

ITEM 10

PLANNING PROPOSAL - 3-13 SHORT STREET, 312-324 PRINCES HIGHWAY,
CORRIMAL AND 15 SHORT STREET, CORRIMAL

In 2017, a Planning Proposal request was submitted for 3-13 Short Street and 312-324 Princes Highway, Corrimal. The primary site is largely zoned SP2 – Infrastructure (Car Park), is used as a car park supporting the Lederer Corrimal Shopping Centre and adjoins the Corrimal Community Centre and Library.

In May 2020, a revised Planning Proposal request was submitted addressing concerns around flood risk and design, and comments from the Wollongong Local Planning Panel.

The amended Planning Proposal seeks to rezone part of the site to R3 Medium Density Residential with a 15m height limit and 1:5:1 Floor Space Ratio, RE1 Public Recreation and RE2 Private Recreation, to facilitate a residential development and correct a minor zoning anomaly on adjoining public land.

This report presents the preliminary assessment of the Planning Proposal request and recommends that Council resolve to submit a draft Planning Proposal to the NSW Department of Planning, Industry and Environment seeking a Gateway Determination for public exhibition.

RECOMMENDATION

- 1 A draft Planning Proposal be prepared for 3-13 Short Street, 312-324 Princes Highway, Corrimal to amend Wollongong Local Environmental Plan 2009 as follows -
 - a Amend the Zoning Map from part SP2 Infrastructure (Car park) to part R3 Medium Density Residential and RE2 Private Recreation.
 - b Amend the Height of Buildings Map to 15 metres for that part of the site proposed for R3 Medium Density Residential zoning.
 - c Amend the Floor Space Ratio Map to 1.5:1 for that part of site proposed for R3 Medium Density Residential zoning.
 - d Amend the Minimum Lot Size Map to 450m².
 - e Amend the Riparian Lands and Watercourse Map rehabilitating the riparian corridor.
 - f Amend the Key Site Map to identify the site as a Key Site under clause 7.18 Design Excellence.
 - g Amend Schedule 1 Additional Uses to incorporate additional permitted use "Flood Mitigation Works".
 - h Include a new Part 7 Local provision for the site to: -
 - i Include a "Sun Plane Protection" clause to protect the adjacent public open space, public pool and community facilities from excessive overshadowing by restricting the height and set back of buildings.
 - ii Ensure the granting of development consent is conditional on any proposed development exhibiting design excellence and considers impacts on the adjoining community centre, library and public pool.
 - iii Enable development consent to be granted to development for the purpose of rooftop plant, lift towers, lift motor rooms and/or communal open space and access to any structures associated with such space, that would exceed or causes a building to exceed, the Height of Building limit.
 - iv Ensure the granting of development consent is conditional on the satisfactory provision of car parking required for the shopping centre, which is a condition of consent on DA-1995/255.
- 2 The draft Planning Proposal also rezone part of Ziems Park (Lot 101 DP 1062386) from SP2 Infrastructure (Car Park) to RE1 Public Recreation.
- 3 The following additional investigations be requested as part of the Gateway determination for public exhibition -
 - a Phase 1 Site Assessment.
 - b Stage II Site Contamination Assessment - A Stage II (detailed investigation) and Site Audit Statement process under Contaminated Land Management Act 1997 is to be prepared.
 - c Remediation Action Plan.
 - d Revised Traffic Impact Assessment prepared in accordance with the RMS Guide to Traffic Generating Development.
 - e Revised Urban Design Analysis to inform a new Part 7 Local provision "Sun Plane Protection" clause.
 - f A draft site-specific Development Control Plan (DCP) be developed for the site, and be reported to Council.
 - g A Planning Agreement be prepared to facilitate construction of the floodway prior to any

redevelopment of the site and inclusion of 5% affordable rental housing (based on residential floor space) and be reported to Council.

- 4 Should a Gateway determination be issued, consultation be undertaken with the following agencies -
 - a NSW Department of Primary Industries – Water.
 - b NSW Environment Protection Authority.
 - c NSW Department of Planning, Industry and Environment - Environment, Energy and Science.
 - d NSW Heritage.
 - e Endeavour Energy.
 - f Transport for NSW.
 - g Sydney Water.
 - h Emergency response organisations (SES, RFS etc).
- 5 The draft Planning Proposal be exhibited for a minimum period of 28 days.
- 6 The NSW Department of Planning, Industry and Environment be requested to issue authority to the General Manager to exercise plan making delegations.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

ATTACHMENTS

- 1 Site Location Map
- 2 Current Planning Controls
- 3 Proposed Planning Controls
- 4 Revised Concept Plan

BACKGROUND

Site Location and Context

The site is located at 3-13 Short Street and 312-324 Princes Highway, Corrimal and consists of 11 lots described in Table 1 and shown in Attachment 1. The site is approximately 7,460m² in size and is currently zoned part SP2 Infrastructure (Car park) and part R2 Low Density Residential. It is bounded by land zoned RE1 Public Recreation to the east and R2 Low Density Residential to the south. The site has a maximum building height limit of 9 metres, and the R2 zoned portion of the site has a minimum lot size of 450m² with a floor space ratio (FSR) of 0.5:1 (Attachment 2).

The site has frontage to Short Street and the Princes Highway, Corrimal and is used and approved as a car park supporting the Corrimal Shopping Centre, located on the northern side of Short Street. The car park is principally an overflow car park for the adjacent Shopping Centre (condition of consent on DA-1995/255) but is also used by visitors to the adjoining community facilities, including the Corrimal District Community Centre and Library, Corrimal Pool and Ziems Park. Council holds no leases or licences over the car parking area. Although the site supports the Corrimal Shopping Centre as an overflow parking site, it is located outside the Corrimal Town Centre boundary as set by the Corrimal Town Centre Plan 2015-2025. Located on the southern boundary of the site are retail establishments and residential dwelling houses. The site is located approximately 1 kilometre west of Corrimal train station.

The assessment of the draft Planning Proposal request identified that a small part of Ziems Park (Lot 101 DP1062386) owned by Council was zoned SP2 – Infrastructure (Car Park). This area should be zoned RE1-Public Recreation and the draft Planning Proposal seeks to correct this zoning.

Corrimal is located within the Towradgi Creek catchment area which has a history of flooding, the most recent significant flood event occurring in 1998. During this event there was significant damage to public, private and commercial properties. The South Corrimal Creek sub-catchment directly contributes to flooding of the subject site, which is categorised as a 'Floodway' and is located within a 'High Provisional Flood Hazard' area as noted in the Towradgi Creek Study Review (2015).

The subject site is made up of a number of allotments as follows -

Parcel Details	Address	Area (m ²)	Current Zoning	FSR	Maximum Building Height (m)
Lot A DP 346336	3-13 Short Street	1002.939 m ²	SP2 Car Park	Nil	9m
Lot 1 DP 506169	3-13 Short Street	559.534 m ²	SP2 Car Park	Nil	9m
Lot 20 DP 558591	3-13 Short Street	551.243 m ²	SP2 Car Park	Nil	9m
Lot 21 DP 558591	3-13 Short Street	405.732 m ²	SP2 Car Park	Nil	9m
Lot 5 DP 2486	3-13 Short Street	451.640 m ²	SP2 Car Park	Nil	9m
Lot 6 DP 2486	3-13 Short Street	558.682 m ²	SP2 Car Park	Nil	9m
Lot 11 DP 2486	Lot 11 Short Street	182.763 m ²	SP2 Car Park	Nil	9m
Lot 50 DP 837043	312-316 Princes Highway	1638.243 m ²	SP2 Car Park	Nil	9m
Lot 4 DP 2486	318 Princes Highway	802.926 m ²	SP2 Car Park	Nil	9m
Lot 1 DP 506168	320-324 Princes Highway	675.577 m ²	R2 Low Density Residential	0.5:1	9m
Lot 2 DP 506168	320-324 Princes Highway	628.608 m ²	R2 Low Density Residential	0.5:1	9m
Total Area		7,457.9m²			
Part of Lot 101 DP 1062386 - Ziems Park (Council land)	15 Short Street	450 m ²	SP2 Infrastructure Car park	Nil	9m

Planning History

Under Wollongong LEP 1990, the site was zoned part 2(a) Low Density Residential and part 2(b) Medium Density Residential. DA-1995/255 was approved to construct a surface car park comprising 200 spaces, as part of the redevelopment and expansion of the Corrimal Shopping Centre located on the northern side of Short Street. The car park is now principally an overflow car park for the Corrimal Shopping Centre, however is also used by visitors to the adjoining community facilities - the Corrimal District Community Centre and Library, swimming pool and recreational area.

In 2006, Council considered an application to rezone the site to 3(a) General Business as part of a proposal to expand the Stockland Shopping Centre south. Council considered the proposed expansion request in the Corrimal District Centre Revitalisation Study 2009. The Study and consultation with the Corrimal community at the time did not support the southern expansion of the Stockland Shopping Centre, the favoured option being to intensify the existing Corrimal Town Centre.

During the preparation of Wollongong LEP 2009 the zoning of the site was amended to SP2 - Infrastructure - Car Park in recognition of the use of the site as a car park and the high flood risk categorisation.

In 2015 Council exhibited and adopted the Corrimal Town Centre Plan 2015-2025. The adopted Plan sets a vision for the future development of the town centre, including setting a maximum building height of 15 metres and a key principle of maintaining views to the escarpment.

In June 2017 a draft Planning Proposal was submitted by Urbis on behalf of the then owner of the site, Stockland, to facilitate a mixed-use development. Significant challenges with flooding (particularly insufficient information to assess the proposal to divert the floodway in a high flood hazard area) and non-compliance of the proposal with s117 Ministerial Directions, Wollongong LEP 2009 and Wollongong DCP 2009 were identified. In November 2017 the site was sold to the Lederer Group. The status of the Planning Proposal request at the time of the sale to the Lederer Group was that the non-compliance issues surrounding the high flood hazard notation on the site had not been satisfactorily resolved to permit the initial reporting to Council. The 2017 Planning Proposal request was seeking a maximum building height of 29 metres, which was inconsistent with the Corrimal Town Centre Plan 2015-2025 which set a maximum building height of 15 metres.

The original Planning Proposal request (2017) sought to rezone the site to R3 Medium Density Residential to facilitate a mixed use "shop-top" development with a maximum building height of 29 metres and FSR of 1.5:1, and amend Schedule 1 (Additional Permitted Uses) to include development for the purpose of 'food and drink premises', 'car park', 'flood mitigation works'.

The 2017 indicative Concept Design depicted three mixed use residential towers, including an eight-storey form along the Princes Highway and a six-storey form adjoining Corrimal Community Centre and Library. The Concept included approximately 130 residential dwellings, comprising one-bedroom apartments, one-bedroom apartments with a study, and two and three-bedroom apartments. Active street frontages were proposed at street level with commercial and retail spaces. The design included flood mitigation works, landscaping works, and through site pedestrian linkages, incorporating approximately 125 car parking spaces (private and publicly accessible) to service the proposed development.

Significant design work has subsequently been undertaken by the proponent in consultation with Council's Stormwater Engineers to design a solution to the flooding issues on site, and an updated Planning Proposal submitted (16 March 2020) requesting a maximum building height of 18 metres to facilitate a residential development.

The Planning Proposal request was referred to the Wollongong Local Planning Panel for advice prior to reporting to Council. The Panel determined that the proposed instrument should be submitted for a Gateway Determination because the proposal has demonstrated strategic and site-specific merit, however recommended restricting the building height to 15 metres. A further revised Planning Proposal was submitted on 12 May 2020 to respond to the issues raised by the Wollongong Local Planning Panel.

PROPOSAL

Following three years of negotiation and revision, the revised Planning Proposal request is seeking to rezone part of the site from SP2 Infrastructure (Car park) to part R3 Medium Density Residential and RE2 Private Recreation to facilitate a residential flat building development, comprising a mix of apartment sizes, with car park access via Short Street. Wollongong LEP 2009 amendments will be required to zoning, height of buildings, floor space ratio and minimum lot size maps (Attachment 3).

The revised Planning Proposal request (May 2020) seeks to amend Wollongong LEP 2009 as follows -

- 1 Rezone part of the subject site from SP2 Infrastructure (Car Park) to part R3 Medium Density Residential and RE2 Private Recreation.
- 2 Allow for a maximum building height of 15 metres for that part of the site proposed to be zoned R3 Medium Density Residential.
- 3 Allow for a maximum floor space ratio (FSR) of 1.5:1 for that part of the site proposed to be zoned R3 Medium Density Residential.
- 4 Allow for a minimum lot size of 450m².

In considering the rezoning of the subject site, a zoning anomaly was identified on part of Ziems Park (Lot 101 DP1062386) owned by Council. It is proposed to incorporate an amendment to the Wollongong LEP 2009 to correct the zoning from SP2 Infrastructure (Car Park) to RE1 Public Recreation to align with the existing use and categorisation of the site.

Supporting Information

The following documentation was submitted in support of the Planning Proposal -

- Amended Planning Proposal (Urbis 2020).
- Apartment Building Study (ADM Architects 2020).
- Urban Design Report & Indicative Design Concept (AJ+C Architects 2017).
- Stage 1 Preliminary Site Investigation (Golder Associates 2012).
- Flood Impact Assessment (Richmond & Ross 2017).
- Revised Flood Study (Rienco Consulting 2018).
- Detailed Flood Study (Rienco Consulting 2020).
- Stormwater Concept Plan (Rienco Consulting 2020).
- Traffic Report (Colston Budd Rogers & Kafes 2017).
- Indicative Landscape Concept Plan (Sym Studio 2017).

Key Considerations

Location and Design

Corrimal has been identified in the Illawarra Shoalhaven Regional Plan for a focus on increased housing activity and the Corrimal Town Centre Plan 2015 notes that Corrimal is strategically placed to grow as the major northern urban hub within close proximity to Wollongong City Centre.

The proposed amendments to WLEP 2009 seek to facilitate the provision of a residential apartment building that will offer housing choice within a medium density zoning. The site has the potential to provide a range of apartment sizes, including affordable rental dwellings, in close proximity to existing commercial and retail services offered by the Corrimal town centre, existing job markets, recreational facilities and public transport. The Wollongong Local Planning Panel concluded that the Planning Proposal has demonstrated strategic and site-specific merit.

The corner of Princes Highway and Short Street is a prominent and significant location in Corrimal and as such it is recommended to identify the site as a “Key Site” in the LEP, to ensure development on the site promotes design excellence through high quality, visually attractive architectural design, consistent with the principles of ecologically sustainable development.

Additionally, the adjacent Community facilities are highly valued by the community and concern was raised in the preliminary notification phase that any future development on the site should not have significant solar access impacts on these facilities. This will have implications for future design of any apartment building and setting/landscaping, including height and set backs to the community facilities, taking account of requirements for the library for natural lighting and views from the library building. It should be noted that a Shadow Analysis (ADM 2020) has been submitted in support of the Planning Proposal request.

The final form and design of any buildings, car parking arrangements and public spaces would occur at a future development application phase should a Planning Proposal to rezone the site be supported. Given the proximity of the site adjacent a significant public open space (Ziems Park and Corrimal swimming pool) and Community Centre, the recommendation is to include a Part 7 Local provision “Sun Plane Protection” clause to maintain solar access to the adjacent community space by restricting the height and set backs of buildings. A site specific DCP is a further recommendation, to address issues such as the boundary interface with the community facilities, landscaping etc. It is also recommended

that a section 10.7 notation be included for any resulting residential development to alert future residents that sporting and other events occur at the adjacent public facilities, which may result in elevated noise levels.

To address these issues, it is recommended that:

- The site be mapped as a “Key site” under clause 7.18 Design Excellence in recognition of prominence of site. This will require the preparation of a draft DCP chapter.
- A Part 7 Local provision LEP clause for the site to include:
 - Sun plane protection clause to maintain solar access to the adjacent public open space and community facilities by restricting the height and set back of buildings
 - Ensure the granting of development consent is conditioned on any proposed development exhibiting design excellence and considers impacts on the adjoining community centre, library and pool
- A Site-Specific DCP chapter be prepared and reported to Council, to address design issues and the boundary interface with the community facilities etc
- A Section 10.7 planning certificate notation, alerting future purchasers that sporting activities may result in elevated noise levels.

Parking

DA-1995/255 was approved to construct a surface car park comprising 200 spaces as part of the redevelopment and expansion of the Corrimal Shopping Centre located on the northern side of Short Street. The car park is principally an overflow car park for the Shopping Centre, however, is used informally by visitors to the adjoining community facilities.

The proponent is aware of the need to comply with the conditions of consent for DA-1995/255 and has explored a number of options to ensure the required car parking spaces continue to be provided. Discussions with the proponent have indicated a preference to increase the car parking on the shopping centre site. The proponent has started work on a separate Development Application to ensure an appropriate solution can be designed to provide all the required customer car parking on the shopping centre site in line with the development consent conditions. It is intended that this would be resolved prior to the finalisation of the Planning Proposal. This strategy is supported by the Wollongong Local Planning Panel and Council officers.

To ensure that there is sufficient parking for the existing shopping centre customer, it is recommended that:

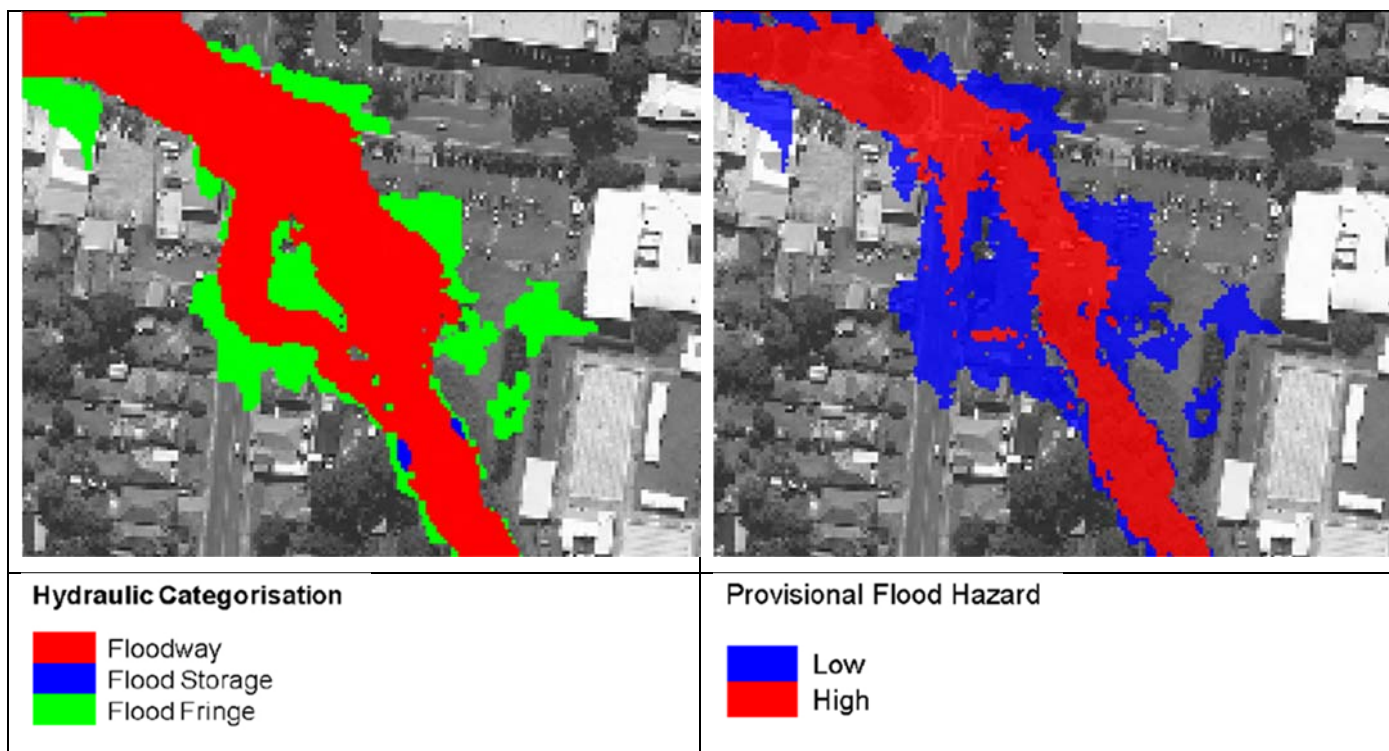
- New car parking arrangement resolved prior to finalisation of planning proposal
- Include a new part 7 Local provision for the site to ensure the granting of development consent is conditioned on the satisfactory provision of car parking which is a condition of consent on DA1995/255 (overflow car parking for shopping centre).

Flooding

Corrimal is located within the Towradgi Creek Catchment Area. This catchment area has a history of severe flooding, most recently in 1998. Significant flood modelling and channel design in support of this Planning Proposal request has demonstrated that a floodway could be constructed to improve this flooding both on site and areas adjoining the site, including the Princes Highway and Short Street.

The site has been categorised as ‘Floodway’ and is located within a ‘High Provisional Flood Hazard’ area, according to Council’s adopted Towradgi Creek Flood Study Review (2015). Floodways are the areas of the floodplain which are essential to convey flood waters. Development of these areas would have significant adverse impacts upon flood behaviour which in turn may result in adverse effects on

other development and the community in terms of exposure to significant levels of flood danger and damage.



Those parts of the site located with a High Provisional Flood Hazard area and/or within 10 metres from the top of the creek bank are further categorised as a 'High Flood Risk Precinct' in Chapter E13 Floodplain Management of the Wollongong DCP 2009. The majority of the site is located below the Flood Planning Level (FPL) and therefore within the Flood Planning Area, as defined by the Wollongong LEP 2009 and the NSW Floodplain Development Manual (2005).

A Flood Impact Assessment (Richmond & Ross 2017) was submitted with the original Planning Proposal request which confirmed that the area in the vicinity of the site is subject to flooding from 1 year ARI up to 100 Year ARI storm events, with the main impact being flooding from the north west of the site. The Assessment concluded that the site is located within an overland flow path and *"the extent of flood is quite significant and covers almost 50% of the total site area"*. The Assessment proposed the construction of an intersection swale and the intention to divert existing stormwater drainage pipes crossing the site along a new proposed swale/channel in order to enable development. The Assessment stated that the swale and associated diversion modelling using TUFLOW and DRAINS software found the proposed works would reduce the extent of flooding and lower the flood depths within the site and at the directly adjacent roads. The Assessment concluded that *"the mitigation works would have to be provided prior to any new development so as to ensure that no impact on adjoining properties would occur"*.

The Richmond and Ross Assessment was reviewed by Council Officers and concerns were raised in relation to the severity of flooding on the site, the compatibility of the Planning Proposal with such a flood affected site, and inconsistencies with -

- Towradgi Creek Catchment Plan (2015).
- Section 9.1 Ministerial Directions for Flood Prone Land.
- Wollongong Local Environmental Plan 2009 Clause 7.3 Flood Planning.
- Wollongong Development Control Plan 2009 Chapter E17 Floodplain Management.

Further information was requested to ensure that the proposal will pose minimal risk to public safety and the proposed scheme is capable of complying with the noted requirements.

Preliminary consultation with the (then) Office of Environment and Heritage (OEH) identified concern that the majority of the site is flood prone due to a high hazard floodway which traverses the site, and the fact that the Planning Proposal includes substantial site modifications and works to change flood behaviour. The OEH submission also identified the site as falling within a “High Trapped Perimeter Area” based on flood information presented in the Review of Towradgi Creek Flood Study (2015), such that access into or evacuation from the site will not be possible in a major storm due to high hazard flows cutting off the adjacent Princes Highway intersection. The OEH noted that this had not been resolved by the proposed diversion works through the site outlined in the Richmond & Ross 2017 Report. Concern was raised that, as the site is essentially isolated from emergency services, it is not clear how access for SES, Fire, Police, Ambulance etc. would be provided during a major flood, hence creating a flood related risk to life.

The OEH referral response cited limitations with the submitted flood information (Richmond and Ross 2017) as follows -

- Flood impacts on adjacent and downstream properties have not been presented in the assessment, and how they will be mitigated.
- The planning proposal request substantially increases exposure of future residents to known flood risks - the assessment should include maps illustrating flood hazards, depths and velocities for the events up to the PMF, both on the site, and on access to the site.
- A review of the Towradgi Creek Flood Study (2015) identifies significant cross catchment flows in the PMF (from the adjacent catchment to the north).

A revised Flood Study (Rienco 2018) was subsequently submitted. This second flood study referred to hydrologic and hydraulic modelling to determine peak flood levels at the subject site for a range of events up to a including the Probable Maximum Flood (PMF). The Study concluded that flood depths and extent are significantly reduced from the site, with the proposed flood mitigation channel achieving its intended design purpose by routing overland flow around the proposed development. The Study concluded that the development area is thus rendered free of any flood hazard in the 1% AEP event and with the works proposed, the development area would be rendered entirely a Medium Flood Risk Precinct and hence suitable for commercial and residential development subject to planning controls such as minimum habitable floor levels. The proposed flood mitigation channel would continue to be categorised as a High Flood Risk Precinct – the report notes that no development is proposed within the flood mitigation channel itself. The Study concluded that flood mitigation works associated with a subsequent DA can improve flood conditions on site.

Significant modelling of a conceptual flood way has subsequently been undertaken by the proponent in consultation with Council Officers to demonstrate that a formalised floodway could be constructed following the natural flow direction/alignment, involving a greater extent of land to be utilised for flow conveyance than originally proposed. The updated report submitted (Rienco 2020) highlights that conceptually a floodway could be constructed that improves the flooding over the proposed development site and areas adjoining the site (including the Princes Highway and Short Street). This would require reconstruction of the existing drainage that traverses the site, which could be dealt with as a future DA.

The north eastern part of the site would be flood free in the 1% AEP flood event as a result of the floodway construction. The construction of the floodway would make the north eastern side of the floodway compliant with Section 9.1 Ministerial Directions.

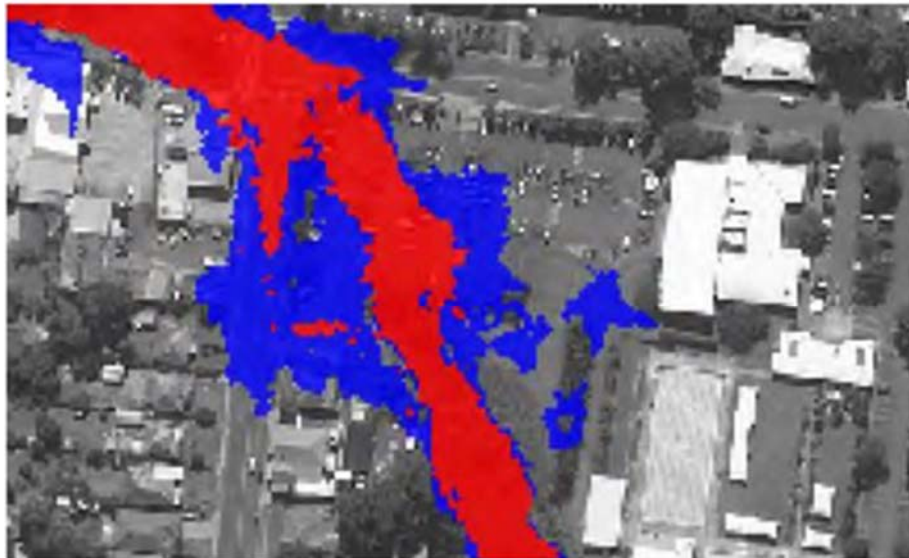


Figure 6.1-1 1% AEP Pre-Development Provisional Hydraulic Hazard



Figure 6.1-2 1% AEP Post-Development Provisional Hydraulic Hazard

The detailed design and modelling of flood mitigation works involves the construction of a channel to modify flood behaviour such that part of the site will be wholly outside the flood planning area (removing the high flood risk categorisation for part of the site) making it suitable for residential development.

Separate discussions have commenced between the proponent and Council Officers in relation to a draft Planning Agreement to facilitate construction of the floodway prior to any redevelopment of the site. This would be separately reported to Council and exhibited.

Traffic

A Traffic Report was submitted with the original Planning Proposal request (Colston Budd Rogers & Kafes Pty Ltd 2017) concluding -

- The proposed development will be readily accessible by public transport and will strengthen the demand for these services.
- Appropriate parking will be provided to meet DCP requirements.
- Vehicular access, internal circulation and layout will be provided in accordance with the relevant Australian Standards.
- The road network will be able to cater for the traffic generation of the proposed development.

Council Officers advised that further detailed assessment of traffic impacts, car parking requirements, site servicing/manoeuvring and waste collection will be required at the Gateway phase, and the proposed access points to the site would need to comply with AS2890.1 with adequate grades, widths and sight distance etc.

Roads and Maritime Services (RMS) raised a number of concerns in relation to the submitted Traffic Report, including -

- Technical Direction (TDT) 2013/04a has been used to determine traffic generation rates, however the report has used average Sydney vehicle trips per unit and not the regional average.
- Insufficient/inadequate information has been provided in the analysis of the Short Street/Tarrawanna Road intersection. To enable an informed decision, the following should be provided -
 - Electronic copies of all SIDRA (traffic modelling software) files should be provided to enable Council and the RMS to review the modelling so as to verify information/inputs used and to confirm that signals modelled will operate at an acceptable level of service upon any future construction and occupation.

- Additional modelling (i.e. a network model) should be undertaken for the intersections of Short Street/Tarrawanna Road and Railway Street/Princes Highway. These intersections are linked, as what happens at one will impact upon the other.
- More details should be provided on the car parking required for the existing shopping centre and whether the car parking on the subject site will meet its own parking requirements, as well the existing spill over requirements from the shopping centre.
- Driveways to any future development should be located as far east as practicable from the existing traffic signals at Short Street and Tarrawanna Road. In addition, driveways for any future development must have regard for the existing access/egress points to the Stockland Shopping Centre to the North.

A revised Traffic Impact Assessment will be required at Gateway to address the concerns raised in the preliminary consultation.

Heritage

The subject site is not heritage listed and is not of significant heritage interest in its own right, however, to the south of the site is the Ziems Shop complex which is an item of local significance listed in the Wollongong LEP 2009.

Council Officers were concerned that the original proposal for a height limit of 29 metres could have impacts on the heritage significance of surrounding heritage items, and also the character of the township. Council Officers suggested the retention of the R2 Low Density Residential zoning for Lots 1 & 2 DP506168 (the southern area of the subject site) in order to retain an appropriate development setting to the heritage listed Ziems Shop complex.

The south western part of the site is not flood free as a result of the proposed floodway construction, and therefore is not suitable for an intensification of land use. The recommendation is to retain the current R2 zoning and related development controls.

Environment

The Stage 1 Preliminary Site Investigation that accompanied the submitted Planning Proposal was dated November 2012 and assessed both the shopping centre and car park sites in the current context of their zonings and uses. An updated Stage 1 Preliminary Site Investigation, specific to the car park site, should be prepared giving consideration to the proposed rezoning and associated change of land use.

Additionally, a Phase 2 (detailed investigation) assessment and Site Audit Statement (SAS) process under the Contaminated Lands Management Act 1997 will be required to provide a more detailed examination of the potential contamination at the site. This is in recognition of -

- The unknown nature of the fill used in the creek.
- The demolition of the dwellings that were present on the site since at least 1961 for fill and construction of the car park (likely containing asbestos, and the extent and depth of asbestos contaminated fill is unknown).
- The location of the service stations opposite the site on the Princes Highway being located up slope.

It is recommended that a current and site-specific Stage 1 Site Investigation and a Stage 2 Environment Assessment be carried out should the Planning Proposal proceed to a Gateway determination.

A riparian corridor runs through the site, and at the southern section is zoned Category 3. In accordance with Chapter E23 Riparian Corridor Management of the Wollongong DCP 2009, a 10 metre core riparian zone width either side of the proposed bank from the top is required, at least for the southern section of the riparian corridor that is currently zoned Category 3.

The proposed realignment of the riparian corridor is identified as a 'Controlled Activity' subject to the provisions of the Water Management Act 2000.

CONSULTATION AND COMMUNICATION

The original Planning Proposal request (2017) was placed on preliminary notification between 10 August and 1 October 2017. A total of five submissions were received, including comments from the (then) Office of Environment and Heritage and the (then) Roads and Maritime Services (see Flood and Traffic comments above).

The Corrimal Chamber of Commerce, Neighbourhood Forum 4 and the Corrimal Revitalisation Action Group (CRAG), noted that they were generally supportive of the Planning Proposal request, however the following concerns and comments were identified -

- Consideration needs to be given to the proposed eastern boundary interface with the community facilities and measures to be more activated and lively to integrate the community facilities better with the proposed development.
- The proposed building height (29 metres) and scale sets an undesirable precedent for the Corrimal Town Centre.
- The impacts of the proposed development on parking.

Internal consultation within Council identified concerns over the potential impacts on the adjacent Community Centre, library and pool in terms of solar access and overshadowing of these facilities. Should the Planning Proposal be supported, further design of the built form, particularly at the eastern boundary interface with the existing community facilities, will be required. Traffic congestion on Short Street and loss of parking were also raised as concerns. Officers noted that a masterplan was currently being developed by Council for Corrimal Pool which potentially could increase the current patronage, further exacerbating the loss of parking in the locality.

The Wollongong Local Planning Panel considered the updated Planning Proposal on 2 April 2020 and provided the following advice (Attachment 3) -

- Based on the review, the Panel determined that the proposed instrument should be submitted for a Gateway determination because the proposal has demonstrated strategic and site-specific merit.
- Retaining the R2 zone in the south of the site and zoning the flood prone land RE2 is supported.
- The loss of car parking spaces which form a condition of consent on DA-1995/255 as overflow car parking for the shopping centre must be resolved prior to any Planning Proposal for the subject site being made (the preference being for the car parking to be accommodated on the shopping centre site opposite).
- 18 metre height limit not acceptable – a height limit of 15 metres consistent with the town centre is recommended, with a specific exemption for lift overruns, roof top communal open space and parapets. The following draft clause is proposed:

The consent authority may grant development consent to development for the purpose of rooftop plant, lift towers, lift motor rooms and or communal open space and access to and structures associated with such space, that would exceed or causes a building to exceed, the height limits set by clause 4.3, but only if the consent authority is satisfied that the structures -

- are for the purposes of equipment servicing the building, plant rooms, lift towers, lift motor rooms, fire stairs and other areas used exclusively for mechanical services or ducting; or*
- are for the purpose of communal open space and access to, and structures associated with that space; or*
- for both (a) and (b); and*
- are not an advertising structure; and*
- does not include floor space area and is not reasonably capable of modification to include floor space area; and*

- (f) *will cause minimal overshadowing; and*
- (g) *any such rooftop structure referred to in (1)(a) and 1(b) is fully integrated into the design of the building."*

- Further design analysis be undertaken to ensure that the height and FSR work together.
- The provision of affordable housing should be clarified in a draft planning agreement prior to exhibition and could form a condition of Gateway.
- A site specific DCP should be prepared and placed on public exhibition.

A revised Concept Plan was subsequently submitted on 12 May 2020, to respond to the issues raised by the Wollongong Local Planning Panel (Attachment 4). The updated Concept included a maximum building height of 15 metres and a design to demonstrate that the height of 15 metres and requested FSR of 1.5: 1 work together.

The loss of car parking spaces which form a condition of consent on DA-1995/255 as overflow car parking for the shopping centre is to be addressed through a new development application for the shopping centre site, to ensure all required customer car parking is provided on the retail site. This would be resolved prior to the finalisation of a Planning Proposal.

Separate discussions have commenced between the proponent and Council Officers in relation to a draft Planning Agreement to facilitate construction of the floodway prior to any redevelopment of the site and inclusion of 5% affordable rental housing. This will be separately reported to Council and exhibited.

PLANNING AND POLICY IMPACT

The following Statutory Planning Controls and planning policies apply to the proposal -

- Local Planning Directions (section 9.1 of EP& A Act 1979).
- NSW State Government Flood Prone Land Policy and NSW Floodplain Development Manual (2005).
- Illawarra Shoalhaven Regional Plan (NSW Department of Planning & Environment 2015).
- SEPP No 55 – Remediation of Land.
- Planning Proposal Policy (Wollongong City Council 2018).
- Wollongong 2028 Community Strategic Plan.
- Corrimal Town Centre Plan 2015-2025.
- Wollongong LEP 2009 Clause 7.3.
- Wollongong DCP 2009 Chapters E13 and E14.

Local Planning Directions (Section 9.1 of EP&A Act 1979)

Draft Local Environmental Plans are required to be consistent with directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979. The Planning Proposal is consistent with Local Planning Directions, with the exception of Section 9.1 Direction (Flood).

Local Councils are responsible for managing flood risk in their local government areas. The NSW Government Floodplain Development Manual outlines the floodplain risk management process which assists councils in making informed decisions on managing flood risk to existing and future development through the development and implementation of floodplain risk management plans. Direction No 15 – Flood Prone Land requires draft plans to be consistent with the principles of the Manual (2005).

NSW State Government Flood Prone Land Policy and NSW Floodplain Development Manual (2005)

The NSW Government's Floodplain development manual: the management of flood liable land sets out the Government's Flood Prone Land Policy. Section 733 of the Local Government Act 1993 protects

Councils from liability in respect of advice or actions provided in good faith relation to the likelihood of land being flooded or the nature/extent of flooding if they have followed the requirements of the Manual.

Illawarra Shoalhaven Regional Plan

The Planning Proposal is consistent with the objectives and targets of the Illawarra Shoalhaven Regional Plan, specifically -

Goal 2 – a variety of housing choices with homes that meet needs and lifestyles.

Direction 2.1: provide sufficient housing supply to suit the changing demands of the region.

Direction 2.2: support housing opportunities close to existing services, jobs and infrastructure in the region's centres.

The Plan identifies the provision of housing in existing urban areas as a sustainable option, in that it takes advantage of existing job markets, infrastructure, commercial and retail opportunities, public transport, and facilities for pedestrians and cyclists. A number of centres have been identified in the Plan for the focus of increased housing activity, including the northern corridor – Thirroul, Corrimal and Fairy Meadow. The proposed amendments to Wollongong LEP 2009 seek to facilitate the provision of a residential apartment building that will offer housing choice within a medium density zoning. The subject site has the potential to provide a range of apartment style dwellings close to existing services offered by Corrimal Town Centre, providing connectivity and direct linkage to public transport and existing public facilities.

Goal 3 – a region with communities that are strong, healthy and well connected.

Direction 3.1: grow the opportunities for investment and activity in the region's network of centres.

It is important that Council flag the intention to provide at least 5% Affordable Rental Housing as part of the future development.

SEPP No 55 – Remediation of Land

Council's Environment Officer noted that the Stage 1 Preliminary Site Investigation that accompanied the submitted Planning Proposal was dated November 2012 and assessed both the shopping centre and car park sites in the current context of their zonings and uses. An updated Stage 1 Preliminary Site Investigation, specific to the car park site, should be prepared giving consideration to the proposed rezoning and associated change of land use.

Additionally, a Phase 2 (detailed investigation) assessment and SAS process under the CLM Act 1997 will be required to provide a more detailed examination of the potential contamination at the site. This is in recognition of -

- The unknown nature of the fill used in the creek.
- The demolition of the dwellings that were present on the site since at least 1961 for fill and construction of the car park (likely containing asbestos, and the extent and depth of asbestos contaminated fill is unknown).
- The location of the service stations opposite the site on the Princes Highway being located up gradient.

It is recommended that a current and site specific Stage 1 Site Investigation and a Stage 2 Environment Assessment be carried out should the Planning Proposal proceed to a Gateway determination.

Planning Proposal Policy (Wollongong City Council 2018)

In May 2018 Council has adopted a Planning Proposal Policy which seeks to guide the preparation and submission of Planning Proposal requests, as well as assist in determining the priority for Planning Proposals and identify the circumstances in which Council would be unlikely to support progression of a proposal. The Policy identifies that Planning Proposals aiming to implement endorsed Council Strategies or Concept Plans, would be given priority in assessment.

This Planning Proposal is aligned with the Illawarra Shoalhaven Regional Plan which identifies the provision of housing in existing urban areas as a sustainable option, in that it takes advantage of existing job markets, infrastructure, commercial and retail opportunities, public transport, and facilities for pedestrians and cyclists. A number of centres have been identified in the Plan for the focus of increased housing activity, including the northern corridor – Thirroul, Corrimal and Fairy Meadow.

Community Strategic Plan – Wollongong 2028

The Planning Proposal is consistent with the delivery of the following Wollongong 2028 Community Strategic Plan objectives:

Objective 1.1 Our natural environment, waterways and terrestrial area are protected, managed and improved -

1.1.3 The potential impacts of natural disasters, such as those related to ...flood...are managed and risks reduced to protect life, property and the environment.

Objective 1.3 The sustainability of our urban environment is improved:

1.3.1 Manage land use to strengthen urban areas and improve connectivity close to train stations and key transport routes.

Objective 5.3 Residents have improved access to a range of affordable housing options:

5.3.1 Housing choice in the Wollongong Local Government area is improved, taking into account population growth, community needs and affordability.

Objective 6.1 Wollongong is supported by an integrated transport system:

6.1.4 Integrated communities close to public transport and local services and facilities focused around existing train stations and town and village centres are planned for and encouraged.

The Planning Proposal seeks to redevelop an existing urban site close to public transport, and community, commercial and retail facilities, in an area of strong residential demand. The vision for the site is a medium density development offering diverse residential apartment choice in close proximity to the Corrimal Town Centre, recreational facilities and transport infrastructure. The proposal has the potential to respond to the vision for sustainable development and liveable communities, as envisaged in the broader regional strategy and Council's Community Strategic Plan. The Planning Proposal additionally has the potential to provide an affordable housing component.

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2019-2020
Strategy	5 Year Action	Annual Deliverables
1.3.1 Manage land use to strengthen urban areas and improve connectivity close to train stations and key transport routes.	1.3.1.1 Impacts from development on the environment are assessed, monitored and mitigated.	Assess new developments and planning proposals for environmental impacts.

Corrimal Town Centre Plan 2015 - 2025

The Corrimal Town Centre Plan 2015-2025 provides strategic guidance on the future of Corrimal Town Centre. The Vision is to create a future Corrimal Town Centre that has -

- A Distinct Identity.
- A Thriving Community Heart (Memorial Park).
- Strong Connections.
- Smart Growth.
- Pride in Quality Spaces.

The report notes that Corrimal is strategically placed to grow. As the major northern urban hub within close proximity to Wollongong City Centre, Corrimal is accessible by road and public transport. Corrimal provides a wide variety of retail, services and community facilities for residents of the locality and the northern suburbs.

The Proposal is consistent with the following vision objectives -

- Strong Connections – the indicative design proposes improved pedestrian connections between Princes Highway, the community facilities, Ziems Park and throughout the site.
- Smart Growth – the Planning Proposal seeks to provide residential apartments that are well located contributing to a more diverse housing stock in Corrimal. The proposed concept supports one of the primary key themes identified by the Community “increase residential densities within and around the Corrimal Town Centre to assist in generating demand for the provision and retention of services.”

The original Planning Proposal sought a 29 metre height limit was not consistent with the “Distinct Identity” vision, which highlights the importance to the community of maintaining escarpment vistas from public places. The proposed maximum height of 29 metres was identified as excessive and out of character for the location, noting a key recommendation of the Corrimal Town Centre Plan 2015 being to limit heights to 15 metres. The updated Concept Plan (May 2020) incorporates the WLPP recommended 15 metre height limit, with the proposed inclusion of a LEP clause to grant development consent to development for the purpose of rooftop plant, lift towers, lift motor rooms and/or communal open space and access to any structures associated with such space, that would exceed or causes a building to exceed, the height limits set.

CONCLUSION

The Planning Proposal is generally in accordance with the objectives in the *Illawarra-Shoalhaven Regional Plan 2015* and the *Corrimal Town Centre Plan 2015-2025*, and has strategic merit given the proximity of the site to the Town Centre and related infrastructure. The site is currently highly constrained in terms of flood affectation, as identified in Council’s adopted Towradgi Creek Catchment Floodplain Risk Management Study and Plan (2003) and Review of Towradgi Creek Study (2015). However extensive flood design and modelling work has demonstrated that a channel can be constructed to modify flood behaviour such that part of the site will be wholly outside the flood planning area (removing the high flood risk categorisation for part of the site) making it suitable for residential development, while also alleviating flooding in the surrounding area. Council stormwater engineers have indicated support for this approach.

The Wollongong Local Planning Panel determined that the proposed instrument should be submitted for a Gateway determination because the proposal has demonstrated strategic and site-specific merit.

It is recommended that Council resolve to submit an amended draft Planning Proposal (to reflect the advice of the Wollongong Local Planning Panel) to the NSW Department of Planning, Industry and Environment seeking a Gateway determination.



