



IRF23/2513

Gateway determination report – PP-2023-1981

Planning Proposal – Road and Rail Corridor Rezoning
and Land Reservation Acquisition Map Amendment -
Multiple Lots.

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Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Planning Proposal (September 2023) and maps
Council Minutes (July 2023)
Wollongong Local Planning Panel State of Reasons (October 2022)

Council Report – Proposed SP2 Rezoning Maps

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	LGA name
PPA	Wollongong City Council
NAME	Road and Rail Corridor Rezoning and Land Reservation Acquisition Map Amendment – Multiple Lots
NUMBER	PP-2023-1981
LEP TO BE AMENDED	Wollongong Local Environmental Plan 2009 (LEP)
ADDRESS	Various – refer to Section 1.3-1.4 of this report
DESCRIPTION	Various – refer to Section 1.3-1.4 of this report
RECEIVED	13/09/2023
FILE NO.	IRF23/2513
POLITICAL DONATIONS	There are no donations or gifts to disclose, and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are:

- To make a number of amendments to the Wollongong Local Environmental Plan 2009 zoning, minimum lot size, floor space ratio, height of building and land reservation acquisition mapping for multiple lots which are located in proximity to or within the mapped road and rail corridors of Mount Kembla rail line, Memorial Drive, between Bulli and Fairy Meadow, Princes Highway, Fairy Meadow, the Albion Park Rail Bypass Road.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions

The planning proposal seeks to amend the Wollongong LEP 2009 per the changes below:

Table 3 Current and proposed controls

Lot & DP	Address	Current Controls				Proposed Controls			
		Zone	FSR	Height	Lot Size	Zone	FSR	Height	Lot Size
Lot 2 DP 11277181	116 Farrell Road BULLI	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 101 DP 862578	114 Farrell Road BULLI	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 13 DP 1158886	112 Farrell Road BULLI	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 13 DP 872562	Memorial Drive CORRIMAL	SP2	Nil	Nil	Nil	RE1	Nil	9m	Nil
Lot 9 DP 1049217	32 Cross Street CORRIMAL	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 1 DP 196219	34 Cross Street CORRIMAL	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 1 DP 995627	36 Cross Street CORRIMAL	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 5 DP 745588	66 Collins Street CORRIMAL	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 21 DP 804962	29 Cross Street CORRIMAL	SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Pt Lot 1 DP 996055	31 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 1 DP 1106690	33 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 1 DP 744068	35 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2

Lot & DP	Address	Current Controls				Proposed Controls			
Lot 4 DP 1106360	37 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 100 DP 801828	39-41 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 7 DP 1106231	43 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 8 DP 1106229	45 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 90 DP 1038305	47 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 1 DP 1042215	49 Cross Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 11 DP 1137656	22 Dick Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 60 DP 1071465	60 Collins Street CORRIMAL	R3/SP2	Nil	Nil	Nil	R3	0.75:1	13m	449m2
Lot 32 DP 813571	3 Collaery Avenue FAIRY MEADOW	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 103 DP 1134312	10-12 Soudan Street FAIRY MEADOW	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 30 DP 733119	Lot 6 Princes Highway	SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2

Lot & DP	Address	Current Controls				Proposed Controls			
Lot 18 DP 252601	Lot 6 Princes Highway FARIY MEADOW	SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 19 DP 252601	Lot 6 Princes Highway FAIRY MEADOW	SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 102 DP 628238	280 Princes Highway FAIRY MEADOW	SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot A DP 628238	280 Princes Highway FAIRY MEADOW	R2/SP2	Nil	Nil	Nil	R2	0.5:1	9m	449m2
Lot 1 DP 1150898	Mitchell Road WOONONA	R2	0.5:1	9m	449m2	SP2	Nil	Nil	Nil
Lot 203 DP 125464	Princes Highway YALLAH	C4; E4; SP2	Nil	Nil	Nil	C4	0.3:1	9m	2999m2
Lot 105 DP 1076242	13 Larkins Lane YALLAH	C4; SP2	Nil	Nil	Nil	C4	0.3:1	9m	2999m2
Lot 106 DP 1076242	15 Larkins Lane YALLAH	C4; SP2	Nil	Nil	Nil	C4	0.3:1	9m	2999m2
Lot 107 DP 1076242	17 Larkins Lane YALLAH	C4; SP2	Nil	Nil	Nil	C4	0.3:1	9m	2999m2
Lot 108 DP 1076242	19 Larkins Lane YALLAH	C4; SP2	Nil	Nil	Nil	C4	0.3:1	9m	2999m2
Lot 63 DP 1041353	Princes Highway YALLAH	E4; SP2	Nil	Nil	Nil	E4	0.5:1	9m	999m2

Lot & DP	Address	Current Controls				Proposed Controls			
Lot 100 DP 1200898	20-24 Princes Highway YALLAH	E4	0.5:1	9m	999m2	SP2 E4	Nil 0.5:1	Nil 9m	Nil 999m2
Lot 209 DP 1235464	Prince Highway YALLAH	E4; C4	5:1 0.3:1	9m	999m2 2999m2	SP2	Nil	Nil	Nil
Lot 20 DP 633211	Tallawarra Lands Yallah Bay Road YALLAH	SP2	Nil	Nil	Nil	E3 C2	0.5:1 Nil	16m 9m	2999m 39.99ha
Lot 1 DP 156657	601 Princes Highway YALLAH	SP2; SP3	Nil	Nil	Nil	SP3	0.5:1	9m	1999m2
Lot 7 DP 263655	Princes Highway YALLAH	SP2	Nil	Nil	Nil	C3	Nil	9m	39.99ha
Lot 1 DP 1061983	Stones Road MOUNT KEMBLA	SP2	Nil	Nil	Nil	RE1	Nil	Nil	Nil

The planning proposal also seeks to remove four identified lots as well as Yallah Road from the Land Reservation Acquisition map.

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

The planning proposal relates to numerous sites within the Wollongong LGA, including;

- Bulli
- Woonona
- Russell Vale
- Bellambi
- Corrimal
- Towradgi
- Fairy Meadow and,
- Yallah

Section 1.3 of this report and the planning proposal provides descriptions of the lot, DP and address of specific sites to which the planning proposal relates. The proposal seeks to rezone 1 lot located within the Illawarra Escarpment. The Escarpment is an important natural asset within the Illawarra Shoalhaven region.

1.5 Mapping

Part 4 of the planning proposal includes indicative mapping showing proposed amendments to the relevant land zoning, minimum lot size, height of building, floor space ratio and land reservation acquisition maps which are suitable for community consultation.

1.6 Background

Transport for NSW acquired sites next to Memorial Drive, Albion Park Rail Bypass, and the Mt Kembla private rail line between the 1960s and 1980s to create road corridors. These SP2 zoned sites were intended for this purpose until 2011, when the development of Memorial Drive from Gwynneville to Bulli was complete.

Preparation of the Wollongong Housing Strategy 2023 identified that there was a need to review SP2 – Infrastructure -Road and Rail zones, along transport corridors due to a number of lots and adjacent road having a split residential/ SP2 zoning. Council notes that split zoning is limiting the opportunity for development on the land.

2 Need for the planning proposal

Council notes the planning proposal is a direct result of the Wollongong Housing Strategy 2023 and an associated action. The Housing Strategy addresses overall housing supply and demand and is intended to guide Councils programs and activities to support improved housing outcomes over the next 10-20 years.

Councils Wollongong Housing Strategy contains the following planning action S3 –

S3 Review of SP2 Infrastructure - Road corridors – several privately owned properties are still affected by historical road reserves, where the road project has been completed and the adjoining land is no longer required. The land could be rezoned to the adjoining R2 or R3 zone to remove the reservation constraint and would enable development to occur. This amendment would remove the restriction and enable the lots to be developed for housing.

The Department concurs the proposal would contribute to meeting Wollongong's future housing needs and considers the rezoning provides an appropriate outcome for unproductive land which is no longer required for the road and rail corridor.

Preliminary consultation with Transport for NSW, (who are the landowners of most of the identified lots) occurred on 1 December 2022, and indicated support for the proposed rezonings. Formal and further consultation with government agencies and the community will be expected to be carried out if the planning proposal proceeds to public consultation.

Importantly, the proposal is consistent with local and regional strategic planning objectives regarding the provision of housing as outlined in detail in Section 3 of this report (below)

A planning proposal is the suitable means of achieving the intended outcomes.

3 Strategic assessment

3.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the Illawarra Shoalhaven Regional Plan 2041.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Objective 18: Provide housing supply in the right locations	Consistent - The planning proposal would give effect to Objective 18 of the Regional Plan and Strategy 18.2 which seeks to facilitate housing opportunities in existing well-serviced urban areas, particularly within strategic centres. The planning proposal would provide new/amended planning controls which would support development opportunities for housing (among other things) across the Wollongong LGA.
Objective 19: Deliver housing that is more diverse and affordable	Consistent - The planning proposal provides new/amended planning controls which would support opportunities for more diverse housing in the Wollongong LGA.
Objective 27: Protect major freight networks	Consistent – This objective is applicable as the proposed amendments relate to part of a freight network. The proposed changes are of a minor nature and acceptable as the proposal maintains existing freight networks. TfNSW and council support the proposal.

3.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 6 Local strategic planning assessment

Local Strategies	Justification
Wollongong Local Strategic Planning Statement 2020	The proposed amendment will give effect to the following planning priorities for the Wollongong LSPS <ul style="list-style-type: none"> Housing for All – by providing development opportunities for additional housing in well-serviced areas to meet the supply-demand of Wollongong's expected growth Protect the Natural Environment – by maintaining and expanding existing conservation land which is protected by provisions. Enabling Infrastructure and Transport – by maintaining existing freight networks
Wollongong Housing Strategy 2023	Consistent – As noted in Section 2 of this report, the planning proposal is a direct result of Wollongong Housing Strategy 2023 and an associated action under S3.
The Illawarra Escarpment Strategic Management Plan 2015	The Escarpment Strategic Management Plan is applicable as the proposal seeks to rezone land mapped in the Illawarra Escarpment (lot 1 DP 1061983). The proposal seeks to rezone this site from SP2 to RE1 which is considered appropriate and aligns with the objectives of the plan as the conservation of cultural and environmental values will be upheld.

3.3 Local planning panel (LPP) recommendation

The planning proposal was considered at the Wollongong Local Planning Panel meeting on 6 July 2022.

The Panel unanimously agreed with Council recommendations and provided the following advice (paraphrased):

- Supported the preparation of a draft planning proposal
- Considered that the planning proposal has strategic and site-specific merit
- Recommended that council officers should consider any positive or negative implications, in respect to GFA and whether there would need to be a review of the height standard to accommodate additional GFA on the site where the SP2 zone is removed
- Recommended that council seeks the support of TfNSW, and any other government agencies affected by the changes prior to reporting to council

Council has updated the planning proposal to incorporate the Panel's advice where relevant.

3.4 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 7 9.1 Ministerial Direction assessment

Directions	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
Direction 1.1 – Implementation of Regional Plans	Yes	The planning proposal is consistent with the overall intent of objectives and strategies in the Illawarra Shoalhaven Regional Plan (refer to Table 3 above).
Direction 1.2 Development of Aboriginal Land Council Land	Yes	The planning proposal is not mapped as Aboriginal Land Council Land.
Direction 3.1 – Conservation Zones	No - Justified	<p>This direction is applicable as the planning proposal seeks to rezone approximately 162.2m² of C4 Environmental Living zoned land to SP2 infrastructure within the Illawarra Escarpment, which is considered inconsistent with this direction.</p> <p>However, this inconsistency is considered of minor significance and justified under the terms of the Direction.</p> <p>This is because the proposed rezoning of C4 land is minor in nature and the proposed rezoning to SP2 will allow for suitable land uses which will not impact existing environmentally sensitive areas.</p>

Direction 3.2 – Heritage Conservation	Yes	<p>This direction is applicable as the planning proposal seeks to rezone sites that contain and are in proximity to listed heritage items.</p> <p>The rezoning proposal is consistent with this direction as it does not seek to change any heritage provisions.</p>
Direction 4.1 – Flooding	No - Justified	<p>Council has advised some sites are located within a flood planning area and as the proposal seeks to rezone land within a flood planning area from special purpose zone to a residential zone it is considered the proposal is inconsistent with this direction.</p> <p>However, this inconsistency is considered of minor significance and justified under the terms of the directions.</p> <p>This is because the proposal mostly seeks to rectify split zoned lots to reflect the current use upon sites. The proposal is not expected to result in potential development that will alter existing flood prone lands and any future development will be subject to Council's flood risk assessment.</p>
Direction 4.2 Coastal Management	Yes	<p>The planning proposal does not include land mapped as Coastal Vulnerability Areas, current or future Coastal Hazards, Coastal Wetlands or Littoral Rainforest under the SEPP (Resilience and Hazards) 2021 or propose amendments to the SEPP mapping. A number of lots are located within mapped Coastal Environment Area which are proposed to be rezoned but this is unlikely to impact on the Coastal Environment Area because the rezoning is unlikely to facilitate more intensive development of these lots.</p>
Direction 4.3 Planning for Bushfire Protection	No	<p>The proposal includes a number of sites which are located in Bush Fire Prone land.</p> <p>Consultation has not occurred with the NSW Rural Fire Service (NSW RFS) on the revised planning proposal and consistency with this Direction remains unresolved.</p> <p>A Gateway condition has therefore been recommended requiring consultation with the NSW RFS prior to public consultation.</p>

Direction 4.4 – Remediation of Contaminated Land	Yes	<p>The proposal includes 10 lots that are mapped as being potentially contaminated and 1 lot mapped under the <i>Contaminated Land Management Act 1997</i>.</p> <p>Council has considered site contamination and considers the proposal will not result in further impacts upon the existing site contamination. The proposed zoning will ensure the land is appropriately zoned to align with the existing use of the sites. Any future development assessment for the subject sites will be considered against the contaminated land planning guidelines and <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>.</p>
Direction 4.5 – Acid Sulfate Soils	Yes	<p>The proposal includes a number of lots that are mapped as containing acid sulfate soils.</p> <p>The planning proposal is not intensifying land uses that have a probability of containing acid sulfate soils and is considered consistent with this direction as the rezoning is of minor housekeeping significance.</p>
Direction 5.1 Integrating Land Use and Transport	Yes	<p>The planning proposal is consistent with the objectives of the Direction as it will facilitate dwellings that can be accessed by walking, cycling and public transport.</p>
Direction 5.2 – Reserving Land for Public Purposes	No - Justified	<p>The proposed amendment results in an inconsistency with this direction as it alters the existing zoning of land for public purposes.</p> <p>The proposed use of land reservation sites was supported by TfNSW and Council as the intended outcome for these sites has been completed (Memorial Drive and Albion Park Rail Bypass). It is therefore considered that any inconsistency is of minor significance as public infrastructure has been delivered in these locations, where the land reservation acquisition map is being amended. The planning proposal also seeks to rezone two sites (Lot 13 DP 872562 Memorial Drive Corrimal and Lot 1 DP 1061983 Stones Road, Mt Kembla) from SP2 to RE1. The approval of the Secretary's delegate is required for the removal of the subject sites from the Land Reservation Acquisition Map is required and the addition of additional reservations of land for public purposes.</p>

Direction 5.3 – Development Near Regulated Airports and Defence Airfields	Justified	<p>Land located within Yallah (as part of this proposal) is located within Airport Height limitations of the Shellharbour Airport. The proposal seeks to introduce height controls to these subject lots.</p> <p>This proposal aligns with the established guidelines. The building height falls within the permitted airport height limitations and adheres to the current controls. Any future construction in this area will be evaluated against the <i>Australian Standard 2021 – 2015 for noise intrusion</i> and clause 7.9 <i>Airspace Operations</i> within the <i>Wollongong LEP</i>. Consultation with the Civil Aviation Safety Authority is recommended.</p>
Direction 6.1 Residential Zones	Yes	The proposal is a minor housekeeping amendment which seeks to rezone land that is no longer required for the planning and operation of a number of transport corridors.
Direction 7.1 Employment Zones	No - Justified	<p>The proposal seeks to rezone 230m² of E4 General industrial land to SP2 Infrastructure.</p> <p>The subject land is located within an identified transport corridor which is required for any future upgrades.</p> <p>The reduction of employment land is considered of minor significance and will support necessary road infrastructure within identified transport corridors.</p>

3.5 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs as discussed in the table below.

Table 8 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
State Environmental Planning Policy (Transport and Infrastructure) 2021	Development in or adjacent to road corridors and road reservations	Yes	The proposal seeks to rezone land that reflects the current use of the site. Council notes rezoning land to SP2 will strengthen the Memorial Drive and Albion Park Rail Bypass road corridors.

State Environmental Planning Policy (Resilience and Hazards) 2021	Assessment of potentially hazardous development.	Yes	<p>Chapter 2 discusses coastal management. Several of the properties covered by this proposal fall within a coastal area, specifically a coastal wetland and coastal environment. This proposal will not have a negative impact on the coastal environment or wetlands because it does not aim to expand development or increase land use intensity in areas that are zoned for coastal use.</p> <p>Ch 4 discusses contamination issues and the remediation of land. Potential contamination issues to ensure consistency with the SEPP are addressed in Section 3.4 of this report.</p>
SEPP (Planning Systems) 2021	The SEPP identifies state significant development and critical state significant infrastructure and regionally significant development. The planning proposal affects the Albion Park Rail Bypass which is identified as State significant infrastructure.	Yes	The proposal seeks to clarify the zoning of land and remove redundant land reservation acquisition map now the Bypass has been completed.

4 Site-specific assessment

4.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Environmental Impact	Assessment
Biodiversity	<p>Council has advised some of the sites, specifically in the suburb of Yallah to which the proposal relates, contain endangered ecological communities and threatened species and is mapped as being within a biodiversity corridor.</p> <p>Due to the housekeeping nature of the planning proposal, it is considered unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposed changes and if any future development were to occur this would be subject to provisions which protect these species.</p>

Geotechnical

Council has indicated 1 site at Stones Road Mt Kembla proposed to be rezoned from SP2 to RE1 is mapped as a landslip suspected area, this site is owned by council is used for a public walking track.

Due to the housekeeping nature of the planning proposal, it is considered unlikely that the rezoning of land will impact land stability. It is noted a detailed assessment of geotechnical issues would occur at the Development Application stage.

Environmental impacts related to bushfire-prone land, contamination and flooding have been addressed under section 9.1 Ministerial Directions within this report.

4.2 Social and economic

Council considers the planning proposal will not have a negative effect on social and economic factors as the proposal applies to locations already developed for residential or economic uses.

Council notes the rezoning of land outside of the transport corridors, which is no longer needed for the road and rail infrastructure will provide suitable land use zones in accordance with existing uses on the land. Council also notes that the rezoning of SP2 land within the identified road corridors will improve the current road corridors for classified road use.

The proposal applies to a number of sites that are mapped as having European heritage but does not affect any sites that are known to have Aboriginal heritage. An assessment of this matter is discussed under 9.1 Ministerial Directions.

4.3 Infrastructure

Council considers that the proposal will not create an increased demand on public infrastructure or utilities because the proposal seeks to rezone sites that have already been developed and would therefore utilise existing available services. The impact of any future development on available infrastructure can be considered in detail at the development application stage.

Council notes that the proposal will strengthen existing road corridors by rezoning land for the purpose of classified roads.

The Department is satisfied the potential public infrastructure implications of the planning proposal have been appropriately considered and addressed. Consultation is recommended with Sydney Water, Endeavor Energy, NSW Ambulance Service and Transport for NSW (as well as any council-nominated agencies) to ensure any public infrastructure implications of the proposal are thoroughly considered prior to finalisation.

5 Consultation

5.1 Community

The planning proposal is categorised as a standard proposal under the LEP Making Guidelines (September 2022). Accordingly, a community consultation period of 30 working days is recommended and this forms part of the conditions to the Gateway determination.

5.2 Agencies

Council has nominated the public agencies to be consulted about the planning proposal.

It is recommended the following agencies be consulted on the planning proposal and given 30 working days to comment:

- NSW Department of Planning and Environment - Biodiversity Conservation Division
- NSW Rural Fire Service (RFS)
- NSW Ambulance Service
- Transport for NSW/ Roads and Maritime Services/ Sydney Trains
- RailCorp
- State Emergency Services
- Sydney Water
- NSW Heritage
- Endeavour Energy
- Civil Aviation Safety Authority
- Jemena

6 Timeframe

Council proposes a 9 month time frame to complete the LEP.

The LEP Plan Making Guidelines (August 2023) establishes maximum benchmark timeframes for planning proposal by category. This planning proposal is categorised as a basic proposal.

A 9-month time frame to complete the LEP is recommended in the Gateway conditions in case any unforeseen delays occur.

7 Local plan-making authority

Council has advised that it would like to exercise its functions as a Local Plan-Making authority.

As the planning proposal relates to a basic category LEP amendment and is of local significance, it is recommended that Council be authorised to be the local plan-making authority for this proposal.

8 Assessment summary

The planning proposal is supported to proceed with conditions for the following reasons:

- The proposal is consistent with the Illawarra Shoalhaven Regional Plan and Wollongong City Council's local strategic plans.
- Inconsistencies with relevant 9.1 Directions are considered minor in nature and justified.
- The proposal will correct split zoning anomalies to ensure suitable land uses are carried out.
- The proposal will support road corridors by providing appropriately located SP2 zoned land for road use.

9 Recommendation

It is recommended the delegate of the Secretary:

- Agree that any inconsistencies with section 9.1 Directions 3.1 Conservation Zones, 4.1 Flooding, 4.5 Acid Sulphate Soils and 7.1 Employment Zones are minor or justified *and*

- Approve the proposed creation, alteration and reduction of existing zonings or reservations of land for public purposes under section 9.1 Direction 5.2 Reserving Land for Public Purposes.
- Note that the consistency with section 9.1 Directions 4.3 Planning for Bushfire Protection is unresolved and will require justification.

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to conditions.

The following conditions are recommended to be included on the Gateway determination:

1. Consultation is required with the following public authorities:
 - NSW Rural Fire Service (RFS)
 - NSW Ambulance Service
 - Transport for NSW/ Roads and Maritime Services/ Sydney Trains
 - RailCorp
 - State Emergency Services
 - Sydney Water
 - NSW Heritage
 - Endeavour Energy
 - Civil Aviation Safety Authority
 - Jemena
2. The planning proposal should be made available for community consultation for a minimum of 30 days.
3. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Given the nature of the proposal, Council should be authorised to be the local plan-making authority.

29 September 2023

George Curtis

Acting Manager, Southern Region

2/10/2023

Daniel Thompson

Director, Southern Region

Local and Regional Planning

Assessment officer

Nikita Lange

Student Planning Officer, Southern Region