

Council Reference: 73907E/6 (D24/261594)

22/07/2024

Graham Towers
Regional Director, Acting
Department of Planning, Housing & Infrastructure - Local and Regional Planning
PO Box 5475
WOLLONGONG NSW 2520

By NSW Planning Portal and email: wollongong@planning.nsw.gov.au

Dear Graham

**Request for Gateway Determination
Planning Proposal PP-2024-109, 131 St Vincent Street, Ulladulla**

I am writing to request a Gateway determination for a proponent-initiated Planning Proposal (PP-2024-109) which applies to Lot 26 DP759018 and Lot 14 DP1105304 located at 131 St Vincent Street, Ulladulla. Bunnings Warehouse currently operates at the site but will relocate to a new approved site in due course.

The PP seeks to amend the Shoalhaven Local Environmental Plan 2014 as follows:

- Rezone the site from General Industrial (E4) to Mixed Use (MU1)
- Increase the maximum height of buildings (HOB) from 11 m to mapped heights to: 15 m and 17 m for the northern part of the site, and 21 m for the southern part of the site
- Apply a Floor Space Ratio (FSR) of 3.5:1 across the site – see comment below in this regard.

Original PP considered by Council

The PP was accepted for assessment on 7 February 2024 and was reported to Council's Ordinary Meeting on 20 May 2024. The submitted PP sought to increase heights over the southern part of the site to 28 m and 30 m, and to apply a Floor Space Ratio (FSR) of 3.5:1 across the site. In a deputation to the Council, the proponent requested a reduction in the proposed heights for the southern part of the site to 21 m (instead of 28 m and 30 m). In response, the Council resolved as follows:

RESOLVED (Clr Wells / Clr Ell)

MIN24.273

That Council support Planning Proposal (PP-2024-109) 'in principle' and subject to:

1. The inclusion of a recommendation for Gateway condition to complete an independent review of the proponent's key studies, including:

- a. Urban Design and Visual Impact Assessment*
- b. Economic Impact Assessment*
- c. Feasibility Assessment*
- d. Air and Odour Assessment*

e. *Acoustic Assessment*

2. *Modification of the maximum height of the building in accordance with the Proponent's offer of 5 April 2024, by adopting a split height of 15m, 17m and 21m under Clause 4.3 of the SLEP 2014*
3. *Consideration of options to amend the proposal to minimise health risks and land use conflict.*
4. *Detailed vacancy analysis of the existing town centre to determine if there is a need for additional mixed use-zoned land.*
5. *Creating a more detailed 3D model of the surrounding landscape and built form to enable the visual impacts to be better assessed.*
6. *All costs associated with the above to be met by the proponents in accordance with Council's Guideline for Proponent Initiated Planning Proposals (PPs).*

Proposed maximum height of buildings (HOB)

In accordance with part 2 of the resolution, the proposed HOB are 15 m and 17 m for the northern part of the site, and 21 m for the southern part of the site.

Proposed floor space ratio (FSR)

The original PP proposed to apply an FSR of 3.5:1 across the site. The Council's resolution is silent on FSR. The proposed FSR should be reviewed post-Gateway as a consequence of reducing the proposed HOB from 30 m to 21 m.

Updated PP and supporting studies

The proponent has updated the PP and key supporting technical studies consistent with the resolved height limits. These have been uploaded to the NSW Planning Portal. The following studies will be updated subject to a favourable Gateway determination:

- Preliminary site investigation
- Feasibility assessment
- Draft letter of offer to enter into a Voluntary Planning Agreement
- Economic feasibility assessment

Project timeline

A project timeline is provided below, noting that the proponent's project timeline (section 9) indicates the PP would be completed in January 2025. The predicted completion date is **19 May 2025**, based on the benchmark timeframes provided in DPHI's Local Environmental Plan Making Guideline (August 2023).

Milestone	DHPI benchmark	Completion date
PP accepted for assessment		7 February 2024
Consideration of PP request by Council, resolution to progress PP	(115 days)	20 May 2024
Gateway request to DHPI	(28 calendar days)	23 July 2024
Gateway determination received from DPHI	45 days	6 September 2024
Completion of Gateway conditions	70 days	15 November 2024
Public exhibition and assessment	115 days	10 March 2025
Finalisation	70 days	19 May 2025

Local Plan Making Authority request

Subject to receiving a favourable Gateway determination and to the extent that it will help expedite the plan-making process, Council also seeks delegated plan-making authority.

If you need further information about this matter, please contact Eric Hollinger, City Futures on (02) 4429 3320 or Kaitlin Aldous on (02) 4429 3570. Please quote Council's reference 73907E/6 (D24/261594).

Yours faithfully

A handwritten signature in black ink that reads "Gordon Clark." The signature is written in a cursive, flowing style.

Gordon Clark
Section Manager – Strategic Planning