

ITEM 5

EMPLOYMENT ZONE REFORMS - PRELIMINARY TRANSLATION OF EMPLOYMENT ZONES IN WOLLONGONG LOCAL ENVIRONMENT PLAN 2009

The NSW Department of Planning and Environment (DPE) has amended the Standard Instrument (Local Environmental Plans) Order 2006 (SI LEP Order) to give effect to the Employment Zones Reform that, on completion, will replace the existing eight *Business* and four *Industrial* zones with eight new zones made up of five (5) new *Employment* zones and three supporting zones.

All Standard Instrument Local Environmental Plans (LEPs) in NSW must be made in accordance with the SI LEP Order. This means that a translation amendment to Wollongong LEP 2009 is proposed. The NSW DPE is coordinating the translation of all LEP amendments, including Wollongong LEP 2009 and is proposing a centralised public exhibition in April 2022.

As requested by DPE, Council officers have reviewed and refined the proposed changes. This report outlines the proposed changes for Council's review and endorsement.

RECOMMENDATION

- 1 The proposed changes to the Wollongong Local Environment (LEP) 2009 in response to the NSW Employment Zone Reforms introduced by the NSW Department of Planning and Environment be ratified by Council.
- 2 Further information be provided to Council and a submission made in response to formal exhibition by the NSW Department of Planning and Environment of the proposed Employment Zone Reforms and amendments to Wollongong Local Environmental Plan 2009.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

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

ATTACHMENTS

- 1 List of Business and Industrial Zones in Wollongong LGA
- 2 Summary of Proposed Changes to Wollongong LEP 2009

BACKGROUND

In November 2020, the NSW Government announced reforms to employment lands (both business and industrial zoned lands). These reforms followed the reviews by the Australian and NSW Productivity Commissions to support economic growth and productivity. The NSW Productivity Commission recommended the rationalisation of the number of employment zones in NSW and to increase flexibility within the new zones to expand the land uses that are permitted.

In May 2020, the NSW Department of Planning, Industry and Environment (now renamed the Department of Planning and Environment (DPE)) exhibited a position paper outlining the proposed employment zones framework. Council officers reviewed and commented on the paper. Council officers objected to the proposed reduction in the number of Business zones, as it removes the hierarchy or delineation between small village centres and much larger town centres.

On 1 December 2021, the DPE amended the *Standard Instrument (Local Environmental Plans) Order 2006* by introducing five new employment zones and three supporting zones. The new zones include -

Employment Zones:

New Zone	Existing zones
E1 Local Centre	B1 Neighbourhood Centre B2 Local Centre
E2 Commercial Centre	B3 Commercial Core
E3 Productivity Support	B5 Business Development (not currently included in the Wollongong LEP 2009) B6 Enterprise Corridor B7 Business Park
E4 General Industrial	IN1 General Industrial IN2 Light Industrial
E5 Heavy Industrial	IN3 Heavy Industrial

Supporting Zones:

New Zone	Existing zones
MU1 Mixed Use	B4 Mixed Use
W4 Working Waterfront	IN4 Working Waterfront
SP4 Enterprise	B8 Metropolitan Centre (not currently included in the Wollongong LEP 2009)

Also on 1 December 2021 to facilitate the change of Business Zones ('B' zones) to Employment Zones ('E' zones), the existing Environmental Conservation Zones were renamed to Conservation Zones ('C' zones).

This land use zone transition is now being implemented across all NSW LEPs, including the Wollongong LEP 2009 and the Three Ports State Environmental Planning Policy (SEPP) which applies to industrial land at Port Kembla. A self-repealing State Environmental Planning Policy (SEPP) Explanation of Intended Effect (EIE) is proposed to be exhibited digitally by the DPE in April 2022 for a period of six weeks.

PROPOSAL

The legislative changes proposed by the DPE will mean that the existing Business and Industrial zones in Wollongong LEP 2009 will be replaced with the new Employment zones, as indicated above.

A list of all existing Business and Industrial zones in Wollongong Local Government Area (LGA) and their proposed Employment zone translation is provided at Attachment 1. Attachment 1 also provides information on existing height and floor space ratio controls in each of the relevant zones. The reform does not seek to change development standards such as maximum height of building or floor space ratio controls.

The Employment Zones Reform contains a package of preliminary translation details relating to Wollongong LEP 2009 including -

- Updated zone mapping, showing the new zones.
- New mandated objectives for each new zone.
- New mandated uses for each zone (permitted with consent, permitted without consent and prohibited).

- New and amended land use definitions.

The DPE asked Council officers to review and confirm the preliminary translation detail contained in the translation package and to decide whether Council would like to make further amendments to proposed mapping, land use tables and objectives. As part of this process, Council can determine the permissibility of non-mandated land uses and add land use objectives, as well as amend or add local provisions and additional permitted uses to address specific local circumstances and achieve desired local planning outcomes.

No mapping changes are proposed as part of this mandated process. Council officers consider that any change to zone boundaries should be a consequence of strategic studies, such as Town and Village Studies. Such changes would need to follow the normal planning proposal investigation, consultation, Council endorsement and exhibition process.

During the review process, Council officers identified a limited number of issues triggered by the proposed changes. In summary these included -

- Decreasing the number of zones will restrict the ability of Council to facilitate development across the LGA in a way that is reflective of the scale and character of centres, as identified within the current retail and business centres hierarchy within Wollongong Development Control Plan (DCP) Chapter B4. This is particularly relevant to the merger of the B1 and B2 zones into a single E1 Local Centre zone.
- The merger of the B1 and B2 zones into the E1 zone will mean that some land uses which are not currently permitted in the smaller B1 Neighbourhood Centres will become permissible in the new consolidated E1 zone.
- New mandated land use objectives which do not give effect to the nuanced differences between our centres (i.e. Stanwell Park Village will share the same zoning and therefore land uses permitted as Corrimal Town Centre).
- New mandated land uses will mean that some land uses which are currently prohibited will become permissible in the E1, E2, E3, E4 and MU1 zones (i.e. local distribution centres).
- The current permissibility of shop top housing and serviced apartments in the existing B6 zone is a conflicting land use and inconsistent with the objectives of the new E3 zone.
- The current permissibility of residential flat buildings in the existing B1 and B2 zones is inconsistent with the objectives of the new E1 zone.
- The current permissibility of heavy industries in the existing IN1 and IN2 zones is inconsistent with the objectives of the E4 zone, and more appropriate for the E5 zone.
- The current permissibility of recreation facilities (indoor) in the existing IN3 zone is inconsistent with the objectives of the new E5 zone.
- The current permissibility of takeaway food and drink premises in the existing IN3 zone is a conflicting land use and inconsistent with the objectives of the E5 zone.

Council officers have reviewed and refined the preliminary translation of Wollongong LEP 2009 and provided a Return Translation Detail package to the DPE by the required date (28 January 2022). As part of the Return Translation Detail package, Council officers also proposed changes to the preliminary translation of Wollongong LEP 2009, to address the issues identified above, update references to zoning descriptions in local provisions, as well as some minor housekeeping amendments.

The following new local clauses are proposed -

- Insert a new land use objective in the E1, E2 and MU1 zones to give effect to the LGA's centres hierarchy.
- Insert a new land use objective in the E1 zone to encourage accessibility and pedestrian amenity.

- Insert a new land use objective in the E1 zone to enhance street activation.
- Insert a new land use objective in the E5 zone to support and protect heavy industrial land.
- Deletion of certain land use objectives in the E1, E2, E3 and E5 zones.
- Remove residential flat buildings as a permissible use with consent in the new E1 zone.
- Remove shop top housing and serviced apartments as a permissible use with consent in the new E3 zone.
- Remove tourist and visitor accommodation as the permissible group term but include all sub-terms including backpackers' accommodation; bed and breakfast accommodation; hotel and motel accommodation and serviced apartments, but not farm stay accommodation in the new E1 zone.
- Remove heavy industries as a permissible use with consent in the new E4 zone.
- Remove recreation facilities (indoor) and takeaway food and drink premises as a permissible use with consent in the E5 zone.
- Prohibit local distribution premises in the new E5 zone.
- Insert a new local provision under Part 9 Local Provisions – Centres hierarchy to ensure development is compatible with the centres role and position on the centres hierarchy.
- Insert a new Additional Permitted Use under Schedule 1 to allow shop top housing and serviced apartments on certain land zoned E3 Productivity Zone along Flinders St, North Wollongong.
- Amend Clause 5.4 Controls relating to miscellaneous permissible uses to ensure local distribution centres do not adversely impact development on any adjoining land or the amenity of the neighbourhood as a result of poor urban design, traffic or noise.
- Amend Clause 5.4 Controls relating to miscellaneous permissible uses to ensure food and drink premises do not have a drive-through component in Village and Small Village centres.
- Amend Clause 7.11 Location of sex service premises to also include restricted premises.
- Amend Clause 7.13 Certain land within Business zones to ensure non-residential uses are appropriately located and achieve its objective by expressly requiring a high level of pedestrian interest and interaction at street level and a direct connection between the ground floor of buildings and the street, as well as to reflect re-naming of new employment zones.
- Amend Clause 7.19 Active street frontages to remove vehicular access from Subclause 4(c) as it is contrary to the objective of an active street frontage.
- Amend Clause 8.4 Minimum building street frontage to clarify how the street frontage width is interpreted and to ensure that sites with a width of less than 20m in Wollongong CBD are still to achieve better amenity and an improved urban design outcome.
- Amendments to Clauses 7.13, 7.19, 8.4, 8.6, 8.7 to reflect re-naming of new employment zones.

More detail on the proposed changes to Wollongong LEP 2009 is provided at Attachment 2.

CONSULTATION AND COMMUNICATION

The DPE issued the Employment Zone Reform package on 8 November 2021 and required feedback from Councils by 28 January 2022. This timeframe conflicted with the caretaker period prior to the 2021 Council election.

The proposed Employment Zones Reforms have been reviewed by Council officers from the City Strategy Division, Development Assessment and Certification Division and Legal Services. The preliminary translation of Wollongong LEP 2009 has been refined and the Return Translation Detail provided to the DPE by the required date.

The DPE have asked for the Return Translation Detail to be endorsed by Council prior to public exhibition. A summary of the proposed changes included within the Return Translation Detail is provided at Attachment 2.

The DPE is proposing a centralised State-wide public exhibition of proposed amendments to all LEPs including Wollongong LEP 2009 in April 2022. The DPE is proposing to exhibit a self-repealing State Environmental Planning Policy (SEPP), Explanation of Intended Effect (EIE) which will outline each Council's proposed LEP amendment.

As per the DPE's Community Participation Plan, the exhibition will occur for period of six weeks. The DPE is building a web platform so that communities can readily identify their local changes and make a specific submission on the proposed translation and associated detail relevant to their local areas.

Council officers will also promote and raise awareness of the exhibition process through Council's website and local media.

The DPE has advised that it will share submissions with Councils following public exhibition, to enable finalisation of the LEP amendment in the second half of 2022.

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2028 Objective *"The Sustainability of our urban environment is improved"* under the Community Goal *"We value and protect our environment"*. It specifically delivers on the following -

Community Strategic Plan Strategy	Delivery Program 2018-2022 4 Year Action	Operational Plan 2021-22 Operational Plan Actions
Manage land uses to strengthen urban areas	1.3.1 Impacts from development on the environment are assessed, monitored and mitigated	1.3.1.2.3 Prepare for the introduction and implementation of the New South Wales State Government Planning Reforms

CONCLUSION

The NSW Department of Planning and Environment are transitioning the existing Business and Industrial Zones within LEPs to eight new zones made up of five new employment zones and three supporting zones. The DPE has provided preliminary translations of employment zone mapping, land use tables and objectives for all LEPs, including Wollongong LEP 2009.

Council staff have reviewed the employment zones preliminary translation detail and seek to make a number of amendments, as detailed in the proposed summary of changes at Attachment 2 to ensure appropriate land use planning outcomes across the LGA's proposed Employment zoned land.

It is recommended that Council endorse the proposed amendments to the Wollongong LEP 2009 at Attachment 2 for formal exhibition by the DPE.

Attachment 1 - List of Business and Industrial Zones in Wollongong LGA

BUSINESS CENTRES						
Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
B1	E1	9m	0.75:1	Lawrence Hargrave Drive	AUSTINMER	Village
B1	E1	9m	0.75:1	Moore Street	AUSTINMER	Village
NA	NA	NA	NA	TBC	AVONDALE	Future Village Centre in West Dapto
B2	E1	12m	1.5:1	Balgownie Road	BALGOWNIE	Town Centre
B1	E1	9m	0.75:1	Bellambi Lane	BELLAMBI	Not listed - Small Village
B1	E1	9m	0.75:1	Rothery Street	BELLAMBI	Not listed - Small Village
B1	E1	9m	0.75:1	Berkeley Road	BERKELEY	Not listed - Small Village
B1	E1	9m	0.75:1	Kelly Street	BERKELEY	Not listed - Small Village
B2	E1	12m	1.5:1	Bristol Street	BERKELEY	Town Centre
B1	E1	9m	0.75:1	Brownsville Avenue	BROWNSVILLE	Village
B1	E1	9m	0.75:1	Farrell Road	BULLI	Not listed - Small Village
B2	E1	11m	1.5:1	Princes Highway	BULLI	Town Centre
B1	E1	9m	0.75:1	Lawrence Hargrave Drive	COLEDALE	Village
B1	E1	9m	0.75:1	Bridge Street	CONISTON	Village
B7	E3	20m	0.5:1	Old Springhill Road	CONISTON	Business Park
B2/B6	E1/E3	15m/11m	1.5:1/0.5:1	Princes Highway	CORRIMAL	Major Town Centre
B6	E3	11m	0.5:1	Princes Highway	CORRIMAL	Peripheral Sales
B1	E1	11m	0.75:1	Bethlehem Street	CRINGILA	Town Centre
B1	E1	9m	0.75:1	Kent Road	DAPTO	Not listed - Small Village
B1	E1	9m	0.75:1	Lakelands Drive	DAPTO	Not listed - Small Village

BUSINESS CENTRES						
Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
B2/B3/B4/B6	E1/E2/MU1/E3	9m&20m/ 30m/11m/ 11m	2.5:1/2.5:1/ 2:1/1.2:1	Princes Highway	DAPTO	Major Regional Centre
B1	E1	9m	0.75:1	Murray Road	EAST CORRIMAL	Village
B1	E1	9m	0.75:1	Cabbage Tree Lane	FAIRY MEADOW	Not listed - Small Village
B2/B6	E1/E3	15m/11m	1.5:1/0.5:1	Princes Highway	FAIRY MEADOW	Major Town Centre
B6	E3	11m	0.5:1	Mt Ousley Road	FAIRY MEADOW	Peripheral Sales
B1	E1	9m	0.75:1	Farmborough Road	FARMBOROUGH HEIGHTS	Village
B1/B2/SP3	E1/SP3	11m/15m/ 11m	0.75:1/1.5: 1/1.5:1	Princes Highway	FIGTREE	Major Town Centre
B6	E3	9m	0.5:1	Woodrow Place	FIGTREE	Peripheral Sales
B1 (draft)				Cleveland Road	FOWLERS	Future Village Centre in West Dapto
B1	E1	9m	0.75:1	Foley Street	GWYNNEVILLE	Village
B2	E1	12m	1.5:1	Walker Street	HELENSBURGH	Town Centre
B6	E3	11m	0.5:1	Princes Highway	HELENSBURGH	Peripheral Sales
B2	E1	9m	1.5:1	Bong Bong Road	HORSLEY	Village
B2	E1	20m	2.0:1	Bong Bong Road	BONG BONG ROAD, HORSLEY	Future Town Centre in West Dapto
B1	E1	9m	0.75:1	Jersey Farm Road	HUNTLEY	Future Village Centre in West Dapto
NA	NA	NA	NA	Huntley/Avondale Road	HUNTLEY	Future Village Centre in West Dapto
B1	E1	9m	0.75:1	Lakeside Drive	KANAHOOKA	Village
B1	E1	9m	0.75:1	Gipps Road	KEIRAVILLE	Village
B2	E1	20m	2.0:2	West Dapto Road	DARKES ROAD - KEMBLA GRANGE	Future Town Centre in West Dapto

BUSINESS CENTRES						
Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
B6	E3	11m	0.5:1	Northcliffe Drive	KEMBLA GRANGE	Peripheral Sales
B6	E3	11m	0.5:1	King Street	KEMBLAWARRA	Peripheral Sales
B1	E1	9m	0.75:1	Koonawarra Place	KOONAWARRA	Village
B1	E1	9m	0.75:1	Weringa Avenue	LAKE HEIGHTS	Not listed - Small Village
B1	E1	9m	0.75:1	Buena Vista Avenue	LAKE HEIGHTS	Not listed - Small Village
B1	E1	9m	0.75:1	St Johns Avenue	MANGERTON	Not listed - Small Village
B2/B4	E1/MU1	15m	2.0:1/1.5:1	Yallah Road	MARSHALL MOUNT	Future Town Centre in West Dapto
B2	E1	12m	1.5:1	Wentworth Street	PORT KEMBLA	Town Centre
B6	E3	11m	0.5:1	Military Road	PORT KEMBLA	Peripheral Sales
B7	E3	20m	1.5:1	Wentworth Street	PORT KEMBLA	Business Park
B1	E1	9m	0.75:1	Illowra Crescent	PRIMBEE	Village
B6	E3	11m	0.5:1	Princes Highway	RUSSELL VALE	Peripheral Sales
B1	E1	9m	0.75:1	Lawrence Hargrave Drive	STANWELL PARK	Village
B1	E1	9m	0.75:1	Caldwell Avenue	TARRAWANNA	Village
B2/B4	E1/MU1	12m/11m	1.5:1/0.75:1	Lawrence Hargrave Drive	THIRROUL	Town Centre
B1	E1	9m	0.75:1	Towradgi Road	TOWRADGI	Village
B1	E1	9m	0.75:1	Farnborough Road	UNANDERRA	Not listed - Small Village
B2	E1	15m	1.5:1	Princes Highway	UNANDERRA	Major Town Centre
B6	E3	11m	0.5:1	Princes Highway	UNANDERRA	Peripheral Sales
B3/B4	E2/MU1	24m/9m	2.5:1/0.75:1	Cowper Street	WARRAWONG	Major Regional Centre
B1	E1	11m	0.75:1	Princes Highway	WEST WOLLONGONG	Not listed - Small Village
B1	E1	9m	0.75:1	Thames Street	WEST WOLLONGONG	Not listed - Small Village

BUSINESS CENTRES						
Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
B2	E1	9m	0.75:1	Windang Road	WINDANG	Town Centre
B1	E1	9m	0.75:1	Crown Street (449-457)	WOLLONGONG	Not listed - Small Village
B3/B4	E2/MU1	16m-120m/16m-48m	1.5:1+	Crown Street	WOLLONGONG	Regional City
B6	E3	9m & 24 m & 32m	1.5:1+	Flinders Street	WOLLONGONG	Peripheral Sales
B6	E3	9m	0.5:1	Keira Street	WOLLONGONG	Peripheral Sales
B6	E3	9m	0.5:1	Kembla Street	WOLLONGONG	Peripheral Sales
B1	E1	9m	0.75:1	Raven Street	WONGAWILLI	Village
B1	E1	9m	0.75:1	The Circle	WOONONA	Village
B2/B6/SP3	E1/E3/SP3	11m/12m	1.5:1	Princes Highway	WOONONA	Town Centre
B6/B7	E3	16m	0.5:1	Princes Highway	YALLAH	Peripheral Sales
B2	E1	9m	0.75:1	Yallah Bay Road	YALLAH	Future Centre in Tallawarra
INDUSTRIAL PRECINCTS						
IN2	E4	11m	0.5:1	Bellambi Lane	BELLAMBI	N/A
IN3	E5	9m & Nil	Nil	Brady Street, Warehouse Place & Berkeley Road	BERKELEY	N/A
IN2	E4	9m & 11m	0.5:1	Rixon Avenue, Franklin Avenue & Molloy Street	BULLI	N/A
IN1	E4	11m	0.5:1	Miller Street, Fox Avenue, Keira Street, Tate Street, Spring Hill Road	CONISTON	N/A
IN2	E4	11m	0.5:1	Collins and Ruddock Streets	CORRIMAL	N/A

Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
INDUSTRIAL PRECINCTS						
IN3	E5	Nil	Nil	Railway Street	CORRIMAL	N/A
IN2	E4	11m	0.5:1	Five Islands Road	CRINGILLA	N/A
IN3	E5	9m & Nil	Nil	Five Islands Road	CRINGILLA	N/A
IN2	E4	9m	0.5:1	Hamilton Street, Bong Bong Road, Clarke Street, Unara Road, Osborne Street, Marshall Street & Princes Highway	DAPTO	N/A
IN2	E4	11m	0.5:1	Princes Highway, Chapman Street, Jardine Street, Kingsford Street, Charles Road & Pringle Road	FAIRY MEADOW	N/A
IN2	E4	11m	0.5:1	Princes Highway	FIGTREE	N/A
IN2	E4	9m & 11m	Nil and 0.5:1	Parkes Street, Cemetery Road & Walker Street	HELENSBURGH	N/A
IN2	E4	9m	0.5:1	West Dapto Road	HORSLEY	N/A
IN2	E4	9m & 11m	0.5:1	Kembla Grange Place, Dapto Road, Darkes Road, Sheaffes Road & Reddalls Road	KEMBLA GRANGE	N/A
IN3	E5	9m & Nil	Nil	West Dapto Road & Reddalls Road	KEMBLA GRANGE	N/A
IN2	E4	9m	0.5:1	Montague Street & Ralph Black Drive	NORTH WOLLONGONG	N/A
IN2	E4	11m	0.5:1	Military Road	PORT KEMBLA	N/A
IN3	E5	20m & Nil	Nil	Spring Hill Road, Military Road and Shellharbour Road	PORT KEMBLA	N/A
IN2	E4	11m	0.5:1	Watts Lane, York Road	RUSSEL VALE	N/A

Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
INDUSTRIAL PRECINCTS						
IN1	E4	11m	0.5:1	Drummond Street & Masters Road	SPRING HILL	N/A
IN2	E4	11m	0.5:1	Edney Lane	SPRING HILL	N/A
IN2	E4	11m	0.5:1	Berkeley Road, Waverley Drive, Sirius Road, Nolan Street, Investigator Drive & Doyle Avenue	UNANDERRA	N/A
IN3	E5	Nil & 9m	Nil and 0.5:1	Five Islands Road, Marley Place, Industrial Road, Glastonbury Avenue, Resolution Drive, Berkeley Road, Lady Penrhyn Drive, Prince of Wales Avenue, Investigator Drive	UNANDERRA	N/A
IN2	E4	11m	0.5:1	Kemblawarra Road and Shellharbour Road	WARRAWONG	N/A
IN1	E4	11m	0.5:1	Auburn Street, West Street, Miller Street & Tate Street	WOLLONGONG	N/A
IN2	E4	Nil	0.5:1 & 0.75:1	Auburn Street, West Street, Swan Street, Dean Street	WOLLONGONG	N/A
IN3	E5	9m & 11m	0.5:1	Pioneer Drive, York Road, Princes Highway	WOONONA	N/A
IN1	E4	11m & 20m	0.5:1	Yallah Bay Road	YALLAH	N/A

Existing Zone	New Zone Transition	Max HOB	Max FSR	Centre Address	Centre	DCP B4 Hierarchy Listing
INDUSTRIAL PRECINCTS						
IN2	E4	9m & 12m & 15m & 16m	0.5:1	Yallah Bay Road	YALLAH	N/A

Attachment 2 - Summary of Proposed Changes to Wollongong LEP 2009

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
1	Insert a new land use objective in the E1 Local Centre, E2 Commercial Centre and MU1 Mixed Use zone: <i>'To encourage development that is compatible with the centres position on the centres hierarchy'</i>	To give effect to the LGAs centres hierarchy.	Land Use Table Zone E1 Local Centre <u>1 Objectives of zone</u> • <i>'To encourage development that is compatible with the centre's position on the centres hierarchy'</i>
2	Insert a new land use objective in the E1 Local Centre zone: <i>'To encourage development that has a high level of accessibility and amenity, and prioritises pedestrians'</i>	To encourage accessibility and pedestrian amenity in the E1 zone.	Land Use Table Zone E1 Local Centre <u>1 Objectives of zone</u> • <i>'To encourage development that has a high level of accessibility and amenity, and prioritises pedestrians'</i>
3	Insert a new land use objective in the E1 Local Centre zone: <i>'To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces'</i>	To enhance street activation in the E1 zone. Note. This land use objective is already mandated in the E2 zone	Land Use Table Zone E1 Local Centre <u>1 Objectives of zone</u> • <i>'To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces'</i>
4	Delete the following land use objectives in the current B1 Neighbourhood Centre zone (i.e. not carry it into E1 Local Centre zone): <i>'To allow for residential accommodation and other uses while maintaining active retail, business or other non-residential uses at the street level.'</i>	Recommended for deletion by DPE. Council support the deletion of this objective, as the purpose of the objective will be covered by new mandated Local Centre objectives as per below: <i>'To enable residential development that contributes to a vibrant and active Local Centre and is consistent with the Council's strategic planning for residential development in the area.'</i> AND <i>'To encourage business, retail, community and other non- residential land uses on the ground floor of buildings.'</i>	Land Use Table Zone E1 Local Centre <u>1 Objectives of zone</u> • <i>'To allow for residential accommodation and other uses while maintaining active retail, business or other non-residential uses at the street level.'</i>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
5	<p>Delete the following land use objectives in the current B3 Commercial core zone (i.e. not carry it into E2 Commercial Centre zone):</p> <p><i>'To provide for high density residential development within a mixed use development if it—</i></p> <p>(a) <i>is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and</i></p> <p>(b) <i>contributes to the vitality of the Wollongong city centre.'</i></p>	<p>Recommended for deletion by DPE. Council also supports deletion, as this control is recommended to be deleted as part of the Wollongong City Centre Planning Proposal.</p>	<p>Land Use Table Zone E2 Commercial Centre <u>1 Objectives of zone</u></p> <ul style="list-style-type: none"> <i>'To provide for high density residential development within a mixed use development if it—</i> <i>(a) is in a location that is accessible to public transport, employment, retail, commercial and service facilities, and</i> <i>(b) contributes to the vitality of the Wollongong city centre.'</i>
6	<p>Delete the following land use objectives in the E3 Productivity Support zone:</p> <p><i>'To encourage activities which will contribute to the economic and employment growth of Wollongong.'</i></p>	<p>Recommended for deletion by DPE.</p>	<p>Land Use Table Zone E3 Productivity Support <u>1 Objectives of zone</u></p> <ul style="list-style-type: none"> <i>'To encourage activities which will contribute to the economic and employment growth of Wollongong.'</i>
7	<p>Delete the following land use objectives in the E4 General Industrial zone:</p> <p><i>'To facilitate and encourage appropriate forms of industrial development which will contribute to the economic and employment growth of Wollongong.'</i></p> <p>AND</p> <p><i>'To encourage appropriate forms of industrial development which will contribute to the economic and employment growth of Wollongong.'</i></p>	<p>Recommended for deletion by DPE.</p>	<p>Land Use Table Zone E4 General Industrial <u>1 Objectives of zone</u></p> <ul style="list-style-type: none"> <i>'To facilitate and encourage appropriate forms of industrial development which will contribute to the economic and employment growth of Wollongong.'</i> <i>'To encourage appropriate forms of industrial development which will contribute to the economic and employment growth of Wollongong.'</i>
8	<p>Insert a new land use objective in the E5 Heavy Industrial zone.</p> <p><i>'To support and protect industrial land for heavy industrial uses'.</i></p>	<p>To introduce a new objective that seeks to support and protect heavy industrial land.</p>	<p>Land Use Table Zone E5 Heavy Industrial <u>1 Objective of zone</u></p> <ul style="list-style-type: none"> <i>'To support and protect industrial land for heavy industrial uses'</i>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
9	Delete the following land use objective in the E5 zone: <i>'To facilitate the ongoing sustainability of steel making and steel product manufacturing that will contribute to the economic and employment growth of Wollongong.'</i>	To intro introduce a new objective that seeks to support and protect heavy industrial land. Bluescope Steelmaking site is located within Three Ports SEPP area and no longer covered by the WLEP 2009.	Land Use Table Zone E5 Heavy Industrial <u>1 Objectives of zone</u> • 'To facilitate the ongoing sustainability of steel making and steel product manufacturing that will contribute to the economic and employment growth of Wollongong.'
10	Remove <i>residential flat buildings</i> as a permissible use with consent in the new E1 Local Centre zone.	Residential flat buildings are inconsistent with land use objectives which seek "to encourage business, retail, community and other non-residential land uses on the ground floor of buildings". Residential flat buildings are also effectively prohibited via Clause 7.13, which requires the ground floor of buildings to not be used for the purpose of residential accommodation in the B1 Neighbourhood Centre and B2 Local Centre zones. Note. Shop top housing is a mandated permissible use in the E1 Local Centre zone.	Land Use Table Zone E1 Local Centre <u>3 Permitted with consent</u> <i>Advertising structures;</i> <i>Amusement centres;</i> <i>Backpackers' accommodation;</i> <i>Bed and breakfast accommodation;</i> <i>Boarding houses;</i> <i>Car parks;</i> <i>Centre-based child care facilities;</i> <i>Commercial premises;</i> <i>Community facilities;</i> <i>Educational establishments;</i> <i>Entertainment facilities;</i> <i>Exhibition homes;</i> <i>Function centres;</i> <i>Home businesses;</i> <i>Home industries;</i> <i>Home-based child care;</i> <i>Hostels;</i> <i>Hotel or motel accommodation;</i> <i>Information and education facilities;</i> <i>Local distribution premises;</i> <i>Medical centres;</i> <i>Oyster aquaculture;</i> <i>Passenger transport facilities;</i> <i>Places of public worship;</i> <i>Public administration buildings;</i> <i>Recreation areas;</i> <i>Recreation facilities (indoor);</i> <i>Recreation facilities (outdoor);</i> <i>Registered clubs;</i> Residential flat buildings; <i>Respite day care centres;</i> <i>Restricted premises;</i> <i>Roads;</i> <i>Self-storage units;</i> <i>Seniors housing;</i> <i>Service stations;</i> <i>Sex services premises;</i> <i>Shop top housing;</i> <i>Tank-based aquaculture;</i> <i>Veterinar</i>


	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
11	Remove <i>tourist and visitor accommodation</i> as the permissible group term but include all sub terms including <i>backpackers' accommodation</i> ; <i>bed and breakfast accommodation</i> ; <i>hotel and motel accommodation</i> and <i>serviced apartments</i> , but not <i>farm stay accommodation</i> in the new E1 Local Centre zone.	To allow backpackers' accommodation; bed and breakfast accommodation; and serviced apartments, but not farm stay accommodation in the new E1 Local Centre zone.	Land Use Table Zone E1 Local Centre <u>3 Permitted with consent</u> Advertising structures; Amusement centres; <i>Backpackers' accommodation</i> ; <i>Bed and breakfast accommodation</i> ; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Exhibition homes; Function centres; Home businesses; Home industries; Home-based child care; Hostels; <i>Hotel or motel accommodation</i> ; Information and education facilities; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; <i>Serviced apartments</i> ; Service stations; Sex services premises; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Wholesale supplies
12	Remove <i>serviced apartments</i> as a permissible use with consent in the new E3 Productivity Support zone.	Serviced apartments are more appropriate to occur in residential and business centre locations. Removal of land use will also reduce land use conflict in this zone.	Land Use Table Zone E3 Productivity Support <u>3 Permitted with consent</u> Advertising structures; Animal boarding or training establishments; Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Entertainment facilities; Environmental facilities; Function centres; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Home businesses;

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<p><i>Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Respite day care centres; Roads; Rural supplies; Service stations; Serviced apartments; Sex services premises; Shop top housing; Specialised retail premises; Storage premises; Take away food and drink premises; Tank based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies</i></p>
13	Remove <i>shop top housing</i> as a permissible use with consent in the new E3 Productivity Support zone.	<p>The current permissibility of shop top housing in the B6 zone is not compatible with the objectives of the new E3 zone.</p> <p>Removal of shop top housing from the new E3 zone is further supported by the Illawarra Shoalhaven Regional Plan 2041 which classifies existing B6 and B7 zoned land as 'Regionally Significant Employment Lands', in order to protect employment land from residential encroachment.</p>	<p>Land Use Table Zone E3 Productivity Support <u>3 Permitted with consent</u> <i>Advertising structures; Animal boarding or training establishments; Boat building and repair facilities; Business premises; Car parks; Centre-based child care facilities; Community facilities; Depots; Entertainment facilities; Environmental facilities; Function centres; Garden centres; Hardware and building supplies; Heavy industrial storage establishments; Helipads; Home businesses; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping</i></p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<p>material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Respite day care centres; Roads; Rural supplies; Service stations; Service apartments; Sex services premises; Shop top housing; Specialised retail premises; Storage premises; Take away food and drink premises; Tank based aquaculture; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Wholesale supplies</p>
14	Remove <i>heavy industries</i> as a permissible use with consent in the new E4 General Industrial zone.	It is recommended to remove heavy industries as more appropriate for E5 Heavy Industrial zone and inconsistent with zone objectives.	<p>Land Use Table Zone E4 General Industrial 3 Permitted with consent</p> <p>Advertising structures; Agricultural produce industries; Animal boarding or training establishments; Boat building and repair facilities; Community facilities; Crematoria; Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Heavy industries; Helipads; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Local distribution premises; Mortuaries; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Recreation areas; Recreation facilities (indoor); Roads; Self-storage units; Service stations; Sex services premises; Take away</p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<i>food and drink premises; Tank-based aquaculture; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities</i>
15	Remove <i>recreation facilities (indoor)</i> as a permissible use with consent in the new E5 Heavy Industrial zone.	It is recommended to remove recreation facilities (indoor) as it is inconsistent with zone objectives.	Land Use Table Zone E5 Heavy Industrial <u>3 Permitted with consent</u> <i>Advertising structures; Boat building and repair facilities; Data centres; Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industrial storage establishments; Heavy industries; Helipads; Industrial retail outlets; Industrial training facilities; Kiosks; Light industries; Offensive storage establishments; Oyster aquaculture; Recreation areas; Recreation facilities (indoor); Roads; Rural industries; Service stations; Storage premises; Take away food and drink premises; Tank-based aquaculture; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Water supply systems</i>
16	Remove <i>takeaway food and drink premises</i> as a permissible use with consent in the new E5 Heavy Industrial zone.	It is recommended to remove take away food and drink premises as it is a conflicting land use. Note. Kiosks and Artisan food and drink industry currently permissible in zone.	Land Use Table Zone E5 Heavy Industrial <u>3 Permitted with consent</u> <i>Advertising structures; Boat building and repair facilities; Data centres; Depots; Freight transport facilities; General industries; Hazardous storage establishments; Heavy industrial storage establishments; Heavy industries; Helipads; Industrial retail outlets; Industrial training facilities; Kiosks; Light industries; Offensive storage</i>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<i>establishments; Oyster aquaculture; Recreation areas; Recreation facilities (indoor); Roads; Rural industries; Service stations; Storage premises; Take-away food and drink premises; Tank-based aquaculture; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Water supply systems</i>
17	Prohibit <i>local distribution premises</i> in the new E5 Heavy Industrial zone.	Warehouses and distribute centres more appropriate and are permitted in IN3/E5 Heavy Industrial zone. Note. The land use term local distribution premises has been decoupled from the group term 'Warehouse or distribution centres' to support last mile delivery uses; for example click and collect bays and parcel lockers. There is no size restriction on local distribution premises.	No change as the land use term <i>local distribution premises</i> has been decoupled from the group term 'warehouse or distribution centres'.
18	Insert a new Additional Permitted Use under Schedule 1 to allow <i>shop top housing and serviced apartments</i> on certain land zoned E3 Productivity zone along Flinders St, North Wollongong.	Historically the Flinders Street Precinct was used for car yards, hardware stores (Bunnings), self storage, and service industries on the edge of the City. The planning controls were amended as part of the Wollongong City Centre LEP 2007, one of the 6 cities LEPs prepared by the Department of Planning. They were not as a result of a strategic study. The controls were translated into the Wollongong LEP 2009. The B6 Enterprise Corridor zone allows shop top housing and serviced apartments as a permissible use (with consent), with maximum height controls ranging between 24 and 32 metres,	Schedule 1 – Additional Permitted Uses <u><i>29 Use of certain land at Flinders Street, North Wollongong</i></u> <i>(1) This clause applies to land at [INSERT ADDRESS], being [INSERT LOT and DPs]</i> <i>(2) Development for the purposes of shop top housing and serviced apartments is permitted with development consent.</i> Note. Instead of inserting all lot and DPs, this area could be mapped. Refer to B6 zoned area in image below.

	<p>Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)</p>	<p>Reason for Amendment</p>	<p>Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)</p>
		<p>and maximum FSR controls of at least 1.5:1 and upward (dependent on land use).</p> <p>Due to the generous FSR and height, the precinct is now functioning more like a mixed-use zone, with recent development made up of mostly shop top housing development (ranging between 6 and 9 storeys).</p> <p>It is recommended to remove shop top housing and serviced apartments from the E3 zone, but still allow shop top housing and serviced apartments as an additional permitted use for the Flinders St area (refer to area zoned B6 in adjacent map). Then, look at rezoning Flinders St area from E3 to MU1 at a later stage subject to further review / separate Planning Proposal process.</p> <p>Note. Based on a review of other E3 zoned areas in the LGA, we are not proposing to introduce additional permitted uses for shop top housing and/or serviced apartments in other E3 zoned areas in the LGA, in order to protect land from residential encroachment, as per the direction in the Illawarra Shoalhaven Regional Plan 2041.</p>	
<p>19</p>	<p>Amend Clause 5.4 Controls relating to miscellaneous permissible uses.</p>	<p>To ensure local distribution centres do not adversely impact development on any adjoining land or the amenity of the neighbourhood as a result of poor urban design, traffic or noise.</p>	<p><u>5.4 Controls relating to miscellaneous permissible uses</u></p> <p>(11) Local distribution centres If development for the purposes of a local distribution centre is permitted under this Plan, the consent authority must be satisfied that the local distribution facility will not adversely impact existing or future development on any adjoining land or the amenity of the neighbourhood as a result of poor urban design, traffic or noise.</p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
20	Amend Clause 5.4 Controls relating to miscellaneous permissible uses.	To ensure food and drink premises do not have a drive through component in Village and Small Village centres.	<p><u>5.4 Controls relating to miscellaneous permissible uses</u></p> <p>(12) Food and drink premises If development for the purposes of a food and drink premises is permitted in a Village or Small Village Centre under this Plan, the food and drink premises must not have a drive- through component.</p>
21	Amend Clause 7.11 Location of sex service premises.	To include restricted premises.	<p><u>7.11 Location of sex services premises and/or restricted premises</u></p> <p>(1) Despite any other provision of this Plan, development consent must not be granted for development for the purposes of sex services premises and/or restricted premises if the premises will be located on land that adjoins, or is separated by a road only from, land -</p> <p>(a) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or</p> <p>(b) used for the purposes of a centre-based child care facility, a community facility, an educational establishment or a place of public worship.</p> <p>(2) In deciding whether to grant development consent for the purpose of sex services premises, the consent authority must consider the impact the proposed development would have on children likely to regularly frequent land that adjoins, or is in view of, the proposed development.</p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
22	Amend Clause 7.13 Certain land within business zones.	To ensure non-residential uses are appropriately located and achieve its objective by expressly requiring a high level of pedestrian interest and interaction at street level and a direct connection between the ground floor of buildings and the street, as well as to reflect re-naming of new employment zones.	<p><u>7.13 Certain land within business zones</u></p> <p>(1) The objective of this clause is to ensure active uses are provided at the street level to encourage the presence and movement of people pedestrians.</p> <p>(2) This clause applies to land in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, Zone B3 Commercial Core or Zone B4 Mixed Use, Zone E1 Local Centre, Zone E2 Commercial Centre or Zone MU1 Mixed Use but does not apply to land to which clause 7.19 applies.</p> <p>(3) Development consent must not be granted for development for the purpose of a building on land to which this clause applies unless the consent authority is satisfied that the ground floor of the building facing the street and/or a public place -</p> <p>(a) will be used for the purposes of business premises or retail premises,</p> <p>(b) (a) will not be used for the purpose of residential accommodation,</p> <p>(c) (b) will have at least one entrance and at least one other door or window on the front elevation of the building facing the street other than a service lane, and</p> <p>(d) will enable direct visual and physical contact and interaction between the street and the interior of the building.</p> <p>In this clause, reference to a street does not include a service lane</p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
23	Amend Clause 7.19 Active street frontages	Removal of subclause 7.19(4)(c) as it is contrary to the objective of an active street frontage. Changes also to reflect re-naming of new employment zones.	<p><u>7.19 Active street frontages</u></p> <p>(1) <i>The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in the following zones -</i></p> <p>(a) Zone B1 Neighbourhood Centre,</p> <p>(b) Zone B2 Local Centre,</p> <p>(c) Zone B3 Commercial Core,</p> <p>(d) Zone B4 Mixed Use.</p> <p><i>(a) Zone E1 Local Centre,</i></p> <p><i>(b) Zone E2 Commercial Centre,</i></p> <p><i>(c) Zone MU1 Mixed Use</i></p> <p>(2) <i>This clause applies to land identified as “Active street frontages” on the Active Street Frontages Map.</i></p> <p>(3) <i>Development consent must not be granted to the erection of a building, or a change of use of a building, on land to which this clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection or change of use.</i></p> <p>(4) <i>Despite subclause (3), an active street frontage is not required for any part of a building that is used for any of the following—</i></p> <p><i>(a) entrances and lobbies (including as part of mixed use development),</i></p> <p><i>(b) access for fire services,</i></p> <p><i>(c) vehicular access.</i></p> <p>(5) <i>For the purposes of this clause, a building has an active street frontage if -</i></p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<p>(a) all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises, and</p> <p>(b) its street frontage enables direct visual and physical contact between the street and the interior of the building.</p> <p>Note - Clearly defined entrances, windows and shop fronts are elements of a building facade that contribute to an active street frontage.</p>
24	Amend Clause 8.4 Minimum building street frontage	To reflect minor wording update and re-naming of new employment zones.	<p><u>8.4 Minimum building street frontage width</u></p> <p>(1) The objective of this clause is to ensure that buildings sites have a minimum street frontage width to provide for the efficient development of land and design of buildings.</p> <p>(2) Development consent must not be granted to the erection of a building that does not have at least one street frontage width of 20 metres or more, on land within Zone B3- Commercial Core, B4- Mixed Use or B6- Enterprise Corridor. Zone E2 Commercial Centre, MU1 Mixed Use or E3 Productivity Support.</p> <p>(3) Despite subclause (2), the consent authority may grant consent to the erection of a building on land referred to in that subclause if it is of the opinion that -</p> <p>i) it is not physically possible for the building to be erected with at least one street frontage of 20 metres or more; and</p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<p>ii) <i>the scale and height of proposed buildings is compatible with the character of the locality; and</i></p> <p>iii) <i>there will be no significant adverse impact on the amenity of any existing nearby development.</i></p>
25	Amend Clause 8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use.	<p>It is recommended to:</p> <ul style="list-style-type: none"> - delete Subclause 8.6(3) as the controls do not align and are over-ridden by the requirements of SEPP No 65—Design Quality of Residential Apartment Development and the NSW Apartment Design Guide; - Insert 'excluding pedestrian through site links' at the end of Subclause 8.6(2)(a) to allow for laneways and improved amenity outcomes, particularly for shop top housing and residential uses in the podium of a building; and - Insert new definition of 'any other building'. <p>Amendments also required to reflect re-naming of new employment zones.</p>	<p><u>8.6 Building separation within Zone B3 Commercial Core or Zone B4 Mixed Use Zone E2 Commercial Centre or Zone MU1 Mixed Use</u></p> <p>(1) <i>The objective of this clause is to ensure sufficient separation of buildings for reasons of visual appearance, privacy and solar access.</i></p> <p>(2) <i>Buildings on land within Zone B3 Commercial Core or B4 Mixed Use Zone E2 Commercial Centre or Zone MU1 Mixed Use must be erected so that—</i></p> <p>(a) <i>there is no separation between neighbouring buildings up to the street frontage height of the relevant building or up to 24 metres above ground level whichever is the lesser (excluding pedestrian through-site links), and</i></p> <p>(b) <i>there is a distance of at least 12 metres from any other building above the street frontage height and less than 45 metres above ground level, and</i></p> <p>(c) <i>there is a distance of at least 28 metres from any other building at 45 metres or higher above ground level.</i></p> <p>(3) <i>Despite subclause (2), if a building contains a dwelling, all habitable parts of the dwelling including any balcony must not be less than—</i></p> <p>(a) <i>20 metres from any habitable part of a dwelling contained in any other building, and</i></p>

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			<p>(b) 16 metres from any other part of any other building.</p> <p>(4) For the purposes of this clause, a separate tower or other raised part of the same building is taken to be a separate building.</p> <p>(5) In this clause - street frontage height means the height of that part of a building that is built to the street alignment.</p> <p>Any other building means any building on any surrounding site, including sites not adjoining the subject site, and including sites located across a road reserve from the subject site.</p>
26	Amend Clause 8.7 Shops in B5 Mixed Use	To reflect re-naming of new employment zones.	<p>8.7 Shops in Zone B4 Mixed Use MU1 Mixed Use</p> <p>(1) The objective of this clause is to limit the size of shops in Zone B4 Mixed Use MU1 Mixed Use to ensure that land within Zone B3 Commercial Core E2 Commercial Centre remains the principal retail area.</p> <p>(2) Development consent must not be granted for development for the purpose of a shop on land in Zone B4 Mixed Use MU1 Mixed Use if the gross floor area of the shop is to be more than 400 square metres.</p>
27	Insert a new local provision under Part 9 Local Provisions – Centres hierarchy.	To ensure development is compatible with the centre's role and position on the centres hierarchy.	<p><u>Part 9 Local Provisions - Centres hierarchy</u></p> <p>(1) The objective of this clause is to ensure development is compatible with the centre's role and position on the centres hierarchy.</p>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<p><i>(2) The centres hierarchy below applies to existing and future centres on land to which this plan applies –</i></p> <p><i>Regional City Centre</i></p> <ul style="list-style-type: none"> <i>- Wollongong</i> <p><i>Major Regional Centre</i></p> <ul style="list-style-type: none"> <i>- Warrawong</i> <i>- Dapto</i> <p><i>Major Town Centre</i></p> <ul style="list-style-type: none"> <i>- Corrimal</i> <i>- Fairy Meadow</i> <i>- Figtree</i> <i>- Unanderra</i> <p><i>Town Centre</i></p> <ul style="list-style-type: none"> <i>- Helensburgh</i> <i>- Thirroul</i> <i>- Bulli</i> <i>- Woonona</i> <i>- Balgownie</i> <i>- Cringila</i> <i>- Berkeley</i> <i>- Port Kembla</i> <i>- Windang</i> <i>- Darkes Road - Kembla Grange</i> <i>- Bong Bong - Horsley</i> <i>- Marshall Mount Rd, Marshall Mount</i> <p><i>Village</i></p> <ul style="list-style-type: none"> <i>- Stanwell Park</i> <i>- Coledale</i> <i>- Moore St Austinmer</i> <i>- Lawrence Hargrave Drive Austinmer</i> <i>- The Circle, Woonona</i> <i>- East Corrimal</i> <i>- Tarrawanna</i> <i>- Towradgi</i> <i>- Gwynneville</i> <i>- Keiraville</i> <i>- Coniston</i> <i>- Farmborough Heights</i> <i>- Brownsville</i> <i>- Wongawilli</i> <i>- Horsley</i> <i>- Koonawarra</i> <i>- Kanahooka</i> <i>- Primbee</i> <i>- Fowlers [Future Town Centre]</i>

	Proposed amendment to WLEP 2009 (Note. To be amended once Translation Detail is finalised)	Reason for Amendment	Suggested draft wording (Note. New text highlighted in red and text to be deleted marked as strikethrough text.)
			<ul style="list-style-type: none"> - <i>Huntley [Future Town Centre]</i> - <i>Avondale Yallah Bay Rd, Yallah [Future Town Centre]</i> <p><i>Small Village</i></p> <ul style="list-style-type: none"> - <i>Farrell Road, Bulli</i> - <i>Rothery St, Bellambi</i> - <i>Bellambi Lane, Bellambi</i> - <i>Cabbage Tree Lane, Fairy Meadow</i> - <i>Thames St, West Wollongong</i> - <i>Princes Hwy, West Wollongong</i> - <i>Crown St, Wollongong</i> - <i>St Johns Ave, Mangerton</i> - <i>Farmborough Rd, Unanderra</i> - <i>Kelly St, Berkeley</i> - <i>Buena Vista Ave, Lake Heights</i> - <i>Weringa Ave, Lake Heights</i> - <i>Lakelands Drive, Dapto</i> - <i>Kent Road, Dapto</i> <p><i>(3) This clause applies to land identified on the Centres Hierarchy Map</i></p> <p><i>(4) In deciding whether or not to grant development consent for development on land identified in Subclause 2 and on the Centres Hierarchy Map, the consent authority must consider the impact of the proposed development on the relevant centre to ensure that development is compatible with the centre and not inconsistent with the centre's position on the centres hierarchy.</i></p>