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Sarah Lees – Director Southern Region, Local and Regional Planning
Department of Planning, Industry and Environment
Locked Bag 5022 Parramatta NSW 2124

Dear Sarah,

REZONING REVIEW REQUEST | 3-13 SHORT STREET, 312-324 PRINCES HIGHWAY, AND 15 SHORT STREET, CORRIMAL

1. INTRODUCTION

This Planning Report has been prepared to NSW Department of Planning, Industry and Environment (**DPIE**) on behalf of Lederer Group (**the proponent**) to request a Rezoning Review of a planning proposal submitted to Wollongong City Council (**Council**). The planning proposal relates to land comprising 3-13 Short Street, 312-324 Princes Highway, and 15 Short Street, Corrimal (**the site**).

The planning proposal seeks to amend the Wollongong Local Environmental Plan (**LEP**) 2009 by rezoning the site to part R3 (Medium Density Residential) and part RE1 (Public Recreation) and RE2 (Private Recreation), applying a 15 metre building height control and a 1:5:1 Floor Space Ratio (**FSR**) control to land zoned R3 (Medium Density Residential), amending the minimum lot size, identifying the site as a 'Key Site', and incorporating additional permitted uses and new local provisions.

The overarching vision for the planning proposal is to facilitate high quality residential apartment development in a location within close proximity to existing commercial and retail services associated with the Corrimal town centre, employment opportunities, recreational facilities, and public transport. Future development will deliver a diversity of housing typologies on a site eminently suitable for a medium density zoning and will contribute to sustainable development and liveable communities, as envisaged in broader strategic planning policy and Council's Community Strategic Plan.

Since the planning proposal was lodged in June 2017, the proponent has consulted extensively with Council. The planning proposal has been subject to ongoing collaboration and engagement to resolve key planning and engineering matters, specifically with regards the urban design and flood mitigation strategy. The extent of collaboration and refinement to the planning proposal is demonstrated by the number of meetings held between senior Council officers and the proponent over the last three years.

Council's City Strategy Manager and Director Planning and Environment and the Wollongong Local Planning Panel (**WLPP**) have agreed to support the planning proposal and endorse its submission for Gateway determination on the grounds that it demonstrates strategic and site-specific merits.

The planning proposal was heard at the Ordinary Meeting of Council on 29 June 2020. The recommendation of Council's City Strategy Manager and the Director of Planning and Environment, endorsed by the Wollongong Local Planning Panel, was that the planning proposal be submitted for Gateway determination for the reason that it demonstrated strategic and site-specific merit.

However, notwithstanding this recommendation, elected Councillors proposed an alternative motion and unanimously resolved not to prepare the planning proposal or submit to Gateway determination. It is very disappointing that at this Meeting of Council there was no debate on the item, nor any specific questions put to Council's technical staff on the proposal or indeed any willingness to understand the extensive work that had been undertaken by the proponent and Council to resolve technical matters over the last three years. We are of the strong view that the items referred to in Council's assessment report could have been adequately addressed by Council staff if these questions were raised.

The proponent has acted in a collaborative and reasonable manner throughout the process of the planning proposal and it is extremely disappointing that Councillors resolved not to support the proposal against the recommendation of Council's strategic planning officers and the WLPP.

Accordingly, this rezoning request has been initiated by the proponent as a result of the decision by Councillors at the Ordinary Meeting of Council on 29 June 2020 not to support the planning proposal.

This request for a Rezoning Review has been prepared in accordance with '*A Guide to Preparing Planning Proposals*' and '*A Guide to Preparing Local Environmental Plans*' (DPIE) and includes an overview of the site and its context, background to the planning proposal, an assessment of strategic and site-specific merits, and a response to Councillor's reasons for not supporting the proposal.

This Report is accompanied by the following documentation:

- Planning proposal as amended (March 2020) (**Appendix A**);
- Email correspondence between Council and the proponent (**Appendix B**);
- Indicative design concept prepared by ADM Architects (**Appendix C**);
- Wollongong Local Planning Panel Record of Decision (dated 20 April 2020) (**Appendix D**);
- Assessment Report to the Ordinary Meeting of Council on 29 June 2020 (**Appendix E**); and
- Recorded minutes to Ordinary Meeting of Council on 29 June 2020 (**Appendix F**);

2. SITE AND SURROUNDING CONTEXT

2.1. SITE DESCRIPTION

The planning proposal is made in relation to land at 3-13 Short Street, 312-324 Princes Highway, and 15 Short Street, Corrimal. The site fronts onto Short Street and The Princes Highway. The site is approximately 6.5km north of Wollongong City Centre and approximately 80km south of Sydney.

The site is an amalgamation of multiple lots. The legal property description of the site comprises: Lots 1 and 2 DP 506168; Lot 50 DP 837043; Lots 4, 5, 6 and 11 DP 2486; Lot A DP 346336; Lots 20 and 21 DP 558591; and Lot 1 DP506169. The total area of the site is approximately 7,500 sqm.

The site is predominately used as an overflow car park for the Lederer (formerly Stockland) Corrimal Shopping Centre, on the opposite side of Short Street, and visitors to adjoining community facilities, including the Corrimal District Community Centre and Library, swimming pool and recreational area.

The landholding includes two adjoining small residential lots fronting The Princes Highway. Whilst these allotment do not contain any physical development, they include part of Corrimal Creek, which forms part of the current flood control measures for the Towradgi Creek Catchment.

The land to which the planning proposal relates is identified in **Figure 1** below.

Figure 1 Site Location



Source: SixMaps

2.2. SURROUNDING CONTEXT

The site is in a prominent location on the southern fringe of the Corrimal Town Centre. The site is surrounded by commercial and retail uses, community facilities, infrastructure, and residential dwellings. Corrimal Railway Station is approximately 1.2km from the site using the road network.

The site comprises an amalgamated landholding under single ownership. The size of the site is significant comparative to other landholdings in the surrounding area. Other sites in the locality are generally small allotments, accommodating free standing residential dwellings. This fragmented ownership of land restricts the amalgamation of land for significant medium density development.

To the north the site is bound by Short Street. Beyond this lies the Lederer Corrimal Shopping Centre.

To the east and south-east, the site adjoins a range of community facilities, including Corrimal District Library and Community Centre, Corrimal swimming pools, and sports playing fields.

The southern boundary of the site adjoins the Robert Ziems Park and standalone residential dwellings.

To the west the site is bound by The Princes Highway. Beyond the highway is a Caltex Woolworths Petrol Station and low density residential dwellings.

The surrounding context to the site is illustrated in **Figure 2** below.

Figure 2 Surrounding Context



Source: AJ+C Architects and Urbis

3. THE PLANNING PROPOSAL

The planning proposal has been subject to extensive collaboration and engagement over the last three years. This has involved a number of meetings between Council officers and the proponent.

The below provides a background of the planning proposal and a summary of key milestones:

- In **June 2017**, the then owner of the site (Stockland) submitted the planning proposal to rezone the site amend development standards to facilitate mixed use development. The lodgement of the planning proposal followed positive early engagement with Council. Council saw strategic value in exploring the proposed rezoning, subject to examination of the flood hazard characteristics of the surrounding precinct and the implementation of an appropriate flood mitigation strategy.
- In response to the preliminary consultation with Council, Stockland appointed an experienced architectural and engineering team to commence a comprehensive urban design analysis in order to inform the potential bulk, scale, and massing of built form on the site, and to understand the potential environmental impacts of future development on the site and the surrounding locality.

- The urban design analysis assessed potential impacts on the surrounding area, in terms of solar access, views, street podium heights, setbacks, vehicular access, pedestrian connectivity, overshadowing, residential amenity, traffic, and broader social and economic impacts. The outcome of this analysis was the preparation of an indicative design concept for a high-quality, mixed use scheme which responded positively to community land uses in the immediate vicinity.
- Early assessment and consultation with Council identified a number of planning and technical matters, specifically in relation to Section 117 Ministerial Directions, the flood mitigation strategy, and non-compliances with the Wollongong LEP 2009 and Wollongong DCP 2009.
- In **November 2017**, the site was sold to Lederer Group (the current proponent). At the time of the sale, the flood hazard matter had not been sufficiently addressed to the extent that would allow the initial reporting to Council. Further, Council had taken a position that the proposed maximum building height of 29 metres was inconsistent with the Corrimal Town Centre Plan (2015 - 2025).
- On **16 October 2019**, a meeting was held with Council to focus on the flooding matter. Council's Flood Engineering Manager (Andrew Heaven) requested further flood investigation and urban design refinement. Subject to an acceptable outcome to this investigation and design work, Council was willing to support the planning proposal from a flood risk perspective.
- On **19 November 2019**, the proponent's flood engineer held a follow-up meeting with Andrew Heaven to discuss the flood modelling. Accordingly, significant design revisions were made to the planning proposal, in consultation with Council's stormwater engineers, to develop a solution to the flood hazard matter. As part of these urban design refinements, the planning proposal was revised to reduce the maximum building height to 18 metres.
- On **5 February 2020**, correspondence was issued by Andrew Heaven to Council's Strategic Planning team to confirm that the updated flood plan "satisfied the previous concerns that Council's engineers had with regard to flooding for the subject site". This was a very positive resolution to the extensive flood assessment and modelling work undertaken by the proponent.
- On **19 February 2020**, Council's Strategic Planning team requested the proponent to provide additional supporting information to reflect the changes to the flood zone. In response to this request, in early **March 2020**, the proponent submitted an updated planning proposal.
- On **10 March 2020**, Council confirmed that the updated documentation was sufficient to allow the planning proposal to be referred to the WLPP for a preliminary review prior to reporting to Council.
- On **2 April 2020**, the WLPP resolved that the planning proposal be submitted for a Gateway determination because it demonstrated strategic and site-specific merit (see **Appendix D**). This resolution included a request for additional information and clarification on certain matters (none of which would prevent the matter proceeding to Gateway but did nevertheless require action).
- On **12 May 2020**, the proponent submitted an updated concept design package to respond to the matters raised by the WLPP and the request for additional information (see **Appendix B and C**).
- The planning proposal was heard at the Ordinary Meeting of Council on **29 June 2020**. The recommendation of Council's City Strategy Manager and Director of Planning and Environment, as endorsed by the WLPP, was that the planning proposal be submitted for Gateway determination for the reason that it demonstrated strategic and site-specific merit (see **Appendix E**).
- However, notwithstanding this recommendation, elected Councillors proposed an alternative motion and unanimously resolved not to prepare the planning proposal or submit to Gateway determination (see **Appendix F**).

In summary, the planning proposal has been subject to very extensive engagement and consultation and a substantial amount of urban design work and technical analysis which has resulted in both **support from Council's staff and the Wollongong Local Planning Panel**. Indeed, it is agreed that the planning proposal has strategic and site-specific merit to proceed to a Gateway determination.

4. MERIT ASSESSMENT CRITERIA

4.1. STRATEGIC MERIT

The strategic merits of the planning proposal have been agreed and supported by senior Council officers and the members of the Wollongong Local Planning Panel, summarised as follows:

- In their review of the planning proposal on 2 April 2020, the members of the Wollongong Local Planning Panel agreed that the planning proposal demonstrates strategic merit and should be submitted to Gateway determination. [Refer to **Appendix D**]
- Council's Assessment Report and recommendation to the Ordinary Meeting of Council on 29 June 2020 concluded that the planning proposal is generally in accordance with the objectives of the relevant strategic planning policies, being 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 Corrimal town centre and related infrastructure. [Refer to **Appendix E**].

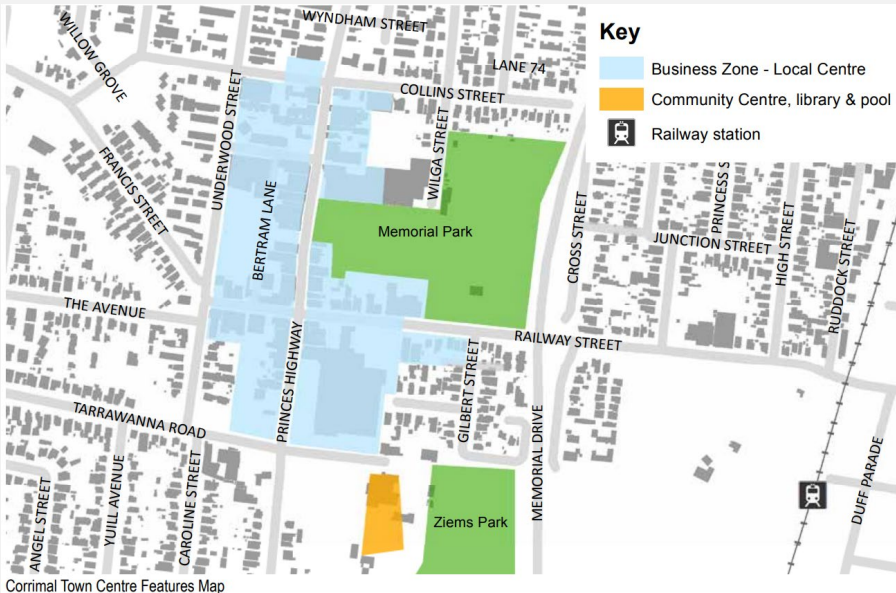
Further, it is noted that the resolution of the elected Councillors not to support the planning proposal did not include any reasons for refusal on the grounds on strategic merit.

The below provides a detailed assessment of the planning proposal's strategic merit.

Table 1 Strategic Merit Test

Criteria	Planning Proposal Response				
Give effect to regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.	<p>The proposal is informed by comprehensive analysis of the site's physical and environmental attributes, with consideration to the following relevant strategic plans.</p> <p>ILLAWARRA SHOALHAVEN REGIONAL PLAN 2016</p> <p>The site is located outside the Greater Sydney Region. Therefore the relevant regional plan is the Illawarra Shoalhaven Regional Plan 2016 (the Regional Plan).</p> <p>This Plan places strong policy emphasis on delivering urban renewal opportunities close to public transport, strengthening and growing local centres, and promoting higher density residential uses in areas where there is strong housing demand.</p> <p>The planning proposal's consistency with the Regional Plan is detailed below.</p> <table> <tr> <th>Regional Direction</th><th>Planning Proposal</th></tr> <tr> <td><i>Direction 2.2 Support housing opportunities close to existing services, jobs and infrastructure in the region's centres.</i></td><td> <ul style="list-style-type: none"> ▪ The planning proposal will facilitate new housing in Corrimal, an existing urban area. ▪ The site is in an ideal location to take advantage of existing employment opportunities, public </td></tr> </table>	Regional Direction	Planning Proposal	<i>Direction 2.2 Support housing opportunities close to existing services, jobs and infrastructure in the region's centres.</i>	<ul style="list-style-type: none"> ▪ The planning proposal will facilitate new housing in Corrimal, an existing urban area. ▪ The site is in an ideal location to take advantage of existing employment opportunities, public
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Criteria	Planning Proposal Response	
	Centres identified as the focus for increased housing activity (refer to Figure 10) include the Northern Corridor – Thirroul, <u>Corrimal</u> , and Fairy Meadow.	<p>transport, infrastructure, commercial and retail uses, and facilities for pedestrians and cyclists.</p> <ul style="list-style-type: none"> ▪ The site is in a prominent location, adjacent to various community facilities including the district library, pool, and playing fields. ▪ The Lederer Corrimal Shopping Centre is immediately north, beyond Short Street. ▪ The site is positioned approximately 1.2km from Corrimal Railway Station. ▪ The site is adjacent to the Princes Highway. ▪ Medium density residential development on the site would contribute to housing supply in close proximity to employment opportunities. ▪ The proposal provides opportunities for through-site links to enhance pedestrian connectivity to the town centre and nearby community facilities.
	<p>Action 2.2.1 <i>Investigate the policies, plans and investments that would support greater housing diversity in centres.</i></p> <p>Corrimal is a centre where a wider range of housing options are “feasible, and where changes to planning controls could facilitate this outcome”.</p>	<ul style="list-style-type: none"> ▪ In response to Action 2.2.1, the planning proposal provides a unique opportunity to deliver a diverse range of housing typologies on a site which is feasible and that can be facilitated by changes to planning controls.
	Direction 3.1 <i>Grow the opportunities for investment and activity in the region’s network of centres</i>	<ul style="list-style-type: none"> ▪ The proposed amendments to the LEP will facilitate residential development on the site which in turn will support and enhance the future viability and vitality of the Corrimal town centre.
	Direction 5.2 <i>Build the Illawarra-Shoalhaven’s resilience to natural hazards and climate change.</i>	<ul style="list-style-type: none"> ▪ The planning proposal has been refined to incorporate a flood mitigation strategy that will minimise flood risk and will deliver a high quality, environmentally designed, and landscaped outcome for future redevelopment.

Criteria	Planning Proposal Response
	<p>CORRIMAL TOWN CENTRE PLAN</p> <p>In 2015, Council adopted the Corrimal Town Centre Plan 2015 - 2025 (Town Centre Plan). The Town Centre Plan describes a vision for the future development of Corrimal that reflects the following commitments:</p> <ul style="list-style-type: none"> ▪ A Distinct Identity; ▪ A Thriving Community Heart [Memorial Park]; ▪ Strong Connections; ▪ Smart Growth; and ▪ Pride in Quality Spaces. <p>The Plan provides the strategic direction and future development priorities for the town centre, specifically relating to planning control changes, infrastructure design and delivery, stakeholder partnerships and community projects.</p> <p>The planning proposal site is adjacent to the defined Corrimal Town Centre, with land zoned B2 (Business Zone) to the north, and the community facilities and local park to the east (see Figure 3 below). The site is in a prominent position to create an attractive connection between the town centre and local community amenities.</p> <p>Figure 3 Corrimal Town Centre Strategic Map</p>  <p>Corrimal Town Centre Features Map</p> <p>The planning proposal is consistency with the key visions as considered below.</p> <p>Vision: Strong Connections</p>

Criteria	Planning Proposal Response
	<p>This site occupies a key location to link the community facilities to the east with the town centre to the north. The indicative design concept indicates potential through-site links to improve pedestrian connectivity including:</p> <ul style="list-style-type: none"> ▪ A boardwalk connection between Princes Highway and the community uses to the east of the site (library, pool, park); and ▪ An additional landscaped connection on the eastern boundary of the site between Short Street and Robert Ziems Park. <p>These links can serve to enhance the pedestrian and cycling connection to civic, community, and recreational uses within the town centre. Attractive pedestrian connections and an increase in residents will encourage a reduction in car trips.</p> <p>Vision: Smart Growth</p> <p><i>The Centre is the urban goods and services hub for the northern suburbs and provides a wide variety of jobs, facilities, and activities in a unique environment</i></p> <p>The planning proposal will create pedestrian links to improve connectivity to town centre services, residential dwellings, and existing community facilities and parks.</p> <p><i>Redevelopment in and around the Town Centre provides housing choice and supports the local economy</i></p> <p>The planning proposal will facilitate housing choice in proximity to the town centre, public transport, and community facilities, and will provide alternative options to the existing housing stock. It will contribute to an increase in population within close proximity to the town centre; this in turn will support a range of commercial activity.</p> <p>Vision: Pride in Quality Spaces</p> <p><i>Developments are designed to bring people to the street and blank walls have been replaced by active and pleasant frontages.</i></p> <p><i>New development is designed to enhance the setting and streetscape, and to offer comfort to people inside and at street level.</i></p> <p><i>The Town Centre embraces quality, low-maintenance landscaping, and street trees, garden beds and creek rehabilitation create a lovely atmosphere.</i></p> <p>Residential development will address the street and initiate activation. A high quality landscaped areas will present a significant visual improvement to the existing car park and offer a human scale in stark contrast to the Princes Highway adjoining the site boundary to the west.</p> <p>The site is well located to enhance pride in quality spaces by offering public domain linkages to key community civic and recreation uses. New pedestrian links, access, and landscaping will integrate with an overland flow strategy. This will concurrently address the flood conditions of the site and deliver high quality spaces.</p>

Criteria	Planning Proposal Response
Give effect to a relevant local strategy that has been endorsed by the Department, such as the local strategic planning statement, housing strategy.	<p>The Wollongong Local Strategic Planning Statement (LSPS) was adopted on 29 June 2020. The LSPS provides a 20-year land use planning vision for the City. It implements the strategic directions of local town centre studies (such as the Corrimal Town Centre Plan) and actions of the Illawarra-Shoalhaven Regional Plan.</p> <p>The planning proposal's consistency with key LSPS priorities is detailed below:</p> <p>Housing For All</p> <ul style="list-style-type: none"> ▪ The planning proposal will facilitate new housing on the fringe of the Corrimal town centre and contribute towards forecast population growth in the LGA. ▪ New housing will provide an alternative option to the existing housing stock. <p>Protect the Natural Environment</p> <ul style="list-style-type: none"> ▪ The planning proposal has been subject to detailed design and modelling of flood mitigation works, including the proposed construction of a channel to modify flood behaviour such that the part of the site outside the flood hazard area is made suitable for residential development. <p>Key Localities</p> <ul style="list-style-type: none"> ▪ Corrimal is identified as the main shopping and commercial precinct for the northern suburbs, containing a range of retail, commercial and community services. Corrimal is classified as a district centre and is surrounded by a range of residential housing types and a variety of light industries. ▪ The vision for Corrimal is established in the adopted Town Centre Plan. The consistency of the planning proposal with this Plan is detailed above.
Respond to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognized by existing planning controls.	<p>The site was rezoned to SP2 Infrastructure (Car Park) at the gazettal of the current Wollongong LEP 2009. The current zoning of the site and building height and FSR development standards do not reflect the site and its future development potential.</p> <p>The planning proposal responds to the strategic planning opportunities for the site and its suitability for future high density residential development in a location where there is strong identified demand for increased housing stock and diversity.</p>

The above assessment demonstrates that the site's strategic characteristics make it eminently suitable for urban renewal. The technical reports which accompany the planning proposal support the rezoning of the site and demonstrate strong evidence for future development. The planning proposal responds positively to the key actions, priorities, and objectives of the relevant strategic planning policies.

4.2. SITE SPECIFIC MERIT

Council officers and the WLPP agree that the planning proposal has site-specific merit and that it should proceed to a Gateway Determination. Notwithstanding, the proponent acknowledges that there are some site-specific items that will need to be addressed and resolved as part of the Gateway determination and prior to the making of the amended instrument.

The planning proposal has site-specific merit for the reasons detailed in the following assessment:

Table 2 Site Specific Merits Test

Criteria	Planning Proposal Response
The natural environment (including known significant environmental values, resources or hazards).	<p><u>Flood Hazard</u></p> <p>Council's Towradgi Creek Flood Study Review (2015) categorises the site as a 'Floodway' within a 'High Provisional Flood Hazard' area. The majority of the site is below the Flood Planning Level (FPL) and within the Flood Planning Area, as defined by the LEP and the NSW Floodplain Development Manual (2005).</p> <p>Significant design work has been undertaken in consultation with Council's Stormwater Engineers to design an appropriate flood management solution. The design incorporates a comprehensive strategy to manage flood risks and identifies opportunities for a refined architectural and landscape entry feature at the corner of the Princes Highway and Short Street. The flood mitigation strategy delivers a public benefit in lowering the flood risk the surrounding area.</p> <p>Council's Assessment Report to the Ordinary Meeting of Council concludes that the extensive flood design and modelling work undertaken demonstrates that the proposed flood mitigation strategy enables the site to be suitable for residential development and assists in alleviating flooding in the surrounding area. Council's stormwater engineers have indicated support for the proposed flooding approach.</p> <p><u>Biodiversity</u></p> <p>The site is not identified as environmentally sensitive land and does not contain any species or vegetation that has significant biodiversity value.</p>
The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal.	<p><u>Existing Uses</u></p> <p>The existing condition of the site fails to effectively achieve the scale, form, and quality of development appropriate to its physical and strategic characteristics.</p> <p>The planning proposal proposes a maximum building height of 15 metres and an FSR of 1.5:1. The proposal reflects a comprehensive urban design analysis which demonstrates that built form of this scale and massing will deliver an appropriate infill development opportunity adjacent to the Corrimal town centre.</p>

Criteria	Planning Proposal Response
	<p>The proponent acknowledges that the final form and design of any buildings, car parking arrangements, and public spaces would occur at a future development application phase should the planning proposal to rezone the site be supported.</p> <p>This position is supported by Council officers and the WLPP.</p> <p><u>Traffic</u></p> <p>The planning proposal is supported by a Traffic Assessment (prepared by Colston Budd Rogers & Kafes) to assess the potential traffic and parking impacts of future development of the site. The Traffic Assessment concludes as follows:</p> <ul style="list-style-type: none"> ▪ future development can be readily accessible by public transport; ▪ appropriate parking can be provided (to satisfy DCP requirements); ▪ vehicular access, internal circulation and layout will be provided in accordance with the relevant Australian Standards; and ▪ the surrounding road network will be able to accommodate traffic generation associated with future development on the site. <p>Council Officers, the Roads and Maritime Services (RMS), and the WLPP are supportive of the traffic elements of the planning proposal, and in agreement that future development will not give rise to any unreasonable traffic impacts.</p> <p>Notwithstanding, it is acknowledged that further detailed traffic impact assessment may be required at Gateway to address detailed traffic matters raised by RMS.</p> <p><u>Amenity</u></p> <p>The urban design analysis undertaken to support the planning proposal indicates that future development is capable of satisfying key design and amenity principles of the Apartment Design Guideline (ADG) in relation to the below:</p> <ul style="list-style-type: none"> ▪ Solar Access: Capable of achieving in excess of 70%. ▪ Cross Ventilation: Capable of achieving in excess of 60%. ▪ Building Separation: Separation distances in excess of minimum distances. ▪ Communal Open Space: Capable of providing in excess of 25% of the site (which receives a minimum of 50% direct sunlight for 2 hours in mid-winter). <p>The residential development to be facilitated by the planning proposal can be designed to minimise any adverse impact upon adjoining civic and community uses and enhance pedestrian connectivity with the town centre to the north.</p> <p>The planning proposal will not give rise to any adverse amenity impacts on the surrounding land uses, with regard to:</p>

Criteria	Planning Proposal Response
	<ul style="list-style-type: none"> Shadowing – The indicative design demonstrates limited shadow impacts on the swimming pool or residential properties adjacent to the site. These uses will enjoy well in excess of three hours solar access in mid-winter. Privacy – The indicative design provides generous separation distances from surrounding properties and will not create any visual or aural privacy impacts. <p>The proponent acknowledges that it may be appropriate to prepare a site-specific DCP to address issues such as future land uses, building envelope refinement, boundary interfaces with the adjoining community facilities, and landscaping.</p>
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	<p><u>Public Infrastructure</u></p> <p>Public infrastructure and service connections are available to the site. These can be extended, upgraded, and augmented to meet demands of future development.</p>

4.3. OTHER STATUTORY PLANNING CONSIDERATIONS

As detailed in the planning proposal request and Council's recommendation to support the LEP Amendment, the proposal is consistent with relevant State Environmental Planning Policies (**SEPPs**):

- SEPP (State and Regional Development) 2011;
- SEPP No 65 – Design Quality of Residential Apartment Development;
- SEPP (Infrastructure) 2007; and
- SEPP 55 Remediation of Land.

The planning proposal is consistent with relevant Section 9.1 (previously 117) Ministerial Directions:

- 3.1 Residential Zones;
- 4.3. Flood Prone Land;
- 5.10 Implementation of Regional Plans; and
- 6.3 Site Specific Provisions.

5. RESPONSE TO ELECTED COUNCIL'S CONTENTIONS

The published meeting minutes of the Ordinary Meeting of Council on 29 June 2020 identified eight reasons why the elected Councillors did not support the planning proposal. The reasons are identified below along with a detailed rebuttal response from the proponent.

Table 3 Response to Council's Reason to not support the proposal

Council Reason	Proponent Response
<p>1. <i>The size and bulk of the proposed development.</i></p>	<p>The Council Officers and Local Planning Panel were supportive of the proposed size and bulk of the proposed development, which has sought to align with the surrounding built form context.</p> <p>The planning proposal proposes a maximum building height of 15 metres and a maximum FSR of 1.5:1. These amended development standards will facilitate future development with a bulk and scale commensurate with the site's location adjacent to Corrimal town centre.</p> <p>The proposed controls reflect the result of comprehensive urban design analysis which demonstrates that a built form of this scale provides an appropriate infill opportunity adjacent to the town centre.</p> <p>The documentation lodged with the planning proposal demonstrate how the currently underutilised urban land can be redeveloped for medium density housing within a built and form appropriate within its context.</p> <p>The proposed bulk and scale of future development is supported by a range of technical studies that accompany the planning proposal, including extensive urban design analysis, a traffic and parking impact assessment, landscape concept plans, and flood hazard investigations.</p>
<p>2. <i>No relationship between the proposal and the surrounding structures.</i></p>	<p>The planning proposal envisages development that achieves a high quality relationship with surrounding land uses in the following regards:</p> <ul style="list-style-type: none"> ▪ It delivers precinct-wide flood mitigation enhancements. ▪ An increase in residential density and population will strengthen the demand and activation of surrounding uses, including town centre retail and commercial services and civic and community uses. ▪ It will deliver opportunities for through-site links that will improve pedestrian connections between the town centre to the north and the community facilities and park to the east of the site, including: <ul style="list-style-type: none"> ○ A boardwalk connection between Princes Highway and the community uses to the east of the site (library, pool, park); and ○ An additional landscaped connection on the eastern boundary of the site between Short Street and Robert Ziems Park. <p>The proponent acknowledges that it may be appropriate to prepare a site-specific DCP to give direction to future development on the site and its relationship to the town centre and nearby community land uses.</p>

Council Reason	Proponent Response
<p>3. <i>The proposal requires substantial work and alteration to the riparian corridor.</i></p>	<p>The Council's Technical Flood Engineering Officers and the Local Planning Panel were supportive of the proposed flood mitigation measures which have both on-site and off-site flood benefits.</p> <p>The planning proposal seeks to amend the Riparian Lands and Watercourse Map to facilitate riparian corridor rehabilitation works.</p> <p>The planning proposal is cognisant of the riparian corridor that runs across the site. In accordance with Chapter E23 (Riparian Corridor Management) of the DCP, a 10 metre core riparian zone width either side of the proposed bank from the top will be achieved, at least for the southern section of the corridor zoned Category 3.</p>
<p>4. <i>Proximity and overshadowing of a community facility being the Library and Community Centre.</i></p>	<p>The urban design analysis undertaken to inform the planning proposal demonstrates that future development will not give rise to any unreasonable overshadowing impacts.</p> <p>The indicative concept design indicates very limited shadow impacts in the very late afternoon on the adjoining community facilities; these uses will enjoy well in excess of three hours solar access in mid-winter.</p> <p>We note that Council Officers have also sought to provide a site-specific control in the LEP Amendment which would ensure that shadow impacts are minimised.</p>
<p>5. <i>The site is categorised as a high flood risk.</i></p>	<p>The Council's Technical Flood Engineering Officers and the Local Planning Panel were supportive of the proposed flood mitigation measures which have both on-site and off-site flood benefits.</p> <p>Since lodgement of the planning proposal in June 2017, the proponent has collaborated extensively with Council officers (including the Flood Engineering Manager) to mitigate the site's flood characteristics.</p> <p>The proponent has undertaken significant flood modelling to determine whether a formalised floodway could be delivered following the natural flow direction/alignment. This demonstrates that the floodway would lower the risk of flooding to the subject site and adjoining land.</p> <p>Detailed 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; thereby removing its high flood risk categorisation and making it suitable for residential development.</p>

Council Reason	Proponent Response
	<p>The planning proposal incorporates a comprehensive strategy to manage flood risks. Senior Council staff and the WLPP are supportive of this flood mitigation strategy. Council's Assessment Report to the Ordinary Meeting of Council (refer to Appendix D) concluded:</p> <p><i>"the extensive flood design and modelling work undertaken 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."</i></p> <p>The proponent acknowledges that further detailed engineering and urban design refinement may be required at Gateway stage.</p> <p>A future development application would be required to consider the reconstruction of the existing drainage system that traverses the site.</p>
<p>6. <i>Increased traffic in an already congested area.</i></p>	<p>The Traffic Assessment lodged with the planning proposal concludes:</p> <ul style="list-style-type: none"> ▪ future development can be readily accessible by public transport; ▪ appropriate parking can be provided (to satisfy DCP requirements); ▪ vehicular access, internal circulation and layout will be provided in accordance with the relevant Australian Standards; and ▪ the surrounding road network will be able to accommodate traffic generation associated with future development on the site. <p>Council Officers, the Roads and Maritime Services (RMS), and the WLPP are supportive of the traffic elements of the proposal, and comfortable that it do not give rise to any unreasonable traffic impacts.</p> <p>Notwithstanding, further detailed traffic impact assessment may be required at Gateway to address detailed traffic matters raised by RMS.</p>
<p>7. <i>Potential contamination on the site.</i></p>	<p>The planning proposal is supported by a Stage 1 Preliminary Site Investigation prepared by Golder Associates. This report concludes that there is only a moderate risk of contamination on the site.</p> <p>The proponent accepts that a Phase 2 (Detailed Site Investigation) and Site Audit Statement is required to provide a detailed contamination assessment. This can be undertaken at the Gateway stage.</p>

Council Reason	Proponent Response
<p>8. (a) <i>The original DA 1995/255 required the provision of carparking therefore the site is zoned SP2 infrastructure (carpark) for that purpose.</i></p> <p>(b) <i>Moving the required carparking spaces to the shopping centre site would require a multi-level carpark on either Railway Street, Princes Highway or Short Street, Corrimal which will destroy the amenity of that site with non-activity facing one or more of those streets.</i></p>	<p>The applicant owns and controls both the shopping centre site to the north of the site, as well as the subject site. It is acknowledged that original DA for the shopping centre (DA 1995/255) requires a quantum of car parking to be provided to service the scale of retail offer.</p> <p>The applicant acknowledges and is in agreement that the parking controls for the shopping centre will be required to be maintained to comply with DA1995/255, but importantly to provide enough car parking for their retail operations which is commercially imperative for them as a business.</p> <p>From a retail perspective, it is the applicant's preference to consolidate all car parking associated with the shopping centre onto a single site, as this provides a more consolidated approach and does not require shoppers navigating across a busy road and across two sites.</p> <p>The applicant has advanced a detailed concept design for a new, car park structure that would accommodate car parking decanted from the planning proposal site to the existing shopping centre site. Architectural plans have been prepared in consultation with a traffic engineer to present a design that comfortably accommodates the required number of car parking spaces on the shopping centre site. This design ensures that all customer car parking of the shopping centre is contained within that site. This arrangement would satisfy the car parking obligations of the condition of consent to DA 1995/255. The proposal to accommodate all shopping centre parking on the single site is the proponent's preference and is also a strategy endorsed by Council and the Wollongong Local Planning Panel.</p> <p>We note that Councillors are concerned that this potential design option would "destroy the amenity" of the site. However, we are confident that there is a design outcome which can manage this sensitive interface, which is currently an at-grade parking level for the centre. Our view is that the design can provide a positive response with an innovative response to the character of Corrimal Town Centre.</p> <p>As a potential statutory planning mechanism to the car parking matter, Council has recommended the inclusion of a new LEP local provision that ensures that the granting of development consent to any future redevelopment application on the planning proposal site is conditional on the satisfactory provision of car parking required for the shopping centre (pursuant to the conditions of consent to DA-1995/255).</p>

Council Reason	Proponent Response
	<p>An alternative or additional mechanism that could be explored is the inclusion of a covenant on the title to the planning proposal site. This would restrict the ability for development consent to be granted to a residential development application until such time as the car parking matter is resolved to the satisfaction of Council.</p> <p>Lastly, it is noted that there are a number of land uses that are currently permitted on the site (i.e. such as child care, community facilities and recreation facilities). Indeed, in the event that a DA was lodged for any of these uses, it would need to manage the removal of the existing car parking as part of the assessment of such an application. Therefore, in our view this is a matter which can be managed at a DA stage, albeit that the applicant is willing to accept the Council's proposed site-specific mechanisms to ensure that residential development on the site is only permitted on the basis that resolution of the car parking matter is resolved prior to the determination of any future application.</p> <p>The proponent accepts that appropriate planning mechanisms are available and can be resolved prior to the gazettal of the planning proposal. This strategy is supported by the proponent, senior Council officers, and the Wollongong Planning Panel.</p>

6. CONCLUSION

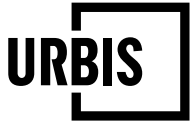
This report has been prepared on behalf of Lederer Group to accompany a request for a Rezoning Review of a proponent-initiated planning proposal at 3-13 Short Street, 312-324 Princes Highway, and 15 Short Street, Corrimal.

The site occupies a strategically significant and highly desirable location adjacent to Corrimal town centre. It is a substantial landholding with a regular configuration and within a single ownership. The site is within walking distance of high frequency bus services along the Princes Highway and the Corrimal train station and adjacent to a range of local community, civic, and recreational facilities. Few sites in the locality have comparable strategic and site-specific characteristics for urban renewal.

The planning proposal will facilitate the redevelopment of the under-utilised site to provide new medium density residential accommodation in the form of a high quality, high amenity residential flat building, with an activated landscaped presentation to the southern end of the Corrimal town centre.

The current land use zoning and development standards of the Wollongong LEP 2009 do not permit residential development. Accordingly, the planning proposal seeks to rezone part of the site and amend the maximum building height and FSR development standards to accommodate this proposal.

The proponent has collaborated extensively with senior Council officers to progress this planning proposal. It has been subject to extensive and constructive consultation, specifically with regards the flood mitigation strategy and maximum building height. Evidence of this consultation process is the number of meetings held between Council and the proponent throughout the last three years.



The planning proposal has support from Council's City Strategy Manager and the Director Planning and Environment and the Wollongong Local Planning Panel. However, the recommendation to endorse the planning proposal and proceed to Gateway was not supported by the elected Councillors.

It is considered that each of the eight stated reasons for refusal (a-k) to not support the planning proposal have been rebutted by the proponent, such that no valid reason for refusal remains.

For the reasons outlined in this Report and the accompanying documentation, it is submitted that the planning proposal has considerable strategic and site-specific merit, and thus warrants support from the Southern Regional Planning Panel and endorsement to proceed to Gateway determination.

Yours sincerely,

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

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