

To amend Wollongong LEP 2009

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF LEP: Wollongong Local Environmental Plan 2009

Amendment to Schedule 2: Exempt Development, to enable
Temporary Events (Commercial and Community) as Exempt
Development.

PP-2024/5

ADDRESS OF LAND: The Planning Proposal will apply to all Council owned and/or
managed land, including Crown Land and within the road
reserves for which Council is the road authority under the
Roads Act 1993

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Part 1 – Objective and intended outcomes

Objective

To remove the requirement to require development consent for temporary events at Council owned and / or managed land, including Crown Land, and within road reserves managed by Council.

Intended Outcomes

Contribute to the local visitor economy through reducing the approval steps required for Temporary Events under the Environmental Planning & Assessment Act 1979 consistent with Transport for NSW Plug and Play Pilot Program under the NSW Government's Vibrant Street Package.

To facilitate the delivery of temporary commercial and community events on Council owned and/or managed land, including Crown land and within road reserves, which Council is the road authority, being consistent with Council's adopted Major Event Strategy 2021 – 2026.

Part 2 – Explanation of provisions

Part 2.1 Summary of Proposed Amendments

The proposal is a Council lead Planning Proposal seeking to amend the provisions of Schedule 2: Exempt Development of Wollongong LEP 2009 to include Temporary Events. The provision will apply to all land owned and managed by Council, including Crown and land within the road reserve where Council is the roads authority.

Part 2.2 Detailed Explanation of Proposed Amendments

Amend Schedule 2: Exempt Development of Wollongong LEP 2009 to include Temporary Events (Commercial and Community) upon land owned and managed by Council, including Crown and land within the road reserve where Council is the roads authority.

The proposed amendment for inclusion in Schedule 2: Exempt Development of Wollongong LEP 2009 is provided below:

Temporary Events (Commercial and Community)

Temporary event means the temporary use of land for the purpose of a function or event open to the public or a section of the public that is a ceremony, concert, cultural celebration, exhibition, fete, fair, festival, gathering, one off market sporting event or the like.

- 1 *Must take place on land owned by the Council or for which Council has care, control and management (including Crown land), or a public road for which the Council is the roads authority under the Roads Act 1993.*
- 2 *Must be carried out in accordance with a Leasing and Licencing agreement granted by the Council.*
- 3 *Must be consistent with any applicable plan of management under the Local Government Act 1993 or Crown Lands Management Act 2016 for the land.*
- 4 *Must be accompanied by a risk assessment and emergency management plan if located on bush fire prone and / or flood prone land.*

(a) *The Risk Assessment & Management Plan for events on bush fire prone land must include an assessment of the relevant parts of Section 8.3.8 Planning for Bush Fire Protection 2019 (or subsequent versions) prepared by a BPAD accredited consultant and approved by Council. The Plan must include, but not be limited to, the following:*

(i) *Consultation with the local NSW Rural Fire Service District Manager is any event is held during the Bush Fire Danger Period or on a Total Fire Ban or day of an elevated Fire Danger Rating.*

5 *Must not include site excavations and / or permanent physical change to the fabric of the location and / or structures where the use occurs.*

6 *Must not involve overnight camping or accommodation.*

Note: Other approval, authorities, licence or permits may be required under other legislation, including the Crown Lands Management Act 2016, the Local Government Act 1993 and the Roads Act 1993.

Festivals includes Music Festivals, which has the same meaning as in the Music Festivals Act (2019) NSW

Part 3 – Justification

Section A – Need for the Planning Proposal

Q1: Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning Proposal is the result of the Council resolution dated 3 February 2025 and is generally consistent with the following Strategies:

- The Wollongong Local Strategic Planning Statement 2020 and the Vision and Key Actions within the document.
- Council’s Major Event Strategy 2021-2026.
- Council Planning Proposal Policy (2024).
- Council’s Leasing and Licencing Policy (2023).

Council is in the process of developing a Temporary Events Policy to support the Wollongong LEP 2009.

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 an amendment to the Wollongong LEP 2009 and to include Temporary Events as Exempt Development under Schedule 2 of the Plan.

Section B – Relationship to strategic planning framework

Q3: Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

The Illawarra-Shoalhaven Regional Plan 2041

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

Objective 11: Create a diverse visitor economy

Objective 24: Support major events, public art and cultural activities

The Planning Proposal to amend Schedule 2 Exempt Development of the Wollongong LEP 2009 to include Temporary Events (Commercial and Community). The inclusion will remove certain planning complexities when organising an event that is of a community and commercial nature when held on land owned or managed by Council, including Crown land, and land within road reserves where Council is the Road Authority.

Q4: Is the planning proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Our Wollongong Our Future 2032 Community Strategic Plan

This Planning Proposal is consistent with the delivery of Wollongong 2032 and Goal 1: We value 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 seeks to remove certain planning barriers to result in increased positive community, cultural and economic outcomes within the Local Government Area. This will be achieved through the use of Council owned and managed land, including Crown lands and land within road reserves where Council is the Roads Authority for temporary events.

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.

In relation to Social Infrastructure the LSPS acknowledges importantly that: -

- *Wollongong's changing population will place new demands on existing social infrastructure network and create increased demand for community services, groups, and events, particularly in the Southern catchment or planning area 10 – West Dapto.*

Action: Additional community spaces and places ('hard' social infrastructure) to support those 'soft' social infrastructure activities.

In relation to Plans of Management the LSPS acknowledges importantly that –

- The *Local Government Act 1993* requires all Council owned land to be classified as Community or Operation Land. Community land is further categorised based on the use and purpose. Council is also required to prepare a Plan of Management for Community Land that guides permitted uses, lease and licences. The Plan of Management provide an additional layer of land use control and does not apply to private land.

Comment

The proposed amendment acknowledges Council's Plans of Management and includes provisions that temporary events that are permitted under Exempt Development under Schedule 2 of the *Wollongong LEP 2009* are to be consistent with Council's adopted Plans of Management and *Leasing and Licencing Agreements Policy*. Events to be held on Crown land will need to be consistent with the provisions of the *Crown Land Management Act 2016*.

The Planning Proposal seeks to reduce planning barriers to enable Temporary Events (Commercial and Community) as Exempt Development on land owned or managed by Council, including Crown Land, and within road reserves where Council is the Road Authority.

Council's Major Event Strategy 2021–2026

The Planning Proposal is consistent with following actions within Council's Major Event Strategy 2021-2026

- Enable efficient processes, response time and flexibility of policy.
- Council enact and further refine the events approval processes, including increasing the number of pre-approved major event Development Application sites offered.

The Planning Proposal seeks to reduce planning barriers to enable an increased number of Temporary Events to occur within the Local Government Area.

Q5: Is the planning proposal consistent with any other applicable State and regional studies or strategies?

NSW Government's Visitor Economy Strategy 2030 (2021)

The Planning Proposal is consistent with the Strategic Pillar – Showcase our strengths. Key result areas include –

- Growth in visitation and expenditure for regional destinations
- Higher levels of repeat visitation.

Q6: Is the planning proposal consistent with applicable SEPPs?

The Planning Proposal is considered to be consistent with all current and applicable State Environmental Planning Policies.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

It is considered that the Planning Proposal is consistent with the SEPP (Biodiversity and Conservation) 2021. The proposed amendment includes provisions which prohibit site excavations and / or permanent physical change to the fabric of the location and / or structures when carrying out temporary events.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

It is considered that the Planning Proposal will be consistent with the Codes SEPP. The proposal includes bespoke provisions for temporary events within the Wollongong LGA that will not conflict with the SEPP.

State Environmental Planning Policy (Industry and Employment) 2021

It is considered that the Planning Proposal is consistent with the SEPP. The proposal applies to land owned or managed by Council, including Crown land and road reserves where Council is the Road Authority. The proposal is not inconsistent with the temporary use of land and signage provisions within the SEPP.

State Environmental Planning Policy (Planning Systems) 2021

It is considered that the Planning Proposal is consistent with the Planning Systems SEPP. The proposal does not seek to introduce provisions that would contradict the SEPP.

State Environmental Planning Policy (Precincts – Regional) 2021

It is considered that the Planning Proposal is capable of being consistent with the provisions of the SEPP.

State Environmental Planning Policy (Hazards and Resilience) 2021

The Planning Proposal is considered to be consistent with the SEPP. The proposal seeks to permit Temporary Events as Exempt Development on Council owned and managed land, including Crown land and within road reserves where Council is the Road Authority.

The amendment includes provisions to ensure hazards are appropriately considered and managed and includes the following:

- Must be carried out in accordance with a Leasing and Licensing agreement granted by the Council.
- Must be consistent with any applicable plan of management under the Local Government Act 1993 or Crown Land Management Act 2016 for the land.
- Must be accompanied by a risk assessment and emergency management plan if located on bush fire prone and / or flood prone land.
- Must not include site excavations and / or permanent physical change to the fabric of the location and / or structures where the use occurs.
- Must not involve overnight camping or accommodation.

The Proposal is not expected to result in Exempt Development that will have a permanent impact upon sites, constraints and hazards.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The proposal is considered to be consistent with the SEPP (Transport and Infrastructure) 2021.

The proposal seeks to include Temporary Events as Exempt Development under Schedule 2 of the Wollongong LEP 2009 on Council owned and managed land, including Crown land and within road reserves where Council is the Road Authority.

Event organisers will need to comply with any provisions within the SEPP and the *Roads Act 1993*

Draft Cultural State Environmental Planning Policy (Cultural SEPP)

The Planning Proposal is consistent with the SEPP. The proposed LEP amendment provides bespoke provisions for the Wollongong LGA. The proposed Wollongong LEP 2009 provisions build upon the provisions of the Culture SEPP without creating inconsistencies or conflict.

Q7: Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

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

The Planning Proposal is considered to be not inconsistent with the relevant 9.1 Directions.

A complete assessment of the Planning Proposal's consistency against all s.9.1 directions is provided at Table B.

Section C – Environmental, social and economic impact

Q8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

It is not expected the proposal will result in permanent impacts upon sites mapped as containing critical habitat or threatened species, population or ecological communities, or their habitats.

Q9: Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?

It is not envisaged adverse environmental effects will result from the Planning Proposal.

Under the proposed provisions, events are required to be consistent with any Plan of Management over the land and must be carried out in accordance with a leasing and licencing agreement.

Q10: Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal is consistent with Council's Major Event Strategy 2021-2026 and is expected to result in increased cultural and economic growth.

The Planning Proposal includes requires event organisers to have an accompanying risk assessment and emergency management plan for lands impacted by flooding and bush fire prone. Under the proposed provisions, events are required to be consistent with any Plan of Management over the land and must be carried out in accordance with a leasing and licencing agreement.

Additionally, the proposed amendment includes provisions restricting overnight accommodation associated with temporary events that are permitted as Exempt Development.

Section D – Infrastructure (Local, State and Commonwealth)

Q11: Is there adequate public infrastructure for the Planning Proposal?

The Planning Proposal applies to Council owned / managed land, including Crown land and land within the Road Reserve where Council is the Road Authority. The proposal does not apply to private land.

Section E – State and Commonwealth interests

Q12: What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Consultation with State and public authorities and government agencies will occur should the Department of Planning, Housing and Infrastructure provide a Gateway Determination to progress the Planning Proposal.

NSW Rural Fire Service post Gateway Determination referral response prior to community consultation.

NSW Rural Fire Service (RFS) provided a referral response prior to community consultation, as required by the issued Gateway determination. The NSW RFS requested the following amendment be made to the proposal prior to Community Consultation. The amendment to the proposal is delineated by bold text.

- 4 *Must be accompanied by a risk assessment and emergency management plan if located on bush fire prone and / or flood prone land.*
- (a) ***The Risk Assessment & Management Plan for events on bush fire prone land must include an assessment of the relevant parts of Section 8.3.8 Planning for Bush Fire Protection 2019 (or subsequent versions) prepared by a BPAD accredited consultant and approved by Council. The Plan must include, but not be limited to, the following:***
- (i) ***Consultation with the local NSW Rural Fire Service District Manager is any event is held during the Bush Fire Danger Period or on a Total Fire Ban or day of an elevated Fire Danger Rating.***

A copy of the NSW RFS letter dated 21 April 2025, which requests the amendment to Council's Planning Proposal is provided as an appendix to this document.

Part 4 – Mapping

The Planning Proposal does not seek to amend Wollongong LEP 2009 mapping.

Part 5 – Community Consultation

The Planning Proposal was reported to Council on 3 February 2025 seeking endorsement for Gateway. At the meeting Council resolved the following:

- 1 *A Planning Proposal be prepared to amend the Wollongong LEP 2009 by including in Schedule 2 Exempt Development: Temporary Events (Commercial and Community) on Council owned and/or managed land, including Crown Land and within the road reserve for which Council is the road authority, subject to being consistent with an adopted Plan of Management over the land where applicable.*
- 2 *The Planning Proposal be forwarded to the NSW Department of Planning, Housing and Infrastructure for Gateway determination and requesting authorisation for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.*
- 3 *If approved, the Planning Proposal be exhibited for a minimum period of twenty-eight (28) days.*
- 4 *The draft Wollongong Development Control Plan – Chapter C6 Event Management (Attachment 2) be exhibited with the Planning Proposal.*

The Business papers for the Planning Proposal remain publicly available on Council's website.

The requirements for consultation are outlined in the EP&A Act and the minimum requirements for this consultation are identified in Section 1, Part 5 of the Local Environmental Plan Making Guideline (Department of Planning and Environment August 2023). The requirements set out in Part 5 relates to the notification requirements and what material is to be made available for inspection. The Planning Proposal is to be exhibited for a minimum period of 28 days.

Public Exhibition

The Public Exhibition of the Planning Proposal for a minimum period of 28 days will include:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *An electronic copy on Council's website;*
- *Planning Portal;*
- *Notification letters to surrounding and nearby property owners;*
- *Notification 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	Timeframe	Timeline
Consideration by Wollongong Local Planning Panel	Compete	December 2024
Consideration and decision by Council	Complete	3 February 2025
Submitted to Department of Planning & Environment for Gateway		February 2025
Gateway Determination	Max 25 days	March 2025
Post Gateway / Pre-exhibition	Max 50 days	March / April 2025
Commencement and completion of public exhibition period	Max 95 days	June 2025
Consideration of submissions		June 2025
Post exhibition review and additional studies		June / July 2025
Final Council Decision		July 2025
Submission to Department for finalisation	Max 55 days	August 2025
Notification of LEP amendment		August / Sept 2025

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	(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	(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	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Resources and Energy) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Sustainable Buildings) 2022	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
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)		Compliance	Comments
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 B - Checklist of Section 9.1 Ministerial Directions

	Compliance	Comment
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Consistent	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 objectives of the Illawarra Shoalhaven Plan 2041 as outlined within the Planning Proposal report at Section B – Q3.
1.2 Development of Aboriginal Land Council land	N/A	Not applicable to Wollongong
1.3 Approval and Referral Requirements	Consistent	The proposal is consistent with this Direction because it does not alter the provisions relating to approval and referral requirements.
1.4 Site Specific Provisions	Consistent	The proposal is consistent with this direction as it will not introduce restrictive site-specific provisions.
1.4A Exclusions of Development Standards from Variation	Consistent	The proposal is consistent with this direction as it will not result in the exclusion of development standards from variation.
Focus area 1: Planning Systems – Place based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not Applicable to Wollongong
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not Applicable to Wollongong
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not Applicable to Wollongong
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not Applicable to Wollongong
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not Applicable to Wollongong
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	Not Applicable to Wollongong
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not Applicable to Wollongong
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not Applicable to Wollongong
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not Applicable to Wollongong

1.14 Implementation of Greater Macarthur 2040	N/A	Not Applicable to Wollongong
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	Not applicable to Wollongong
1.16 North West Rail Link Corridor Strategy	N/A	Not applicable to Wollongong
1.17 Implementation of the Bays West Place Strategy	N/A	Not applicable to Wollongong
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	Not applicable to Wollongong
1.19 Implementation of the Westmead Place Strategy	N/A	Not applicable to Wollongong
1.20 Implementation of the Camellia-Rosehill Place Strategy	N/A	Not applicable to Wollongong
1.21 Implementation of South West Growth Area Structure Plan	N/A	Not applicable to Wollongong
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	Not applicable to Wollongong
Focus area 2: Design and Place		
[this focus area was blank when the directions were made]		
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	Consistent	<p>The Planning Proposal is consistent with the objective of the direction to protect and conserve environmentally sensitive areas.</p> <p>The proposal for Temporary Events (Commercial and Community) includes provisions that events must not result in site excavations or permanent physical change to the fabric of a site. Additionally, events must be consistent with any Plan of Management over the land and Council's Leasing and Licencing Agreement.</p>
3.2 Heritage Conservation	Consistent	<p>The Planning Proposal is consistent with the objective of the direction to protect and conserve environmentally sensitive areas.</p> <p>The proposal for Temporary Events (Commercial and Community) includes provisions that events must not result in site excavations or permanent physical change to the fabric of a site. Additionally, events must be consistent with any Plan of Management over the land and Council's Leasing and Licencing Agreement.</p>
3.3 Sydney Drinking Water Catchments	Direction does not apply	The site is not location within the Sydney drinking water catchment
3.4 Application of C2 and C3 Zones and Environmental	N/A	Not applicable to Wollongong

Overlays in Far North Coast LEPs		
3.5 Recreation Vehicle Areas	Direction does not apply	The planning proposal does not include provision that would enable the land to be developed for the purposes of a recreational vehicle area
3.6 Strategic Conservation Planning	N/A	Not applicable to Wollongong
3.7 Public Bushland	Direction does not apply	Not applicable
3.8 Willandra Lakes Region	N/A	Not applicable to Wollongong
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not applicable to Wollongong
3.10 Water Catchment Protection	Direction does not apply	The Planning Proposal does not include land within the prescribed regulated catchments.
Focus area 4: Resilience and Hazards		
4.1 Flooding	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p> <p>The proposal is for temporary events and will not result in site excavations or permanent physical change to the fabric of a site.</p> <p>Event organisers will be required to enter into a leasing and licencing agreement with Council and have risk assessment and emergency management plan on sites mapped as flood prone.</p>
4.2 Coastal Management	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p> <p>The proposal is for temporary events and will not result in site excavations or permanent physical change to the fabric of a site.</p> <p>Event organisers will be required to enter into a leasing and licencing agreement with Council and have risk assessment and emergency management plan on sites mapped as flood prone.</p> <p>Additionally, events are to be consistent within any Plan of Management over the site.</p>
4.3 Planning for Bushfire Protection	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p> <p>The proposal is for temporary events and will not result in site excavations or permanent physical</p>

		<p>change to the fabric of a site.</p> <p>Event organisers will be required to enter into a leasing and licencing agreement with Council and have risk assessment and emergency management plan on sites mapped as bush fire prone.</p> <p>Additionally, the proposal includes provisions that restrict overnight camping and accommodation.</p>
4.4 Remediation of Contaminated Land	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p> <p>The proposal is for temporary events and will not result in site excavations or permanent physical change to the fabric of a site.</p>
4.5 Acid Sulfate Soils	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p> <p>The proposal is for temporary events and will not result in site excavations or permanent physical change to the fabric of a site.</p>
4.6 Mine Subsidence and Unstable Land	Direction does not apply	<p>The Planning Proposal appears not located in areas mapped as being impacted by mine subsidence.</p>
Focus area 5 Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority under the Roads Act 1993.</p> <p>Event organisers will be required to enter into a leasing and licencing agreement with Council and have a risk assessment and emergency management plan prepared on sites mapped as flood prone.</p>
5.2 Reserving Land for Public Purposes	Consistent	<p>The proposal does not seek to reserve further public land nor remove it.</p>
5.3 Development Near Regulated Airports and Defence Airfields	Consistent	<p>The proposal will not result in development within areas associated with regulated airports and defence airfields.</p>
5.4 Shooting Ranges	Direction does not apply	<p>Not Applicable</p>
5.5 High pressure dangerous goods pipelines	Consistent	<p>The Planning Proposal does not seek to permit permanent development for sensitive land uses or</p>

		result in significant population increase in proximity to high pressure dangerous good pipelines.
Focus area 6: Housing		
6.1 Residential Zones	Consistent	<p>The proposal will not result in permanent changes to Residential zoned land.</p> <p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p>
6.2 Caravan Parks and Manufactured Home Estates	Direction does not apply	Not Applicable
Focus area 7: Industry and Employment		
7.1 Employment Zones	Consistent	<p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	Direction does not apply	Not Applicable
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable to Wollongong
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Consistent	The proposal will not impact upon any future mining, petroleum production and extractive industries.
Focus area 9: Primary Production		
9.1 Rural Zones	Consistent	<p>The proposal will not result in permanent changes to Rural zoned land.</p> <p>The proposal seeks to include Temporary Events (Commercial and Community) as Exempt Development under Schedule 2 of the Wollongong LEP 2009 for all Council owned / managed land, including Crown Land and land within the road reserve that Council is the Road Authority.</p>
9.2 Rural Lands	N/A	Not applicable to Wollongong
9.3 Oyster Aquaculture	Direction does not apply	Not Applicable
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable to Wollongong

Appendix 1: Copy of NSW RFS letter dated 21 April 2025



Wollongong City Council
Locked Bag 8821
WOLLONGONG DC NSW 2500

Your reference: (REF-3553) PP-2025-357)
Our reference: SPI20250316000057

ATTENTION: David Green

Date: Monday 21 April 2025

Dear Sir/Madam,

Strategic Planning Instrument
LEP Amendment – Planning Proposal
Amendment to Schedule 2 Wollongong Local Environmental Plan 2009: Exempt Development, to enable Temporary Events (Commercial and Community) as Exempt Development.

I refer to your correspondence dated 14/03/2025 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The NSW RFS has reviewed the Planning Proposal Report, in particular the wording of the Schedule 2 inclusion, with regard to Section 4.3 of the Directions issued in accordance with Section 9.1 of the *Environmental Planning and Assessment Act 1979*.

The NSW RFS request the following addition to the proposed wording in Schedule 2 to ensure adequate assessment against *Planning for Bush Fire Protection* is included in the risk assessment for events on bush fire prone land:

4. *Must be accompanied by a risk assessment and emergency management plan if located on bush fire prone and/or flood prone land.*
- The Risk Assessment & Emergency Management Plan for events on bush fire prone land must include an assessment of the relevant parts of Section 8.3.8 *Planning for Bush Fire Protection 2019* (or subsequent version) prepared by a BPAD accredited consultant and approved by Council. The plan must include, but not be limited to, the following:
 - Consultation with the local RFS District Manager if any event is held during the Bush Fire Danger Period or on a Total Fire Ban or day of an elevated Fire Danger Rating.

For any queries regarding this correspondence, please contact Anna Jones on 1300 NSW RFS.

Yours sincerely,

Michael Gray
Manager Planning & Environment Services

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