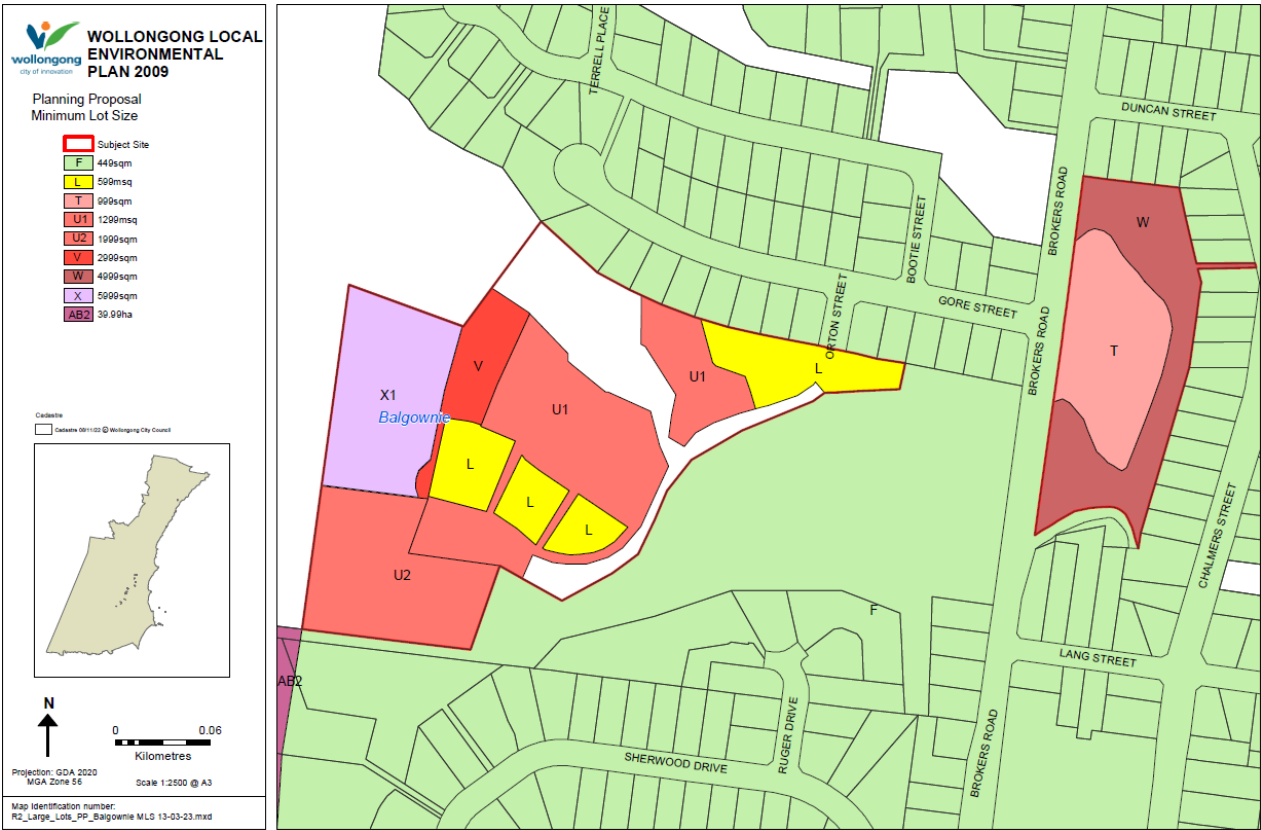
Proposed Land Zoning Map



Lot Size Map
Existing Lot Size Map

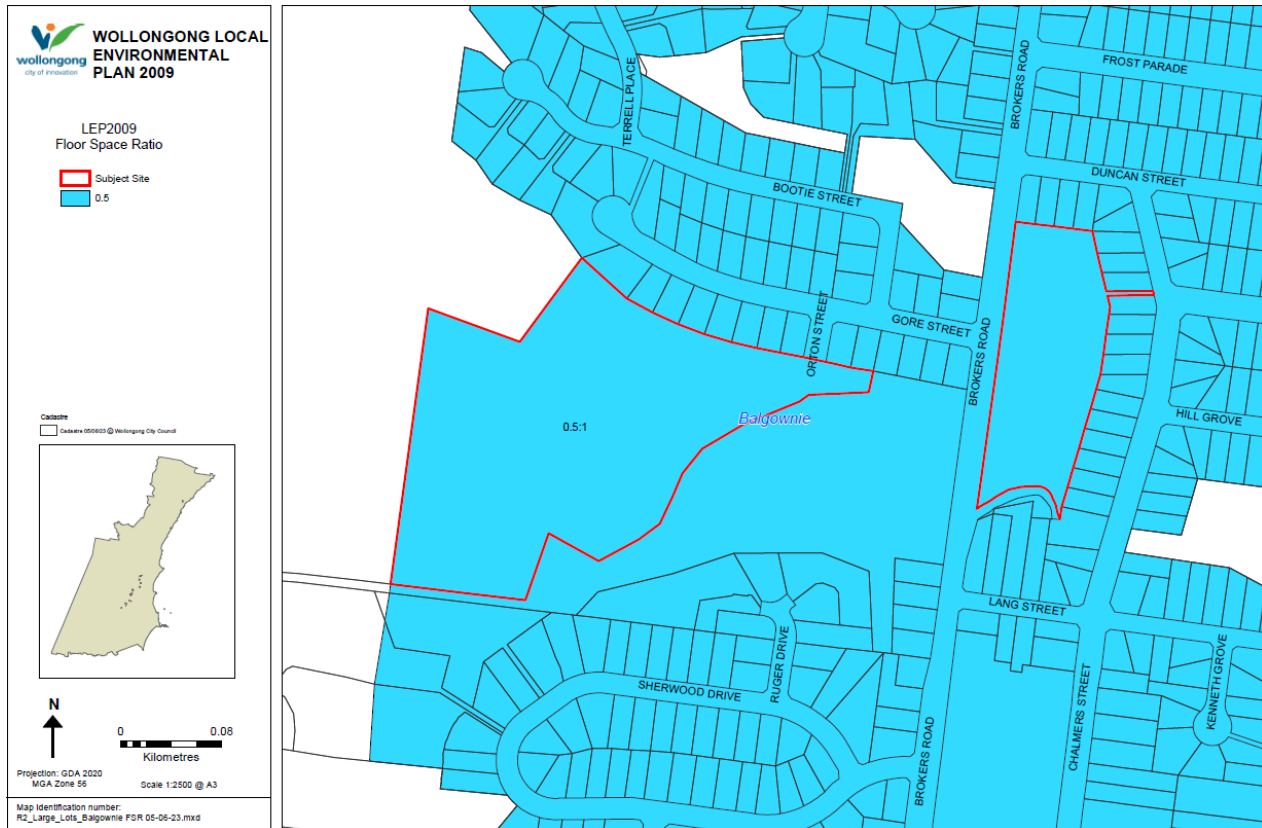


Proposed Lot Size Map

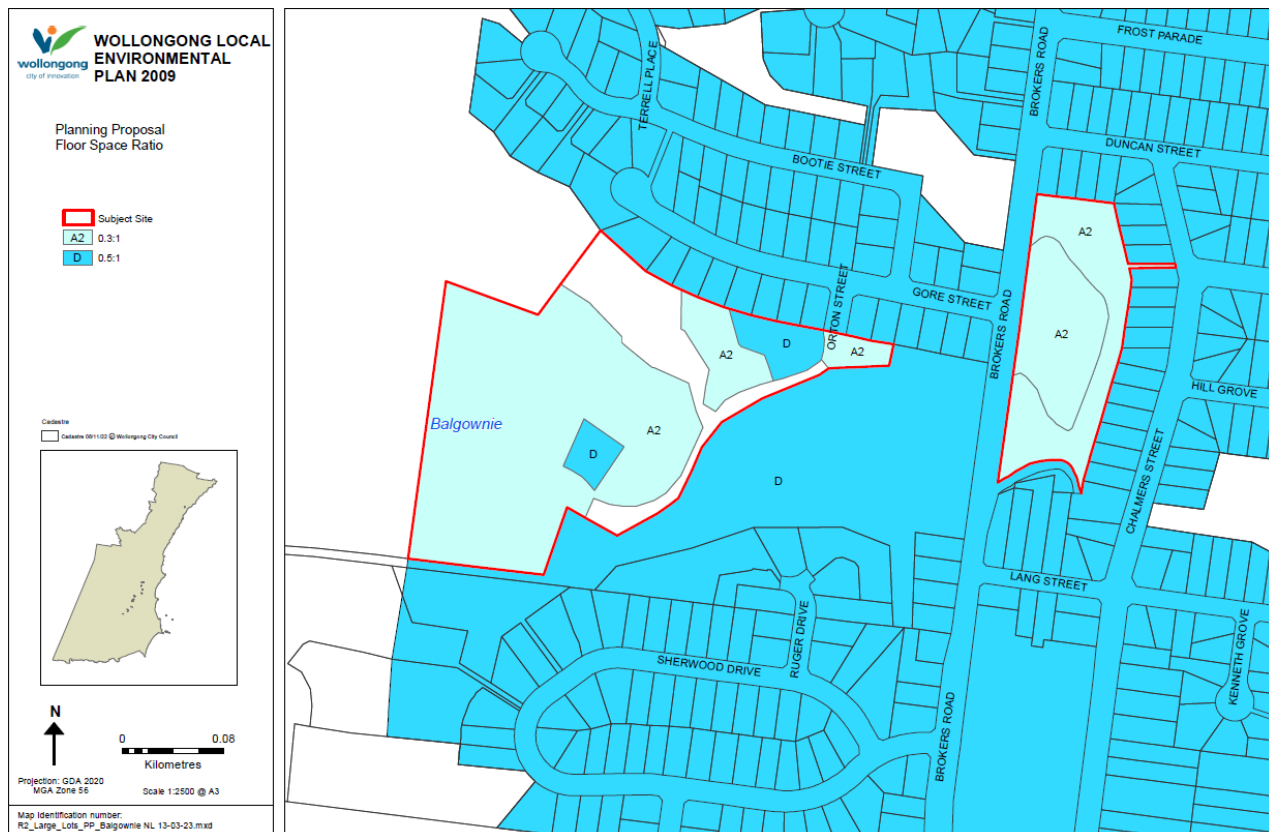


Floor Space Ratio Map

Existing Floor Space Ratio Map



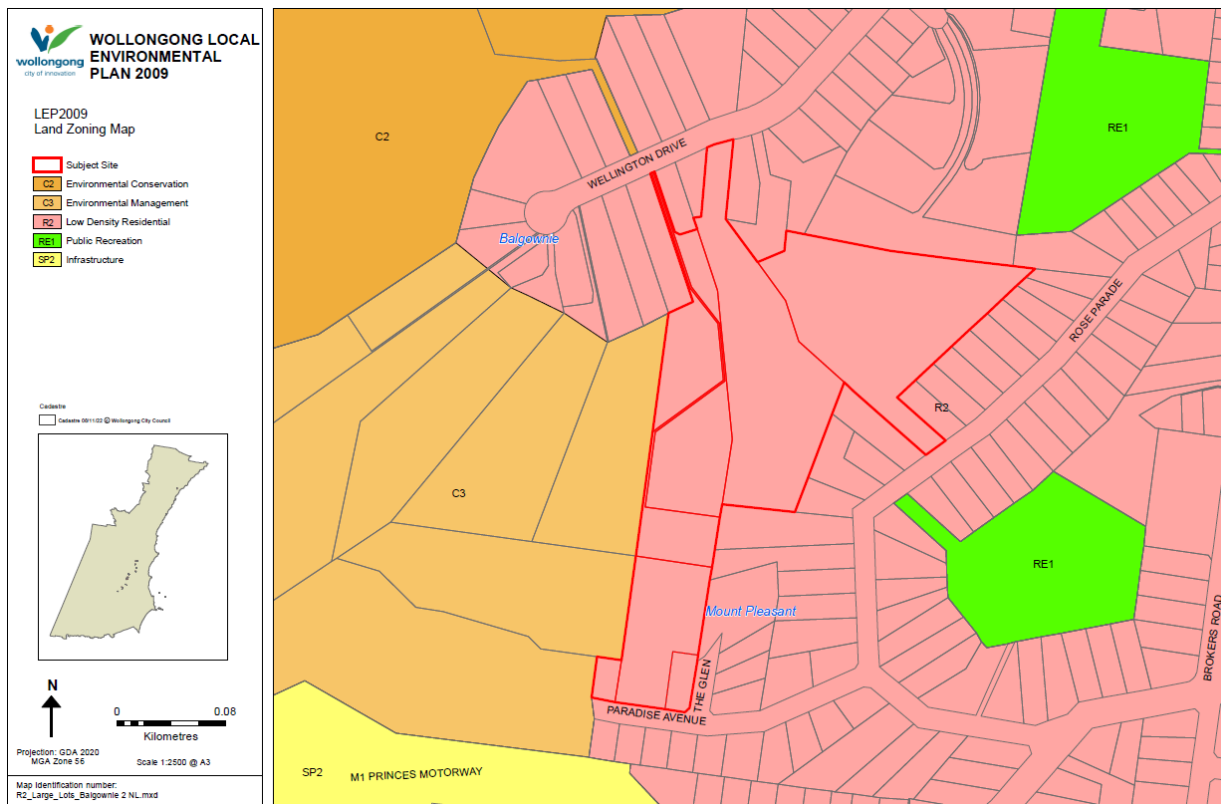
Proposed Floor Space Ratio



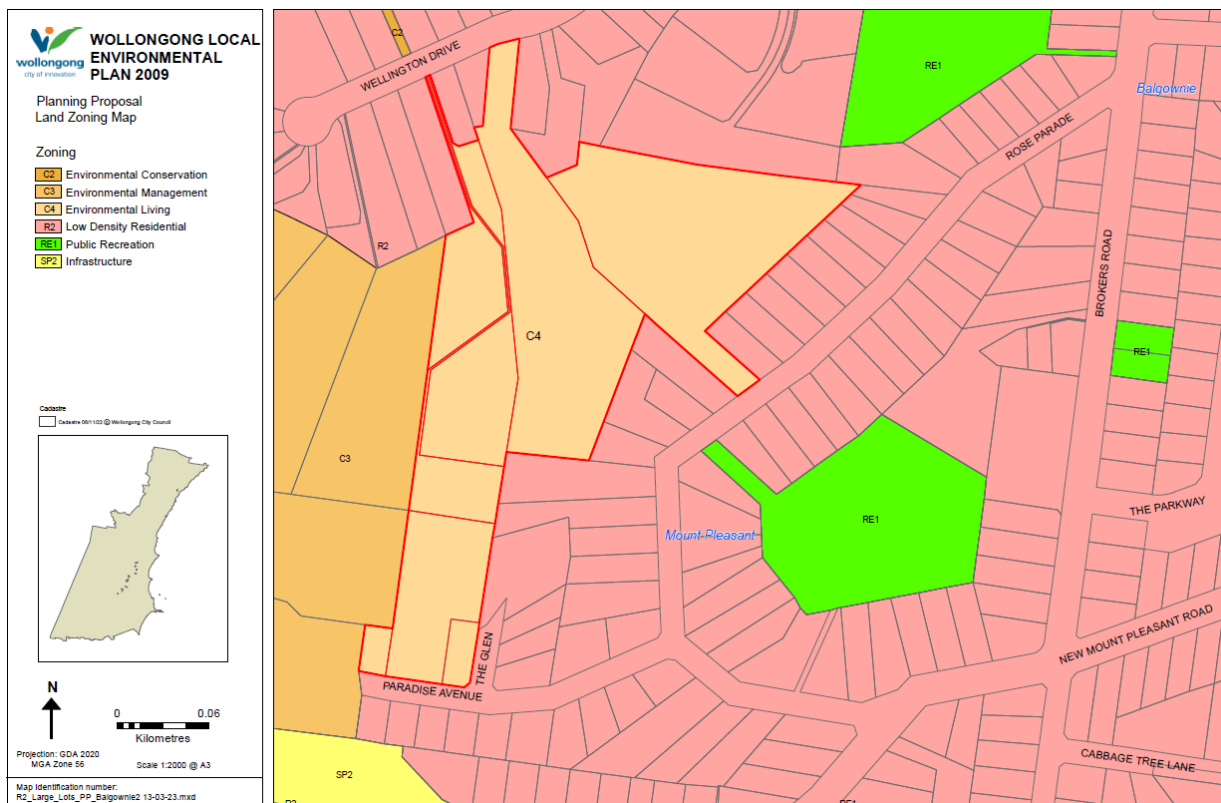
Location: Balgownie – Paradise Avenue, Rose Parade, Wellington Drive

Land Zoning Map

Existing Land Zoning Map

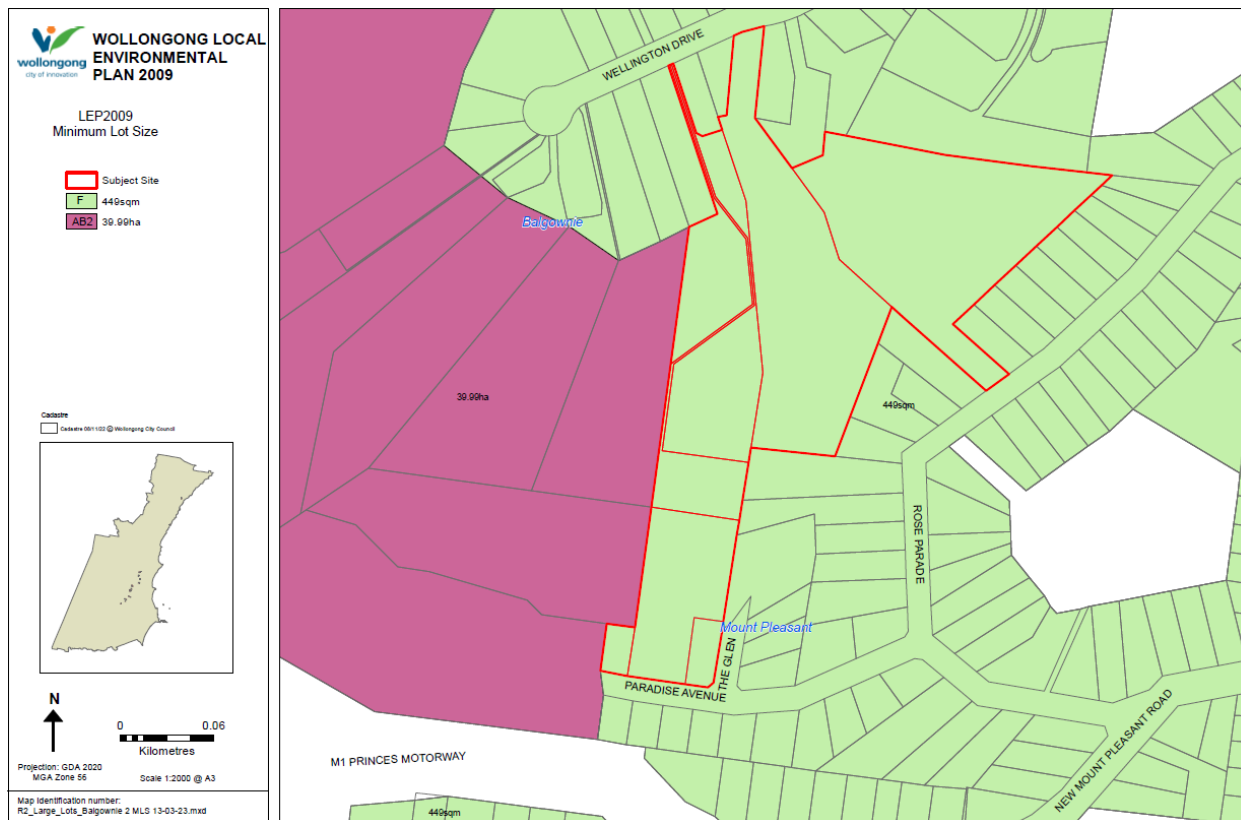


Proposed Land Zoning Map

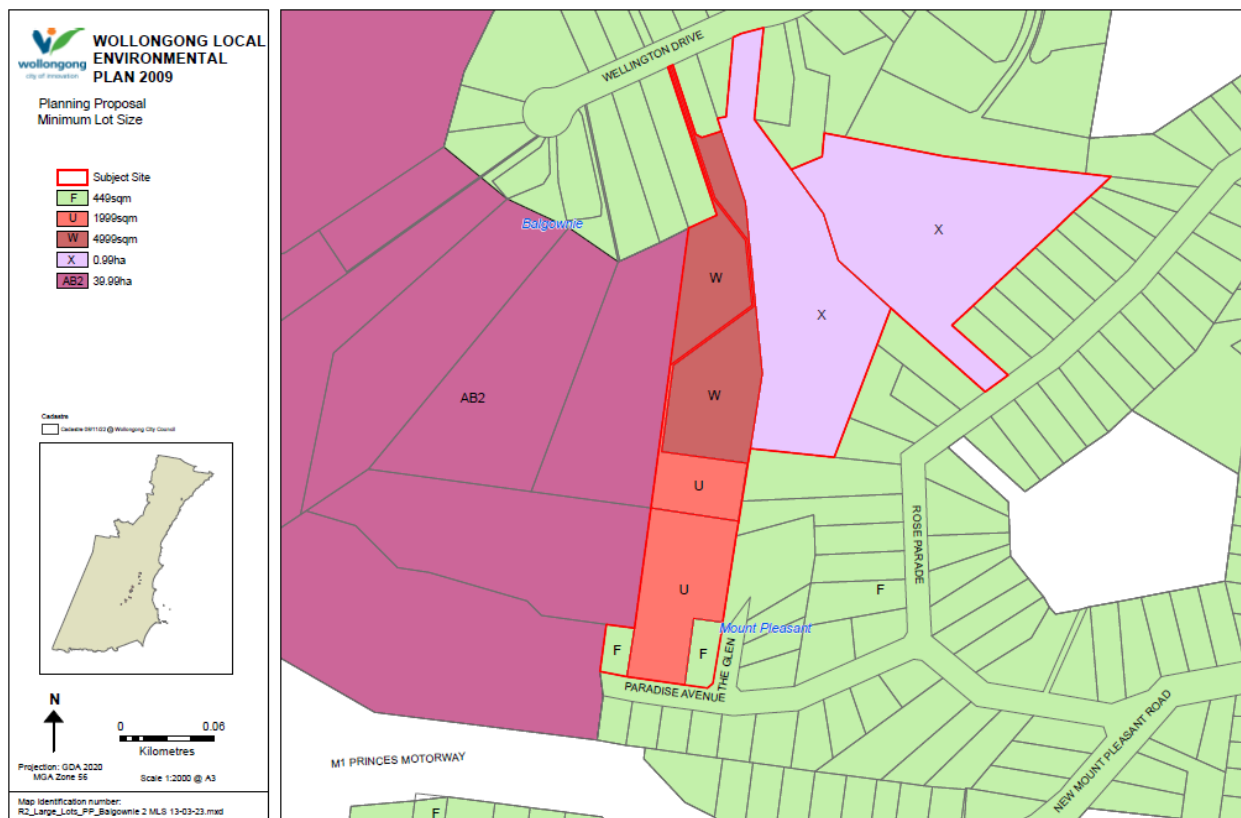


Lot Size Map

Existing Lot Size Map

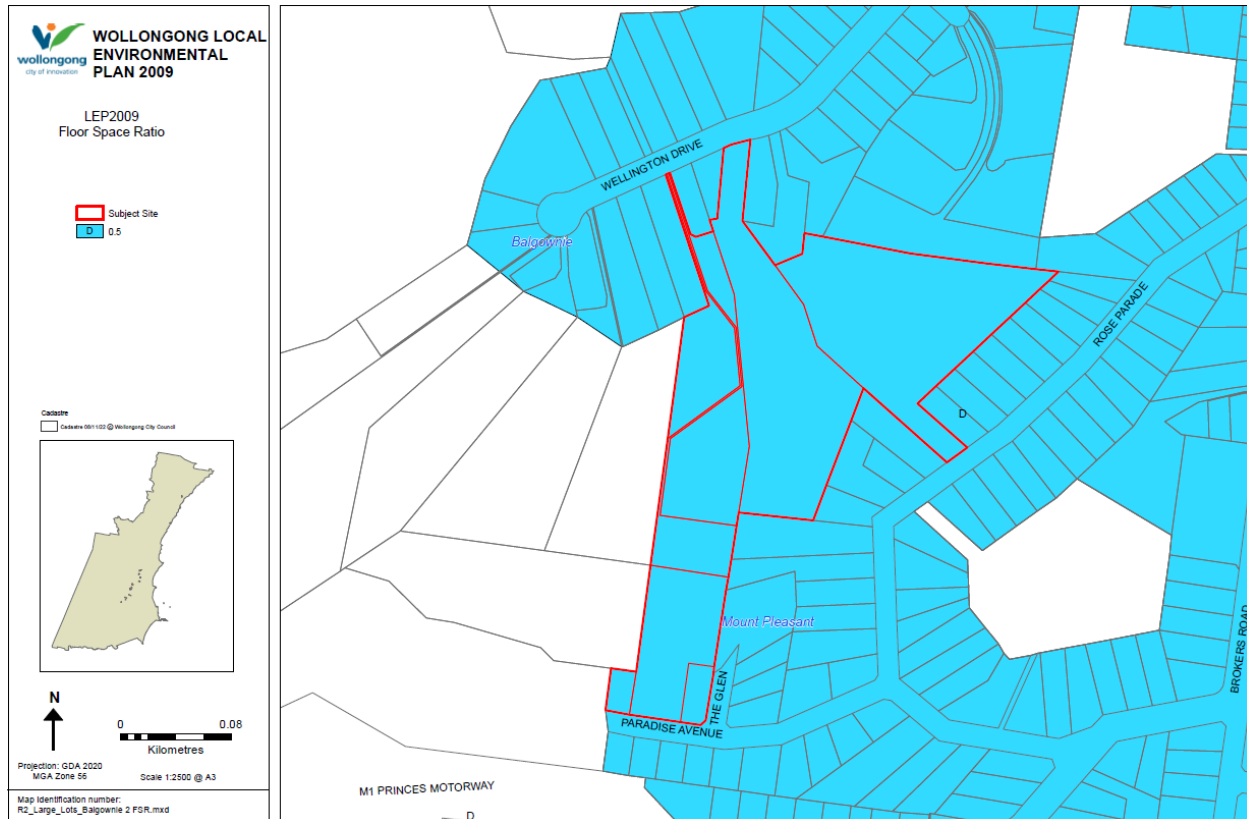


Proposed Lot Size Map

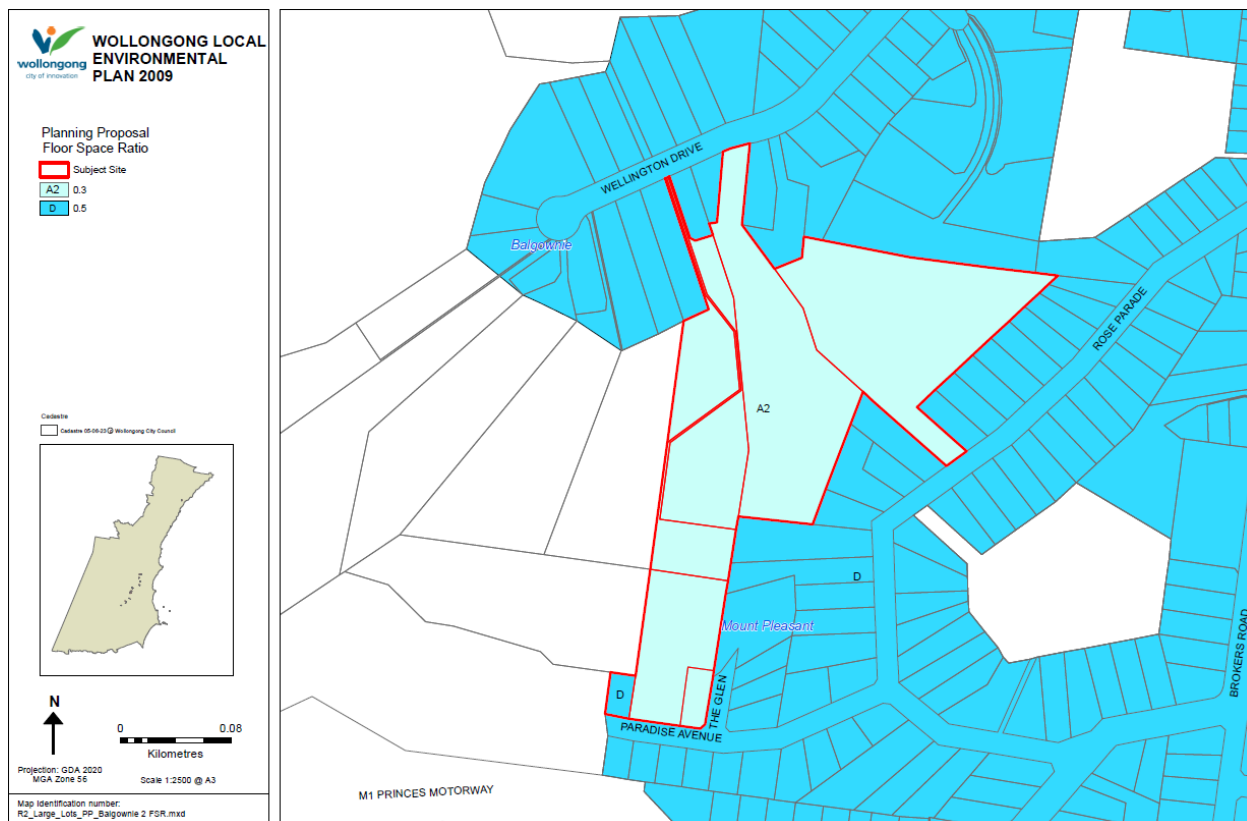


Floor Space Ratio Map

Existing Floor Space Ratio Map



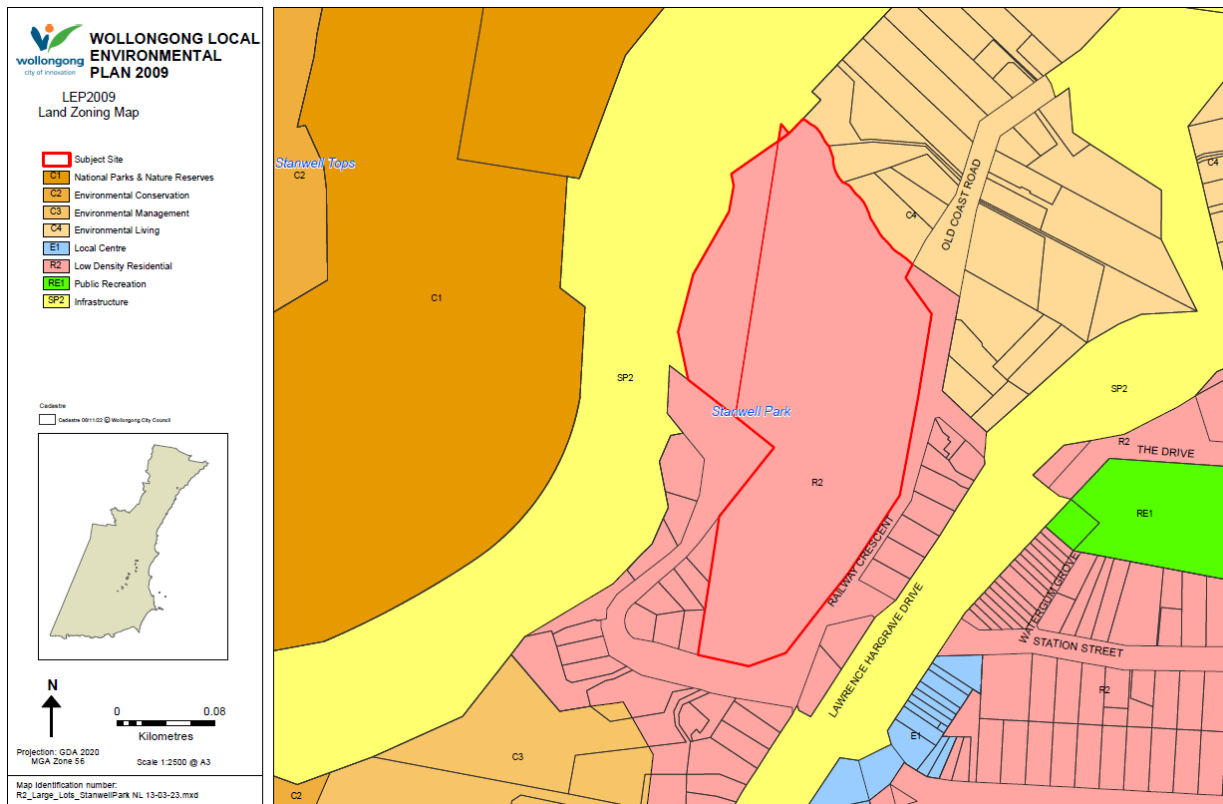
Proposed Floor Space Ratio



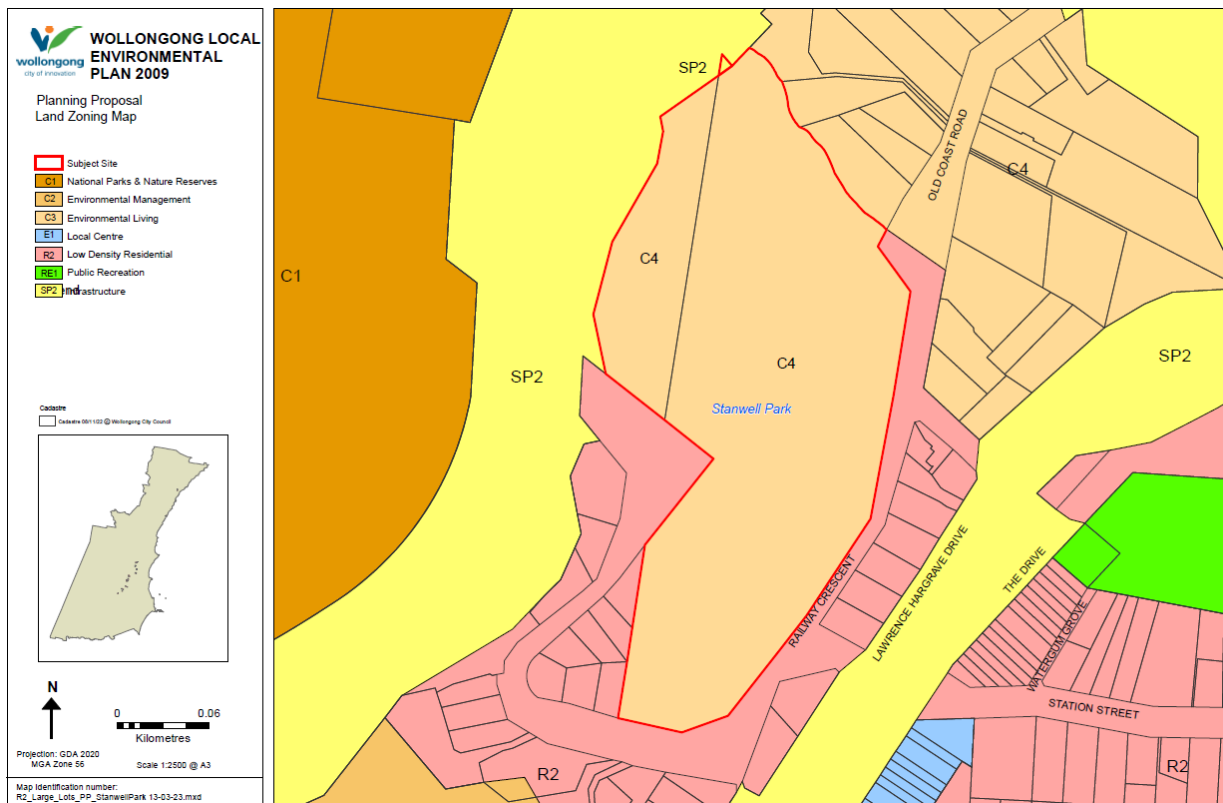
Location: Stanwell Park – Railway Crescent

Land Zoning Map

Existing Land Zoning Map

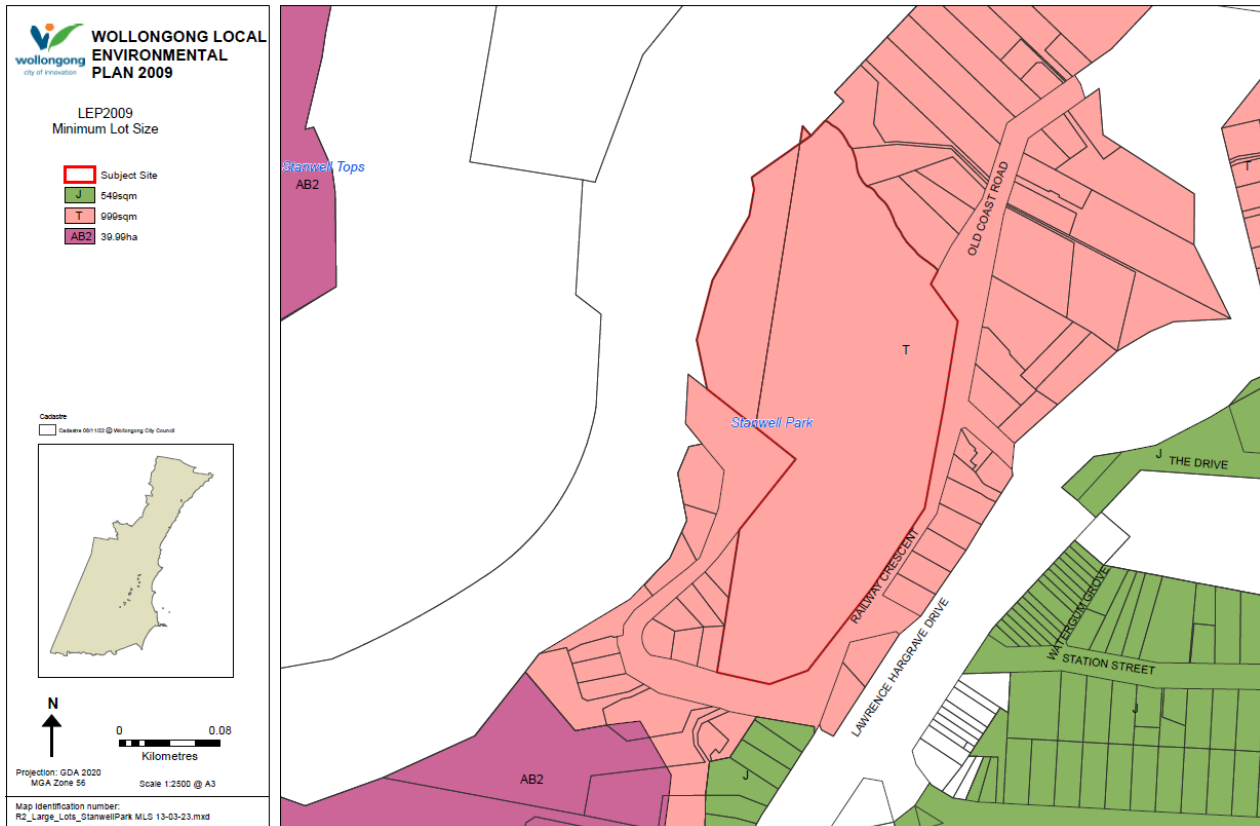


Proposed Land Zoning Map

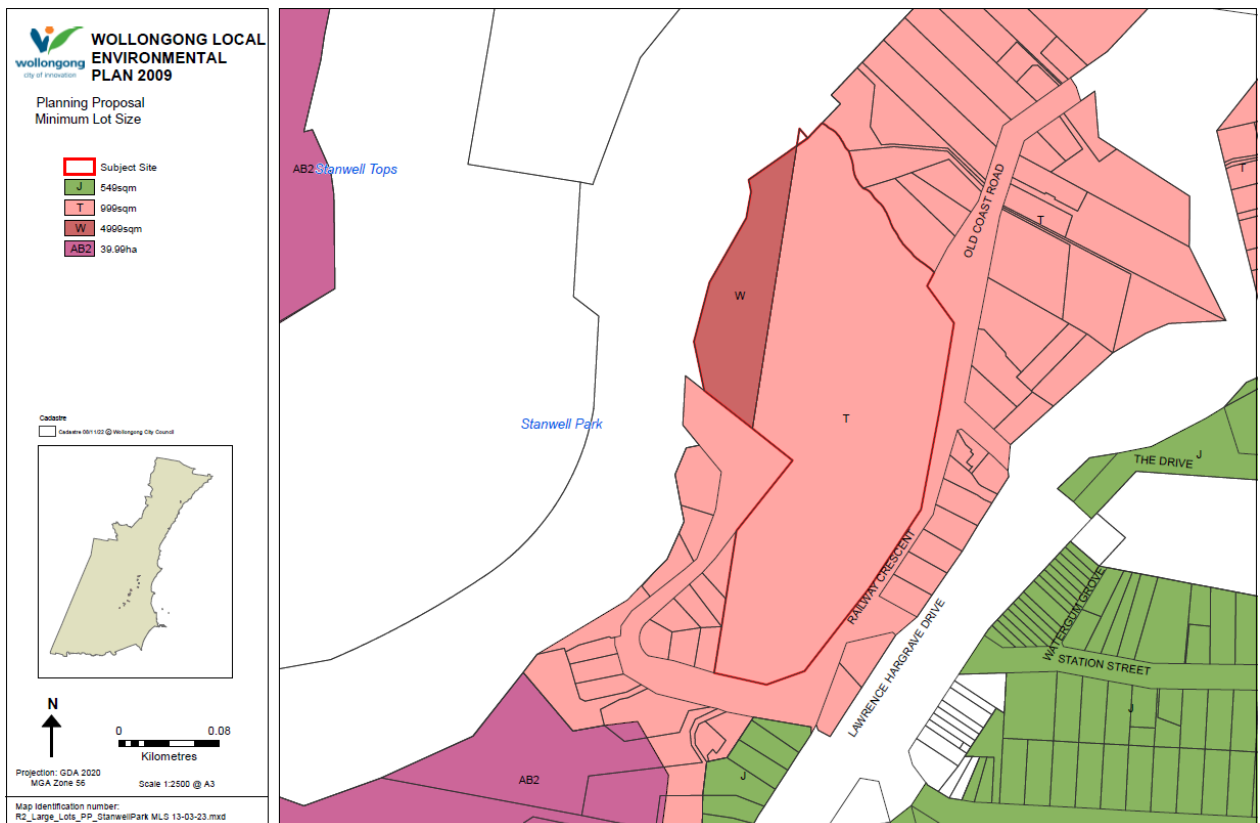


Lot Size Map

Existing Lot Size Map

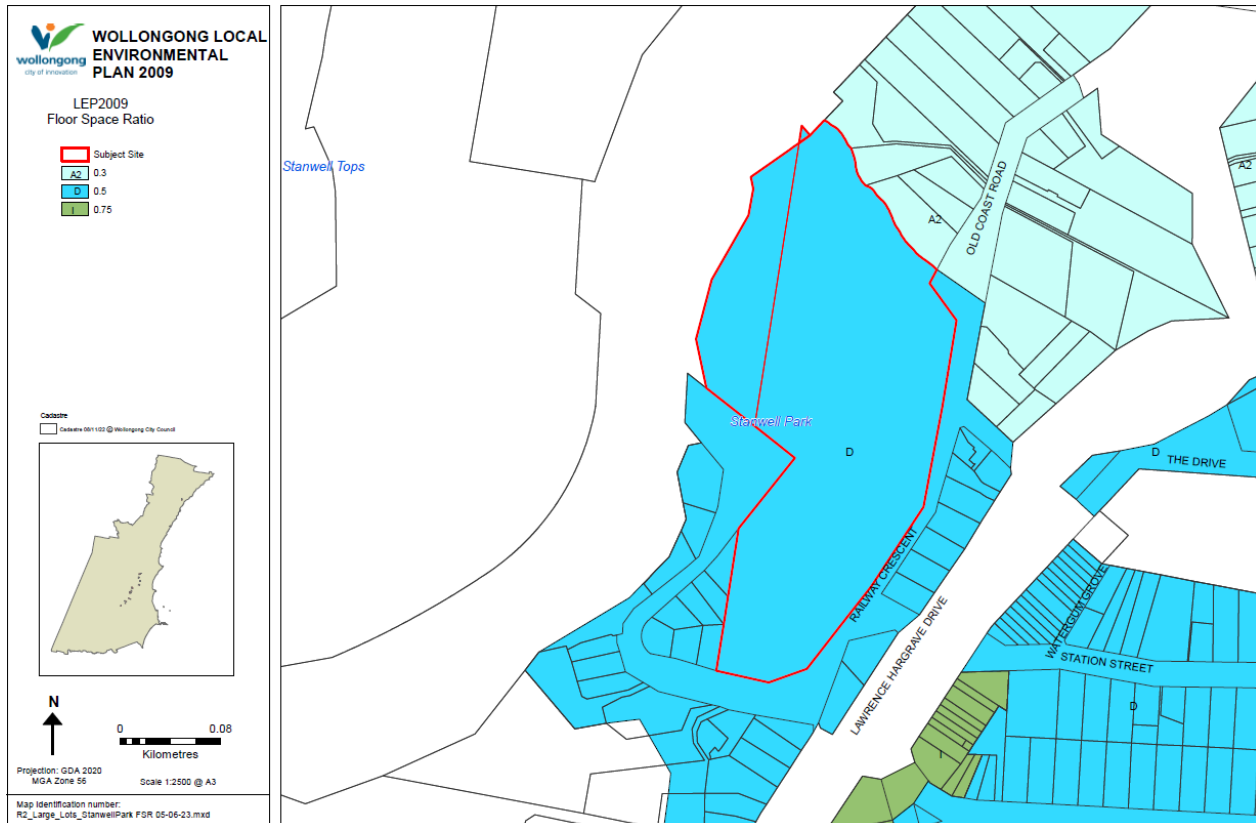


Proposed Lot Size Map

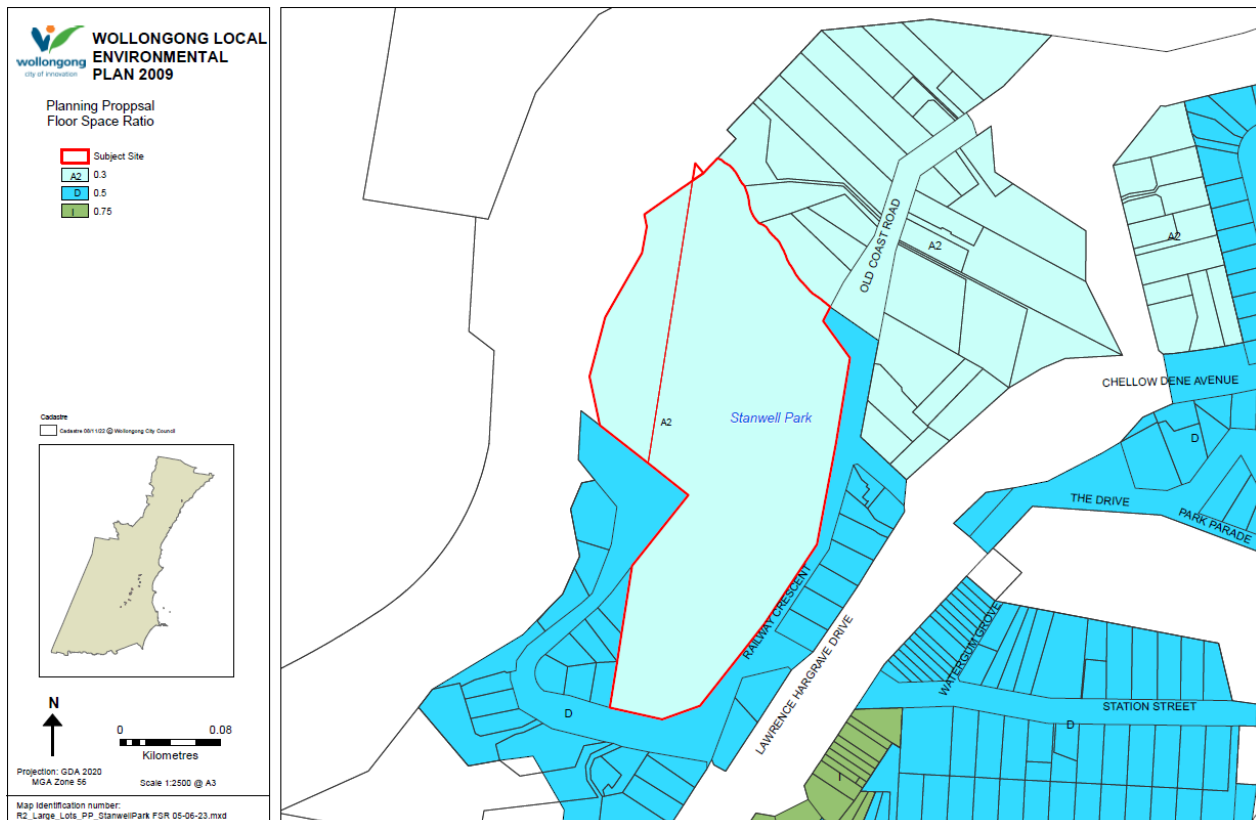


Floor Space Ratio Map

Existing Floor Space Ratio Map



Proposed Floor Space Ratio

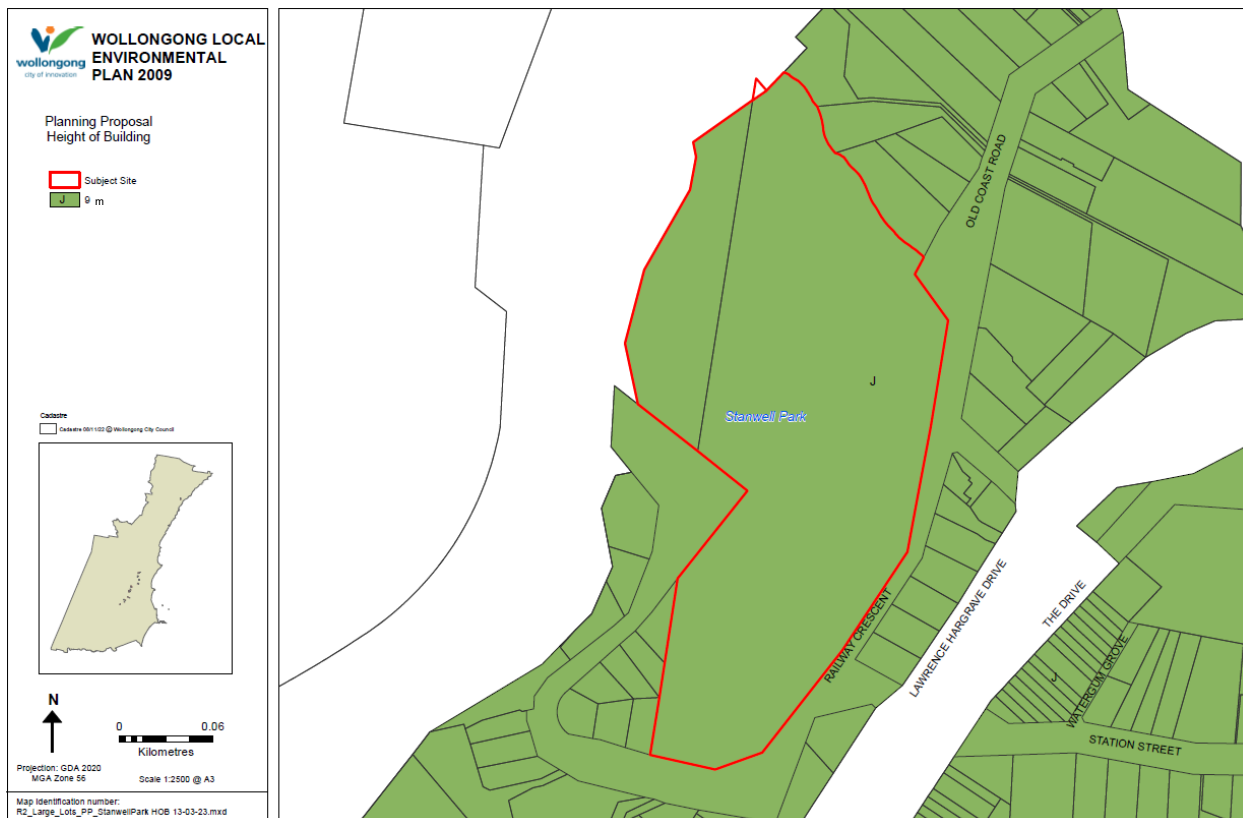


Maximum Height of Buildings Map

Existing Maximum Height of Building Map



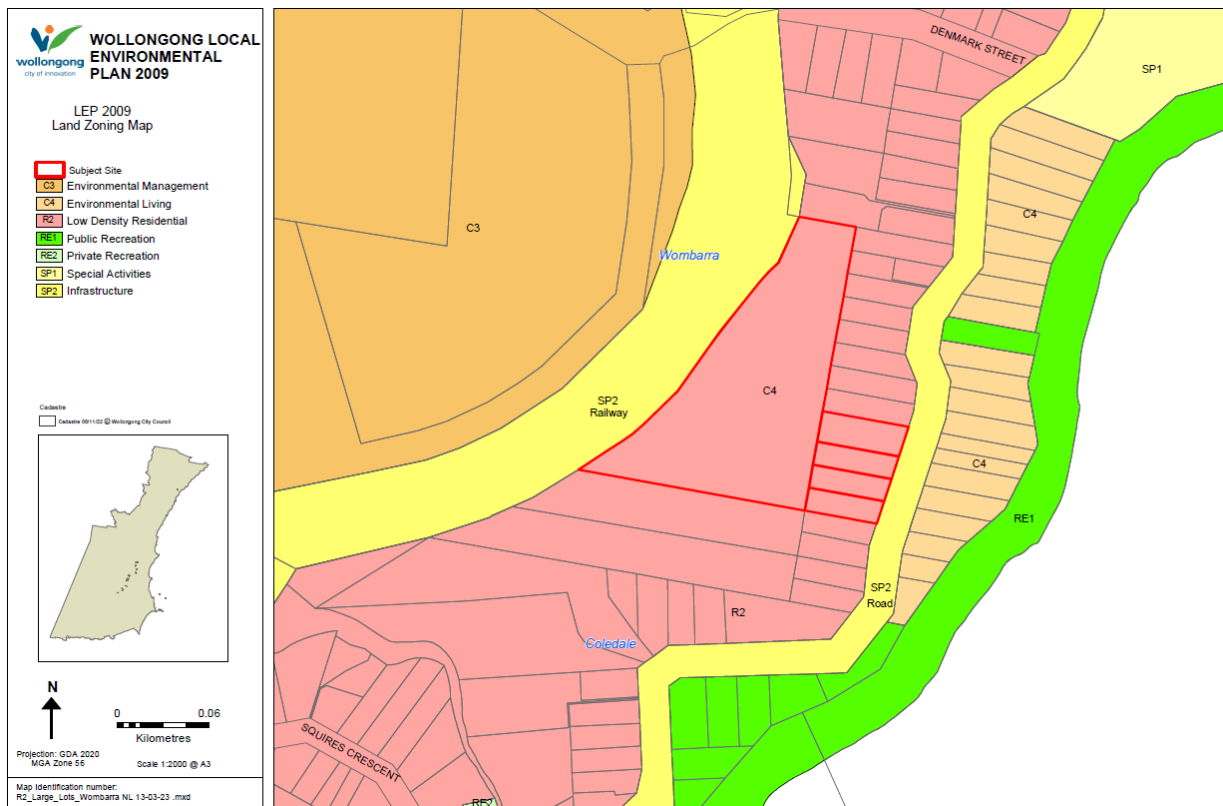
Proposed Maximum Height of Building Map



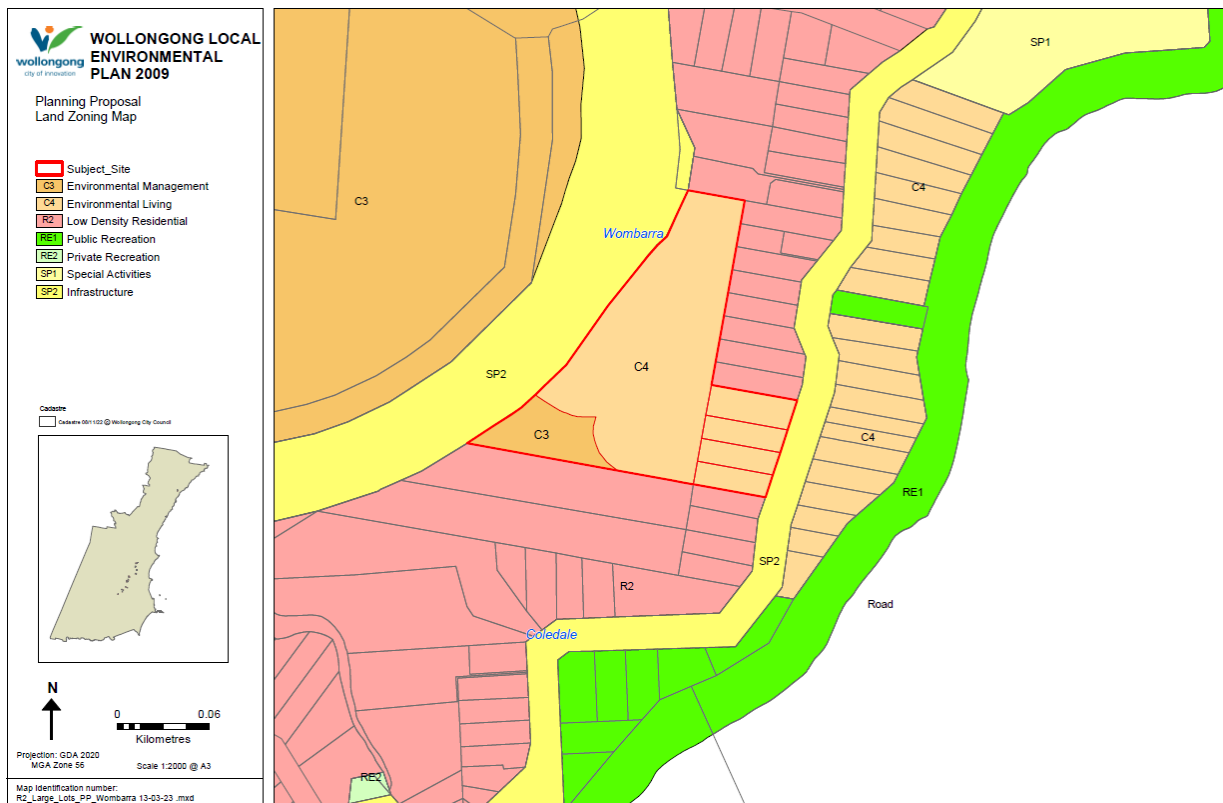
Location: Wombarra – Lawrence Hargrave Drive

Land Zoning Map

Existing Land Zoning Map

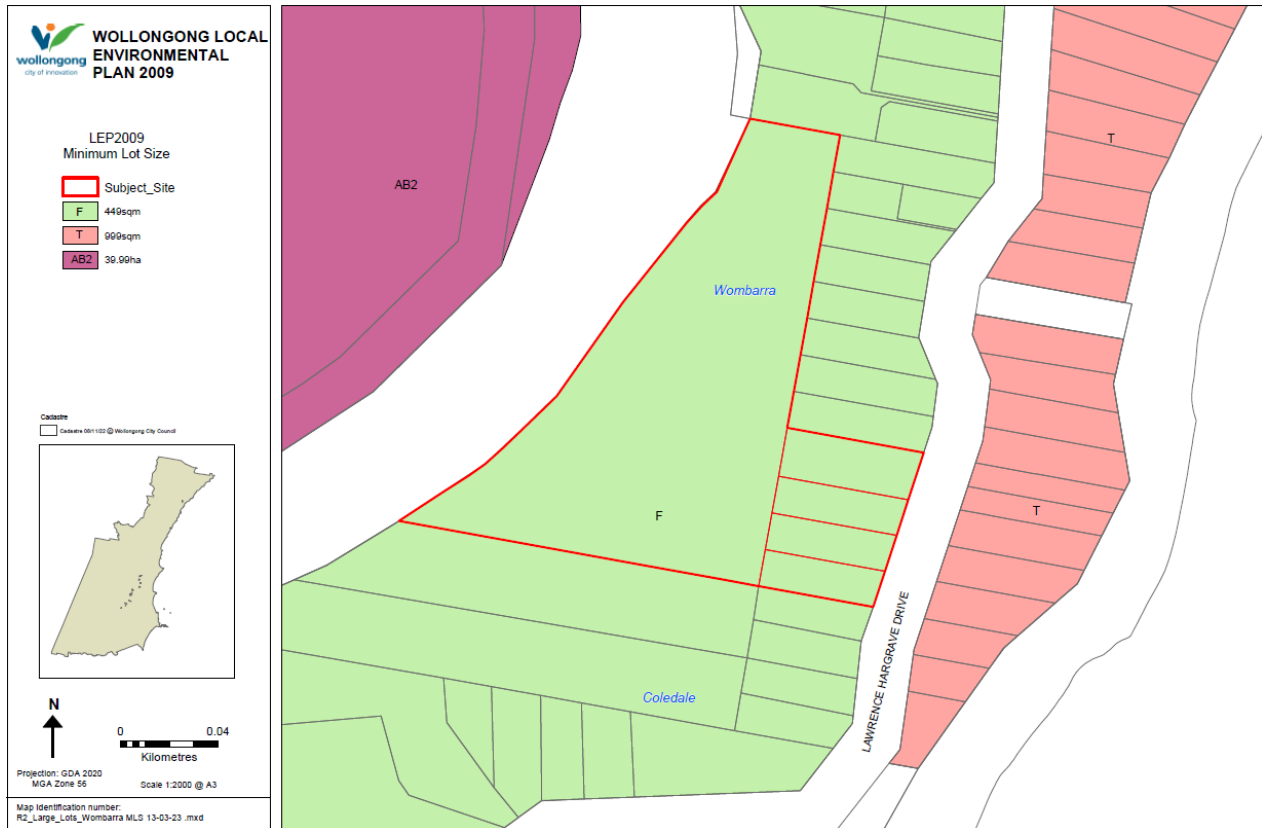


Proposed Land Zoning Map

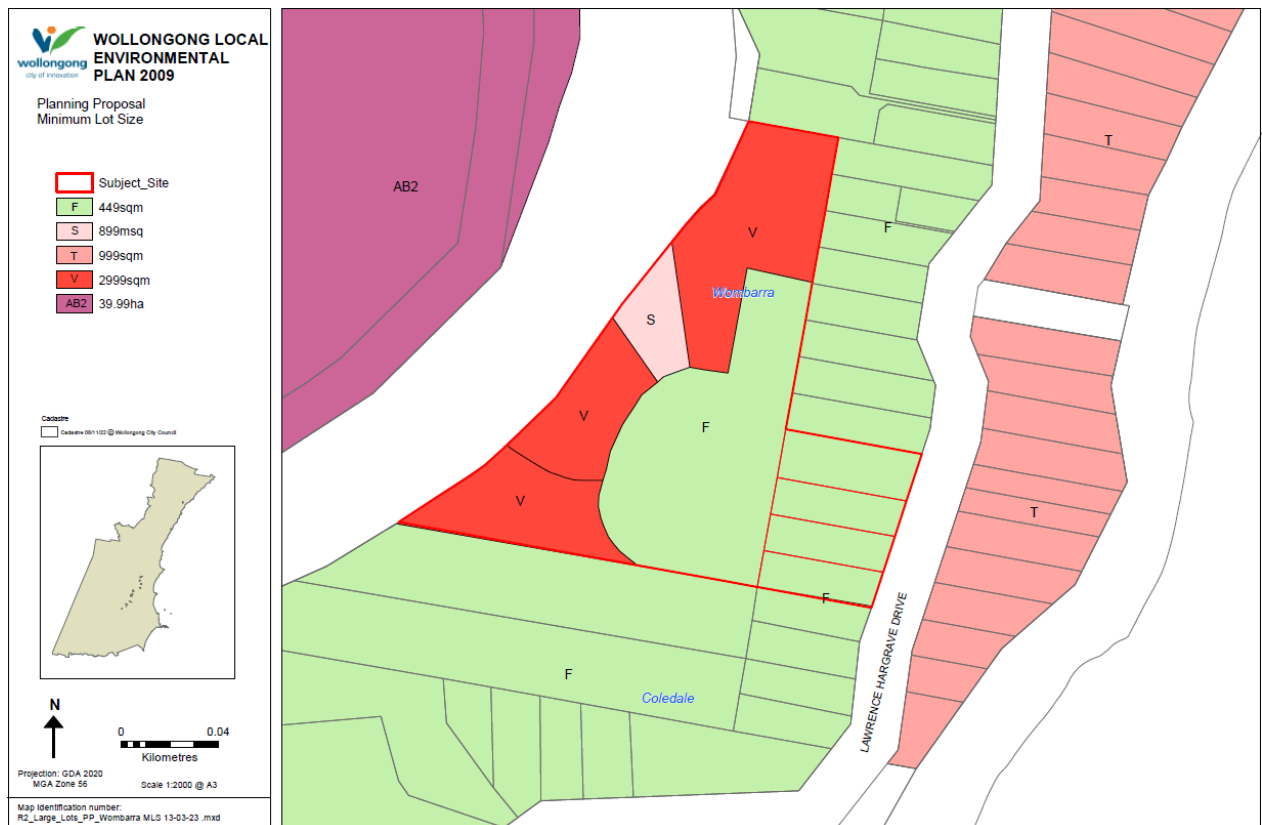


Lot Size Map

Existing Lot Size Map

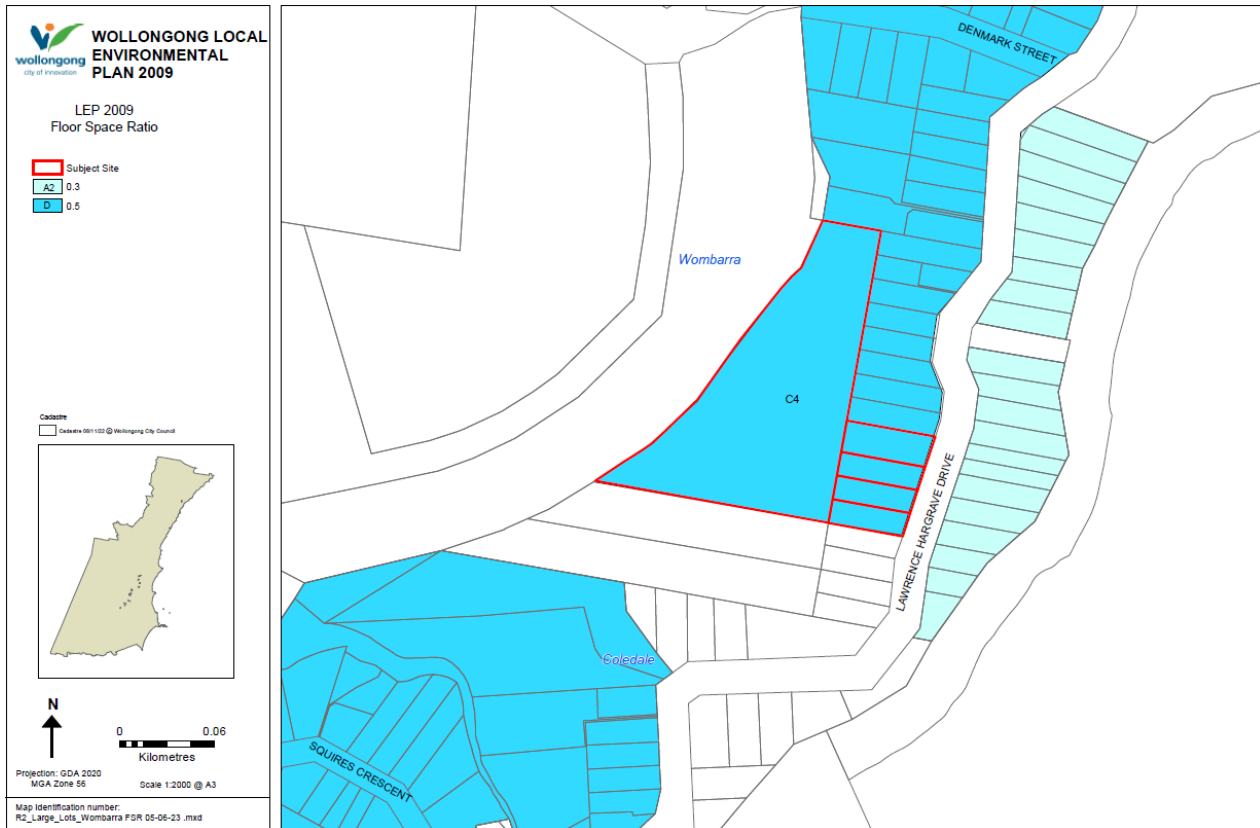


Proposed Lot Size Map

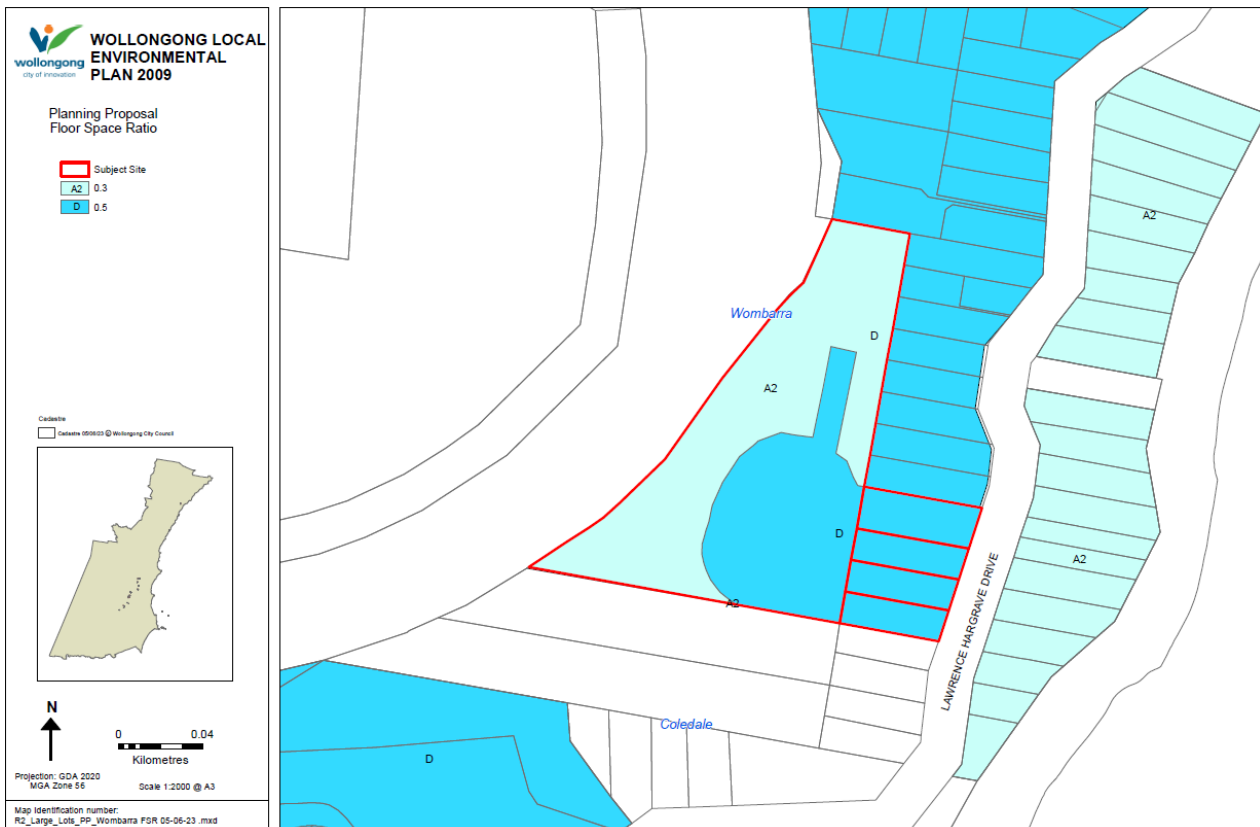


Floor Space Ratio Map

Existing Floor Space Ratio Map



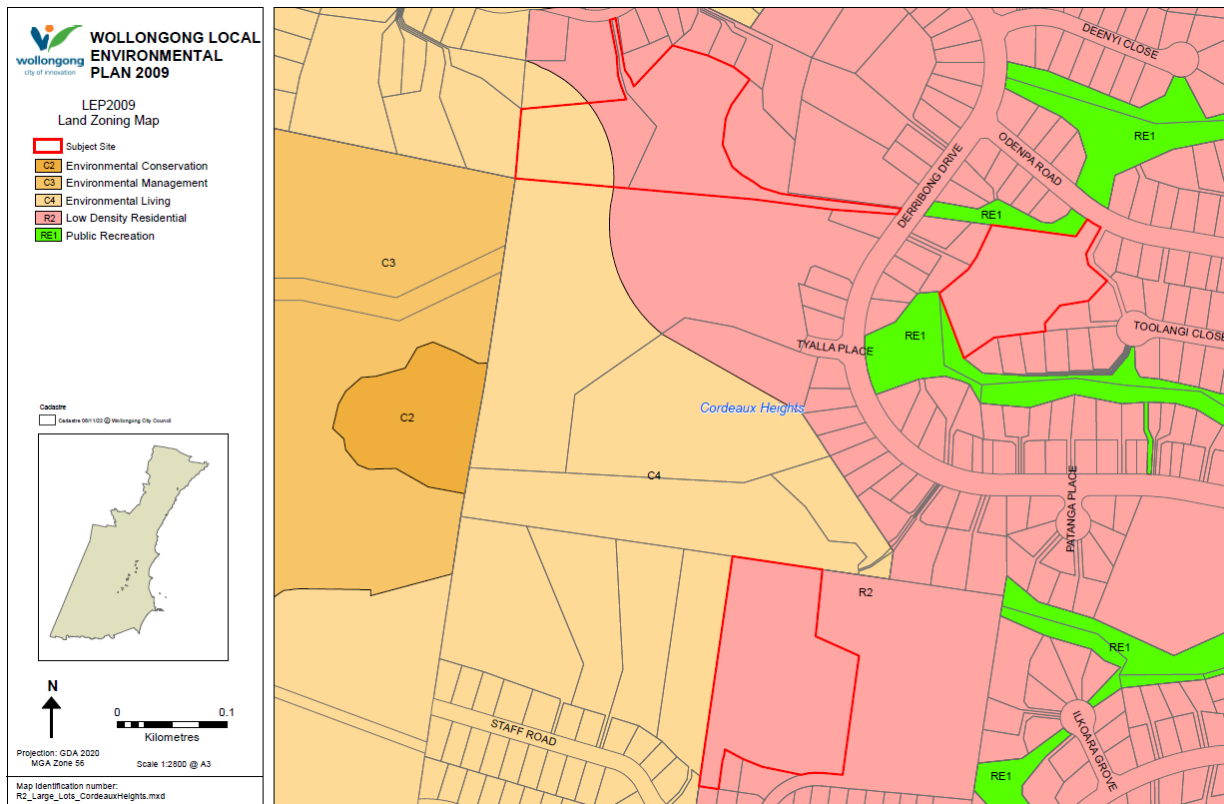
Proposed Floor Space Ratio



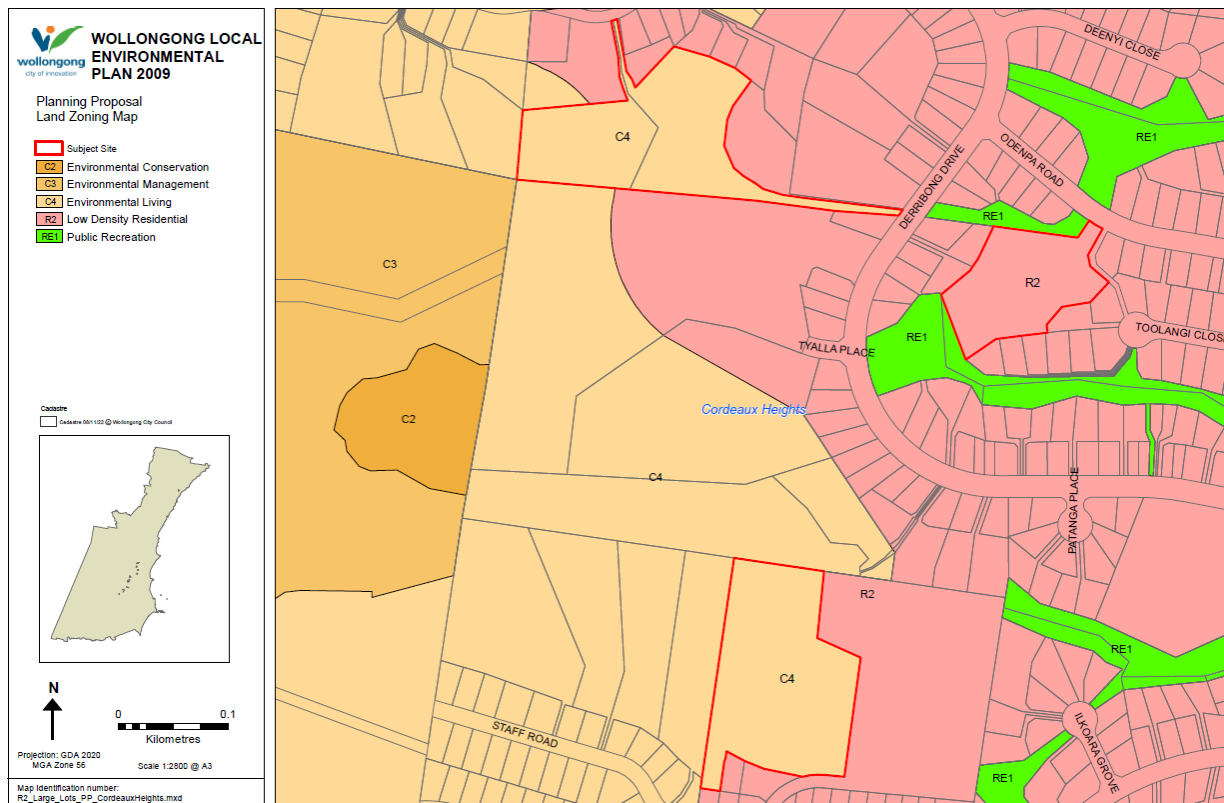
Location: Cordeaux Heights: Derribong Drive, Odenpa Road, Staff Road

Land Zoning Map

Existing Land Zoning Map

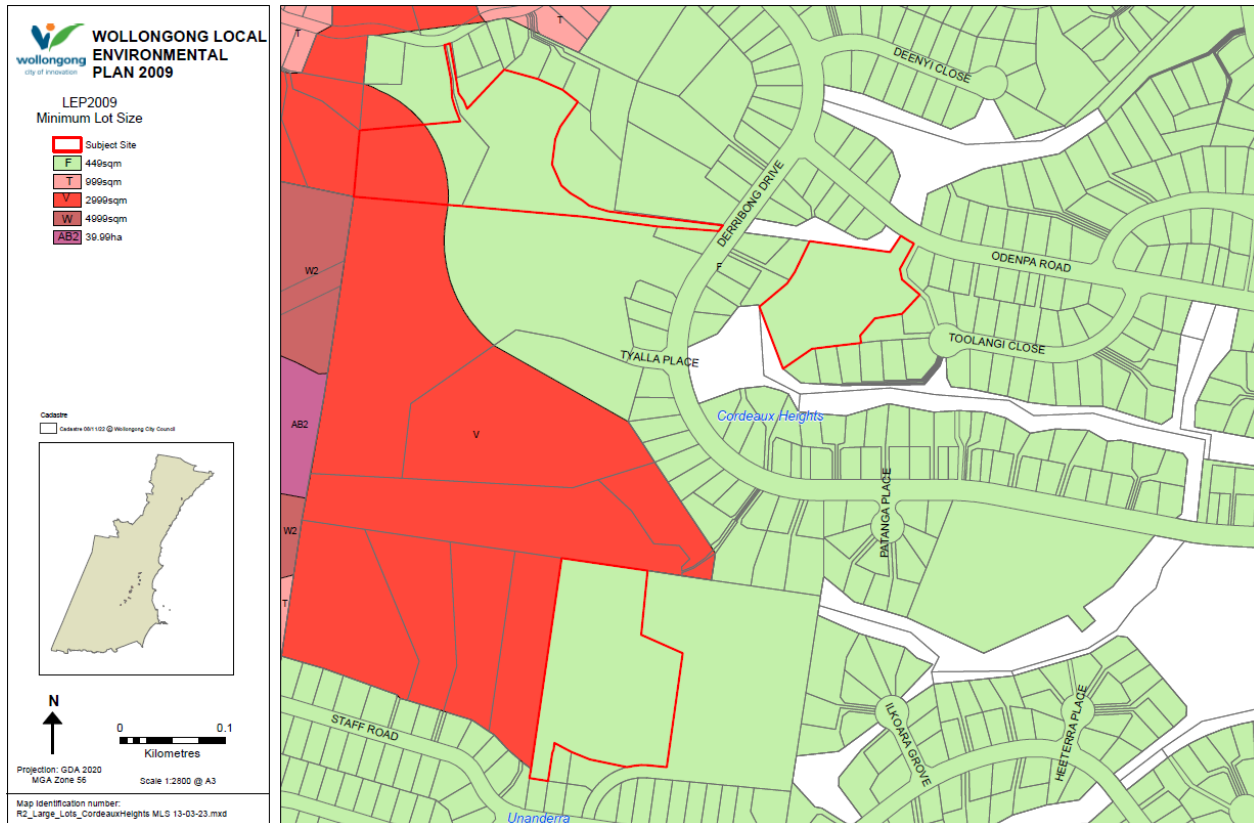


Proposed Land Zoning Map

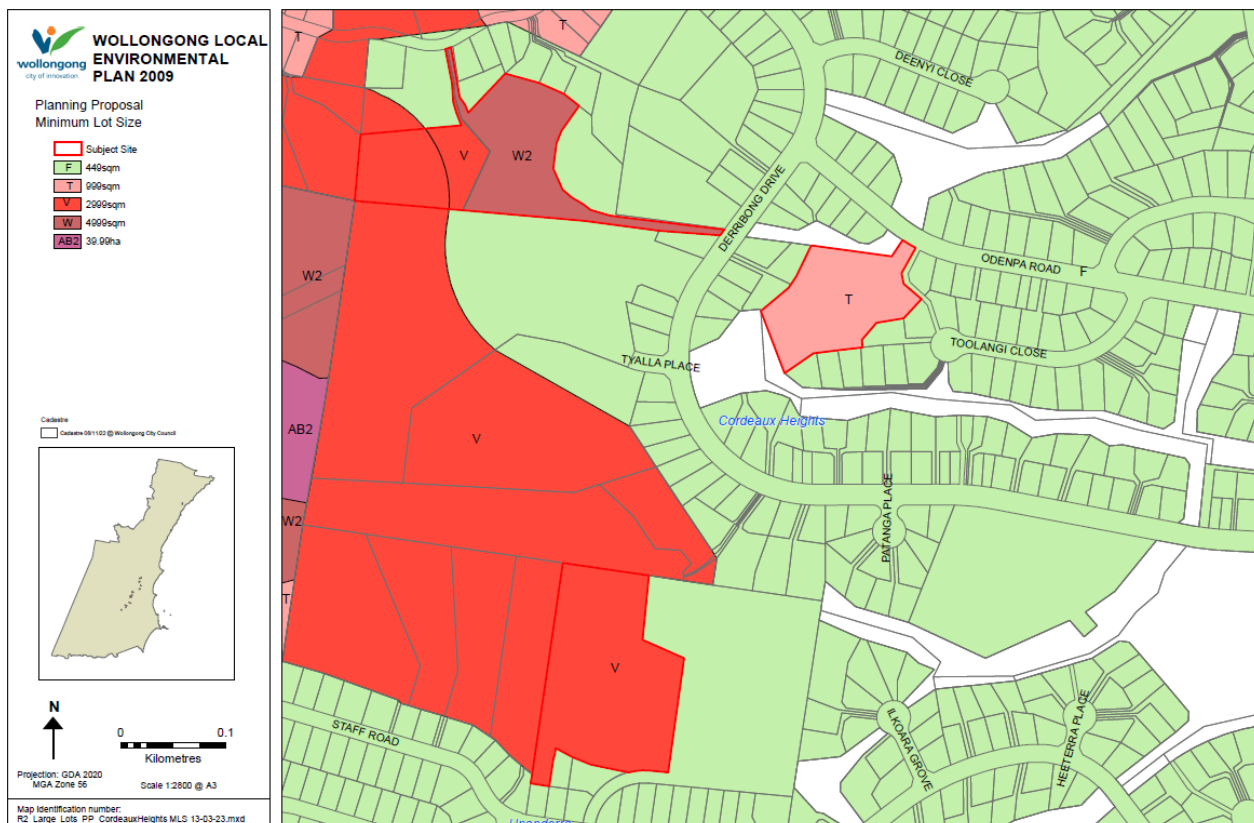


Lot Size Map

Existing Lot Size Map

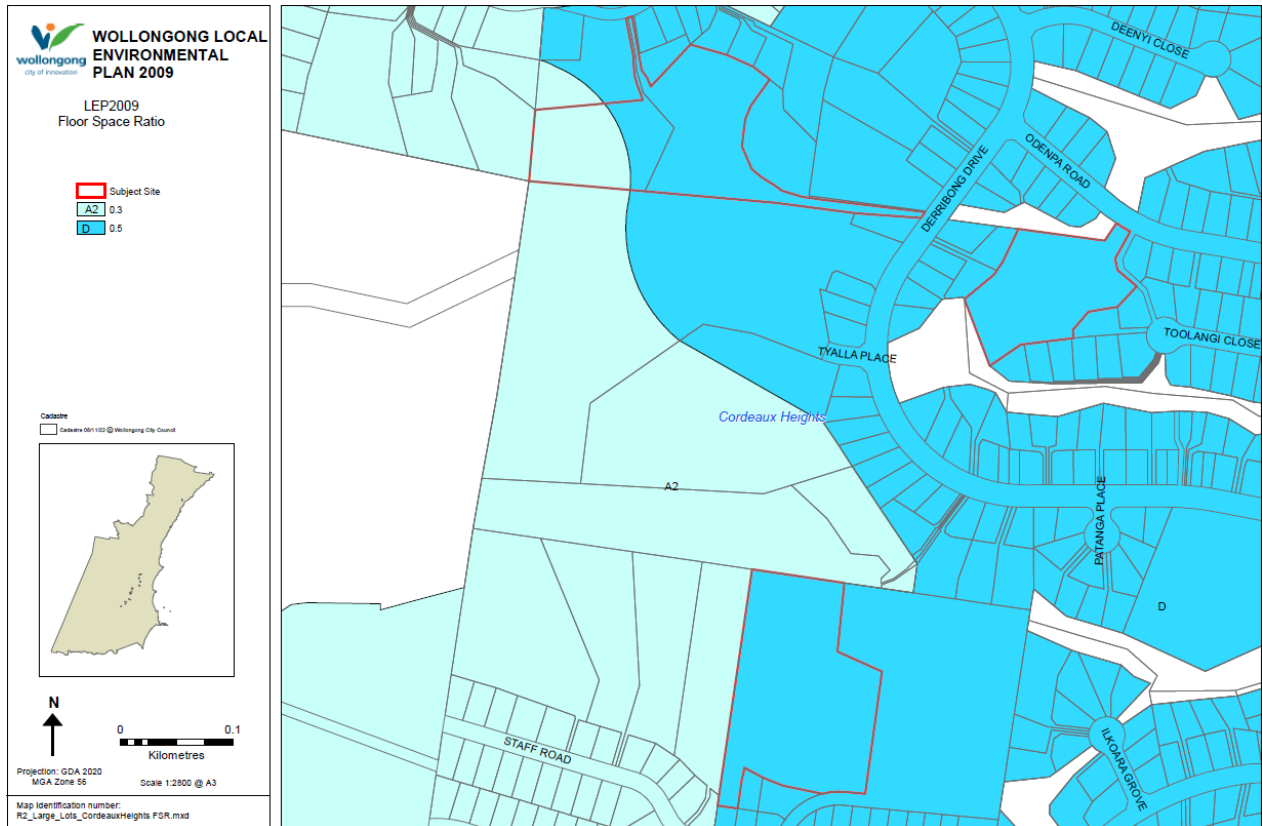


Proposed Lot Size Map

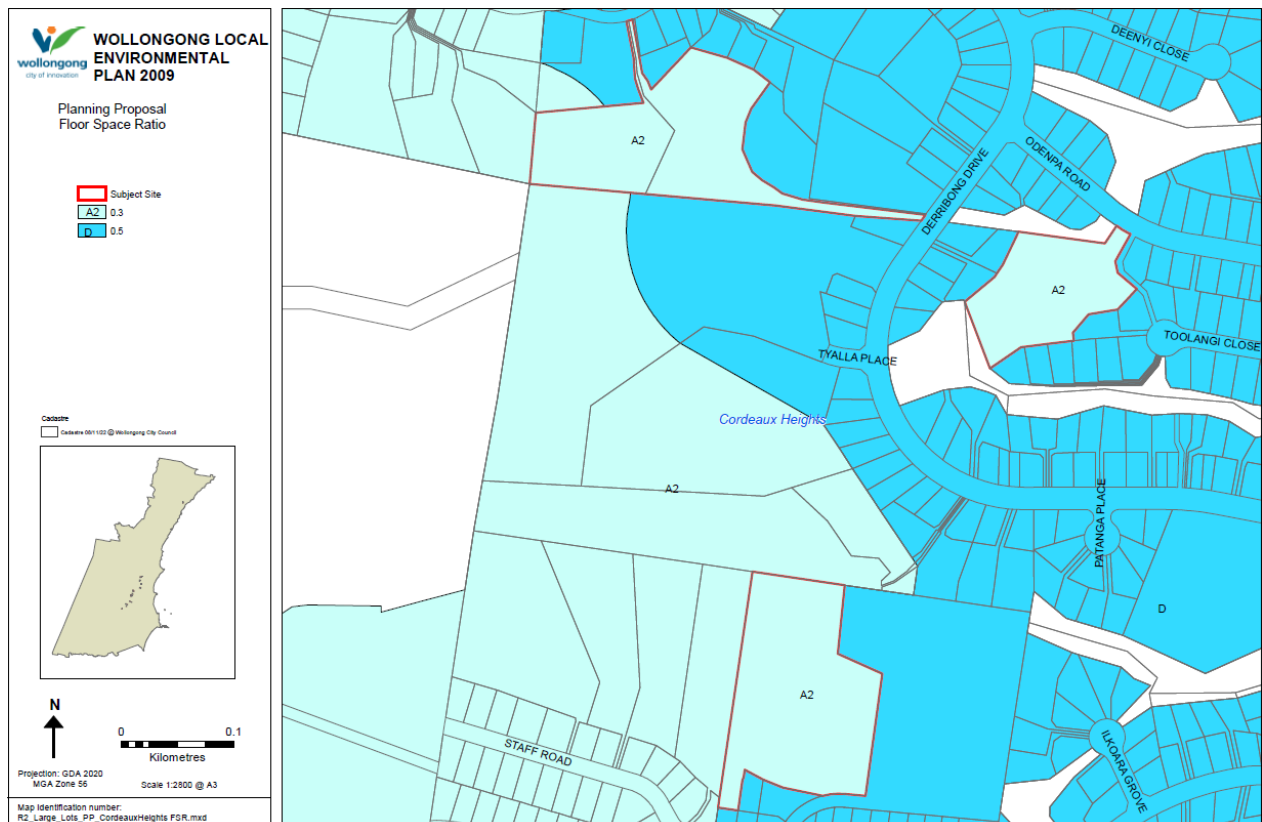


Floor Space Ratio Map

Existing Floor Space Ratio Map



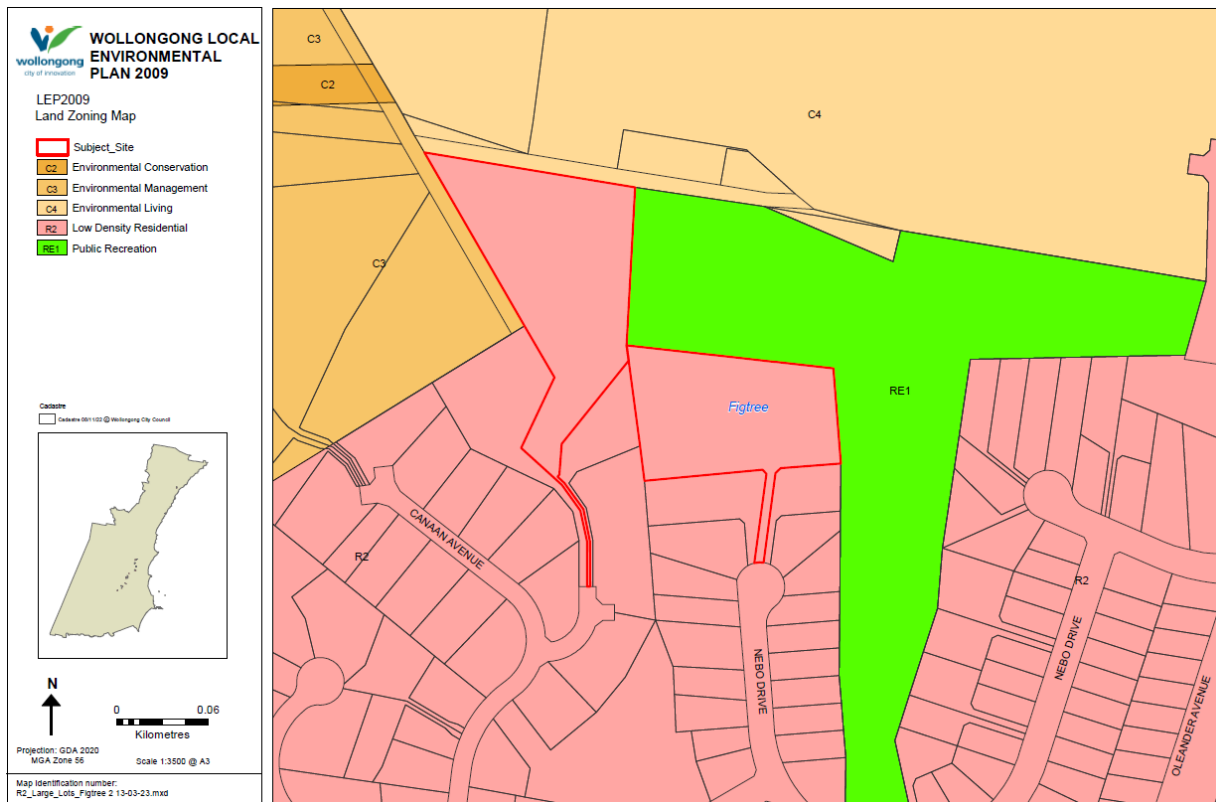
Proposed Floor Space Ratio



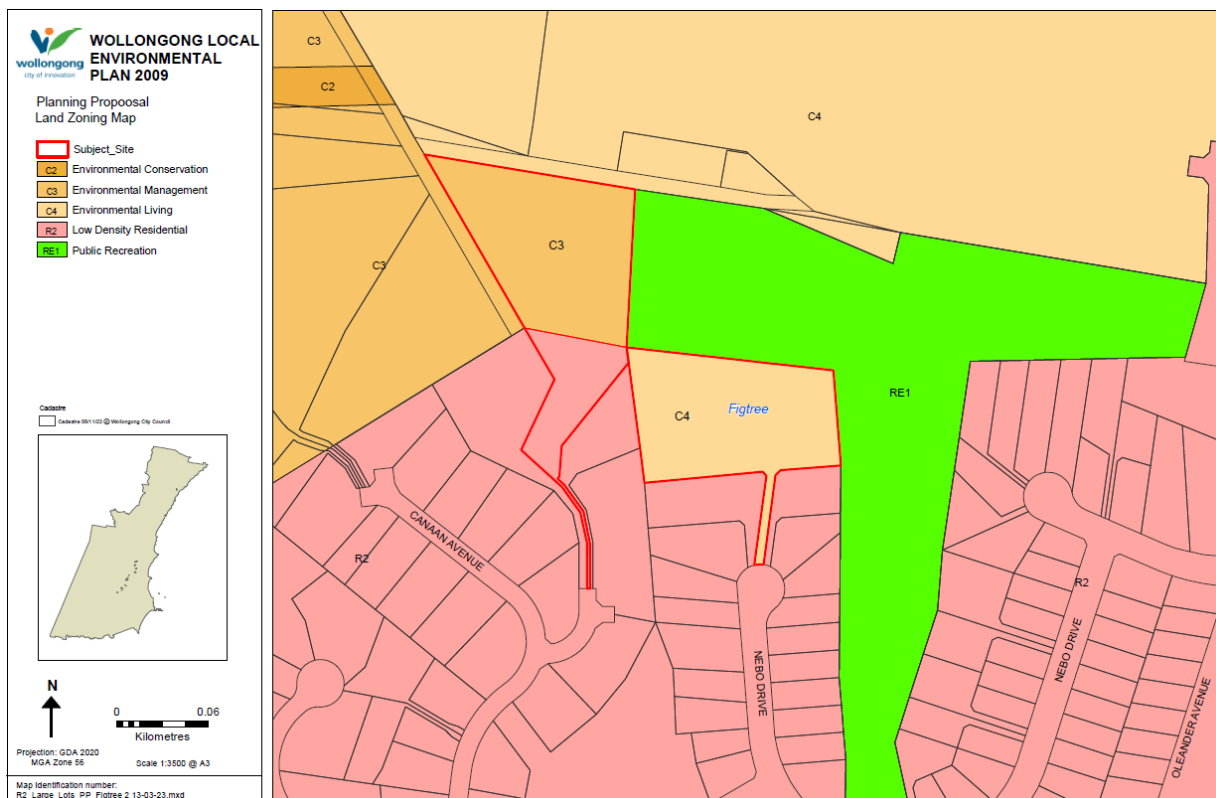
Location: Figtree – Moab Place, Nebo Drive

Land Zoning Map

Existing Land Zoning Map

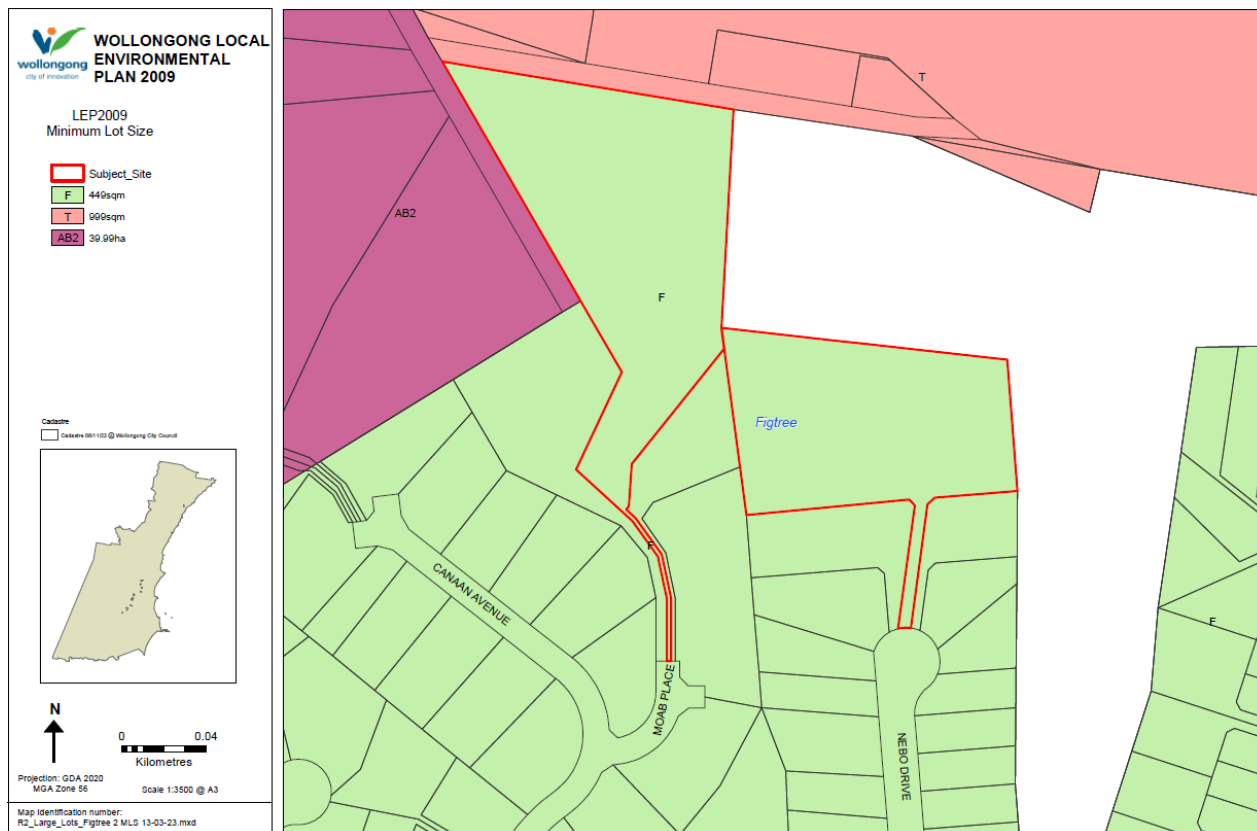


Proposed Land Zoning Map

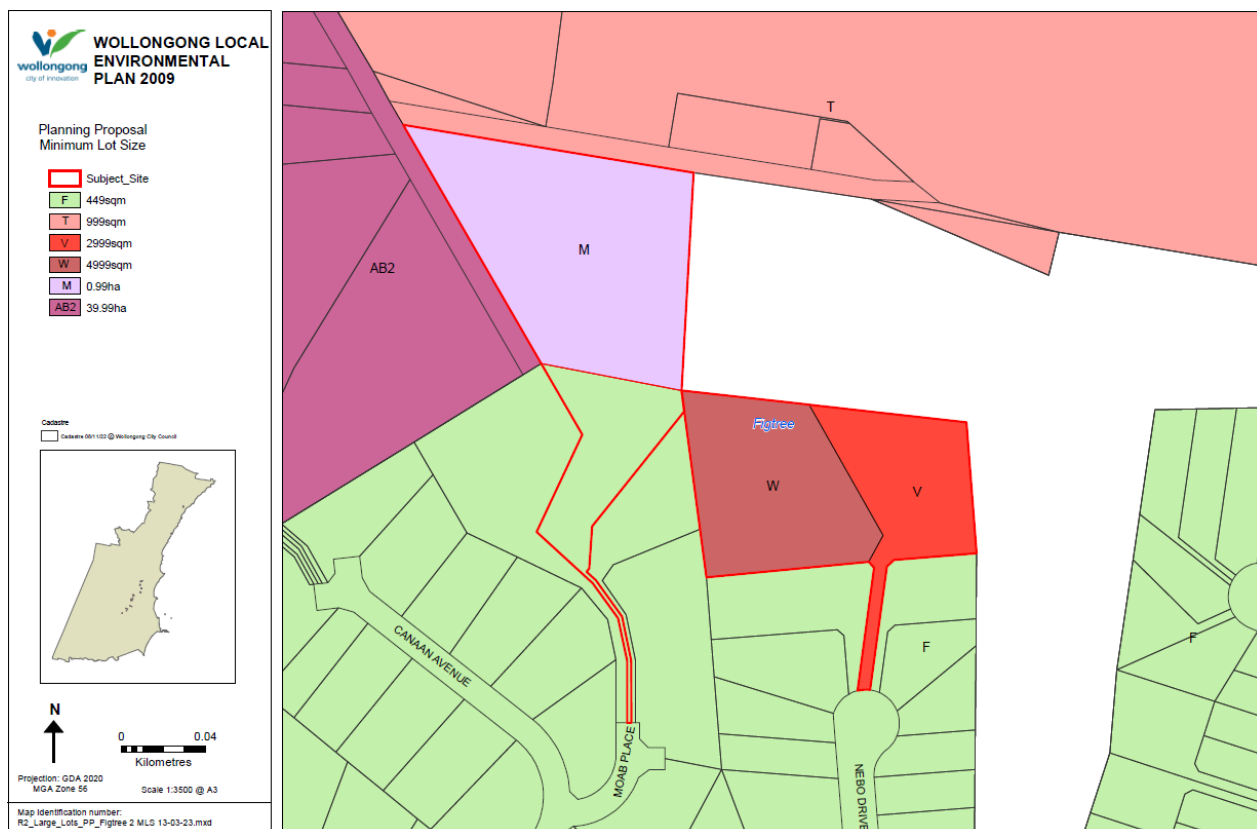


Lot Size Map

Existing Lot Size Map

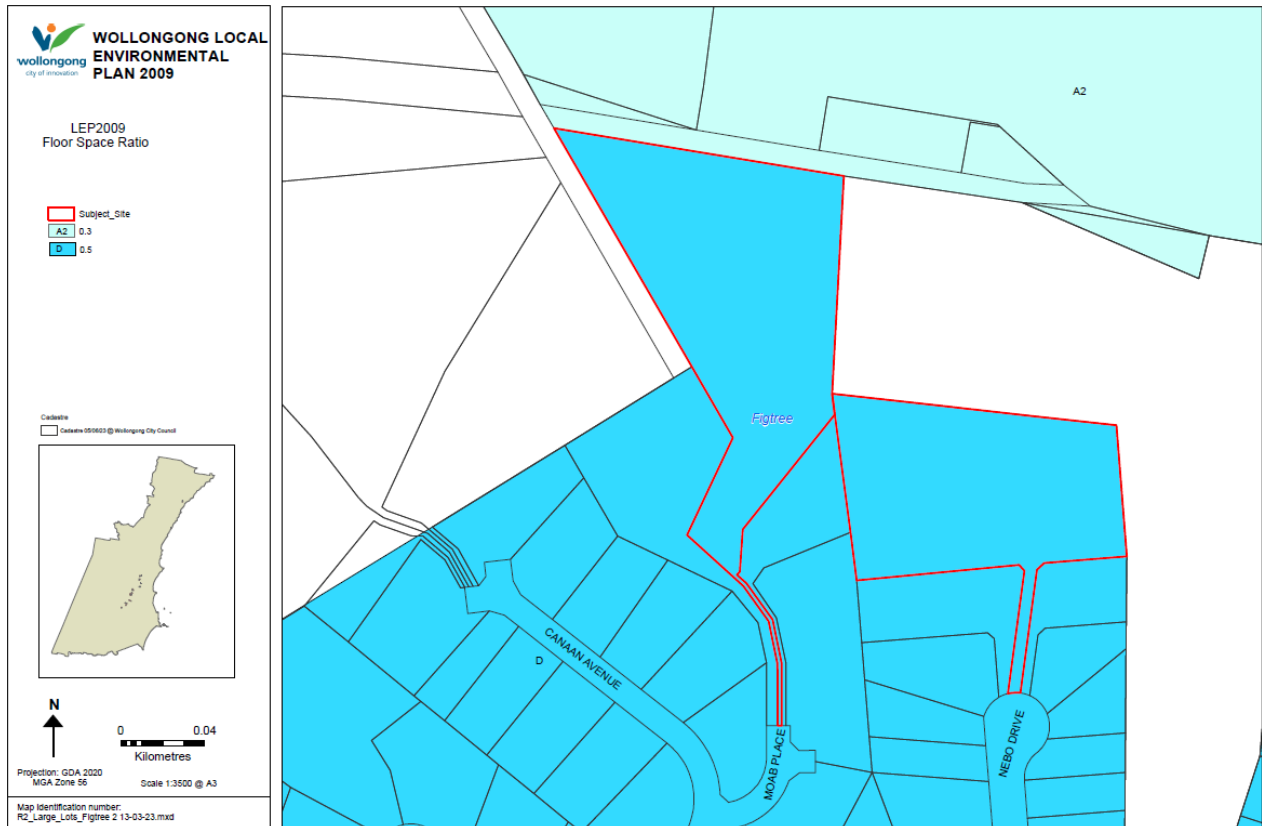


Proposed Lot Size Map

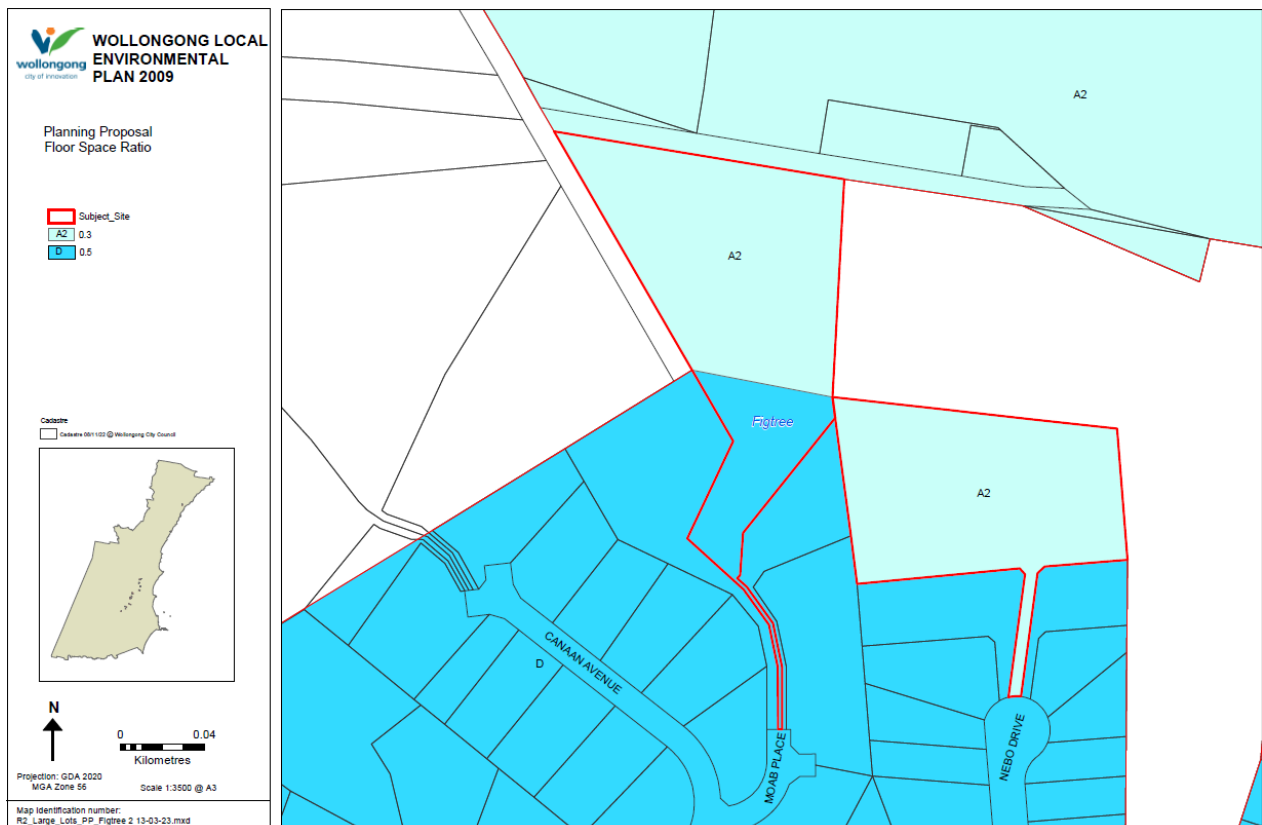


Floor Space Ratio Map

Existing Floor Space Ratio Map



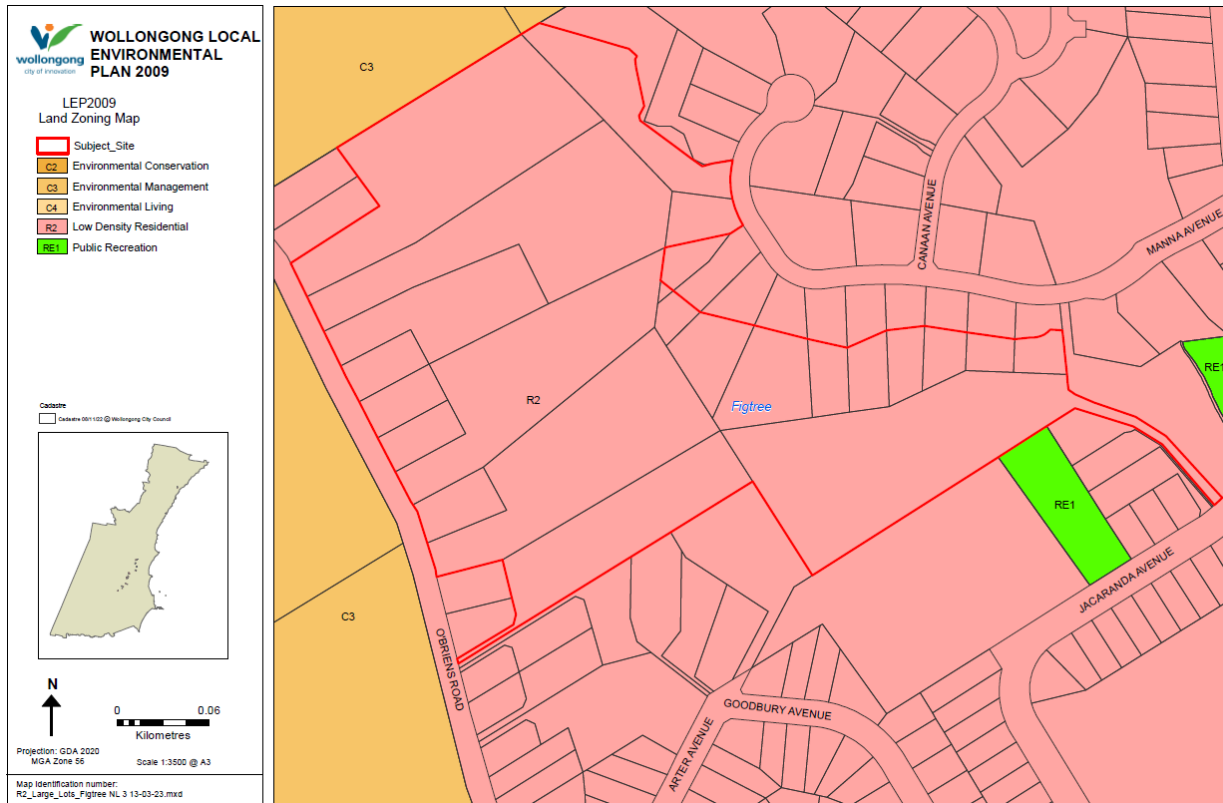
Proposed Floor Space Ratio



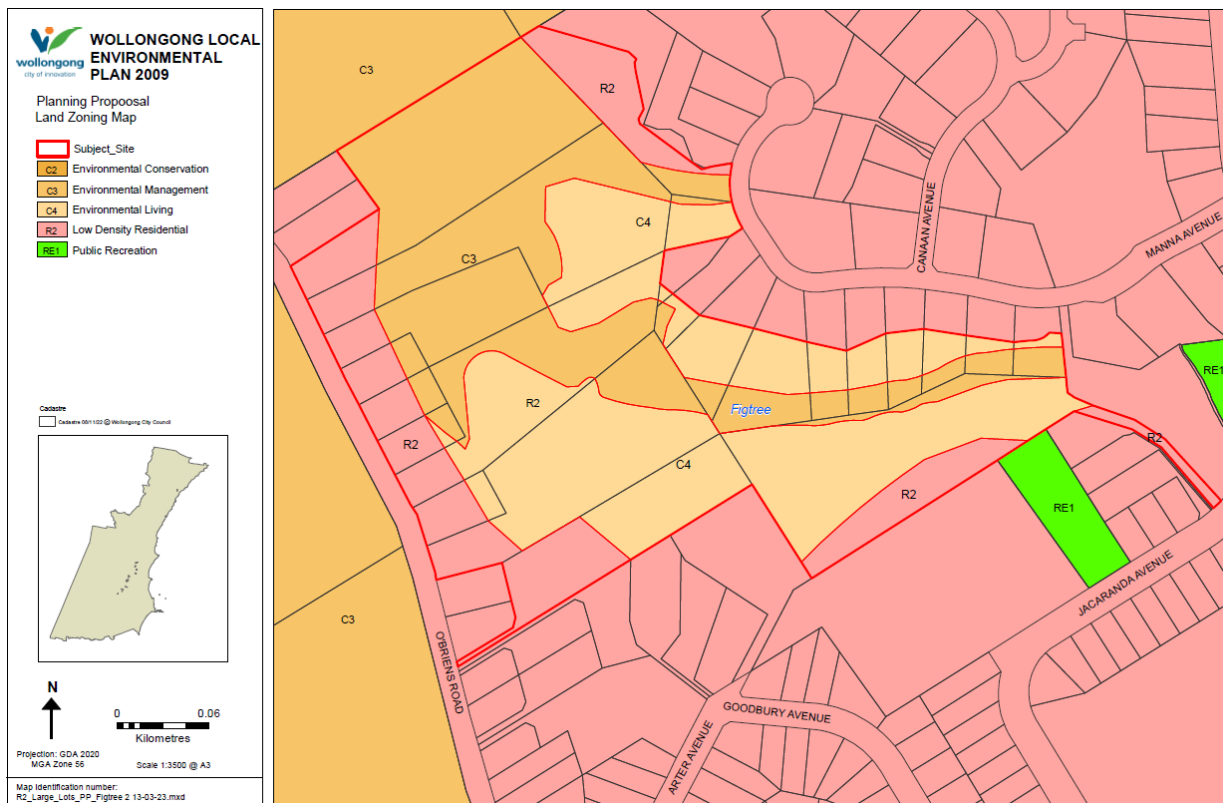
Location: Figtree – Jacaranda Avenue, Manna Avenue, O’Briens Road

Land Zoning Map

Existing Land Zoning Map

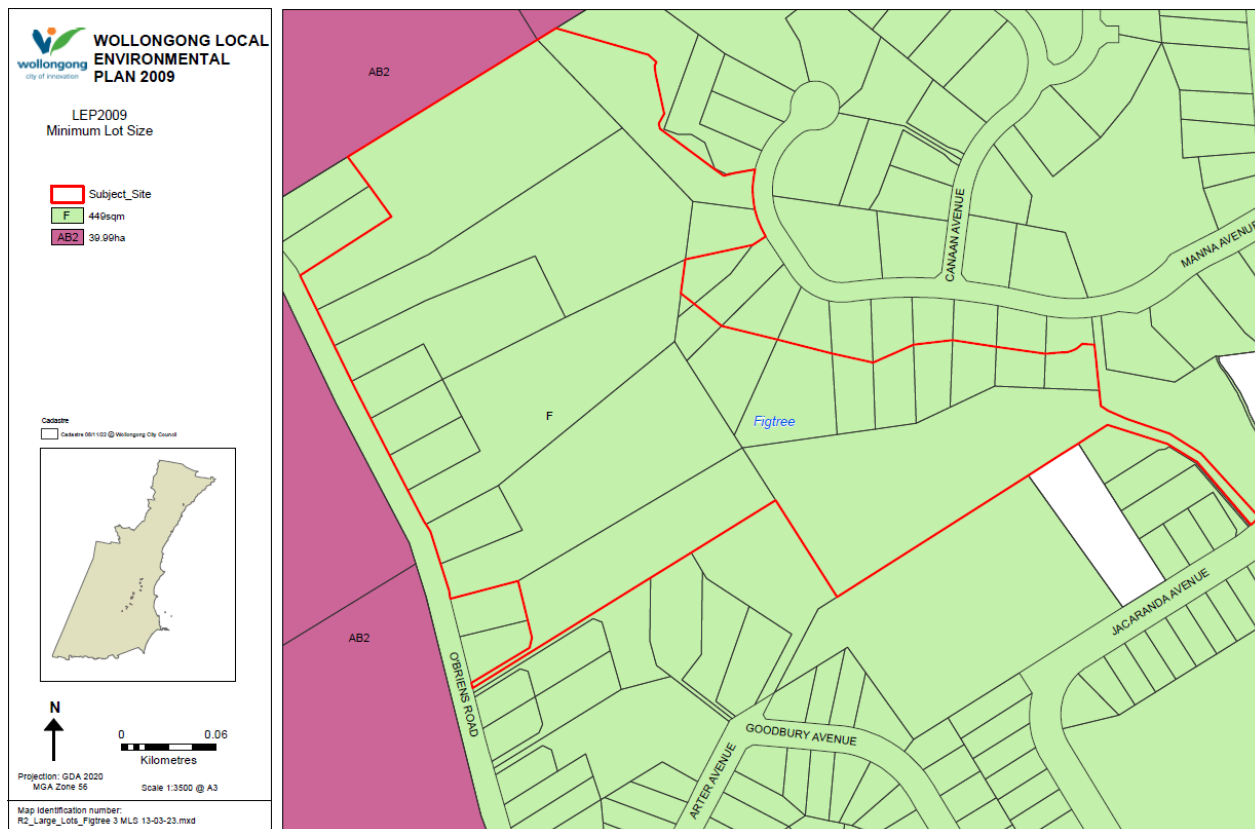


Proposed Land Zoning Map

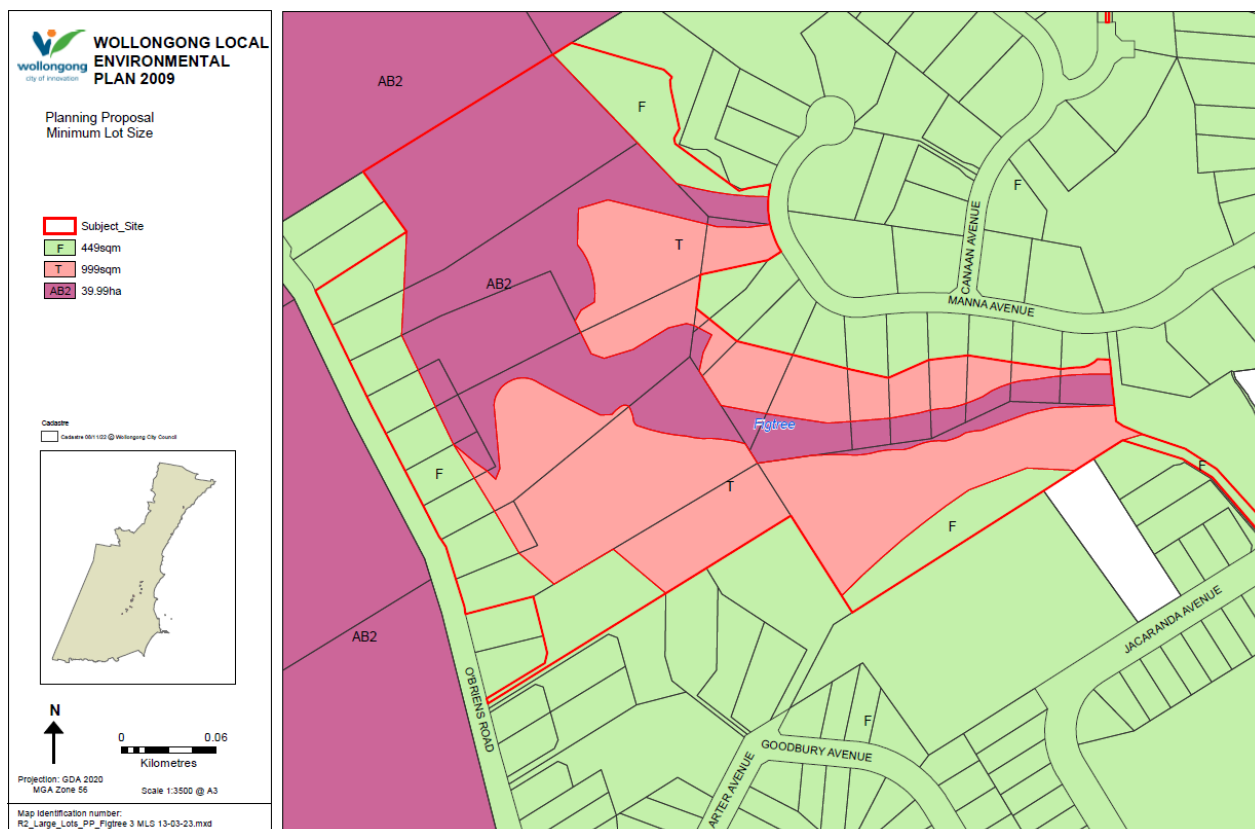


Lot Size Map

Existing Lot Size Map

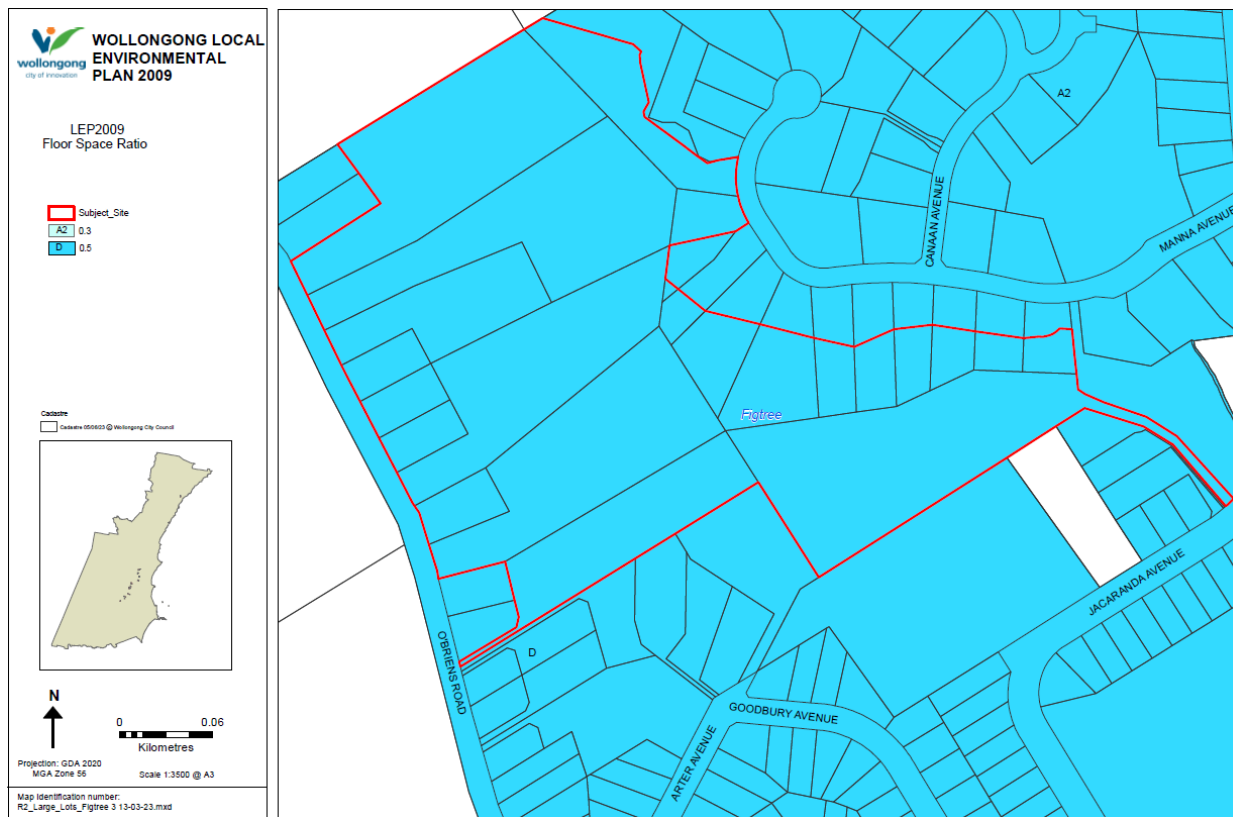


Proposed Lot Size Map

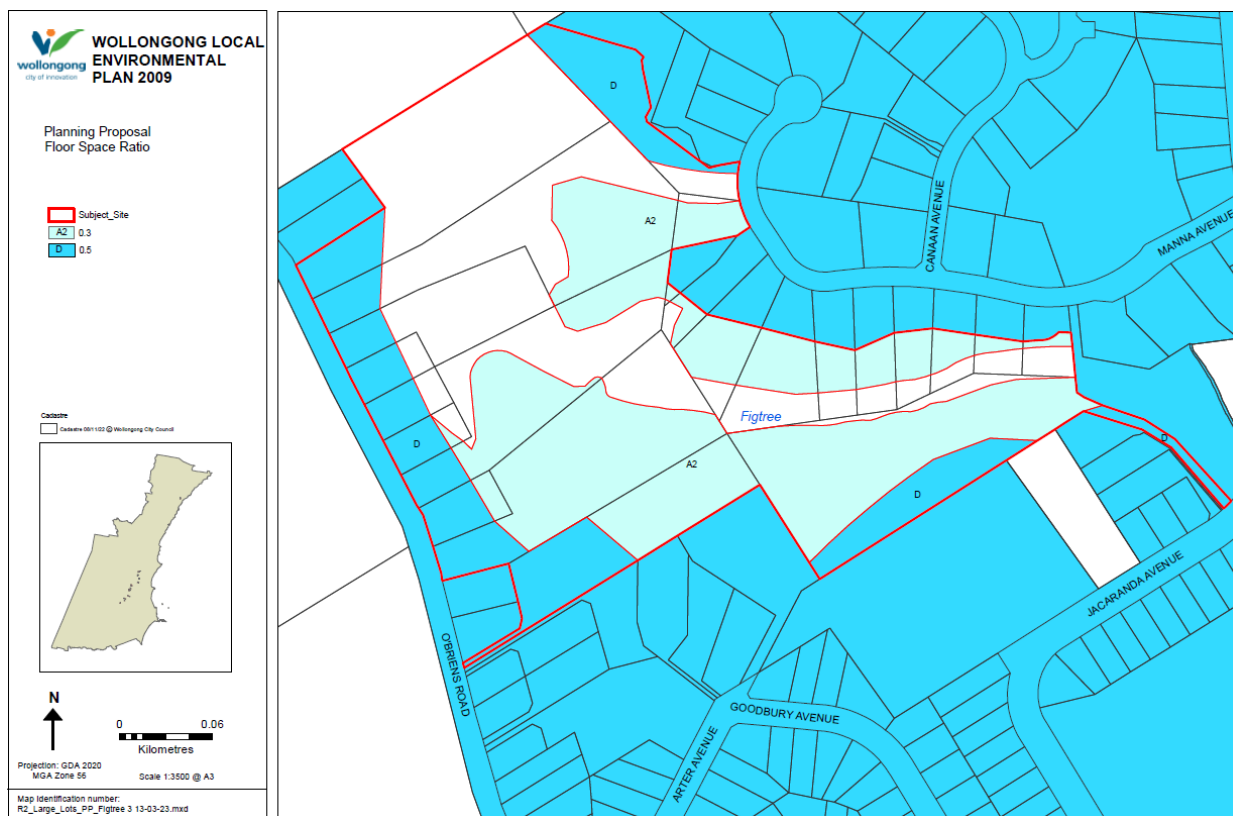


Floor Space Ratio Map

Existing Floor Space Ratio Map



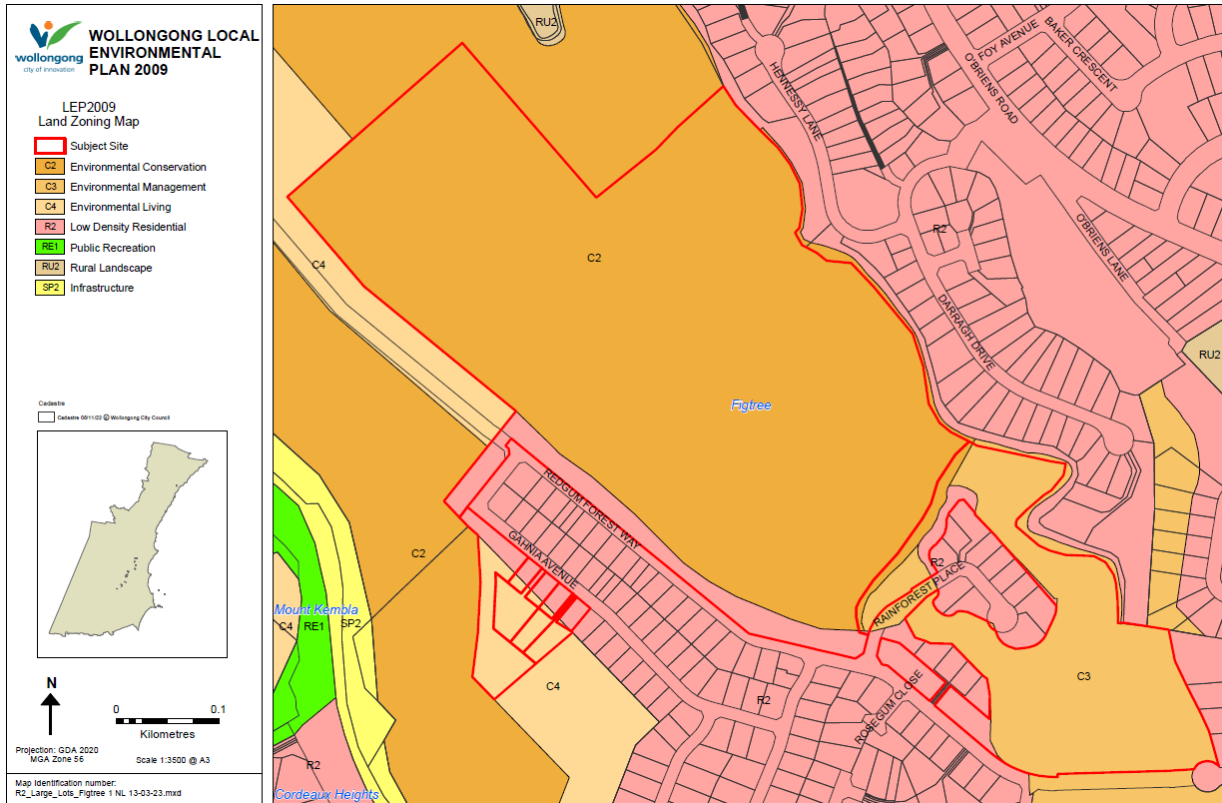
Proposed Floor Space Ratio



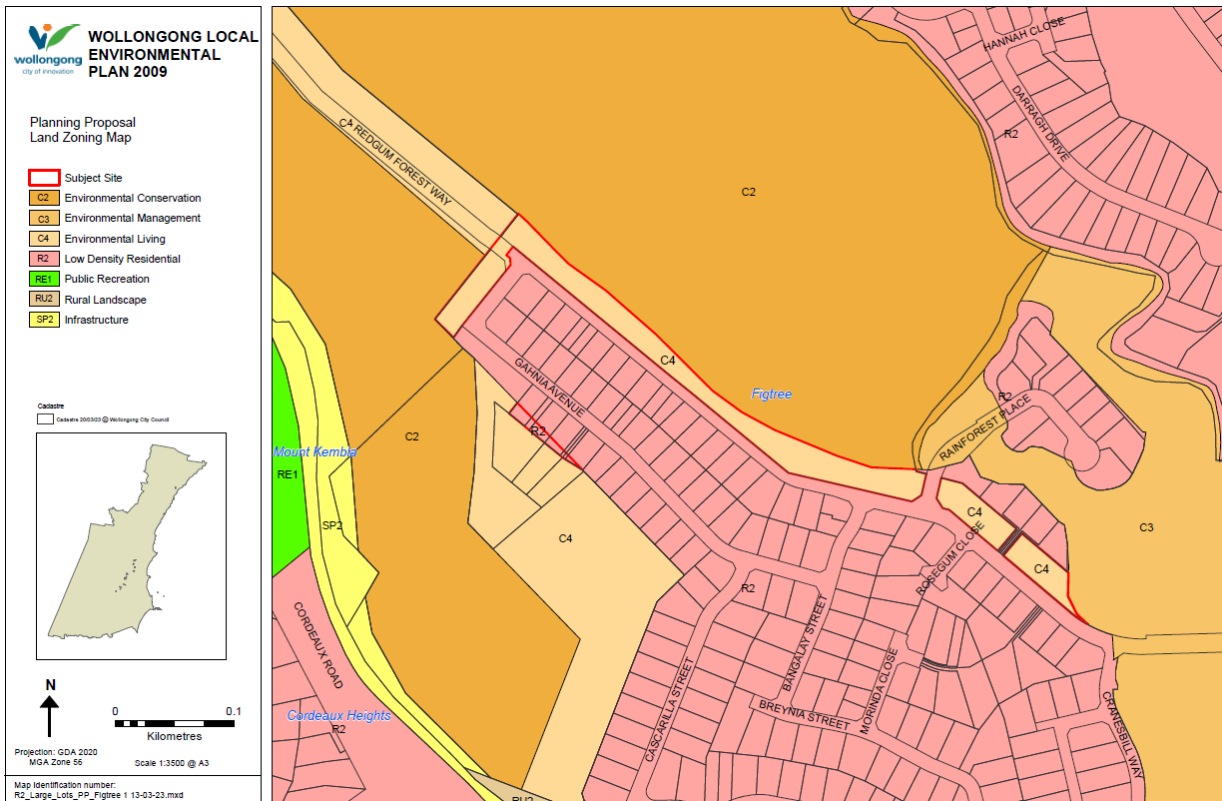
Location: Figtree – Gahnia Avenue, Redgum Forest Way

Land Zoning Map

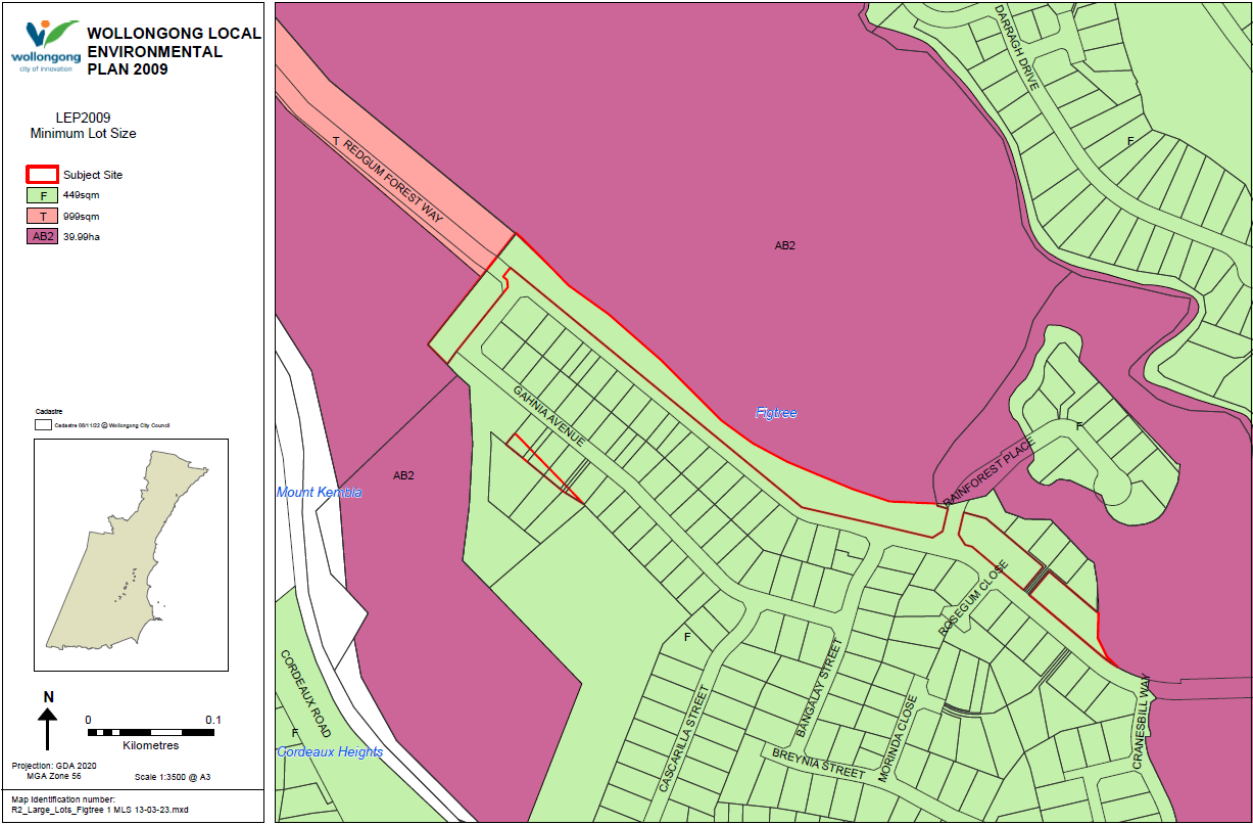
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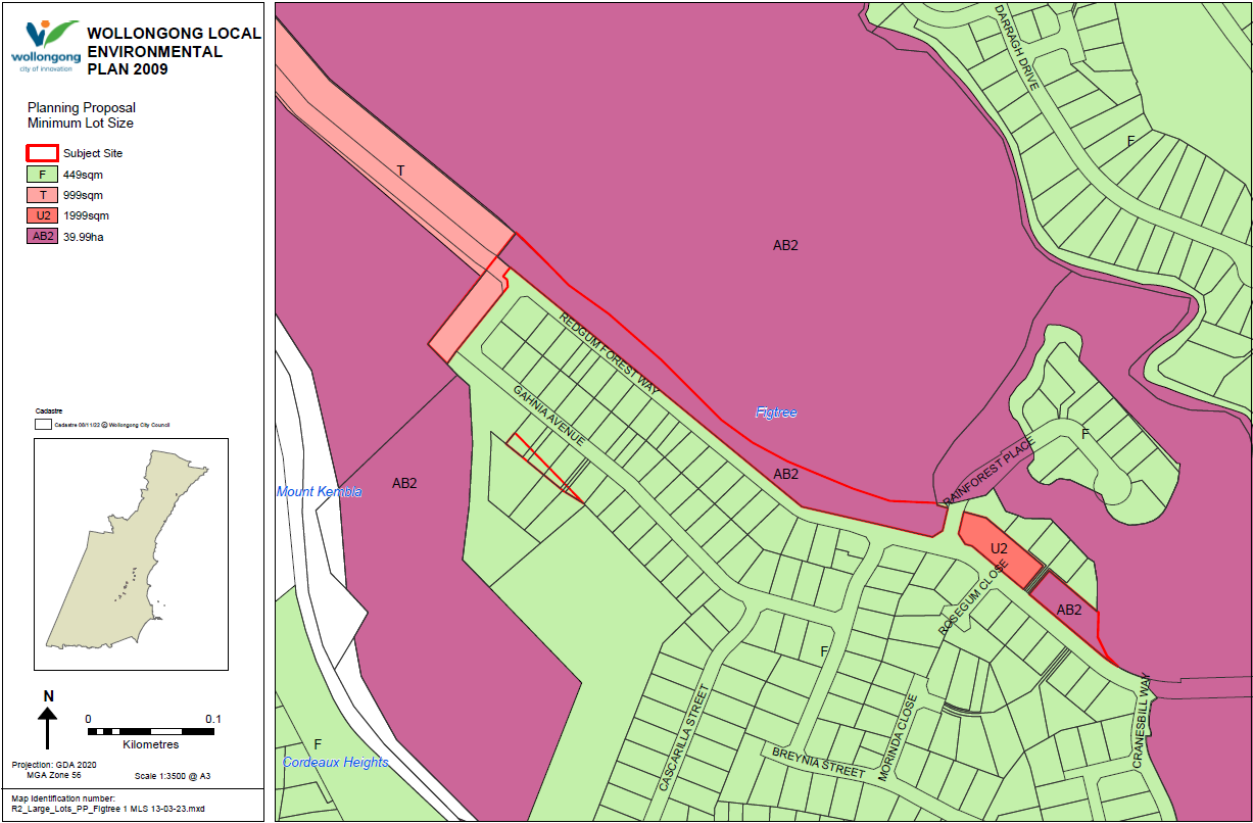
Proposed Land Zoning Map



Lot Size Map
Existing Lot Size Map



Proposed Lot Size Map



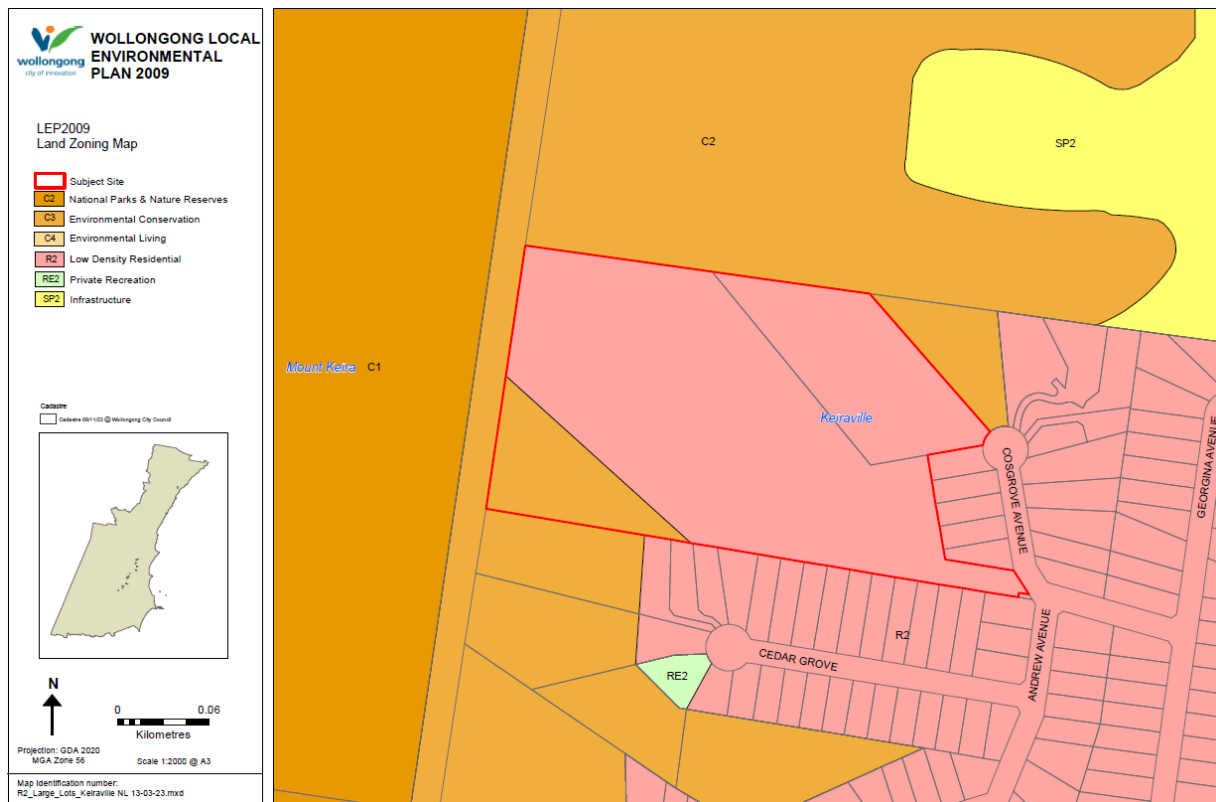
Existing Floor Space Ratio Map



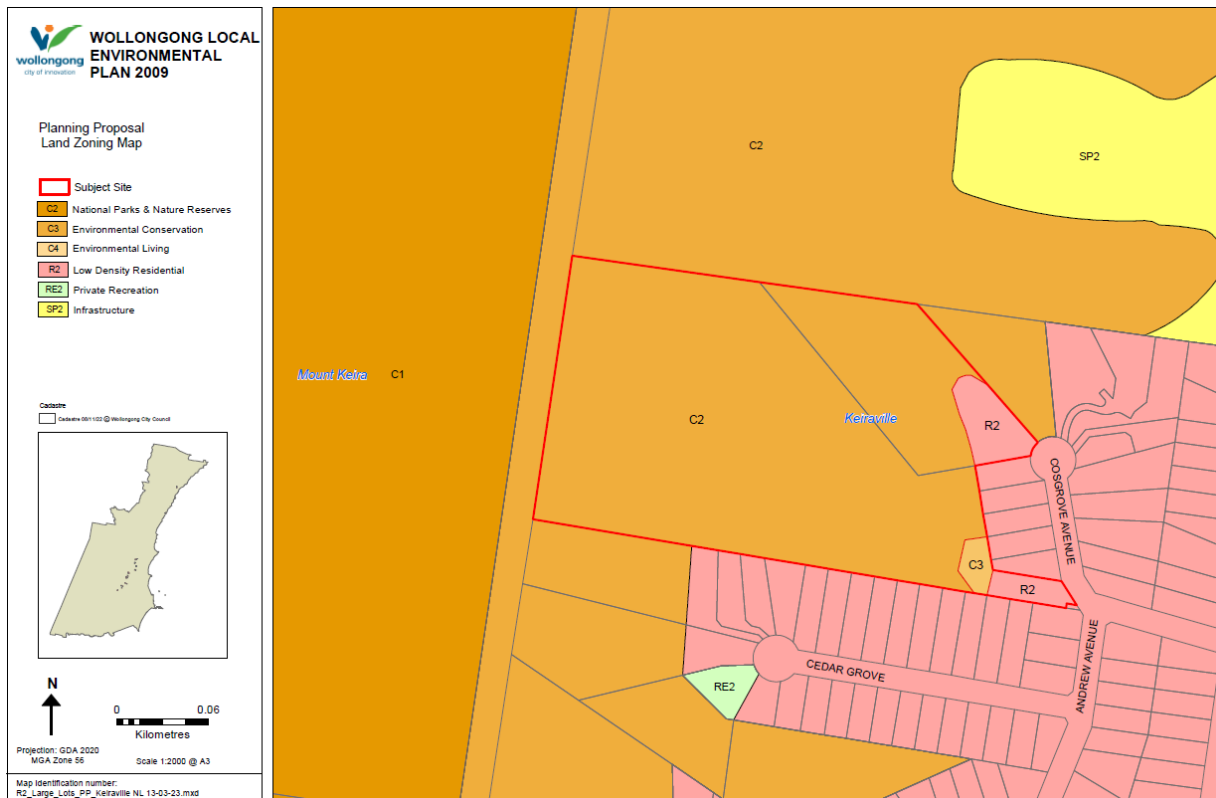
Location: Keiraville – Cosgrove Avenue

Land Zoning Map

Existing Land Zoning Map

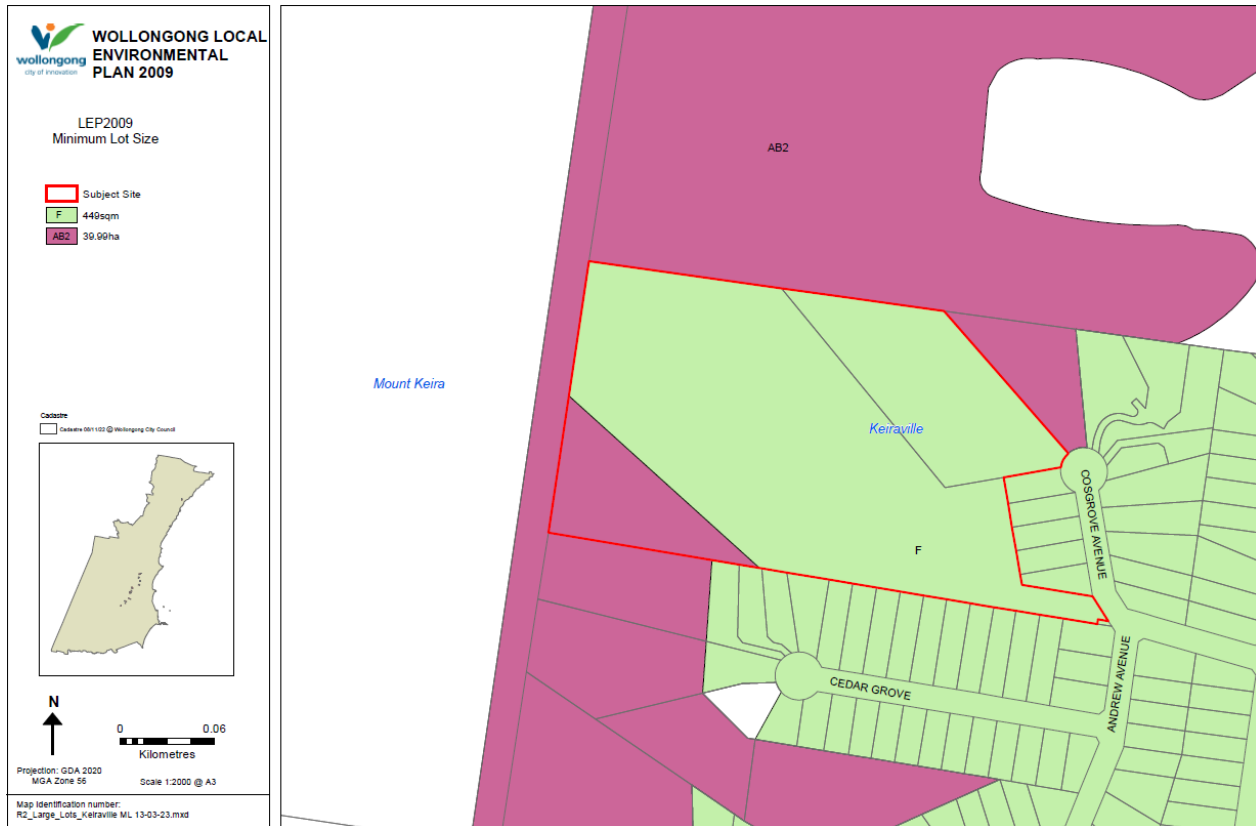


Proposed Land Zoning Map

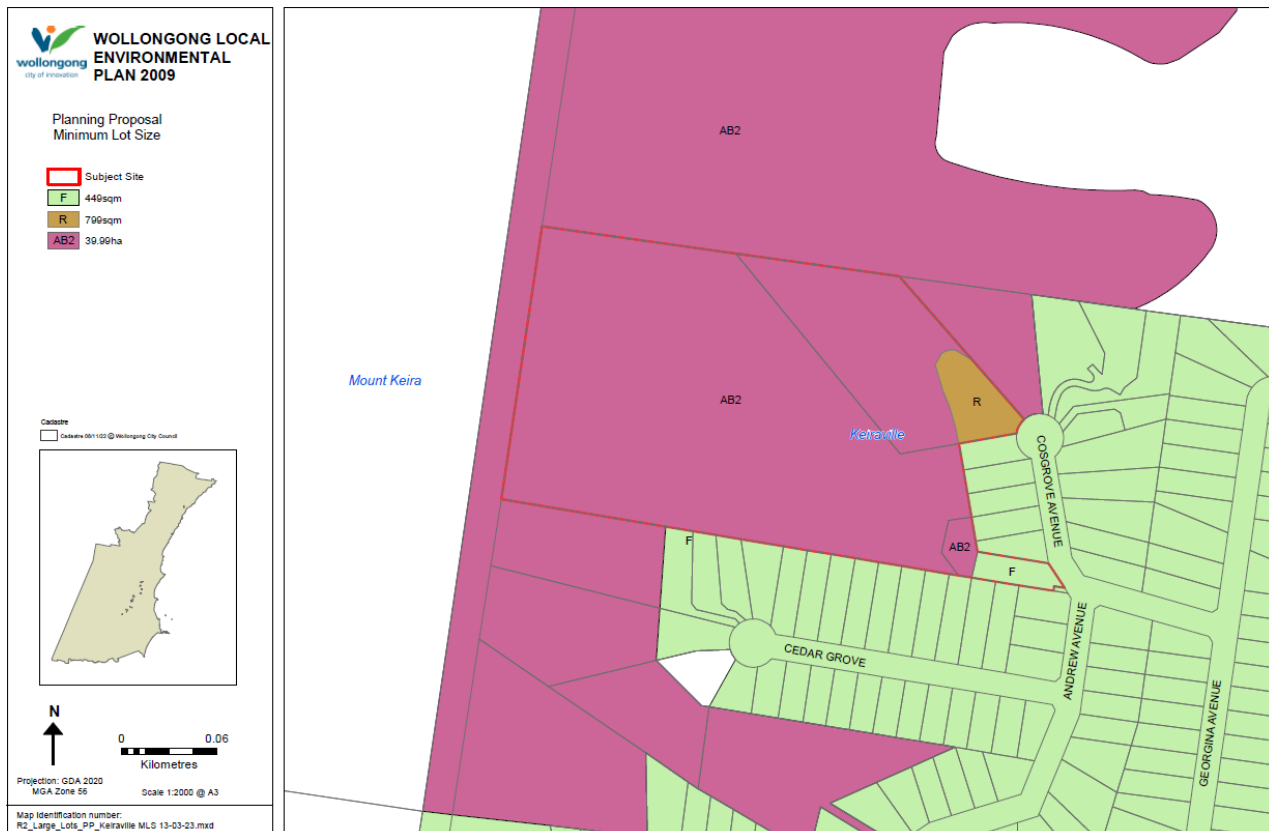


Lot Size Map

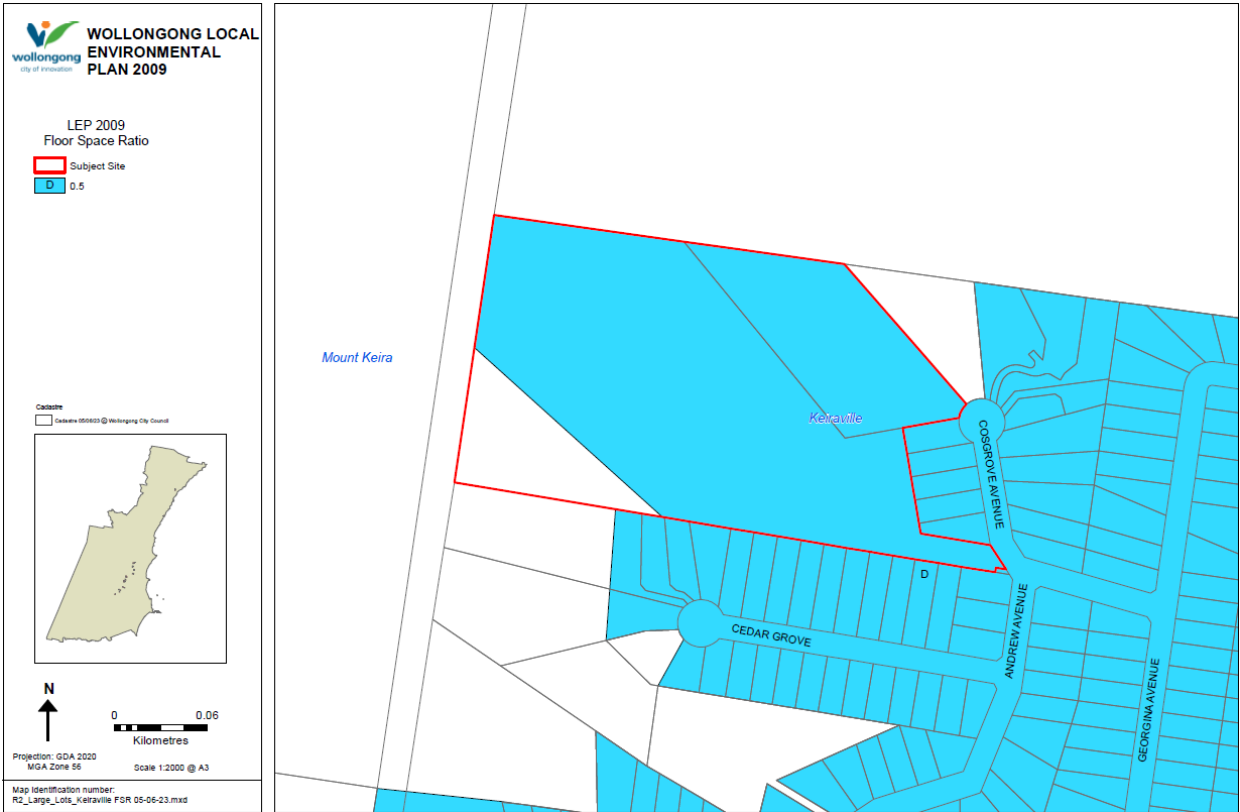
Existing Lot Size Map



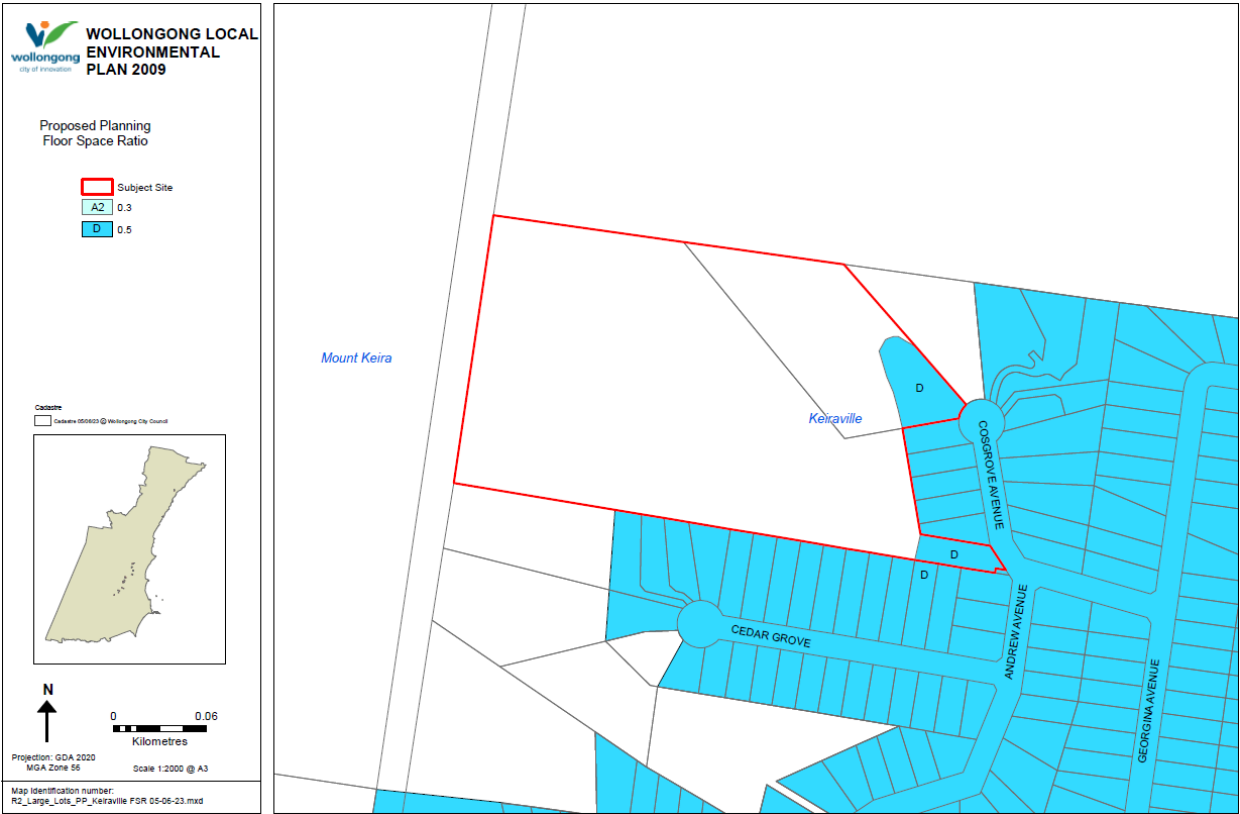
Proposed Lot Size Map



Floor Space Ratio Map
Existing Floor Space Ratio Map



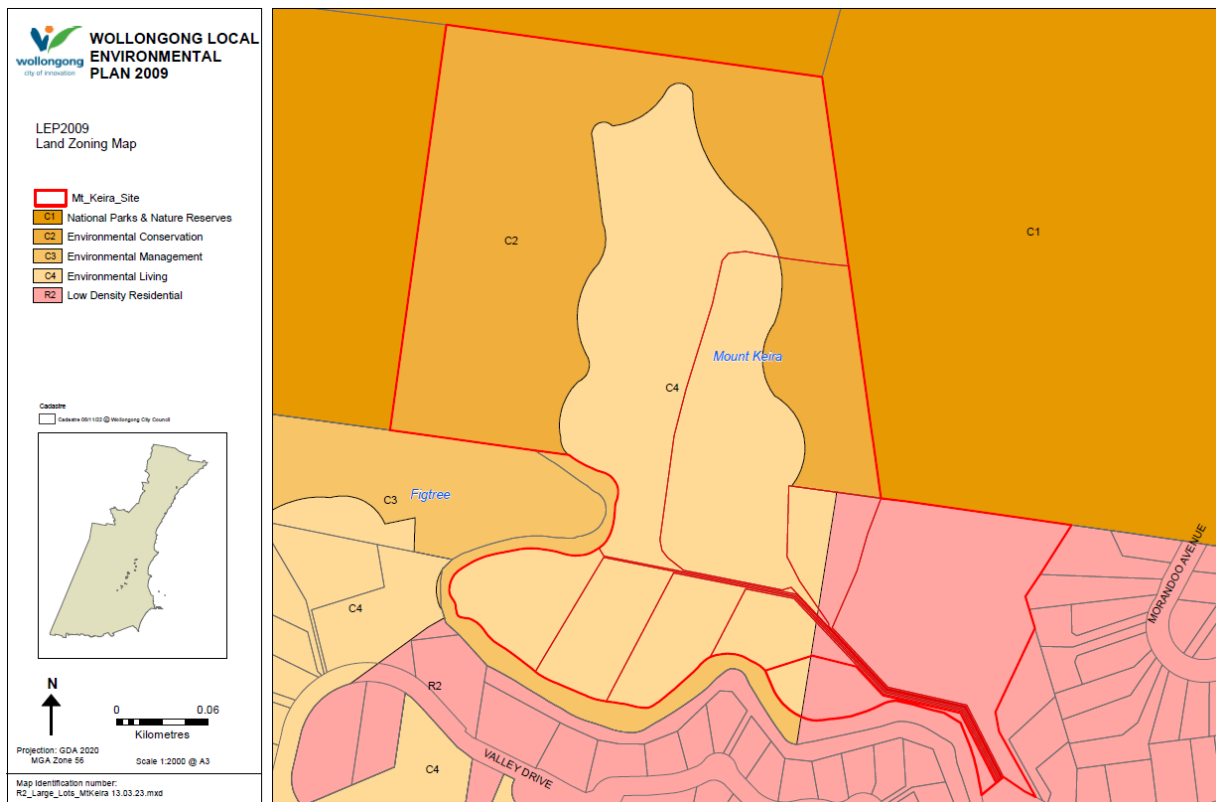
Proposed Floor Space Ratio



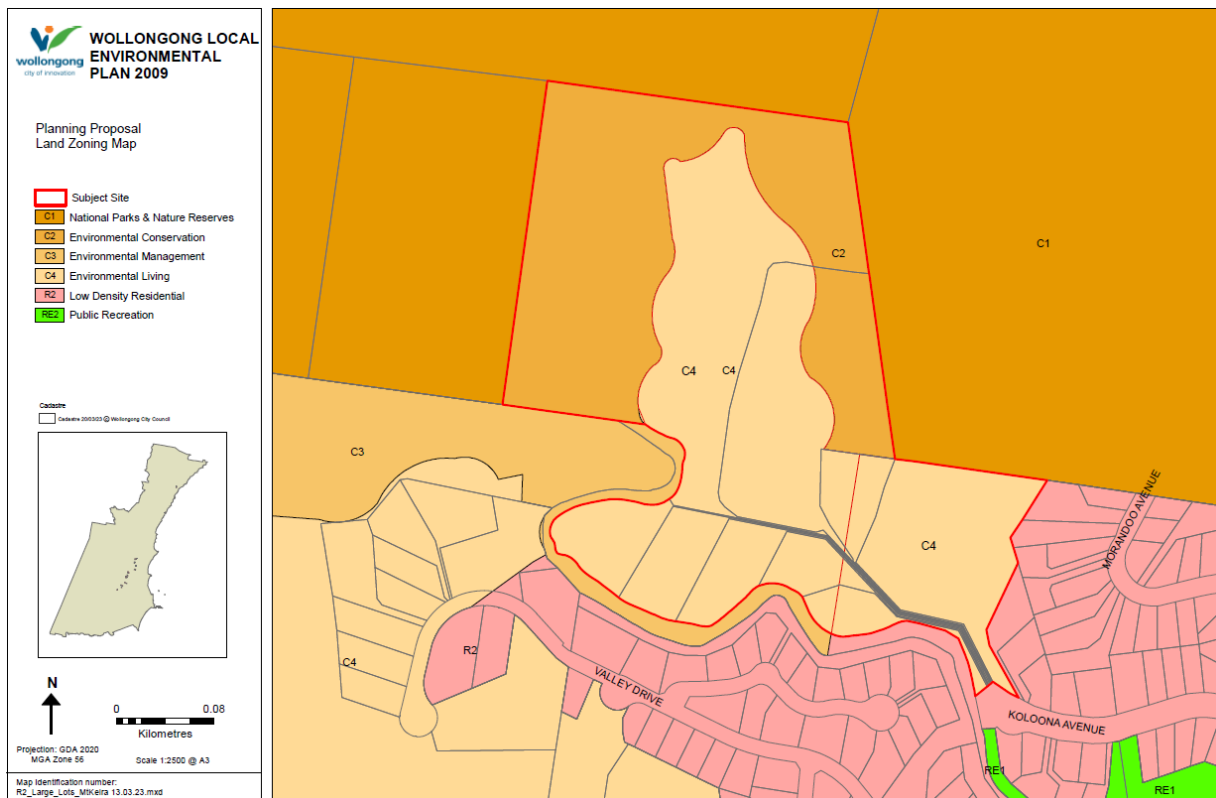
Location: Mount Keira – Koloona Avenue

Land Zoning Map

Existing Land Zoning Map

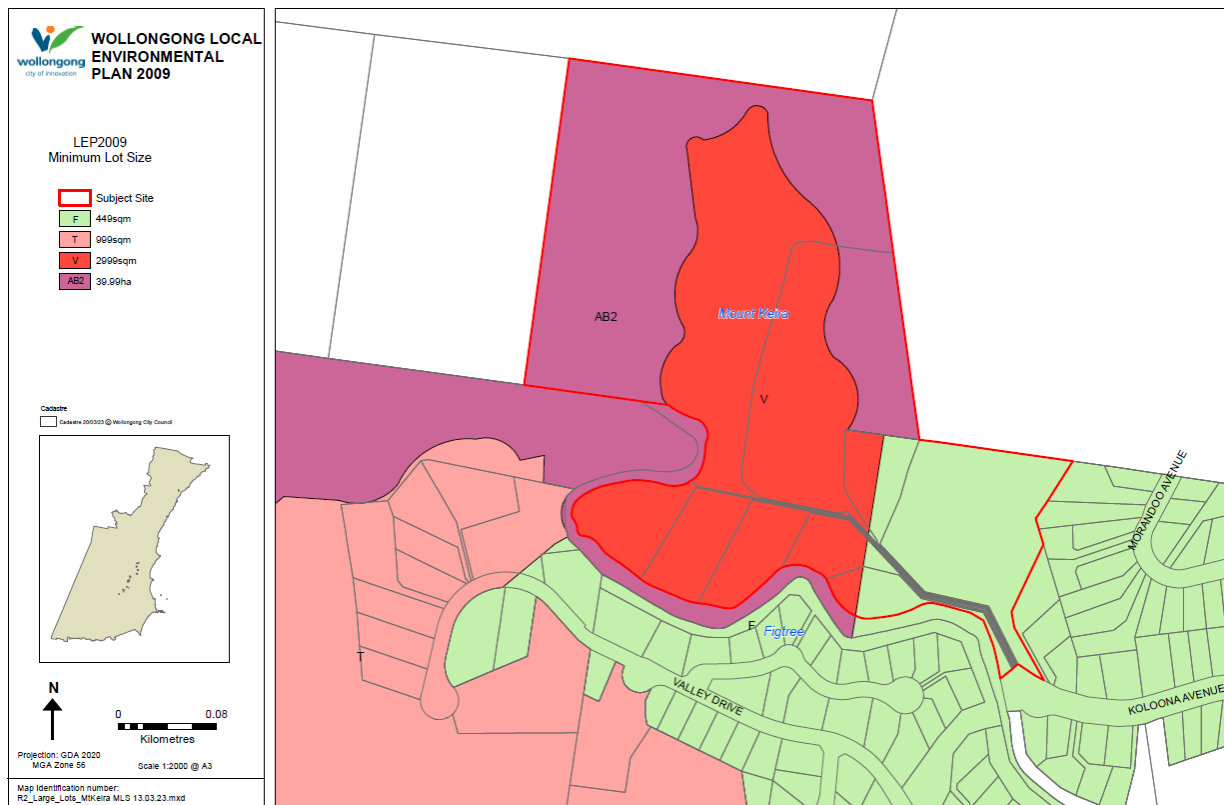


Proposed Land Zoning Map

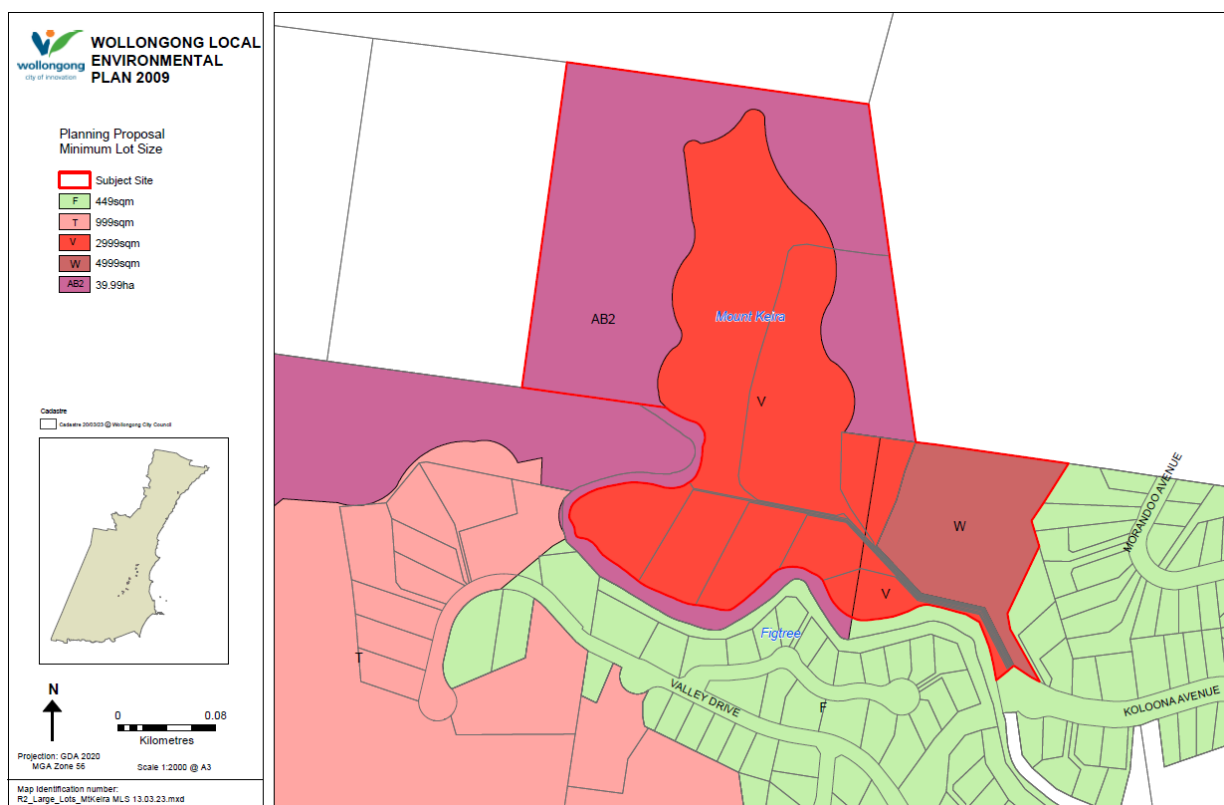


Lot Size Map

Existing Lot Size Map

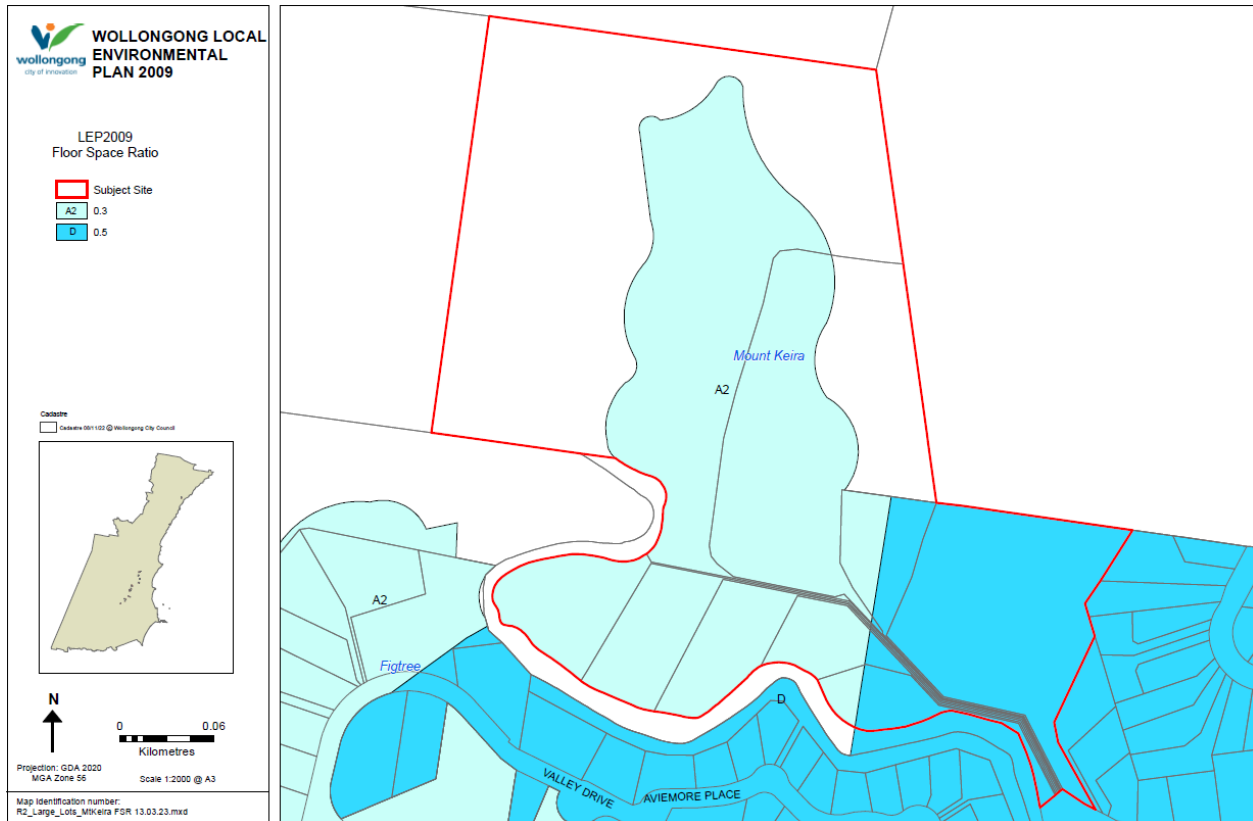


Proposed Lot Size Map

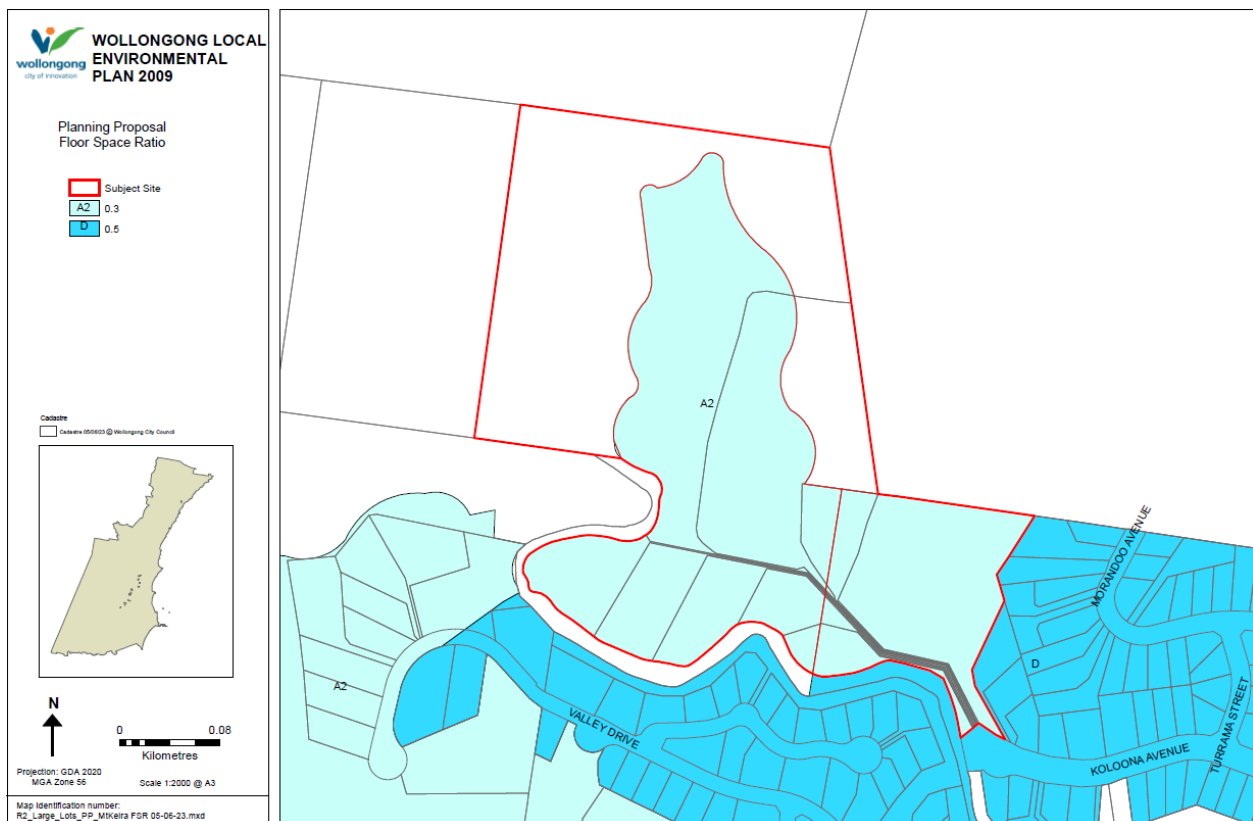


Floor Space Ratio Map

Existing Floor Space Ratio Map



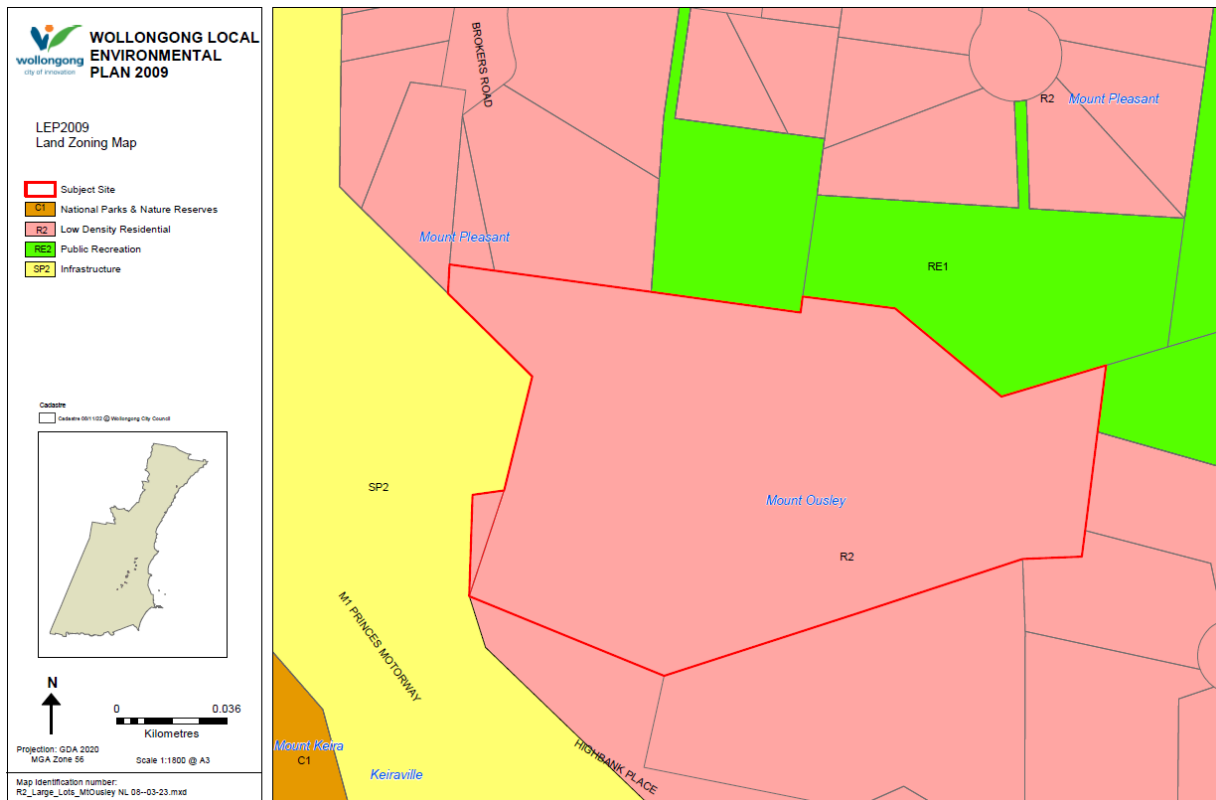
Proposed Floor Space Ratio



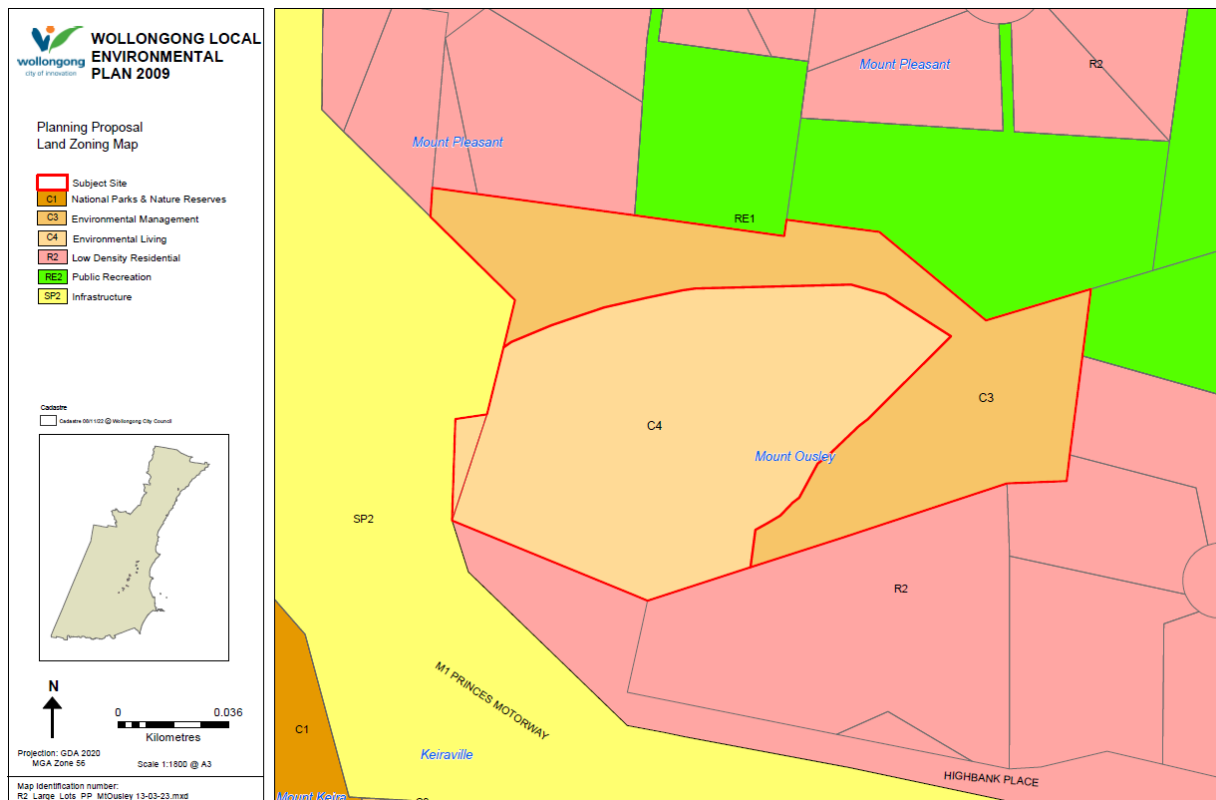
Location: Mount Ousley – Highbank Place

Land Zoning Map

Existing Land Zoning Map

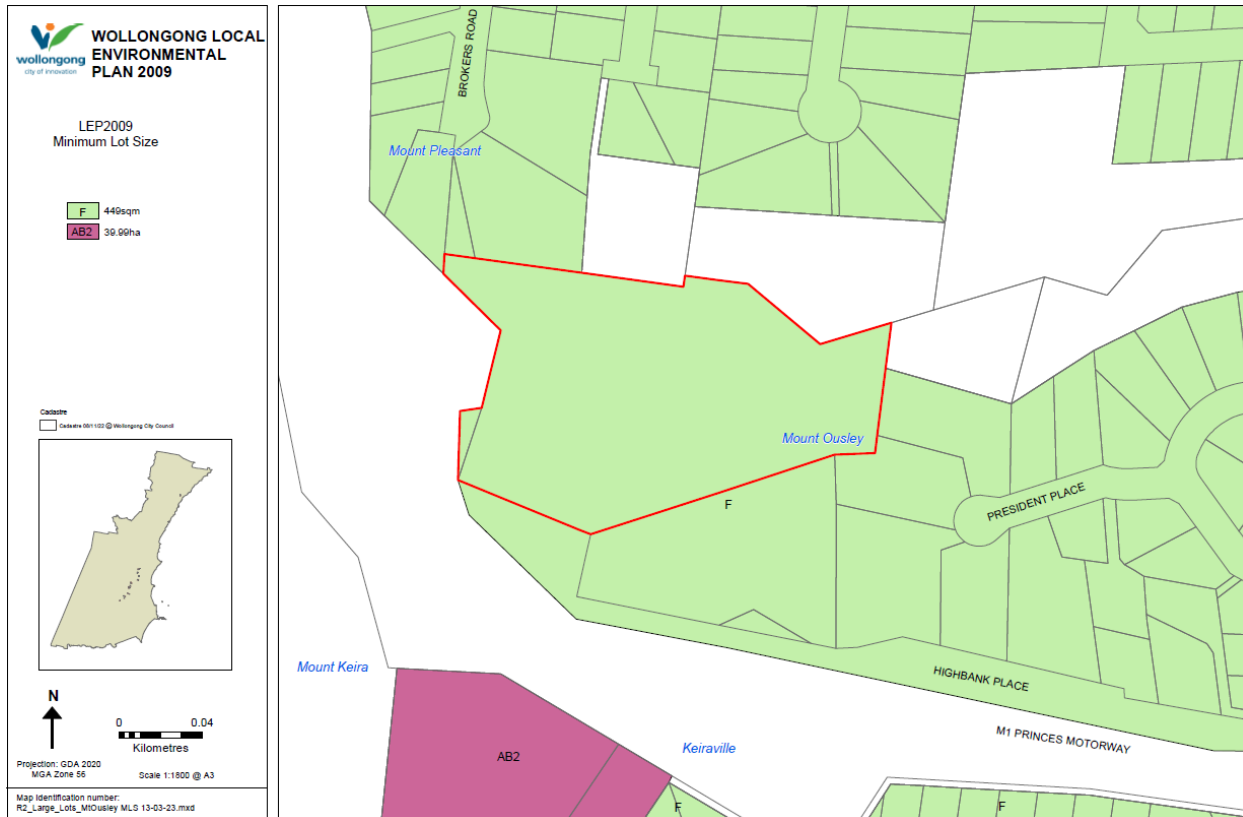


Proposed Land Zoning Map

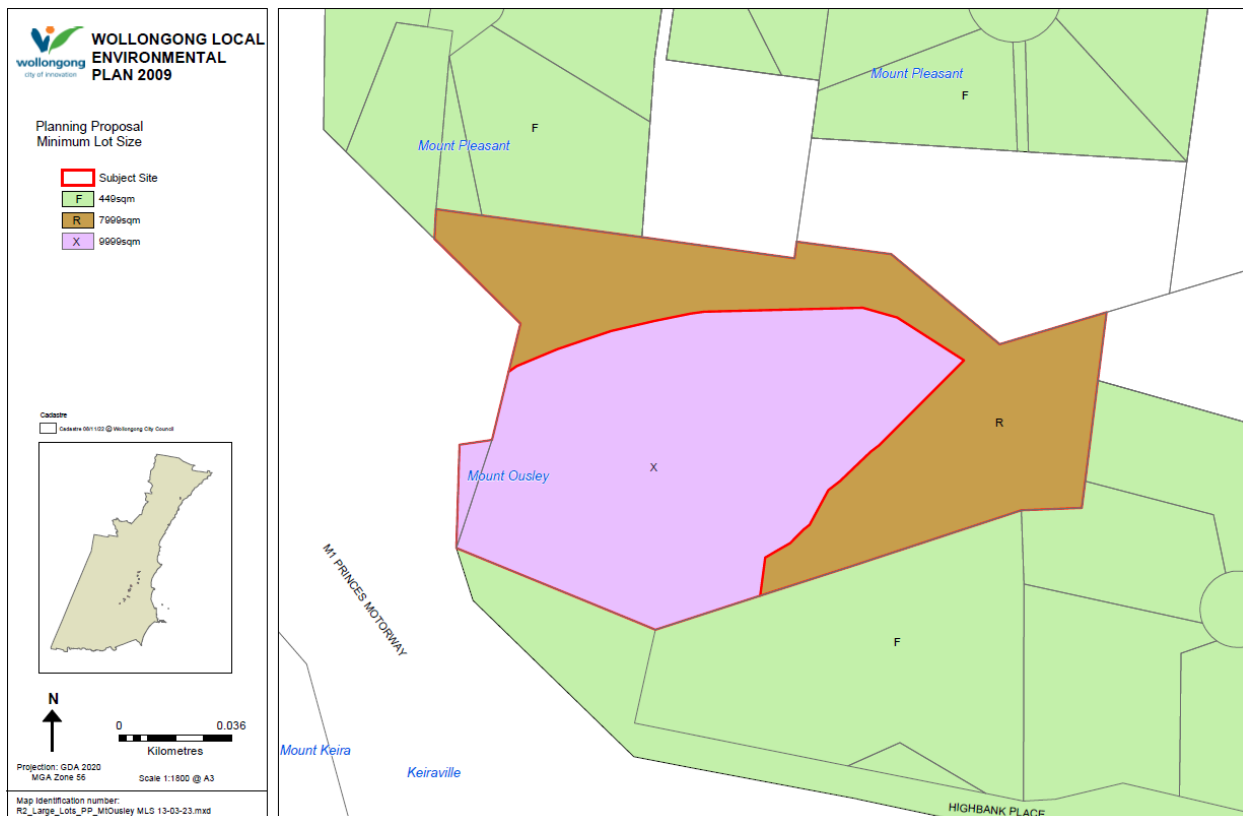


Lot Size Map

Existing Lot Size Map

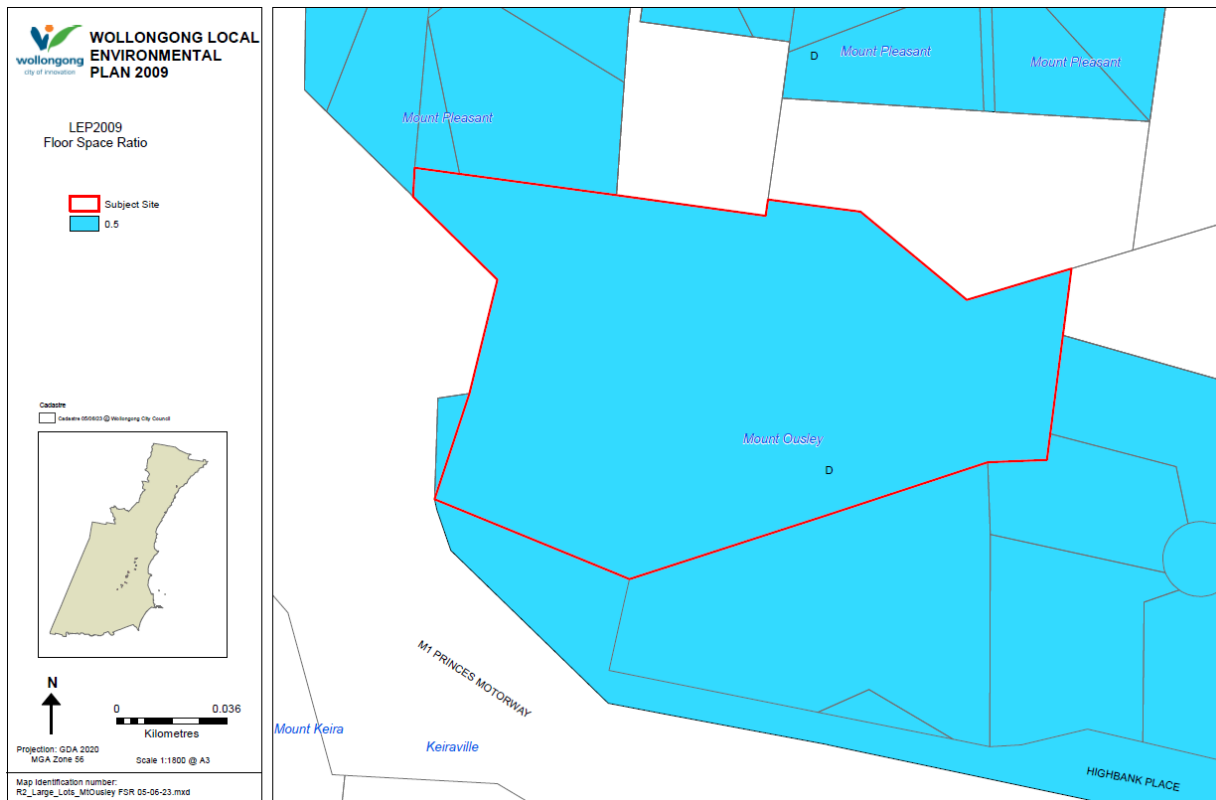


Proposed Lot Size Map

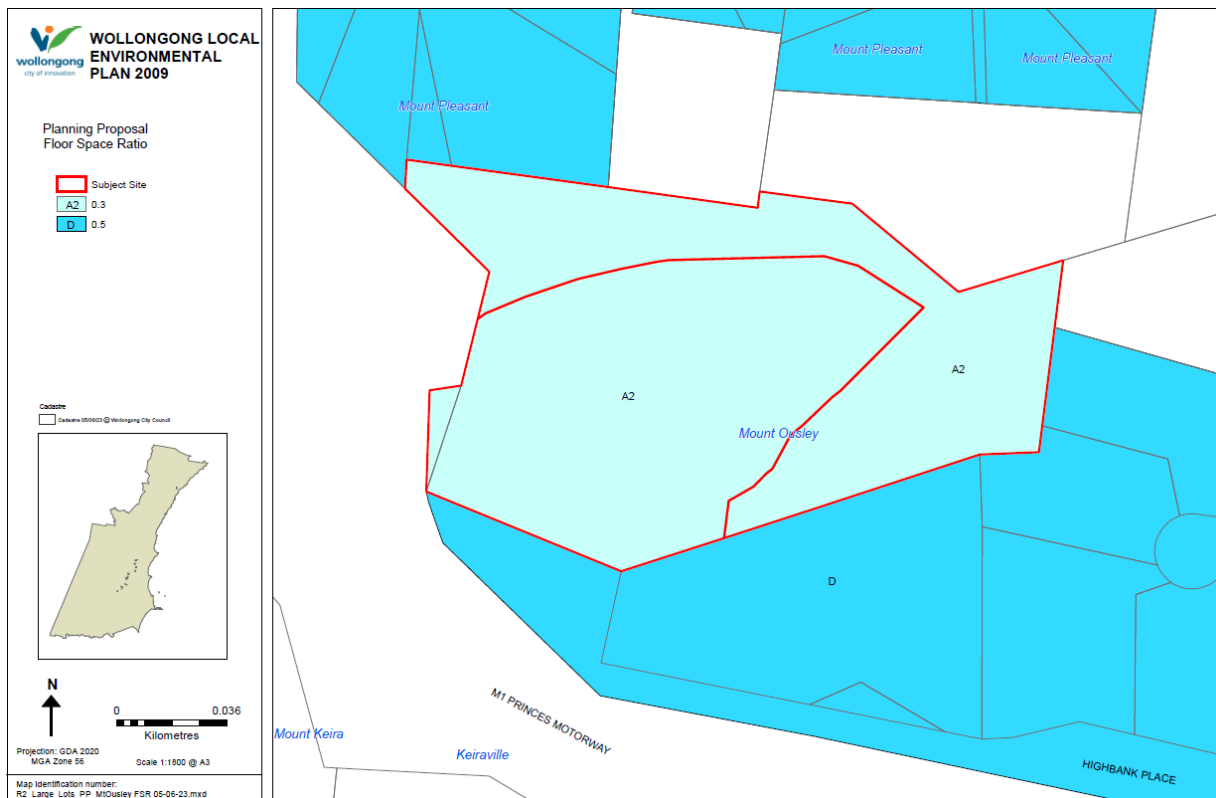


Floor Space Ratio Map

Existing Floor Space Ratio Map



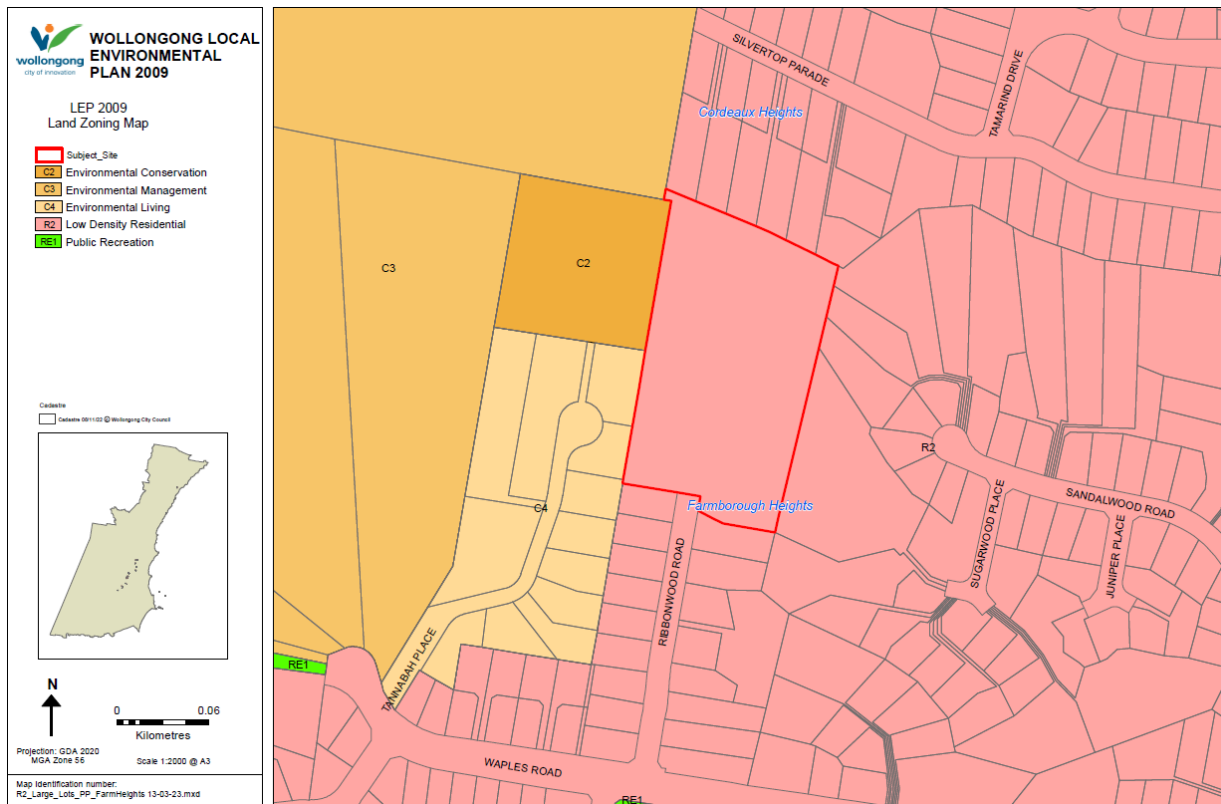
Proposed Floor Space Ratio



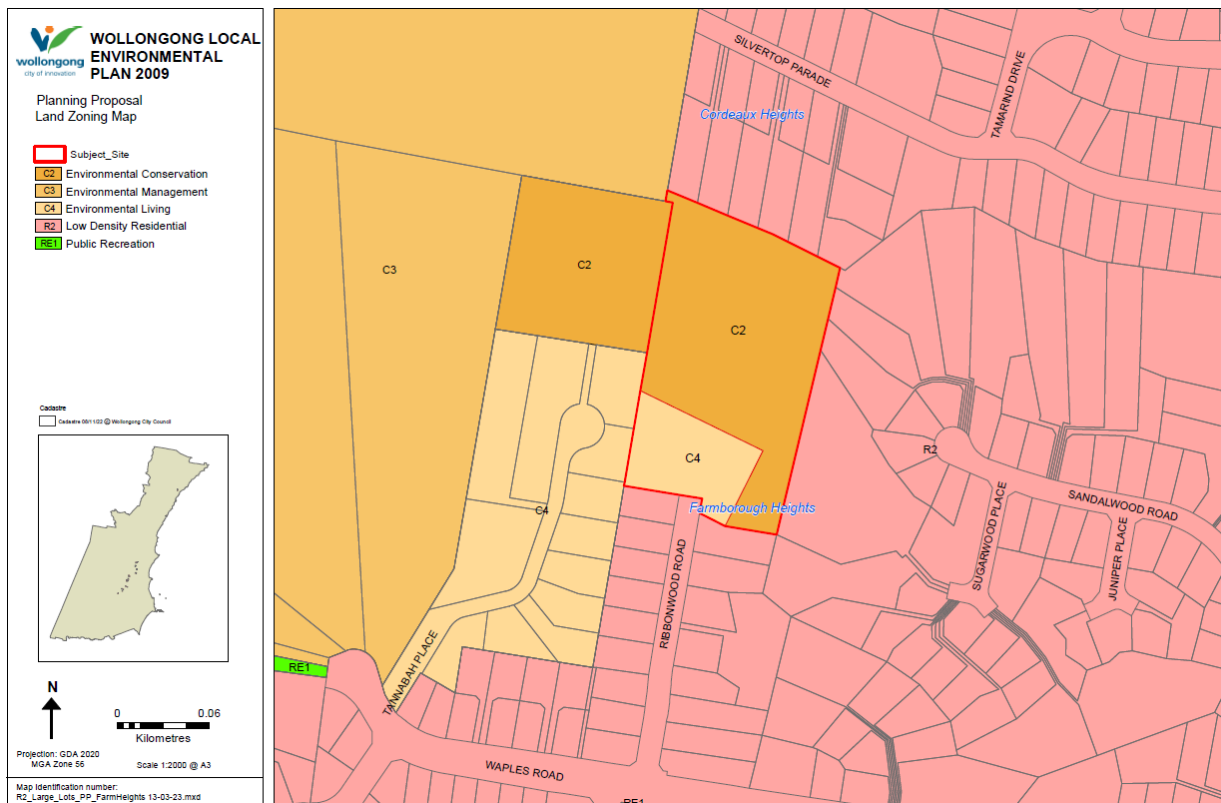
Location: Farmborough Heights, Ribbonwood Road

Land Zoning Map

Existing Land Zoning Map

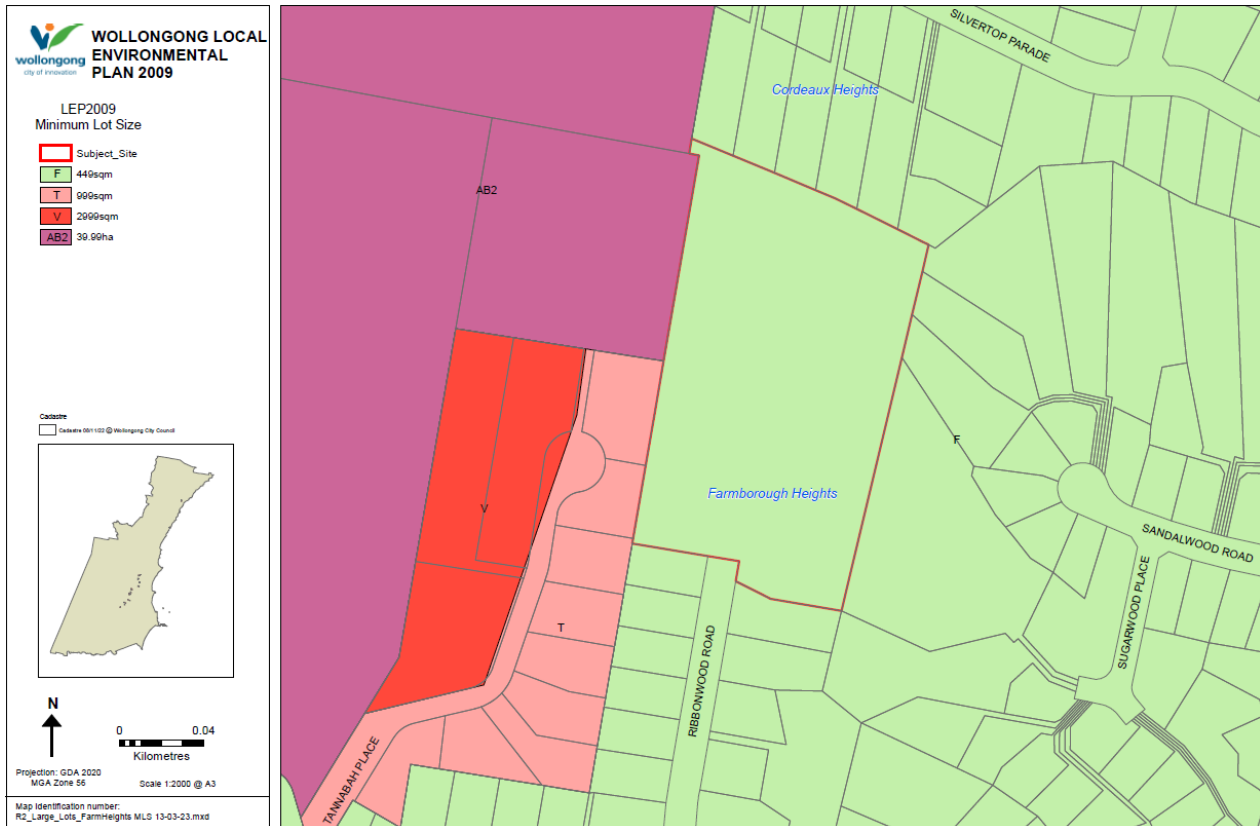


Proposed Land Zoning Map

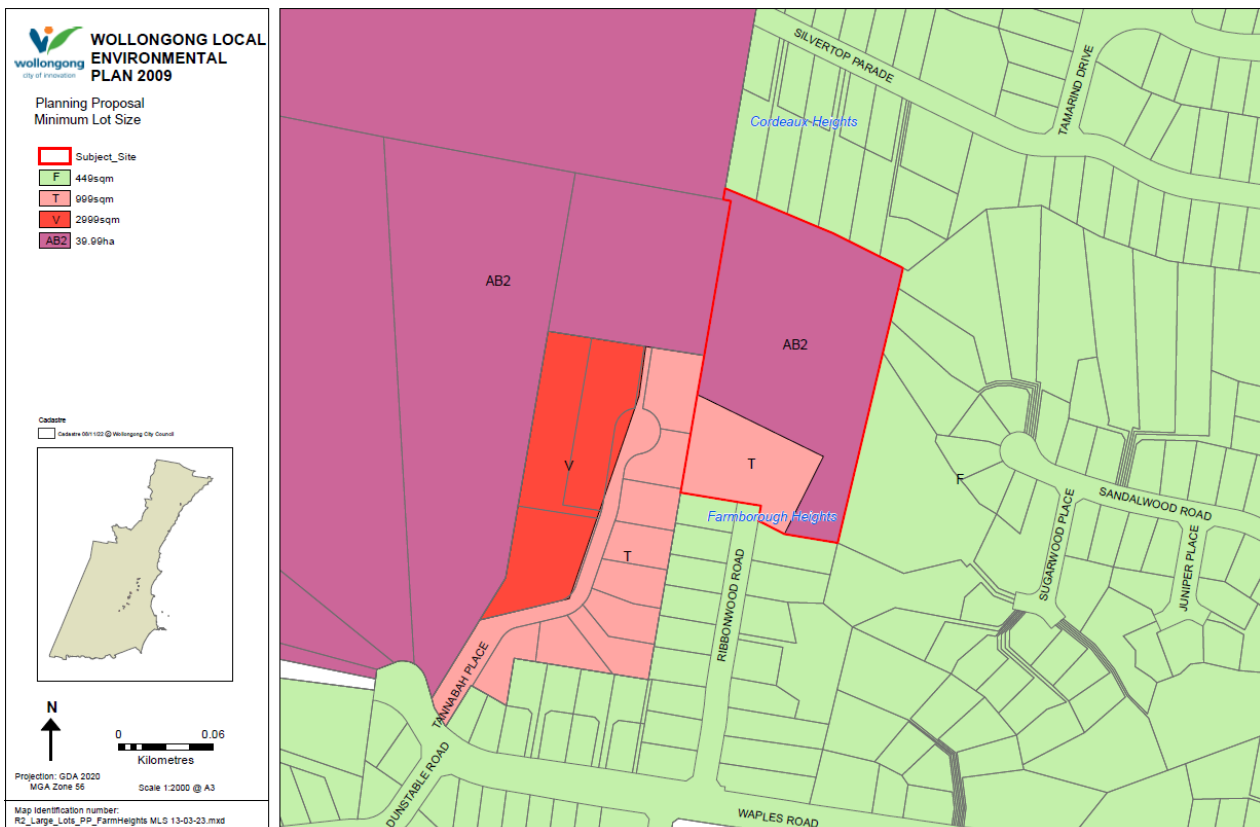


Lot Size Map

Existing Lot Size Map

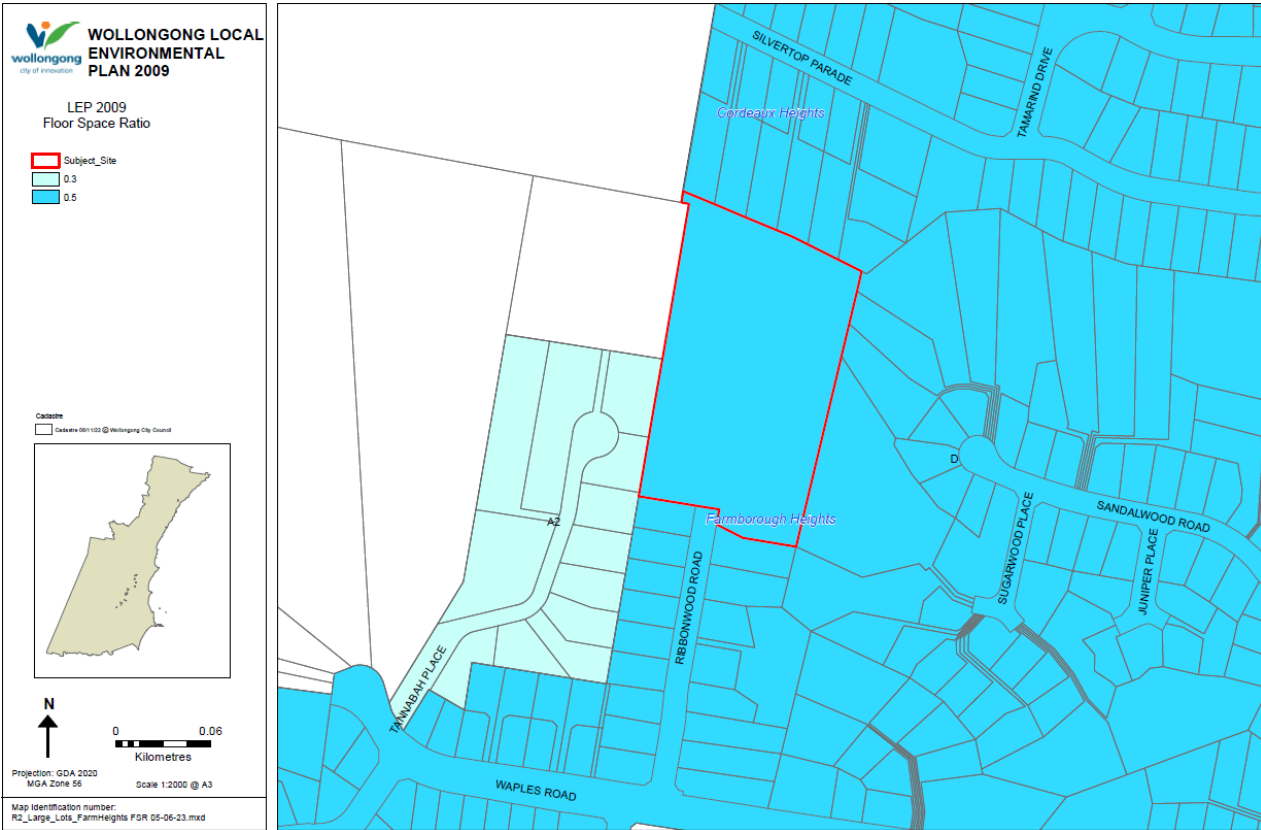


Proposed Lot Size Map

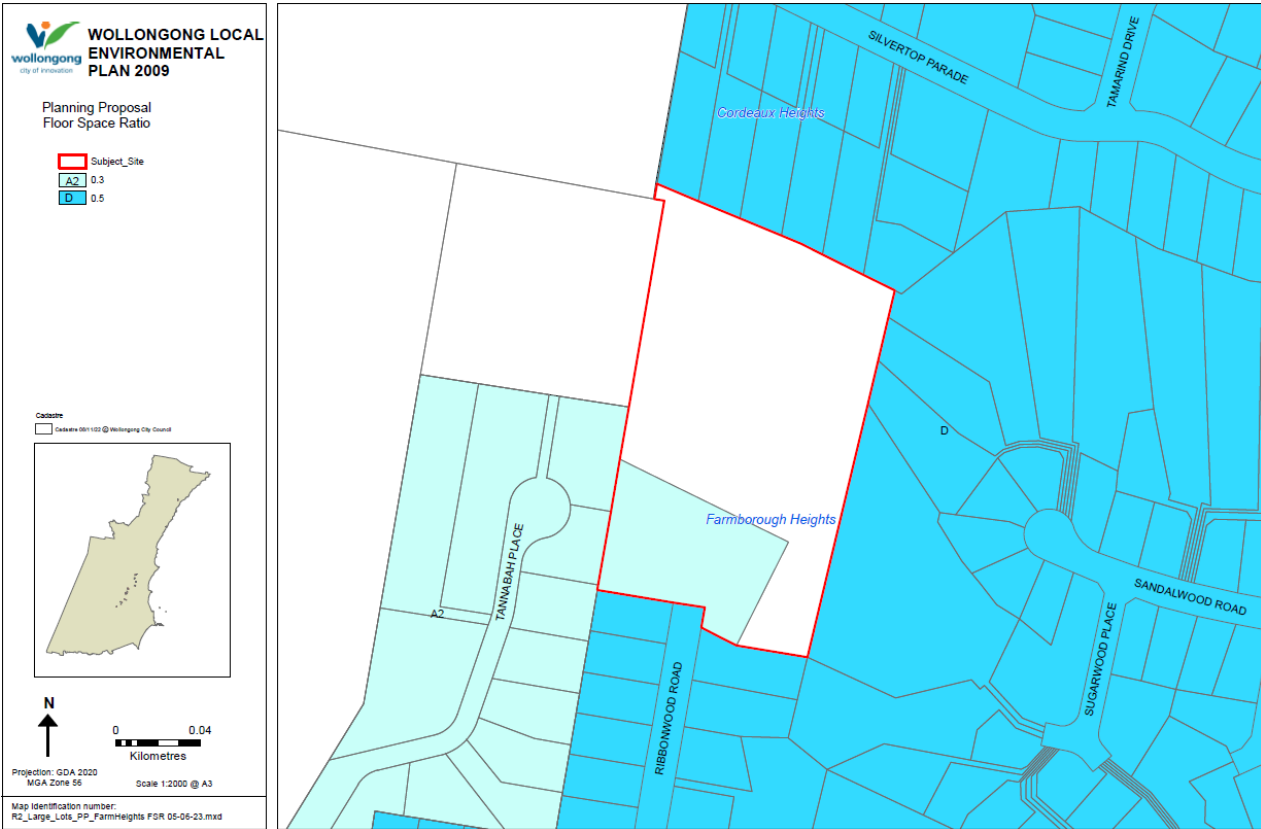


Floor Space Ratio Map

Existing Floor Space Ratio Map



Proposed Floor Space Ratio



Part 5 – Community Consultation

Public Exhibition

The requirements for this consultation is determined by the EP&A Act and the minimum requirements for this consultation are identified in Section 4.5 of A Guide to Preparing Local Environmental Plans (Department of Planning 2009 & Infrastructure 2013). The requirements set out in Section 4.5 relate to the notification requirements and what material is to be made available for inspection.

The Public Exhibition of the Planning Proposal will include:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *An electronic copy on Council's website;*
- *Notification letters to surrounding and nearby property owners;*
- *Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Environment (but not limited to).*

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 2023	Department of Planning and Environment
3	Government agency consultation	July/August 2023	Agencies
4	Public exhibition period	July/August 2023	Council
5	Date of Public Hearing	N/A	Council
6	Consideration of submissions and assessment of proposal post exhibition	August/September 2023	Council
8	Report to Council	December 2023	Council
9	Final Planning Proposal prepared	December 2023/January 2024	Council
10	Submission to Department for finalisation of LEP	January 2024	Council
11	<i>Anticipated date relevant planning authority (RPS) will make the LEP</i>	<i>February 2024</i>	<i>Council (if under delegation)</i>
12	Anticipated date Council will forward final Planning Proposal to Department for notification	February 2024	Council

13	Anticipated date LEP will be notified	March 2024	<i>Parliamentary Counsel and DPIE</i>
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Table A - Checklist of State Environmental Planning Policies – applicable at the time of the issued Gateway Determination

State Environmental Planning Policy		Compliance	Comment
SEPP	(Biodiversity and Conservation) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Building Sustainability Index: BASIX) 2004	Not Applicable	
SEPP	(Exempt and Complying Development Codes) 2008	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Housing) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Industry and Employment) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	No 65—Design Quality of Residential Apartment Development	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Planning Systems) 2021	Not Applicable	
SEPP	(Precincts—Central River City) 2021	Not Applicable	
SEPP	(Precincts—Eastern Harbour City) 2021	Not Applicable	
SEPP	(Precincts—Regional) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Precincts—Western Parkland City) 2021	Not Applicable	
SEPP	(Primary Production) 2021	Not Applicable	
SEPP	(Resilience and Hazards) 2021	Capable of being consistent	<p>Coastal Environment</p> <p>The proposal is considered to be consistent with the objectives of the Coastal Management Act 2016 through managing the coastal environment that consistent with the principles of ecologically sustainable development.</p> <p>A number of sites are mapped as being affected by Coastal Use Area and Environmental Area under the Coastal</p>

State Environmental Planning Policy		Compliance	Comment
			<p>Wetlands and Littoral Rainforests Area Map.</p> <p>The proposal seeks to protect the coastal environment values, including vegetation and character while allowing for sustainable development through sustainable land use planning decision-making.</p> <p>The Planning Proposal does not seek to rezone land, which would enable increased development or more intensive land-use on land mapped as being within the Coastal zoned areas.</p> <p>Remediation of Land</p> <p>A number of sites are mapped as contaminated land resulting from previous and adjoining land uses. The sites were rezoned as part of an approved Planning Proposal and are located within and existing approved subdivision, which have been developed for residential uses.</p> <p>Section B, Question 5 of this Planning Proposal report addresses site contamination and remediation actions.</p> <p>It is not expected the Planning Proposal will further impact upon site contamination and the affected lots that are presently mapped as being contaminated have been addressed and managed and/or are being remediated as part of an approved Development Application for Subdivision.</p> <p>For contaminated lots located in Figtree that are included in the Planning Proposal restrictions pertaining to contamination are detailed on tile and in the accompanying 88b Instrument created under the <i>Conveyancing Act 1919</i></p> <p>The Planning Proposal can comply with the provisions of the SEPP.</p>
SEPP	(Resources and Energy) 2021	Not Applicable	
SEPP	(Sustainable Buildings) 2022	Not Applicable	

State Environmental Planning Policy		Compliance	Comment
SEPP	(Transport and Infrastructure) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.

Deemed SEPPS (former Regional Plans)			
Illawarra REP 1	Illawarra	Repealed within Wollongong	Not Applicable
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	Not Applicable
Greater Metropolitan REP No.2	Georges River Catchment	Not Applicable	Not Applicable

Table C - Checklist of Section 9.1 Ministerial Directions

	Comment
Focus Area 1: Planning Systems	
1.1 Implementation of Regional Plans	Consistent- the Planning Proposal is consistent with the overall intent of the Illawarra-Shoalhaven Regional Plan 2041, and Illawarra Escarpment Strategic Management Plan (2015)
1.2 Development of Aboriginal Land Council land	Not Applicable
1.3 Approval and Referral Requirements	The proposal is consistent with this Direction.
1.4 Site Specific Provisions	The proposal will not introduce site-specific provisions.
Focus area 1: Planning Systems – Place based	
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not Applicable to Wollongong
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable to Wollongong
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable to Wollongong
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable to Wollongong
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable to Wollongong
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not Applicable to Wollongong
1.11 Implementation of Bayside West Precincts 2036 Plan	Not Applicable to Wollongong
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not Applicable to Wollongong
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not Applicable to Wollongong
1.14 Implementation of Greater Macarthur 2040	Not Applicable to Wollongong
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable to Wollongong
1.16 North West Rail Link Corridor Strategy	Not applicable to Wollongong
1.17 Implementation of the Bays West Place Strategy	Not applicable to Wollongong
1.18 Implementation of the	Not applicable to Wollongong

Macquarie Park Innovation Precinct	
1.19 Implementation of the Westmead Place Strategy	Not applicable to Wollongong
1.20 Implementation of the Camellia-Rosehill Place Strategy	Not applicable to Wollongong
1.21 Implementation of South West Growth Area Structure Plan	Not applicable to Wollongong
1.22 Implementation of the Cherrybrook Station Place Strategy	Not applicable to Wollongong
Focus area 2: Design and Place	
Focus area 3: Biodiversity and Conservation	
3.1 Conservation Zones	<p>The Planning Proposal seeks to rezone eight lots that are mapped as R2 Low Density Residential and C4 Environmental Living. The lots have been the subject of an approved Planning Proposal and Approved subdivision. The sites have all been developed for residential housing. Land to be rezoned to R2 from C4 is in the rear portion of the lots or contained within access handle and is considered managed land with no mapped significant vegetation or communities. Therefore, the proposal will not result in adverse impacts upon conservation zones.</p> <p>It is considered the Planning Proposal is consistent with the Ministerial Direction</p>
3.2 Heritage Conservation	<p><u>Aboriginal Heritage</u></p> <p>Land applicable to the Planning Proposal with Lot 502 DP 1255962 contains land mapped as containing Aboriginal Heritage. It is not expected the proposal will impact Aboriginal Heritage upon the site. The location of the rezoning of land from R2 Low Density Residential to C4 Environmental Living is limited to the access handle created under an approved Planning Proposal and subdivision. The location of the rezoning is limited to the lower elevated portions of the site and not in the higher elevations in proximity to Mount Keira, where items of Aboriginal Heritage would likely be prominent. Furthermore, the Planning Proposal will not result in the ability to further increase the development potential of the site.</p> <p>It is not expected the Planning Proposal will result in negative impacts upon items or locations recorded as containing Aboriginal Heritage.</p> <p><u>European Heritage</u></p> <p>The Planning Proposal includes land located at Lot 5800 SP 1132696 which contains local heritage item No. 5901, "Hillcrest". The lot is included in land to be rezone from R2 Low Density Residential to C4 Environmental Living. The site contains approved Seniors Housing development which has considered the heritage item in the Development Application phase of assessment. It is likely the proposal will contribute to the ongoing conservation of the heritage item through managing future development outcomes through the proposed amendments to the planning controls.</p> <p><u>Natural Heritage</u></p> <p>The proposal is applicable to land located at Lot 90 DP 1086429, Lot 501 DP 1255962 and Lot 502 DP 1255962 which are mapped as</p>

	<p>containing heritage landscape. The heritage landscape is associated with the Illawarra Escarpment. The proposal will not have a negative impact upon the lots to be rezoned.</p> <p>Upon Lot 90 DP 1086429 it is proposed the existing C2 Environmental Conservation Land on site will not be amended. It is also proposed a portion of R2 Low Density Residential zoned land will be rezoned to C2 Environmental Conservation. This will transition to C3 Environmental Management and retain a portion of R2 Low Density Residential fronting Cosgrove Avenue. The proposal is expected to continue to permit low density residential uses within the R2 zoned land. Development for residential purposes will not be permitted across the remainder of the site as a result of the proposed minimum lot size of 39.99 ha applying to land zoned C2 Environmental Conservation and C3 Environmental Management.</p> <p>It is proposed under the Planning Proposal to rezone the R2 Low Density Residential access handles for Lot 501 DP 1255962 and Lot 502 DP 1255962 to C4 Environmental Living. The proposed C4 zoned land will result in a consistent land use zoning across the site. Additionally, the proposed rezoning will not result in the ability for greater development potential or subdivision than existing, due to the limited area of land contained within the access handle. It is there not expected the Planning Proposal will have a negative impact on areas mapped as Natural Heritage.</p> <p>It is considered the Planning Proposal is consistent with the Ministerial Direction.</p>
3.3 Sydney Drinking Water Catchments	Not Applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable
3.5 Recreation Vehicle Areas	Not Applicable
3.6 Strategic Conservation Planning	<p>The site is not mapped within the State Environmental Planning Policy (Biodiversity and Consideration) 2021 Avoided Land Map</p> <p>The site is not mapped within the State Environmental Planning Policy (Biodiversity and Consideration) 2021 Conservation Area Map</p> <p>It is considered the proposal is consistent with the Ministerial Direction.</p>
3.7 Public Bushland	Not applicable to Wollongong
3.8 Willandra Lakes Region	Not applicable to Wollongong
3.9 Sydney Harbour Foreshores and Waterways Area	Not applicable to Wollongong
3.10 Water Catchment Protection	<p>The Planning Proposal does not include land within the prescribed regulated catchments</p> <p>Not applicable.</p>
Focus area 4: Resilience and Hazards	
4.1 Flooding	<p>It is noted sites within the Planning Proposal are mapped as being impacted by flooding.</p> <p>The Planning Proposal request is likely to result in increased positive environmental outcomes for lands adjacent to the mapped boundary</p>

	<p>of the Illawarra Escarpment. It is anticipated the proposed rezonings will allow for some development occur to provide housing albeit at a reduced rate and at an appropriate scale that considers the site constraints, while limiting the impacts upon environmental attributes, which includes flooding.</p> <p>It is considered the Planning Proposal is not inconsistent with the Ministerial Direction.</p>
4.2 Coastal Management	<p>It is considered the Planning Proposal is consistent with the Ministerial Direction 4.2.</p> <p>The proposal is considered to be consistent with the objectives of the Coastal Management Act 2016 through managing the coastal environment that consistent with the principles of ecologically sustainable development.</p> <p>The proposal seeks to protect the coastal environment values, including vegetation and character while allowing for sustainable development through sustainable land use planning decision-making.</p> <p>The Planning Proposal does not seek to rezone land, which would enable increased development or more intensive land-use on land mapped as being within the Coastal zoned areas.</p> <p>The proposal seeks to strengthen the protection of areas mapped as littoral upon Lot 1 DP 1286300 through an amendment to land use zoning and minimum lots size. It is proposed areas mapped as containing littoral rainforest will be rezoned to C3 Environmental Management with a minimum lot size of 2,999 m² from R2 Low Density Residential with a minimum lot size of 449 m². The remainder of the lot will be rezoned to C4 Environmental Living with a various minimum lot sizes of 2,999 m², 899 m² and retain some less sensitive areas as 449 m², it is also proposed the Floor Space Ratio be amended from 0.5:1 to 0.3:1. It should be noted an approved Development Application applies was approved for the site for a 14 lot subdivision. The approved application has been considered when drafting the proposal. The proposal will result, theoretically, in significantly less development than if existing zoning controls were retained post the issue of a Subdivision Certificate.</p> <p>Lot 5800 DP 1132696 is mapped as being in the Coastal Environment Area and Land Application Map. The land is currently zoned R2 Low Density Residential and has an approved Aged Care Facility operating on site. It is proposed that the R2 zoned land be rezoned C4 Environmental Living with a Minimum Lot Size of 999 m² and an FSR of 0.3:1 with no change to the existing 9 m maximum building height. It is expected the Planning Proposal will better manage land uses on site in context of the natural features and surroundings, which includes the Coastal Environment</p> <p>It is considered the Planning Proposal is not inconsistent with the Ministerial Direction</p>
4.3 Planning for Bushfire Protection	<p>A large portion of the Lots within the Planning Proposal are mapped as bushfire prone. It is considered the Planning Proposal is generally consistent with aim and objectives of Planning for Bushfire Protection 2019, as the proposal will generally reduce or limit future residential development in areas mapped as Bush Fire Prone. Where land is to be rezoned to R2 Low Density Residential, these sites have been subject of a Planning Proposal, Subdivision Application and have now been developed for residential purposes and are managed accordingly.</p> <p>It is expected should the Planning Proposal progress that the NSW</p>

	<p>RFS will be referred the proposal prior to public exhibition, as required under the Environmental Planning and Assessment Act (1979) NSW.</p> <p>It is considered the Planning Proposal is not inconsistent with the Ministerial Direction.</p>
4.4 Remediation of Contaminated Land	<p>The proposal acknowledges a number of sites are mapped as having contamination.</p> <p>Contaminated land to be rezoned in Wombarra is being addressed and remediated through engineering works, as part of the approved DA- in preparation for an application for the issue of a subdivision certificate for 14 lots.</p> <p>Contaminated land identified under the Contaminated Lands Management Act 1997 to be rezoned in Figtree has been addressed and managed as part of an existing approved subdivision.</p> <p>It is not anticipated the Planning Proposal will result in increased development on lands to be rezoned.</p> <p>It is the Planning Proposal is not inconsistent with the Ministerial Direction.</p>
4.5 Acid Sulfate Soils	<p>Council's Intramaps map Lot 5800 DP 1132696; Lot 1 DP 1286300; Lot 2 DP 1286300; Lot 3 DP 1286300; Lot 4 DP 1286300; Lot 5 DP 1286300 as being affect by Class 5 Acid Sulfate Soils.</p> <p>Lot 5800 DP 1132696 is mapped R2 Low Density Residential and has an approved Residential Aged Care Facility on site.</p> <p>A Development Application for subdivision has been approved upon Lot 1 DP 1286300; Lot 2 DP 1286300; Lot 3 DP 1286300; Lot 4 DP 1286300; Lot 5 DP 1286300. The approved subdivision has resulted in significant land modification through earthworks and preparation for residential dwellings. The proposal will not result in the ability to further subdivide the site or intensify the development potential of the lots.</p> <p>The proposal does not seek to impact upon areas mapped as being impacted by Acid Sulfate Soils and does not seek to intensify the development potential for areas as being impacted by Acid Sulfate Soils.</p> <p>The Planning Proposal is capable of consistency.</p>
4.6 Mine Subsidence and Unstable Land	<p>The Planning Proposal appears not to be located in areas mapped as being impacted by mines subsidence.</p> <p>Not Applicable</p>
Focus area 5 Transport and Infrastructure	
5.1 Integrating Land Use and Transport	<p>The Planning Proposal will not result in additional vehicle movement or negative impacts upon existing road infrastructure.</p> <p>All sites are serviced by the existing road infrastructure network.</p> <p>The Planning Proposal is consistent with the direction.</p>
5.2 Reserving Land for Public Purposes	<p>The Planning Proposal will not result in land being used or required or for public purposes. The proposal will not result in the removal of public land.</p> <p>The Planning Proposal is consistent with the direction.</p>
5.3 Development Near Regulated Airports and Defence Airfields	<p>The proposal will not result in development within areas associated with regulated airports and defence airfields.</p>

	The Planning Proposal is consistent with the direction.
5.4 Shooting Ranges	Not Applicable
Focus area 6: Housing	
6.1 Residential Zones	<p>Consistent.</p> <p>The proposal is considered consistent with this direction, specifically objectives (c) as the intent of the proposal is to limit the exposure and impact of residential development in areas with known natural hazards while protecting the scenic, cultural and biological values of the adjacent Illawarra Escarpment.</p> <p>The proposal is generally consistent with Objective 11 Protect important environmental assets and Objective 12 Build resilient places and communities within the <i>Illawarra Shoalhaven Regional Plan 2041</i>.</p> <p>The proposal is consistent the Goal 1: We Value and protect our Environment and Objective 1.5 Maintain the unique character of the Wollongong Local Government Area, whilst balancing development, population growth and housing needs within the adopted <i>Our Wollongong Our Future 2023 Community Strategic Plan</i></p> <p>The proposal resulted from the implementation actions of the adopted <i>Wollongong Housing Strategy 2023</i></p> <p>The proposal will maintain and manage the urban footprint and the consumption of land upon Wollongong's urban fringe and in proximity to the Illawarra Escarpment.</p> <p>The proposal does not seek to alter permissible uses from those listed within the instrument.</p> <p>As such, it is considered proposal is consistent with the Ministerial Direction.</p>
6.2 Caravan Parks and Manufactured Home Estates	Not Applicable
Focus area 7: Industry and Employment	
7.1 Employment Zones	<p>The proposal will not result in impacts upon existing employment lands or zones.</p> <p>The proposal is consistent the Ministerial Direction.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	Not Applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Wollongong
Focus area 8: Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	<p>The proposal will not impact upon any future mining, petroleum production and extractive industries.</p> <p>The proposal is consistent the Ministerial Direction.</p>
Focus area 9: Primary Production	
9.1 Rural Zones	<p>The proposal does not include or apply to land with a rural zone.</p> <p>The proposal is not inconsistent with the Ministerial Direction.</p>

9.2 Rural Lands	All land within the proposal is within the Wollongong Local Government Area and therefore the Direction does not apply.
9.3 Oyster Aquaculture	Not Applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Wollongong

Attachment 1 – NSW Department of Planning and Environment Letters to Council



Department of Planning and Environment

Mr Greg Doyle
General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG NSW 2500

PP-2023-1259

Dear Mr Doyle

I am writing regarding planning proposal 'PP-2023-1259: Large R2 lots interfacing the Illawarra Escarpment' and its implications on the development of the approved 14 lot subdivision of Wombarra Vista at 632 Lawrence Hargrave Drive, Wombarra.

On 29 June 2023, representatives of Council, the Department of Planning and Environment, and the developer/planning consultants for Wombarra Vista met to discuss the application and operation of the planning proposal on the site. It was a respectful and useful meeting with all parties outlining their position on the proposal.

There were various issues raised by the consultants including the appropriateness of the proposed zoning, however their main objection relates to the proposed reduction in floor space ratio controls from 0.5:1 to 0.3:1 which would have a significant impact on the size of dwellings that could be constructed on the smaller lots within the approved subdivision. It is noted that the subdivision is nearing completion, contracts have been exchanged for several of the lots with some purchasers in the process of designing their homes.

In relation to the application of the C4 zone, the Department appreciates that one of Council's desired effects of applying this zone is to restrict development to a single dwelling on each lot within the subdivision to minimise environmental and infrastructure impacts. After listening to the issues raised, the Department considers that the application of a 0.3:1 FSR on approved lots smaller than 610m² would unreasonably impact the size of dwelling permitted. I note that the C4 zoning is more typically applied to larger lots where the reduced FSR would still allow a large home to be constructed. For this reason, the Department requests Council to revise the planning proposal to amend the FSR map to retain an FSR of 0.5:1 for those approved lots with an area of less than 610m² at Wombarra Vista, prior to further consideration of the planning proposal.

In the interest of equity, I note that the planning proposal also applies a 0.3:1 FSR to land at Wellington Drive Balgownie for which there is also an approved subdivision. I understand, however, that these are larger lots so the impact of the lower FSR control may not be unreasonable. If there are lots smaller than 610m² within the Balgownie subdivision then the 0.5:1 FSR should also be retained for those lots.

Council should upload the revised proposal to the planning portal and the Department will continue its assessment of the Gateway determination request.

If you would like to discuss this advice, please contact Graham Towers, Manager, Southern Region of the Department on 4247 1821.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Thompson', is displayed within a light blue rectangular box.

1/7/2023

Daniel Thompson
Director, Southern Region
Local and Regional Planning



Department of Planning and Environment

Mr Greg Doyle
General Manager
Wollongong City Council
Locked Bag 8821
WOLLONGONG NSW 2500

PP-2023-1259

Dear Mr Doyle

I am writing regarding planning proposal 'PP-2023-1259: Large R2 lots interfacing the Illawarra Escarpment' and the application of floor space ratio controls.

On 1 July 2023 the Department of Planning and Environment wrote to Council asking in the interest of equity, that the above planning proposal be revised to retain the existing FSR of 0.5:1 for lots within approved subdivisions at Wombarra and Balgownie that have an area of less than 610m².

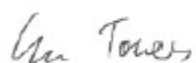
Council has subsequently contacted the Department providing advice on the approved lot sizes in both subdivisions. The Department has considered this information and notes that there are 3 lots in the Balgownie subdivision that would typically be considered 'standard' residential lots, but which exceed the 610m² threshold set by the Department.

In the interest of equity, the Department considers it reasonable to increase the threshold from 610m² to 710m². Council is therefore asked to retain the 0.5:1 FSR control for all lots within the approved subdivisions at Wombarra and Balgownie with an area below 710m².

Council should upload the revised proposal to the planning portal and the Department will continue its assessment of the Gateway determination request.

If you would like to discuss this advice, please contact Graham Towers, Manager, Southern Region of the Department on 4247 1821.

Yours sincerely

 12/7/23

Graham Towers
Manager, Southern Region
Local and Regional Planning