

ITEM 6 REVIEW OF 7(D) LANDS - GATEWAY PRECINCT

Council at its meeting on 28 November 2011, resolved to prepare a draft Planning Proposal for a number of precincts formerly zoned 7(d) Hacking River Environmental Protection at Helensburgh, Otford and Stanwell Tops. The draft Planning Proposal has been exhibited. This report is one of a series of reports addressing the submissions received during the exhibition and addresses the Gateway precinct.

It is recommended that the Planning Proposal for the Gateway precinct be progressed to finalisation.

Recommendation

The part of the Planning Proposal for the Gateway precinct, which seeks to amend the Wollongong Local Environmental Plan 2009 (LEP) by:

- 1 Zoning 151 and 177 Princes Highway, and 200-206, 208-216 and 218-222 Parkes Street, to the B6 Enterprise Corridor zone, with a floor space ratio of 0.5:1, maximum building height of 11m and minimum lot size of 2,000m²;
- 2 Zoning the Nos. 187-193 Princes Highway to the RU2 Rural Landscape zone;
- 3 Zoning 2 Lawrence Hargrave Drive to the RE2 Private Recreation zone;
- 4 Zoning 1-5 Lawrence Hargrave Drive and 227 Princes Highway to the RU2 Rural Landscape zone; and
- 5 Zoning Symbio Wildlife Gardens to the SP3 Tourist zone, including the dwelling houses in the same ownership – Nos.7-15 Lawrence Hargrave Drive.

be progressed to finalisation.

Attachments

There are no attachments for this report.

Report Authorisations

Report of: David Green, Land Use Planning Manager
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

Background

The separate report Review of 7(d) lands Background Summary Report, provides the history of the 7(d) lands, the background of the review, and the community consultation undertaken to date.

As part of Council's review of the issues associated with the lands formerly zoned 7(d) Hacking River Environmental Protection, at Helensburgh, Otford and Stanwell Tops, this report addresses the Gateway precinct.

The Gateway precinct is located on the Princes Highway between the Lawrence Hargrave Drive and Parkes Street, Helensburgh. The F6/Princes Highway/Lawrence Hargrave Drive intersection provides the main western entrance to Helensburgh and is a key starting point for the Grand Pacific Drive, with Symbio Wildlife Gardens being an important tourist attraction. The Princes Highway/Parkes Street intersection is the western entrance to the existing urban area of Helensburgh and links to the town centre.

Gateway precinct location and existing zoning map 1



The precinct currently has a number of commercial uses including poultry supplies, Symbio Wildlife Gardens, Helensburgh golf driving range, child care centre, nursery and

office premises. The precinct also contains rural residential and residential development.

Council at its meeting on 23 June 2009 resolved to rezone 177 Princes Highway, Helensburgh (the former RTA depot) and 200-206 Parkes Street, Helensburgh to IN2 Light Industrial. This rezoning was progressed as part of the Wollongong Local Environmental Plan 2009, and the sites are now zoned IN2 Light Industrial.

The precinct has largely been cleared of bushland and used for highway commercial uses for many years. The precinct is located at the head of the Gills Creek and Wilsons Creek catchments. The precinct was zoned Rural B prior to the 7(d) Hacking River Environmental Protection zone being introduced in 1997. Although the precinct is within the Hacking River catchment, the 7(d) zone did not reflect the economic values of the precinct and its Highway location, or the land uses of the day.

The precinct contains the GyMEA soil landscape unit which has a low to moderate urban capability. The Helensburgh Commission of Inquiry of 1994 notes that this precinct has one of the highest capabilities for urban development.

The precinct is serviced by town water, but is not serviced by a reticulated sewerage system. As part of any redevelopment within the precinct, the sewer network should be extended to service the new development. Clause 7.1 of the Wollongong Local Environmental Plan 2009 requires adequate infrastructure to be available to service proposed development.

Council at its meeting on 28 November 2011 resolved that:

- 1 *Council endorse the Planning Proposal for the Gateway precinct, which seeks to amend the Wollongong Local Environmental Plan 2009 by:*
 - a *Zoning 151 and 177 Princes Highway, and 200-206, 208-216 and 218-222 Parkes Street, to the B6 Enterprise Corridor zone, with a floor space ratio of 0.5:1, maximum building height of 11m and minimum lot size of 2,000m²;*
 - b *Zoning numbers 187-193 Princes Highway to the RU2 Rural Landscape zone;*
 - c *Zoning 2 Lawrence Hargrave Drive to the RE2 Private Recreation zone;*
 - d *Zoning 1-5 Lawrence Hargrave Drive and 227 Princes Highway to the RU2 Rural Landscape zone; and*
 - e *Zoning Symbio Wildlife Gardens to the SP3 Tourist zone, including the dwelling houses in the same ownership – Nos.7-15 Lawrence Hargrave Drive.*
- 2 *The Planning Proposal be exhibited for community comment for a minimum period of twenty eight (28) days.*

The draft Planning Proposal was exhibited from 6 August to 26 October 2012. This report addresses the issues raised in the submissions for these precincts.

Proposed zoning map 2



Proposal

As a consequence of the exhibition the following registered submissions were received commenting on the draft Planning Proposal for the precinct:

Landowner submissions:

Property	Submission	Comment
7 – 1, 13, 15 Lawrence Hargrave Drive & 237 Princes Highway (Symbio)	Symbio is an established tourist attraction, been in operation 37 years. Support planning proposal in part.	Noted.
	Have purchased 237 Princes Highway, Helensburgh for security and future expansion. Request that 237 Princess Highway, Helensburgh also be zoned SP3 Tourist to enable continued expansion and	237 Princes Highway was exhibited as RU2 Rural Landscape. A rezoning to SP3 Tourist cannot be undertaken as part of this Planning Proposal and would need a new planning

Property	Submission	Comment
	employment and economic benefits to the region.	proposal. Some of the uses permitted in the RU2 Rural Landscape zone include animal boarding or training establishments, bed and breakfast accommodation, and veterinary hospitals.
155 Princes Highway	Support B6 Enterprise Corridor.	Noted.
Lot 180 DP 752033	Support B6 Enterprise Corridor.	Noted.
Lot 11 DP 875871 (Sunrise Nursery)	<p>Sunrise Nursery has been operating as a wholesale nursery since 1961, with Council approval – oldest business in the B6 Enterprise Corridor area.</p> <p>Want clear unambiguous land use table that indicates that a wholesale and retail nursery can continue, rather than vague existing use twilight.</p>	<p>Council records indicate that a BA was approved in 1960 for a nursery, when the land would have been zoned Rural. The facility would have been operating under existing use rights since 1997 when the 7(d) zone was introduced and “intensive agriculture” which included wholesale plant nurseries became prohibited.</p> <p>Nurseries are now defined as “plant nursery” or “garden centre” and are not permitted in the RU2 Rural Landscape zone. Plant nurseries are permitted in the RU4 Primary Production Small Lot zone and both plant nursery and garden centre are permitted in the B6 Enterprise Corridor zone.</p> <p>Nurseries are an appropriate use in the RU2 Rural landscape zone, and could be considered as part of a future amendment to the LEP.</p>
Lawrence Hargrave Drive(Helensburgh Golf Driving Range) – 2 submissions	<p>Oppose RE2 Private Recreation and E2 Environmental Conservation zone.</p> <p>Request B6 Enterprise</p>	The RE2 Private Recreation zone was introduced to recognise the existing land use rather than to enable a different land use. A golf drinking range is defined as

Property	Submission	Comment
	Corridor zone and attach supporting documents	<p>a “recreation facility (outdoor)” and would be permitted in the RE2 Private Recreation zone.</p> <p>A rezoning to B6 Enterprise Corridor cannot be undertaken as part of this Planning Proposal and would need a new planning proposal.</p>

Other submissions:

Submitter	Submission
Residents (3) Helensburgh	<p>Strongly support the proposed B6 Enterprise Corridor:</p> <ul style="list-style-type: none"> Existing business activity for 50 years; Employment of trades, apprenticeships, new business ventures, wide variety of industries; Located close to Wollongong, Sutherland and Freeway; Needed to support residential growth of Helensburgh; and Owners willing to protect the environment.
Resident Warialda & Resident Otford	Concerned that the B6 Enterprise Corridor zoning will enable 2000m2 subdivision, like Kirrawee.
Resident Helensburgh	Gateway precinct – agree in principle with B6 zoning, however further investigation required to determine if it is sustainable. Strict development controls to protect Wilsons Creek and bushland.
Resident Helensburgh	Gateway – support E2 Environmental Conservation and rezoning of Symbio to SP3 Tourist.
Resident Stanwell Tops	Gateway – should not permit service stations or fast food outlet at the roundabout.
Email – suburb unknown	Gateway precinct – recognise existing businesses but precinct should be zoned E2 Environmental Conservation.

Form letter/email submissions:

Group / property	Submission
151 Old Princes Highway & 218-222 Parkes St	<p>Form letter submitted by 29 person supporting the rezoning of these properties to B6 Enterprise Corridor, as:</p> <ul style="list-style-type: none"> Council has previously approved yardage for wrecked vehicles, tropical fish hatchery, commercial glass house; Site located at the entrance to Helensburgh; and

Group / property	Submission
	<ul style="list-style-type: none"> Will provide local employment opportunities. <p>Propose that the FSR be increased to 1.5:1 and maximum building height of 11m.</p> <p>(refer Attachment 5 of Background report)</p>
Helensburgh Business Owner Group	<p>13 form letters submitted by 184-189 persons (total 2435) in support of B6 Enterprise Corridor and other zonings to support businesses and employment.</p> <p>(refer Attachment 5 of Background report)</p>
Otford Protection Society	<p>One form letter submitted by 235 persons opposing the proposed rezoning of the precinct from E3 Environmental Management.</p> <p>(refer Attachment 5 of Background report)</p>
OtfordEco	<ul style="list-style-type: none"> One form letter submitted by 38 persons opposing the proposed rezoning of the precinct from E3 Environmental Management; One form letter submitted by 136, persons making a conservation based submission on all precincts; Two form letters submitted by 79 and 123 persons supporting E2 for all 23/24 precincts, respectively; and One form letter submitted by 10 persons supporting E2 Environmental Conservation for all bushland precincts. <p>(refer Attachment 5 of Background report)</p>

Although, the Gateway precinct is located in the headwaters of the Hacking River catchment, it has been a commercial precinct for many years. Prior to the construction of the F6 and the bypassing of Helensburgh, the precinct located on the Princes Highway, would have provided additional services to passing travellers, including a service station.

There appears to be recognition that the precinct contains commercial activities, provides local employment opportunities and the former 7(d) zone and the current E3 Environmental Management zone are not appropriate. It is acknowledged that some submitters/groups oppose the rezoning of the precinct.

The rezoning of Symbio will recognise and support the business as a significant tourism attraction for the Region. The SP3 Tourist zone should assist the on-going development of the facility. A separate rezoning proposal would need to be lodged for any proposed expansion on to 237 Princes Highway, Helensburgh.

Options

- 1 Proceed with the rezoning of the precinct as exhibited in the draft Planning Proposal.
- 2 Not proceed with the rezoning and retain the current E3 Environmental Management zone.
- 3 Resolve to prepare a new Planning Proposal to rezone the precinct to another zone, and undertake further community consultation.

Recommendation: *It is recommended that the rezoning of the Gateway precinct to the RE2, SP3, RU2 and B6 zoned, be progressed as exhibited, as part of the final Planning Proposal.*

Conclusion

This report is one of a series of reports to assist Council in reviewing the issues raised in submissions following the exhibition of a draft Planning Proposal on the lands formerly zoned 7(d) Hacking River Environmental Protection. It is recommended that the draft Planning Proposal for the rezoning of the Gateway precinct be progressed to finalisation.