

## ITEM 4

## POST EXHIBITION - PLANNING PROPOSAL - ROAD AND RAIL CORRIDOR REZONING AND LAND RESERVATION ACQUISITION MAP AMENDMENT

The Wollongong Housing Strategy 2023 identified the need to tidy-up the zoning of land adjacent to the Memorial Drive, Albion Park Rail Bypass and the Mt Kembla private rail line transport corridors. It was identified that the SP2 Infrastructure – Road and Rail zone was still applying to land which is no longer required for the adjoining transport infrastructure. In some instances, the zone was limiting development opportunities on private land.

On 31 July 2023, Council considered a report on the Review of Surplus SP2 Infrastructure – Road and Rail Zonings. The study reviewed the planning controls of 40 lots adjoining Memorial Drive, Albion Park Rail Bypass (Princes Motorway) and Mount Kembla private rail line. A Gateway Determination was received 2 October 2023 and the Planning Proposal and supporting documents were exhibited between 31 January and 4 March 2024. As a result of the exhibition 20 submissions were received.

The purpose of this report is to provide feedback on the exhibition process and recommend that Council resolve to finalise a Planning Proposal to amend the Wollongong Local Environmental Plan 2009.

### RECOMMENDATION

- 1 The Planning Proposal to amend Wollongong Local Environment Plan 2009 Land Use Zoning, Minimum Lot Size, Floor Space Ratio and Height of Building for multiple lots and land adjoining and within the transport corridors of Memorial Drive, Albion Park Rail Bypass and Mount Kembla Rail Line be progressed to finalisation, with the following amendment -
  - a The proposed amendments to the Zoning Map, associated Development Standard Maps and Land Reservation Acquisition Map along the Albion Park Rail Bypass at Yallah not be progressed, at the request of Transport for NSW.
- 2 The General Manager exercise plan-making delegations, in accordance with Council's resolution of 31 July 2023, and the Department of Planning, Housing and Infrastructure Gateway Determination of 2 October 2023.

### REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

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

### ATTACHMENTS

- 1 Summary of Submissions
- 2 Final Planning Proposal Maps

### BACKGROUND

Between the 1960s and 1980s, to allow for the planning and development of Memorial Drive and the Albion Park Rail Bypass, land was identified for road corridor purposes. Land within the corridor was zoned for road reservation and identified for acquisition by the State Authority. The NSW transport authority acquired the properties, or part of properties, within the corridors and constructed the roads. There is a need to review the zoning of land that is now located outside the corridor and is no longer required by Transport for NSW (TfNSW).

In 2011, following the completion of Memorial Drive from Bellambi to Bulli, the then RTA advised Council of the dedication of Controlled Access Road and local Public Road for the newly completed section. Accompanying the RTA letter were a set of corresponding maps, illustrating lots to be included and excluded from the road corridor.

Despite no longer being required for transport corridor purposes, several lots and adjacent roads have a portion of land with the SP2 Infrastructure zoning.

On 27 February 2023, Council resolved to adopt the Wollongong Housing Strategy 2023. The Housing Strategy guides the future housing directions within the LGA for the next 10-20 years.

The Housing Strategy contains the following implementation action –

- Review of Transport Corridors to tidy up the zoning of private land zoned SP2 Infrastructure – Road Corridors and preparation of a Planning Proposal (Housekeeping amendment) (S3).

The implementation action reflecting the proposed planning study S3 –

- S3 Review of SP2 Infrastructure – Road corridors – several privately owned properties are still affected by historical road reserves, where the road project has been completed and the adjoining land is no longer required. The land could be rezoned to the adjoining R2 or R3 zone to remove the reservation constraint and would enable development to occur.

Following adoption of the Wollongong Housing Strategy 2023, Council officers carried out a review of Surplus SP2 Infrastructure – Road and Rail Zonings concentrating on Memorial Drive, the Albion Park Rail Bypass and Mount Kembla privately owned rail line. The review identified land under State Authority, Council and private ownership. Portions of land within the road corridors are also mapped for Land Reservation Acquisition by the relevant acquisition authority, which is also no longer required.

On 31 July 2023, Council considered a report on the Review of Surplus SP2 Infrastructure – Road and Rail Zonings. The report reviewed the planning controls of 40 lots adjoining Memorial Drive, Albion Park Rail Bypass (Princes Motorway) and Mount Kembla private rail line, as well as adjoining road reservations. The lots nominated for inclusion in the housekeeping amendment generally fall into one of the following categories –

- Land owned by TfNSW proposed to be zoned SP2 Infrastructure to maintain the integrity of the corridor or enable future projects in proximity to Memorial Drive if required.
- Local roads and land owned by Council, currently zoned SP2 Infrastructure, which are predominantly sections of adjacent local roads or land with an open space purpose to be zoned RE1 Public Recreation, R2 Low Density Residential, R3 Medium Density Residential, E3 Productivity Support, E4 General Industrial.
- Privately owned land currently zoned SP2 Infrastructure proposed to be zoned R2, Low Density Residential, R3 Medium Density Residential, E3 Productivity Support, SP3 Tourist, C2 Environmental Conservation, which will provide limited development potential.
- Amending the Land Reservation Acquisition Map for land located in Memorial Drive, Towradgi, where the acquisition and associated infrastructure has now been completed.

The report recommended that the identified lots and land be rezoned to reflect the current use of land through the preparation of a Planning Proposal. The Planning Proposal would amend a combination of Zoning, Floor Space Ratio, Minimum Lot Size, Height of Building and Land Reservation Acquisition LEP Maps. Council resolved that –

- 1 *A Planning Proposal be prepared for multiple lots adjacent to Memorial Drive, the Albion Park Rail bypass and the Mt Kembla rail line, to amend the land use zoning, floor space ratio, minimum lot size, maximum building height and land reservation acquisition maps.*
- 2 *The Planning Proposal be forwarded to the NSW Department of Planning and Environment for a Gateway Determination to enable exhibition.*
- 3 *Following Gateway Determination, the Planning Proposal be exhibited for a minimum period of 28 days.*
- 4 *Following the exhibition period, a report on submissions be prepared for Council's consideration.*
- 5 *The NSW Department of Planning and Environment be advised that Council wishes to use its delegations to finalise the Planning Proposal.*

On 2 October 2023, Council received Gateway Determination from the (then) Department of Planning and Environment to enable consultation with the Rural Fire Service, and then the Planning Proposal and suite of documents to be exhibited.

The Planning Proposal and accompanying documentation were exhibited between 31 January and 4 March 2024. The exhibition arrangements are detailed under the Consultation and Communication Section of this Report. As a result of the exhibition 20 submissions were received, as summarised in Attachment 1.

## PROPOSAL

This report details the results of the exhibition process and discusses the issues raised in submissions.

The exhibition page on Council's website received 557 views, 196 people interacted with the page, by either downloading a document, visiting multiple project pages or viewing key dates. There were two (2) submissions made through Council's engagement webpage.

Three submissions were lodged on the NSW Department of Planning, Housing and Infrastructure's (DPHI) Planning Proposal webpage. The submissions objected to the State's Transport Oriented Development SEPP proposal at Corrimal Rail Station, which is not relevant to this Planning Proposal.

In summary, submissions were received from -

- 1 on behalf of a landowner
- 11 from State agencies / authorities -
  - Transport for NSW (TfNSW) – 2 submissions
  - NSW State Emergency Services (SES)
  - NSW Environmental Protection Authority (EPA)
  - NSW Department of Climate Change, Energy, the Environment, and Water – Biodiversity Conservation and Science Group (DCCEEW-BCSG)
  - Heritage NSW
  - Endeavour Energy
  - Jemena
  - NSW Rural Fire Service
  - Sydney Water
  - Civil Aviation Safety Authority (CASA)
- 1 from Neighbourhood Forum 4
- 7 from community members (including the 3 submissions lodged on the NSW DPHI's Planning Proposal webpage).

A summary of the issues raised in submissions is attached (Attachment 1).

The submission made on behalf of the landowner of 280 Princes Highway, Fairy Meadow supported the Planning Proposal and requested the rezoning of additional land beyond the exhibited Planning Proposal.

It appears that the State agencies may have provided generic submissions requesting additional studies to be undertaken. DCCEEW-BCSG and SES both requested flood impact assessments. Heritage NSW requested a comprehensive Aboriginal Cultural Heritage Assessment Report (ACHAR). The EPA recommended that a contamination preliminary site investigation (PSI) be undertaken for some sites.

The Planning Proposal acknowledges that some sites are flood prone, are adjacent to heritage items or are listed as contaminated. However, the Planning Proposal is only tidying up narrow slithers of land that are no longer required to be in the transport corridor or are part of the transport corridor. The Planning Proposal may facilitate some additional development on privately owned land, however any proposals for development will be required to have flood, heritage and contamination assessments at development application stage.

Council received two (2) submissions from TfNSW, one from the regional office and a second submission from TfNSW Property Team. The Regional Team, support the Planning Proposal but requested that the current zoning, planning and land acquisition area along the Albion Park Rail bypass at Yallah remain in place while further investigations are occurring. The final Planning Proposal has been amended to remove the properties as requested. The consequence is that the adjacent private and Council land will remain partially zoned for the transport corridor and acquisition by the State. The total number of lots proposed to be rezoned has therefore reduced from 40 to 32 lots.

The second submission from TfNSW requested the inclusion of 25 additional sites in the current Planning Proposal. Additional lots cannot be included in the Planning Proposal post exhibition. Any additional lots will need to be properly assessed, considered and exhibited as part of a separate future Planning Proposal.

Neighbourhood Forum 4 opposed the Planning Proposal due to perceived impacts on vegetation and resulting noise impacts. They also indicated that sites will be unusable due to limited size and steep slopes. It was also suggested that rezoning of land originally designated for access ramps to Memorial Drive will increase congestion and impact upon emergency response times and the functioning of the Corrimal Town Centre. The Planning Proposal does not seek to remove vegetation. Furthermore, the proposal is not expected to increase traffic congestion, as the proposed zoning amendments will not impact upon the functioning of existing intersections to Memorial Drive.

The seven (7) submissions from members of the community, as summarised in the following table –

Suburb	Support	Object	Raised Concerns (neutral)	Total
Corrimal (including East Corrimal)	0	4	0	4
Woonona	0	0	1	1
Balgownie	0	1	0	1
Undisclosed	0	0	1	1
<b>Total</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>7</b>

Due to the timing of the exhibition overlapping with the exhibition of the State’s Housing initiatives, four (4) of the community submissions objected to the State’s identification of Corrimal Rail Station as a location for their Transport Oriented Development program.

The two (2) submissions made providing comment on the Proposal suggested -

- Encouraged pathways to be made beside railway tracks, allowing for cycling and running.
- Requested the road reserve located between Daisy Street, Elliotts Road and Clifford Street be zoned RE1 Public Recreation for open space and recreational uses – supports the retention of vegetation on the site. The proposed zoning of R2 Low Density Residential is considered to better reflect the use of land as road reserve supporting the surrounding residential land uses and allows for flexibility of the site into the future. The Planning Proposal will not alter the current maintenance of the site or require the removal of site vegetation.

## CONSULTATION AND COMMUNICATION

The Planning Proposal was exhibited between 31 January and 4 March 2024. The exhibition was notified via –

- Advertisement in the Community Update section of the Illawarra Mercury on 31 January 2024.
- Letters were sent to 449 landowners and nearby properties.
- Advertised on Council’s Our Wollongong community engagement webpage.
- Hard copies in Corrimal, Dapto, Thirroul and Wollongong City Council Library branches and in Council’s Customer Service Area in the Administration Building.
- Letters sent to Neighbourhood Forums and the Northern Illawarra Resident Action Group where land is proposed to be rezoned.

- Letter sent to Statutory Authorities, including those nominated in the Gateway Determination.

The Our Wollongong on Council’s Engagement website had a total of 557 visits. There were two (2) submissions made through Council’s online engagement Webpage.

The Planning Proposal was notified through the NSW Planning Portal website. Three (3) submissions were received from the NSW Planning Portal.

20 submissions were received including 1 on behalf of a landowner. Seven (7) were received by community members, one (1) from the Neighbourhood Forums, and 11 from State Agencies.

## PLANNING AND POLICY IMPACT

This report contributes to the delivery of Our Wollongong 2032 ‘Goal 1 – We value and protect our environment. It specifically delivers on the following -

Community Strategic Plan 2032	Delivery Program 2022-2026
Strategy	Service
1.5 Maintain the unique character of the Wollongong LGA, whilst balancing development, population growth and housing needs	Land Use Planning

## Illawarra Shoalhaven Regional Plan 2041

In June 2021 the Illawarra Shoalhaven Regional Plan 2041 was released by the State Government. The Regional Plan is meant to guide strategic planning and land use decisions in the region for the next 20 years. The Plan contains 30 objectives, supported by a mix of actions, strategies and collaboration activities.

The Planning Proposal is consistent with the following objectives –

- Objective 18: Provide housing supply in the right locations.
- Objective 27: Protect major freight networks.

The Regional Plan identifies the need to prioritise opportunities for new housing in strategic centres, given they are serviced by utilities, public transport, walking, cycling, education, health, and community infrastructure and provide shopping, community and commercial services.

The Planning Proposal is not inconsistent with the Regional Plan as it will enhance development opportunities on private land (predominately residential) whilst maintaining the defined transport infrastructure corridors.

## Local Strategic Planning Statement 2020

Council adopted the Wollongong Local Strategic Planning Statement (LSPS) 2020 on 29 June 2020. The LSPS provides a 20-year land use planning visions for the city. It has drawn on many existing strategies and plans developed, exhibited and adopted by Council.

The LSP acknowledges that –

- Housing opportunities should be close to existing services, jobs and infrastructure in the region’s centres.
- An extensive road network services in Wollongong LGA and it is anticipated as the population increases so too will vehicle use.
- The Wollongong LEP 2009, in conjunction with the Illawarra Shoalhaven Regional Plan 2041, seeks to protect existing transport corridors, including rail, and ensure infrastructure that is in place can support and enhance employment opportunities.

The Planning Proposal is consistent with the LSPS, as it seeks to rezone private land on longer required for transport corridor delivery to a land use zone that can potentially facilitate residential development opportunities. This outcome will support Wollongong’s anticipated population growth.



## Wollongong City Council Planning Proposal Policy (2022)

The Planning Proposal request seeks a housekeeping amendment to the Wollongong LEP 2009 following the completion of the Memorial Drive and Albion Park Rail Bypass transport corridors review.

The Planning Proposal is generally consistent with the objectives and the listed consideration of Planning Proposal requests. The Planning Proposal is the result of the Wollongong Housing Strategy 2023, Implementation Planning Studies S3 (Housekeeping amendment).

### Ministerial Direction 3.2 Heritage and Conservation

The Planning Proposal can satisfy Direction 3.2 with minor inconsistencies. The Planning Proposal seeks to rezone two (2) sites mapped as local heritage items, that account for 6.25% of the total lots in the Planning Proposal. The sites are located at Fairy Meadow and Yallah.

Land to be rezoned from SP2 to R2 in Fairy Meadow is mapped as containing Local Heritage Item 61072 Warrenda and curtilage. The proposal would permit residential development on the Fairy Meadow site, however, any future development application will need to consider heritage impacts.

Land to be rezoned from SP2 to SP3 Tourist at Yallah, is already developed for an access road to local heritage item 6437 "Yallah" House. Further development of the access road is unlikely, and any future application would need to address site heritage.

A review of Council's mapping did not identify the Planning Proposal applying to State Heritage Items and nor is the Planning Proposal in proximity to State Heritage Items.

The Planning Proposal is not in proximity to mapped cultural landscapes and is not expected to result in development that would impact upon the mapped landscapes.

The Planning Proposal does not seek to rezone known areas mapped as Aboriginal significance or containing Aboriginal items. As the proposal largely applies to existing areas of residential development and transport infrastructure, it is not expected to impact upon Aboriginal heritage. Where the Proposal seeks to rezone land from SP2 Infrastructure to Environmental conservation zones, it is likely that greater protection will be provided to any unknown Aboriginal heritage. The requirement for further investigations and studies, if required to support future development proposals, is not impacted by the Planning Proposal.

### Ministerial Direction 4.1 Flooding

The Planning Proposal can satisfy Direction 4.1 with minor inconsistencies. Of the lots included in the Planning Proposal, 17 are mapped as being flood affected with a 10.7 Planning Certificate flood coding. The flood affected lots account for 53.13% of the total lots in the Planning Proposal. Flood affected lots are generally located in Bulli, Fairy Meadow and Yallah. The flood affected land is also found at Woonona (1 lot); Russell Vale (1 lot); Corrimal (1 lot) and Mount Kembla (1 lot).

**Bulli** - The three (3) flood affected lots in Bulli have an existing zoning of R2 and SP2 with existing approved residential development on site. The Proposal seeks to rezone slivers of SP2 zoned land to R2 which will align the zone boundary with the property boundary adjacent to Memorial Drive. It is not anticipated that the Planning Proposal will result in further significant development as the affected lands are on the edges of existing lot boundaries.

**Fairy Meadow** - In Fairy Meadow, rezoning includes multiple lots which are subject to existing residential development. One of the flood affected lots is also mapped as containing Local Heritage Item 61072 Warrenda and curtilage. The proposed rezoning from SP2 to R2 is mostly on the larger lot peripheries. No significant development is anticipated as a result of the proposed land rezoning.

**Yallah** – The proposal seeks to rezone portions of land in private ownership, adjacent to the M1 Princes Motorway and the Tallawarra Lands precinct, from SP2 to C2, C3, E3 and SP3.

The Tallawarra Lands precinct is subject to Concept Plan Approval issued by the (then) NSW Planning Assessment Commission under the former Part 3A (Major Infrastructure and Other Projects) provisions of the *Environmental Planning and Assessment Act 1979*. The proposed rezoning of the adjoining land is consistent with the Concept Approval which includes conservation / environment zoned land. Any future development of the sites proposed to be rezoned will be subject to flood considerations at Development Application stage.

The land proposed to be rezoned to SP3 Tourist, is already developed as an access road to local heritage item 6437 “Yallah” House. Residential Development is not a permissible use within the SP3 land use zone under Wollongong LEP 2009. Any proposed development of a permissible use would need to address the flood constraints as a part of a development application.

**Woonona** - The lot located in Woonona is owned by TfNSW and is currently zoned R2. At the request of TfNSW it is proposed to rezone the site to SP2 to support the functioning of Memorial Drive. As a result of the proposed zone amendment, residential development would not be a permissible use on the lot.

**Russell Vale** - The land proposed to be rezoned from SP2 to RE1 in Russell Vale is owned by Wollongong City Council. The site is not required for the Memorial Drive transport corridor. It is however associated with the operation of Cawley Park. As a result of the proposed zone amendment, residential development would not be a permissible use on the lot.

**Mount Kembla** - Similarly, it is proposed that Council owned land adjacent to the rail corridor in Mount Kembla be rezoned from SP2 to RE1 to support the Mount Kembla Shared Path. As a result of the proposed zone amendment, residential development would not be a permissible use on the lot.

**Corrimal** – The lot proposed to be rezoned from SP2 to R3 has existing residential development constructed upon it. The rezoned portion of land represents 1% of the total site area. No significant development is anticipated as a result of the proposed land rezoning.

#### **Ministerial Direction 4.2 Coastal Management**

The Planning Proposal can satisfy Direction 4.2 with minor inconsistencies. The Planning Proposal includes six (6) lots mapped as Coastal Environment Area under the State Environmental Planning Policy (Resilience and Hazards) 2021, which accounts for 18.75% of the total lots. The lots are outside of the Coastal Use Areas and Coastal Vulnerability Areas under the Resilience and Hazards SEPP.

All lots mapped as Coastal Environment Area, under the Resilience and Hazards SEPP, are located in Fairy Meadow. The lots are subject to existing residential development and are not expected to be developed without further amalgamation of sites. Any future development would need to address the requirements of the SEPP at development application stage.

The Proposal seeks to rezone two local roads that are mapped as Proximity to Coastal Wetland under the Resilience and Hazards SEPP. The roads are located in Watts Lane, Russell Vale and Woodhill Street, Fairy Meadow. The land is already developed for local roads and support existing approved industrial and residential development.

#### **FINANCIAL IMPLICATIONS**

No financial risks have been identified that will result from the Planning Proposal request.

#### **CONCLUSION**

The Planning Proposal has been prepared following a strategic review of the Memorial Drive and Albion Park Rails Bypass road corridors and the private Mount Kembla Rail Line. The Planning Proposal was exhibited for various adjustments to existing SP2 Infrastructure zoned land adjacent to the transport corridors.

Public exhibition of the Planning Proposal occurred from 31 January to 4 March 2024. Council received 20 Submissions in total, which are all reviewed and evaluated.

As a result of comments provided by TfNSW, the exhibited Planning Proposal has been amended to retain the Zoning Map, associated Development Standard Maps and Land Reservation Acquisition Map along the Albion Park Rail Bypass at Yallah on the southern side of the South Coast Rail Line. The retention of the current map reflects the ongoing planning for the location. No further amendments to the Planning Proposal maps have occurred.

It is considered the Planning Proposal has sufficient strategic and site-specific merit and should progress to finalisation subject to the proposed amendments.

## Planning Proposal – Road and Rail Corridor Rezoning and Land Reservation Acquisition Map Amendment

### Summary of Submissions

#### Landholder Submission

Landholder	Comment	Response
On behalf of owner of 280 Princes Highway, Fairy Meadow	Supports the Planning Proposal and proposed LEP amendments to rezone land within the site from SP2 Infrastructure to R2 Low Density Residential. The submission noted the proposed R2 Low Density Residential land zone would be consistent with the current use of the site.	Comment noted.
	The submission raised concerns regarding the rezoning additional land within the mapped road corridor for the Princes Highway adjacent to the site, however, it is considered the additional land is outside the scope of the Planning Proposal and the landowner should contact the State Agency.	It is considered the additional land would need to be the subject of a separate Planning Proposal.

#### Neighbourhood Forum Submission

Neighbourhood Forum	Comment	Response
Neighbourhood Forum 4	<ul style="list-style-type: none"> <li>Concerned with the future development of Corrimal.</li> </ul>	The Neighbourhood Forum raised concerns regarding the Planning Proposal and appears to, in part, reference the Department's Transport Oriented Development SEPP proposal. Concerns are noted. The proposal is largely to amend existing lots with split land use zones and is not expected to impact upon the future development of Corrimal.
	<ul style="list-style-type: none"> <li>Following strong community discussion about the State Housing Strategy expectations many of these small parcels of remnant land did not align with an R3 zoning.</li> </ul>	The proposal is largely to rezone existing lots with split land use zones and is not expected to result in significant development outcomes.
	<ul style="list-style-type: none"> <li>Unless realignment of the lots occurs much of the land is unusable, as a result of steep slopes and is not safe or appropriate for medium density residential.</li> </ul>	Noted. Land included in the Planning Proposal is generally part of existing lots with approved residential development on site. As such the Planning Proposal is considered a house keeping amendment following a



Neighbourhood Forum	Comment	Response
		review of transport corridor and adjacent properties land use zones.
	<ul style="list-style-type: none"> <li>Many of the parcels form narrow bushland verges along the busy B65 arterial road intended for motorway. Mature trees on residential land has been used for noise abatement. Trees are consistent with Council's Urban Greening Strategy - to mitigate climate change.</li> </ul>	Noted. The planning proposal does not seek to remove existing vegetation within the road reserve or on private land.
	<ul style="list-style-type: none"> <li>It appears there is no future development as expected within the Housing Strategy. TfNSW Out-of-Hand assessment that the road project is finished is of concern and several verges were land allocated for on/off ramps, including Rothery Street, Railway Street and Towradgi Road.</li> </ul>	Memorial Drive is State infrastructure. TfNSW contacted Council and requested, as the Local Planning Authority to review the use of land and zoning following the completion of the road corridor.
	<ul style="list-style-type: none"> <li>Congestion of these intersections is a safety concern when assessing bushfire in the Escarpment lands.</li> </ul>	The Proposal is to rezone land no longer required for the planning and operation of Memorial Drive, Albion Park Rail Bypass and Mount Kembla Private Railway. The proposal will not result in work altering existing intersections.
	<ul style="list-style-type: none"> <li>Increasing traffic pressures will impact upon Corrimal Town Centre and the useability of Railway Street.</li> </ul>	The Proposal is to rezone land no longer required for the planning and operation of Memorial Drive, Albion Park Rail Bypass and Mount Kembla Private Railway. The proposal unlikely to result in increased traffic congestion.
	<ul style="list-style-type: none"> <li>Local knowledge is needed to drive community needs.</li> </ul>	Comment noted

#### Community Submissions

Community Member	Comment	Response
East Corrimal	Does not support the rezoning of land near Duff Parade, Park Road, Coolgardie Street etc.	The Planning Proposal does not seek to rezone land in proximity to the identified local roads. It appears the concerns raised apply to the State Housing Initiative and Transport Orientated Development SEPP and program.
	The Infrastructure of Railway Street is already over capacity. More cars will affect already choked Memorial Drive.	The comment appears to apply to the State Housing Initiative and the Transport Orientated Development

Community Member	Comment	Response
		SEPP and program. It is noted however the Planning Proposal is not expected to result in increased development and is a housekeeping amendment following a review of land use within an adjacent to the completed transport corridors.
	Local and State Government insist on putting additional Housing near the rail line that cannot contribute to existing and future increases in population. Transport have no plans to upgrade the railways/timetables so why build more houses.	The comment appears to apply to the State Housing Initiative and the Transport Orientated Development SEPP and program. It is noted however the Planning Proposal is not expected to result in increased development and is a housekeeping amendment following a review of land use within an adjacent to the completed transport corridors.
	Concerned for residents in proximity to potential 13 m tall buildings.	The comment appears to apply to the State Housing Initiative and the Transport Orientated Development SEPP and program. It is noted however the Planning Proposal is not expected to result in increased development and is a housekeeping amendment following a review of land use within an adjacent to the completed transport corridors.
	Ample room for medium density housing on the western side of the Princes Highway, however, needs to be serviced appropriately by busses to limit private transport means.	Noted. The Wollongong Housing Strategy 2023 identifies existing town centres are appropriate for increased housing densities. However, any potential rezoning of land on the western side of the Princes Highway is outside the scope of the Planning Proposal.
Location of resident not provided	Encourage pathways to be made beside rail lines to allow for cycling and running off the roadway. Good examples are within New Zealand	Comment Noted. The Council owned land adjacent to the privately owned rail line in Mount Kembla has been developed for recreational purposes and features a shared path for pedestrians and cyclist. The proposed RE1 Public Recreation zoning is consistent with the use of land upon the site.
Corrimal	Concerns raised regarding the ability to access Railway Street, west of the railway station. Harbinger Street exist is dangerous.	The comment appears to apply to the State Housing Initiative and the Transport Orientated Development

Community Member	Comment	Response
	<p>Traffic is congested at peak times causing residents to take alternate routes.</p> <p>Concerns raised regarding Government's Transport Orientated Development SEPP and impacts upon Corrimal Coke works development and government one size fits all approach to planning. likely to impact environment, heritage and overload infrastructure, while failing to examine local context.</p> <p>Concerned TOD SEPP will should only apply to well connected and serviced trainlines and employment hubs and road networks.</p> <p>NSW Government offers not integrated transport plan or affordable housing / social housing.</p> <p>TOD will result in increased demand on water and sewerage systems and public transport services that are already at capacity.</p> <p>Fails to address short term rentals and poses a threat increased residential housing diluting commercial and employment centres and nighttime economies.</p>	<p>SEPP and program and discusses areas outside the scope of the Planning Proposal.</p> <p>It is noted however the Planning Proposal is not expected to result in increased development and or impact upon existing traffic movement as the proposal is considered a housekeeping amendment following a review of land use within an adjacent to the completed transport corridors.</p> <p>The Submission was directed to the Department for consideration as part of the State's Public Exhibition of the program.</p>
	<p>Concerns raised regarding the ability to access Railway Street, west of the railway station. Harbinger Street exist is dangerous.</p> <p>Traffic is congested at peak times causing residents to take alternate routes.</p>	<p>The comment appears to apply to the State Housing Initiative and the Transport Orientated Development SEPP and program and discusses areas outside the scope of the Planning Proposal.</p> <p>It is noted however the Planning Proposal is not expected to result in increased development and or impact upon existing traffic movement as the proposal is considered a housekeeping amendment following a review of land use within an adjacent to the completed transport corridors.</p>
	<p>Concerns raised regarding Government's Transport Orientated Development SEPP and impacts upon Corrimal Coke works development and government one size fits all approach to planning. likely to impact environment, heritage and overload infrastructure, while failing to examine local context.</p> <p>Concerned TOD SEPP will should only apply to well connected and serviced trainlines and employment hubs and road networks.</p> <p>NSW Government offers not integrated transport plan or affordable housing / social housing.</p>	<p>The Submission was directed to the Department for consideration as part of the State's Public Exhibition of the program.</p>

Community Member	Comment	Response
	<p>TOD will result in increased demand on water and sewerage systems and public transport services that are already at capacity.</p> <p>Fails to address short term rentals and poses a threat increased residential housing diluting commercial and employment centres and nighttime economies</p> <p>Concerns raised regarding the ability to access Railway Street, west of the railway station. Harbinger Street exist is dangerous.</p> <p>Traffic is congested at peak times causing residents to take alternate routes.</p> <p>Concerns raised regarding Government's Transport Orientated Development SEPP and impacts upon Corrimal Coke works development and government one size fits all approach to planning. likely to impact environment, heritage and overload infrastructure, while failing to examine local context.</p> <p>Concerned TOD SEPP will should only apply to well connected and serviced trainlines and employment hubs and road networks.</p> <p>NSW Government offers not integrated transport plan or affordable housing / social housing.</p> <p>TOD will result in increased demand on water and sewerage systems and public transport services that are already at capacity.</p> <p>Fails to address short term rentals and poses a threat increased residential housing diluting commercial and employment centres and nighttime economies.</p>	<p>The comment appears to apply to the State Housing Initiative and the Transport Orientated Development SEPP and program and discusses areas outside the scope of the Planning Proposal.</p> <p>It is noted however the Planning Proposal is not expected to result in increased development and or impact upon existing traffic movement as the proposal is considered a housekeeping amendment following a review of land use within an adjacent to the completed transport corridors.</p> <p>The Submission was directed to the Department for consideration as part of the State's Public Exhibition of the program.</p>
Woonona	<p>Daisy St, Elliotts Rd and Clifford St, Fairy Meadow be zoned as open space for recreational use.</p> <p>This is an area of open space abutting the Elliotts Rd bridge western approach and is largely wooded. Given the ongoing development in Fairy Meadow it should be kept as open space, providing a break from concrete, traffic and the sun's rays.</p>	<p>The land is mapped as road reserve and not part of a registered lot. As the land is not part of a registered lot, it is considered that the R2 Low Density land use zone is appropriate and reflects the use of land as road reserve supporting the surrounding residential land uses. The R2 land use zone also allows for flexibility of the site into the future.</p> <p>It is not expected the proposed rezoning will not alter the current maintenance of the site or require the vegetation on site to be removed.</p>

Community Member	Comment	Response
Balgownie	<ul style="list-style-type: none"> <li>Concerned with the future development of Corrimal.</li> </ul>	<p>The resident's submission appears to be partially in response to the Department's Transport Oriented Development SEPP proposal.</p> <p>Concerns are noted. The proposal is largely to amend existing lots with split land use zones and is not expected to impact upon the future development of Corrimal.</p>
	<ul style="list-style-type: none"> <li>Following strong community discussion about the State Housing Strategy expectations many of these small parcels of remnant land did not align with an R3 zoning.</li> </ul>	<p>Note. The proposal is largely to rezone existing lots with split land use zones and is not expected to result in significant development outcomes.</p>
	<ul style="list-style-type: none"> <li>Unless realignment of the lots occurs much of the land is unusable, as a result of steep slopes and is not safe or appropriate for medium density residential.</li> </ul>	<p>Noted. Land included in the Planning Proposal is generally part of existing lots with approved residential development on site. As such the Planning Proposal is considered a house keeping amendment following a review of transport corridor and adjacent properties land use zones.</p>
	<ul style="list-style-type: none"> <li>Many of the parcels form narrow bushland verges along the busy B65 arterial road intended for motorway. Mature trees on residential land has been used for noise abatement. Trees are consistent with Council's Urban Greening Strategy - to mitigate climate change.</li> </ul>	<p>Noted. The planning proposal does not seek to remove existing vegetation within the road reserve or on private land.</p>
	<ul style="list-style-type: none"> <li>It appears there is no future development as expected within the Housing Strategy. TfNSW Out-of-Hand assessment that the road project is finished is of concern and several verges were land allocated for on/off ramps, including Rothery Street, Railway Street and Towradgi Road.</li> </ul>	<p>Memorial Drive is State infrastructure. TfNSW contacted Council and requested, as the Local Planning Authority to review the use of land and zoning following the completion of the road corridor.</p>
	<ul style="list-style-type: none"> <li>Congestion of these intersections is a safety concern when assessing bushfire in the Escarpment lands.</li> </ul>	<p>The Proposal is to rezone land no longer required for the planning and operation of Memorial Drive, Albion Park Rail Bypass and Mount Kembla Private Railway. The proposal will not result in work altering existing intersections.</p>
	<ul style="list-style-type: none"> <li>Increasing traffic pressures will impact upon Corrimal Town Centre and the useability of Railway Street.</li> </ul>	<p>The Proposal is to rezone land no longer required for the planning and operation of Memorial Drive, Albion Park</p>

Community Member	Comment	Response
		Rail Bypass and Mount Kembla Private Railway. The proposal will not result in increased traffic congestion.
	<ul style="list-style-type: none"> <li>Local knowledge is needed to drive community needs.</li> </ul>	Comment noted.

#### Agency Submissions

Agency	Comment	Response
Transport for NSW (1)	<p><b>General Comments (non-site specific)</b></p> <p>Transport for NSW (TfNSW) generally supported the Planning Proposal and the proposed amendments to Land Use Zoning, Floor Space Ratio, Minimum Lot Size and Height of building maps.</p> <p>TfNSW provided support for an amendment to the Land Reservation Acquisition map for land within the Memorial Drive Road corridor.</p>	Comments of support for proposed rezoning and to amend the Land Reservation Acquisition map in the Corrimal/ Towradgi location is noted.
	<p><b>Site Specific Comments</b></p> <p>TfNSW opposed amending the Land Reservation Acquisition, Land Use Zone and Development Standards Maps for land on the southern side of the South Coast Rail Line, Yallah. TfNSW advised that the area is currently being reviewing a potential connection to the West Lake Illawarra Growth Area and a connection at Yallah Road is being considered. TfNSW believes that until a preferred arrangement has been reached it may be appropriate not to change the existing arrangement.</p>	<p>Comments opposed to amending the Land Reservation Acquisition mapping for land within the Yallah area are noted. TfNSW have identified the mapping of the land is required as it is subject to ongoing planning of a potential connection from the Albion Park Rail Bypass to the West Lake Illawarra urban release area.</p> <p>As a result of comments made by TfNSW, it is recommended the Planning Proposal be amended to not include an amendment to the Land Reservation Acquisition, Land Use Zoning and associated Development Standards Maps within the Yallah area on the southern side of the South Coast Rail Line.</p>



Agency	Comment	Response
<p><b>Transport for NSW (2)</b></p>	<p>Requested an additional 25 lots and land within various road reserves be included as part of the Planning Proposal. The land identified by TfNSW included privately own lots, lots in the ownership of the agency and land within road reserves.</p>	<p>TfNSW did not identify these sites as part of the original consultation prior to the preparation of the Planning Proposal. Due to the large number of lots requested by TfNSW to be included in the Planning Proposal, it is considered to include the additional lots would significantly alter the existing Planning Proposal. As such the additional lots will be considered for rezoning as part of a separate future Planning Proposal.</p>
<p><b>NSW State Emergency Service (SES)</b></p>	<p><b>General Comments (non-site specific)</b></p> <p>The SES advised that Council will need to ensure that the Planning Proposal is considered against the relevant Ministerial Direction, 4.1 Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 and supporting guidelines, including support for Emergency Management Planning.</p> <p>Any proposed Emergency Management Strategy for an areas should be compatible with the evacuation strategies identified in the relevant local or state flood plan or by the NSW SES. Per the Illawarra Flood Emergency Plan, evacuation is the primary Emergency Management Strategy.</p> <p>The Planning Proposal includes 17 lots that are mapped as flood affected. Decisions relating to future development should be risk based and ensure Emergency Management risk to the community of the full range of floods are effectively understood and managed.</p>	<p>The Proposal is considered a Housekeeping amendment following a review of land uses within and adjacent to transport corridors. While the proposal does include rezoning land to residential purposes, the large majority of sites contain split land use zones and already have existing approved development on them. Therefore, it is not expected the proposal will result in further significant development opportunities on the subject sites. Similarly, where land within the road reserve is proposed to be rezoned and is mapped as flood affected, the Planning Proposal only seeks to rezone local road from SP2 Infrastructure to surrounding applicable land uses.</p> <p>The Planning Proposal is not expected to remove the need for any required flood assessment, as part of the Development Application process.</p> <p>The Planning Proposal is not expected to result in impacts upon existing emergency access and evacuation strategies, as the proposal is an administrative change of land use zones, following a request by TfNSW to review land uses within and adjacent to transport corridors.</p> <p>The proposed zone changes are not expected to result in changes to existing emergency management. Many of the site contain existing approved development. The proposal largely formalises portions of sites which are split zoned for SP2 Infrastructure and are not required for the ongoing planning and operation of transport corridors. However, should future development be proposed on sites flood affected sites, the Planning Proposal will not remove the need to carry out the relevant flood studies at the Development Application stage.</p>

Agency	Comment	Response
	<p><b>Specific Site comments</b></p> <p>The sites most likely to be developed for residential purposes, which would pose a risk to life and property include Bellambi Lane and Elliotts Road. The rezoning of these sites to R2 Low Density Residential would potentially increase the number of people exposed to the effects of flooding and other secondary emergencies such as fires and medical emergencies.</p> <p>In relation to Bulli Sites outlined in Map 1 of the Planning Proposal the agency notes that the land is proposed to be rezoned R2 Low Density Residential to SP2 Infrastructure. The Agency also notes both 116 and 112 Farrell Road are inundated in the PMF. However, the proposed rezoning would prevent residential development on the flood affected sites.</p> <p>The following comments are provided for Woonona sites.</p> <p><b>Map 2</b></p> <p>Mitchell Road will be rezoned from SP2 Infrastructure to R2 Low Density Residential. The agency notes the site does not appear to be inundated by the PMF. However, the site is isolated from vehicle access/egress due to flooding of York Road and the Princess Highway in frequent (Approx. 20% AEP) events.</p> <p>Memorial Drive Road reserve, adjacent to York Place is proposed to be rezoned from E4 General Industrial to SP2 Infrastructure and is flood affected in frequent (Approx. 20% AEP) events. However, rezoning will prevent residential development on this flood affected site.</p> <p>York Place is also proposed to be rezoned from SP2 Infrastructure to E4 General Industrial. The Agency notes this site is flood affected in frequent flood events (from the 10%</p>	<p>The land is within existing local road reserves and not within a registered lots with further potential for further residential dwellings. The proposal to rezone the sites is the result of a review of land uses within and adjacent to the Memorial Drive corridor. The review identified the sites are no longer required for the ongoing planning and operation of the State Road infrastructure. As such it is proposed the local roads be rezoned from SP2 Infrastructure to R2 Low Density Residential, to be consistent with surrounding land uses zones.</p> <p>Comments noted.</p> <p>Noted. It is not expected the housekeeping amendment, proposing to rezone land within Mitchell Road reserve from SP2 Infrastructure to R2 Low Density Residential, will result in further impacts to site flooding.</p> <p>Noted. It is not expected the housekeeping amendment, proposing to rezone land within the existing Memorial Drive corridors, will result in further impacts to site flooding.</p> <p>Noted. It is not expected the housekeeping amendment, proposing to rezone land within the existing York Place road reserve, will result in further impacts to site flooding.</p>

Agency	Comment	Response
	<p>AEP) and is completely inundated in the PMF event. Portions of this site also form part of the Tsunami Evacuation Zone.</p> <p>In relation to the Russell Vale sites, outlined in Map 3 of the Planning Proposal -</p> <p>Watts Lane is proposed to be rezoned from SP2 Infrastructure to E4 General Industrial. The Agency note this site is isolated in the 1% from vehicular access/egress and is a high flood island up to the PMF event. This site also forms part of the Tsunami Evacuation Zone. Bellambi Lane and Keerong Avenue are proposed to be rezoned from SP2 Infrastructure to R2 Low Density Residential. Both sites are isolated from vehicular access/egress in the 2% AEP and rarer events. Cawley Park are proposed to be rezoned from SP2 Infrastructure to RE1 Public Recreation. The Agency note this site is inundated in the PMF, accordingly, rezoning to RE1 Public Recreation is likely to reduce the potential risk.</p> <p>In relation to the Corrimal sites, outlined in Map 4 of the Planning Proposal -</p> <p>The sites proposed to be rezoned to R2 Low Density Residential and R3 Medium Density Residential zoning, with the exception of Hall Street, are seeking to rectify split zoning. The Agency note these sites remain flood-free up to the PMF. Of note, the sites are isolated in the 1% AEP and rarer events due to the inundation of Memorial Drive to the north and south of the sites.</p> <p>In relation to the Towradgi sites, outlined in Map 5 of the Planning Proposal -</p> <p>The proposed the sites are rezoned from R2 Low Density Residential to SP2 Infrastructure. The sites are isolated in at least the 1% AEP.</p> <p>In relation to the Fairy Meadow sites outlined in Map 6 of the Planning Proposal -</p>	<p>Noted. It is not expected the housekeeping amendment, proposing to rezone land within the existing Watts Lane; Bellambi Land and Keerong Avenue road reserves, will result in further impacts to site flooding.</p> <p>Noted. No further comment required.</p> <p>Noted. The proposal is not expected to facilitate development that would impact existing flood constraints.</p>

Agency	Comment	Response
	<p>Norman Street and Elliotts Road are proposed to be rezoned from SP2 Infrastructure to R2 Low Density Residential. These sites are flood affected in at least the 1% AEP event and inundated in the PMF event.</p> <p>The Elliott Road site is partially inundated with H3 hazard flood waters in the 1% AEP. H3 hazard is considered unsafe for all vehicles, children and the elderly. The hazard category increases to H4 in the PMF event which is considered unsafe for all vehicles and people.</p> <p>In relation to the Fairy Meadow and Yallah sites outlined in Map 7 of the Planning Proposal -</p> <p>The rezoning of the Collaery Avenue and Yallah Road sites from SP2 Infrastructure to R2 Low Density Residential seeks to rectify split zoning. The Agency note all sites identified in Map 7 are inundated in at least the 1% AEP and are part of the Tsunami Evacuation Zone.</p> <p>The SES notes the sites outlined in Map 8 of the Planning Proposal are not directly flood affected, though they do become isolated in the 1% AEP and rarer events.</p> <p>We note the sites outlined in Map 9 of the Planning Proposal are mostly inundated in the 20% AEP and rarer events.</p> <p>The sites most likely to be developed for residential purposes which would pose a risk to life and property include Bellambi Lane and Elliotts Road. Rezoning these sites to R2 Low Density Residential would potentially increase the number of people exposed to the effects of flooding and other secondary emergencies such as fires and medical emergencies. These risks will need to be managed.</p>	<p>Noted. It is not expected the housekeeping amendment, proposing to rezone land within the Norman Street and Elliotts Road reserves, will result in further impacts to site flooding.</p> <p>Noted. The proposal is not expected to facilitate development that would impact existing flood constraints.</p> <p>Noted. The proposal is not expected to facilitate development that would impact existing flood constraints.</p>

Agency	Comment	Response
<p><b>NSW Environmental Protection Authority</b></p>	<p><b>General Comments (non-site specific)</b></p> <p>The EPA advised that a number of contaminated lots that will be impacted by the Planning Proposal. It is noted that there are existing risks of adverse noise and air impacts on lots bring rezoned R2 low Density Residential and R3 Medium Density Residential along Memorial Drive.</p> <p>The EPA has identified several matters to consider at this stage of the Planning Proposal to assist in delivering improved environmental outcomes and reducing possible land use conflicts.</p>	
	<p><b>Contamination</b></p> <p>To assist with this, the EPA recommends that a contamination preliminary site investigation (PSI) be completed for sites where the rezoning proposal is likely to be more stringent than its current use.</p> <p>The PSI should -</p> <ul style="list-style-type: none"> <li>• Be drafted in accordance with the Consultants Reporting on Contaminated Land Contaminated Land Guidelines (NSW EPA, 2020) and other relevant guidelines made or approved by the EPA under section 105 of the CLM Act</li> <li>• Consider past activities and remediation at the site, as well as any recent activities that may have impacted the site (including illegal dumping or migration of contaminants from adjacent sites).</li> <li>• Be written by, or reviewed and approved by, a consultant certified by either the Environment Institute of Australia and New Zealand - Certified Environmental Practitioner (Site Contamination) (CEnvP (SC)) or Soil Science Australia - Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) schemes.</li> </ul> <p>Additionally, Council should consider the following -</p> <ul style="list-style-type: none"> <li>• For future development application/s, Council should ensure that the processes outlined in the <i>Resilience and Hazards SEPP</i></li> </ul>	<p><b>Contamination</b></p> <p>The contamination status as per the State Environmental Planning Policy (Resilience and Hazards) 2021 – Chapter 4 Remediation of Land requirements for the Planning Proposal have been considered within the context that the proposed zoning changes are administrative in nature.</p> <p>It was found after a desktop review of historical images and previous uses, the proposed zoning changes would not increase and/or decrease the contamination risk upon the subject sites.</p> <p>Furthermore, the proposed zoning changes would not increase the risk of locating contamination in the specific areas designated for proposed zoning compared to the adjacent areas within the lots. It is expected the status quo would be maintained for the affected lots regarding contamination.</p> <p>The process for considering contamination would not be affected, if at a later time, Council was to receive a Development Application for any of the affected lots by the Planning Proposal.</p> <p>Therefore, the contamination status of the land would need to be investigated at the time of a future Development Application and would still require a detailed site investigation at a later date.</p> <p>It is noted the Planning Proposal is not strictly consistent with the Ministerial Direction. However, the Planning Proposal is considered to be an administrative housekeeping proposal following the request by TfNSW to review the zoning of</p>

Agency	Comment	Response
	<p>2021 are followed to assess the suitability of the land and any remediation required in relation to the proposed use.</p> <p>The EPA should be notified under section 60 of the CLM Act for any contamination identified at the sites which meets the triggers in the Guidelines for the Duty to Report Contamination</p>	<p>transport corridors and adjacent lands. It is not expected the Planning Proposal will enable further significant development upon the sites. In Yallah the proposal will rezone land from SP2 Infrastructure to C2 Environmental Conservation, C3 Environmental Living, E3 Productivity Support and SP3 Tourist.</p>
	<p><b>Potential noise impacts for areas to be rezoned Low and Medium Density Residential</b></p> <p>The EPA understands that 26 Lots are to be rezoned to R2 Low Density Residential and R3 Medium Density.</p> <p>Clause 120 (2) of the State Environmental Planning Policy (Transport and Infrastructure) 2021 states that the consent authority must not grant development consent for residential accommodation adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles unless it is satisfied that appropriate measures will be taken to ensure that specified LAeq levels are not exceeded. The EPA understands major arterial roads such as Memorial Drive facilitate, on average, 20, 000 vehicles daily.</p> <p>The EPA notes that -</p> <p>Impacts from existing and future traffic noise should be assessed in accordance with the</p> <p>NSW Road Noise Policy (Department of Environment, Climate Change and Water, 2011),</p> <p>the State Environmental Planning Policy (Transport and Infrastructure) 2021 and the Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008).</p>	<p><b>Noise</b></p> <p>The Planning Proposal is an administrative housekeeping amendment following the request by Transport for NSW to review the zoning of transport corridors. The Proposal is not expected to result in additional significant development potential upon lots to be rezoned that generally have been developed for residential purposes. Furthermore, the proposal does not remove the requirements for any future development application, where required under legislation, to assess noise generated by specified rail corridors and busy roads.</p>
	<p><b>Site Specific Comments</b></p> <p><b>Contamination</b></p> <p>The Planning Proposal identifies that 10 lots of land are contaminated, with one lot identified as significantly contaminated. The sites were generally identified as being</p>	<p>Sites mapped as contaminated are limited to the Yallah area. See comments above regarding site contamination.</p> <p>Land mapped under the Contaminated Land Management Act 1997 has been removed from the Planning Proposal at the request of Transport for NSW. No further impacts upon the lot are expected as a result of the Planning Proposal.</p>



Agency	Comment	Response
	<p>impacted by agricultural activities and ash ponds associated with a coal fired power station. We were however unable to identify that Lot 63 DP 1041353 (as noted in the Planning Proposal as 'mapped under the Contaminated Land Management Act 1997 [CLM Act]'), is currently being regulated under the CLM Act.</p> <p>Contaminated land assessments may be required prior to redevelopment of these sites. Any investigations conducted should be in accordance with EPA guidelines and written or reviewed by a certified contaminated land practitioner. In addition, any rezoning and future development on these sites should align with the land use being determined as suitable by an NSW EPA accredited site auditor.</p>	
	<p><b>Noise</b></p> <p>Potential noise impacts for areas to be rezoned Low and Medium Density Residential</p> <p>The EPA understands that 26 lots are to be rezoned R2 Low and R3 Medium Density Residential.</p> <p>Clause 120 (2) of the State Environmental Planning Policy (Transport and Infrastructure) 2021 states that consent authority must not grant development consent for residential accommodation adjacent to a road with an annual average daily traffic volume of more than 20000 vehicles unless it is satisfied that appropriate measures will be taken to ensure that specified LAeq levels are not exceeded. The EPA understands major arterial roads such as Memorial Drive facilitate, on average, 20 000 vehicles daily.</p> <p>The EPA notes that -</p> <p>Impacts from existing and future traffic noise should be assessed in accordance with the NSW Road Noise Policy (Department of Environment, Climate Change and Water, 2011), the State Environmental Planning Policy (Transport and Infrastructure) 2021 and the Department Near Rail Corridors and Busy Roads – Interim Guidelines (Department of Planning, 2008).</p>	<p>See comments above regarding traffic noise.</p>

Agency	Comment	Response
<p><b>Endeavour Energy</b></p>	<p><b>General Comments (non-site specific)</b></p> <p>Endeavour Energy advised that due to the numerous sites and the large area covered by the Planning Proposal, Endeavour Energy is unable to provide site specific assessments / advice for each site. The Department’s Gateway determination report – PP-2023-1981 includes the following advice.</p> <p>Endeavour Energy’s Standard Conditions for Development Applications and Planning Proposals, Version 9, August 2023 which provides general advice.</p>	<p>Comment noted.</p> <p>Comment noted.</p>
<p><b>Biodiversity, Conservation and Science Group</b></p>	<p><b>General Comments</b></p> <p><b>Flooding</b></p> <p>The Planning Proposal involves the rezoning of flood prone land, it should be considered in accordance with Section 9.1 (2) Local Planning Direction - Focus Area 4: Resilience and Hazards 4.1 Flooding and the NSW Government’s Flood Prone Land Policy as set out in the Flood Risk Management Manual, 2023 (FRMM).</p> <p>The planning proposal will need to establish if there is any flood prone land at each site or any issues associated with flood access. A fit for purpose Flood Impact and Risk Assessment (FIRA) should accompany the proposal to address any flood requirements of the local planning direction and the FRMM.</p>	<p><b>Flooding</b></p> <p>It was reported in the Planning Proposal Report that was submitted when seeking a Gateway Determination that the proposal was considered inconsistent with the Ministerial Directions 4.1 Flooding. The proposal is considered inconsistent with Direction as the Planning Proposal includes rezoning land from SP2 Infrastructure to other uses including R2 Low Density Residential. However, the inconsistency with the Direction is considered minor and could be considered consistent with 5(d) of the Direction. The housekeeping amendment to rezone land, generally applies to split zoned lots where the SP2 Infrastructure land use zone is no longer required for the functioning of Memorial Drive and Albion Park Rail Bypass and a private rail line located in Mount Kembla.</p> <p>It is acknowledged, when preparing the Planning Proposal, the review of Council’s flood prone land mapping identified 17 lots as being flood affected, with a Section 10.7 Planning Certificate coding. However, the Planning Proposal is expected to have minimal impact upon sites as it housekeeping amendment following the advice from Transport for NSW that spit zoned land and, in some instances, entire lots are no longer required for the planning and operation of the subject transport corridors.</p> <p>The Planning Proposal will not remove the need for further flood investigations at the Development Application stage, should it be required.</p>

Agency	Comment	Response
	<p><b>Coastal Management</b></p> <p>The Proposal seeks to rezone coastal land within areas mapped as Coastal Wetland and Littoral Rainforest Area and Coastal Environment Area under the State Environmental Planning Policy (Resilience and Hazards) 2021. As such, the planning proposal will need to demonstrate consistency with the management objectives of these areas, as well as Section 9.1 (2) Local Planning Direction 4.2- Coastal Management. This will include consideration of any impacts of future development on a Coastal Environment Area and Coastal Wetland and Littoral Rainforest Area to ensure consistency with the objectives for these management areas and no adverse impacts on the environment.</p>	<p><b>Coastal Environment</b></p> <p>The Planning Proposal report identified sites mapped within the Coastal Environment Area under the State Environmental Planning Policy (Resilience and Hazards) 2021. The sites are adjacent to or partially within the Memorial Drive. Also mapped under the Resilience and Hazards SEPP are Watts Lane Russell Vale and Woodhill Street Fairy Meadow, as being within areas mapped as Proximity Areas for Coastal Wetlands.</p> <p>It is not expected the Planning Proposal will impact upon the mapped areas. Generally, the sites have already been developed for residential purposes and/or local roads.</p> <p>The proposed rezoning of the Watts Lane, Russell Vale from SP2 Infrastructure to E4 General Industrial in Watts Lane, Russell Vale and Woodhill Street, Fairy Meadow from SP2 Infrastructure to R2 Low Density Residential are considered administrative changes, as part of housekeeping amendment. It is not expected to result in additional development potential within the existing road reserves. It is therefore considered the Planning Proposal will not impact upon the mapped areas under the SEPP and can be consistent with the Ministerial Direction.</p> <p>Where land is mapped as Coastal Management Areas under the Resilience and Hazards SEPP, the proposal will not remove the requirement for further investigations at the Development Application Stage if required.</p>
	<p><b>Biodiversity</b></p> <p>Given the minor amendments, the Agency does not consider the proposal will have adverse impacts on biodiversity, although it is noted that the Yallah and Mount Kembla sites include endangered ecological communities (EEC). There is also a large population of the threatened population of <i>Chorizema parviflorum</i> at the Yallah site.</p> <p>The Yallah site is part of the Yallah Marshall Mount Corridor and the Mount Kembla site is part of the Illawarra Escarpment – Woronora Regional Corridor (Illawarra Shoalhaven Regional Biodiversity Corridors). The current proposal is unlikely to impact these corridors, and any future development proposals should</p>	<p><b>Biodiversity</b></p> <p>The comments provided by the BCS are noted. It is expected the proposal will generally strengthen the environmental outcome and increased biodiversity protections where land is proposed to be rezoned away from SP2 Infrastructure. The SP2 land use zone offers limited environmental protections, as the objective of the zone is to provide infrastructure and related uses, to prevent development that is not compatible with or that may detract from the provision of infrastructure and, to provide key transport corridors.</p>

Agency	Comment	Response
	ensure that these areas are protected and enhanced, and a net gain to biodiversity outcomes is achieved.	
Heritage NSW	<p><b>General Comments (non-site specific)</b></p> <p>Aboriginal cultural heritage consideration under the National Parks and Wildlife Act 1974</p> <p>Ministerial Directions 2.3 Heritage conservation, requires planning proposal to address the conservation of Aboriginal objects. Heritage NSW recommends that a comprehensive Aboriginal cultural heritage assessment report is needed and should inform this planning proposal.</p> <p>The results of this assessment should inform the proposal. Early assessment provides the best opportunity to identify and protect Aboriginal cultural heritage values. It also provides certainty to all parties about any future Aboriginal cultural heritage management requirements.</p> <p>It is important that any management, mitigation, and conservation mechanisms are developed at the planning proposal stage to help mitigate the cumulative impact of development in this region on Aboriginal cultural heritage.</p> <p>We recommend the planning proposal also consider impacts to the Aboriginal cultural landscape, including potential impacts on visual corridors. These potential impacts can only be understood through consultation with the Aboriginal community. Measures to limit any impacts to identified Aboriginal cultural landscape values should be developed and integrated into the planning proposal.</p> <p>If the planning proposal is approved and future development proceeds, the proponent would need to consider the Aboriginal cultural heritage impacts within their environmental assessments. Where harm to Aboriginal objects cannot be avoided the proponent would be required to obtain an Aboriginal Heritage Impact Permit (AHIP) before proceeding. Further information is available in the guide, Applying for and Aboriginal Heritage Impact Permit: Guide for applicants.</p>	<p>A desktop review of Council’s mapping was undertaken to identify locations of Aboriginal Heritage, which did not identify locations of known heritage sites.</p> <p>It is not expected the proposed zone changes would result in further impacts upon unknown Aboriginal heritage items. Generally, sites to be rezoned have existing development; or, land is proposed to be rezoned for environmental purposes.</p> <p>The proposal applies to areas largely developed for road, residential and industrial purposes in proximity to Memorial Drive. In proximity to the Albion Park Rail Bypass, land to be rezoned currently has existing development for road, environmental, industrial, and tourism purposes. It is not expected the proposal will impact upon Aboriginal Landscapes, as the sites are largely already within developed landscapes or will proposed to be rezoned to environmental land uses. Additionally, the sites are not mapped as being within or in proximity to Wollongong LEP 2009 heritage landscapes.</p> <p>The Planning Proposal includes two mapped as local heritage items listed under the Wollongong LEP 2009, located in Yallah and Fairy Meadow respectively.</p> <p>It is not expected the proposal will impact upon the heritage items or the status of the items. Item 6437 “Yallah house” is zoned SP2 Infrastructure (Road) and SP3 Tourist. The landscaped areas of the site are split zoned; however, the house is wholly within the SP3 portion of the site. It is proposed the SP2 portion of the lot be rezoned to be consistent with the remainder of the site as SP3.</p> <p>Local Heritage Item 61072 Warrenda and Curtilage is located in Fairy Meadow and consists of 9 lots. The site is partially zoned SP2 Infrastructure and R2 Low Density Residential. The primary dwelling house and adjacent dwelling house are mapped as R2. The SP2 portions of the site proposed to be rezoned R2 are within the landscape portions of the lot.</p>

Agency	Comment	Response
	<p>State and local heritage considerations under the Heritage Act 1977</p> <p>As delegate of the Heritage Council</p> <p>Based on the information provided, we have reviewed the planning proposal against our records and believe that there are no identified impacts on any items listed on the State Heritage Register. In relation to historic archaeology, if the proponent has not already undertaken their own investigation to assess the likelihood of 'relics' and any subsequent management required under the Heritage Act 1977, they should do so.</p> <p>However, it is noted that the proposal has the potential to impact on items of local heritage significance, though the information provided states that no impacts are anticipated to these items as a result of the proposed rezoning. These items are listed under your LEP, therefore, Council as the consent authority is responsible for the heritage assessment and consideration of any impacts on these items.</p> <p>Further General Comments</p> <p>Prior to finalisation of the proposal, Council should be satisfied that all necessary heritage assessments have been undertaken and that any impacts have been sufficiently addressed. Council's assessment should include, but not be limited to, a search of the State Heritage Inventory and the Aboriginal Heritage Information Management System.</p>	<p>The proposal is not expected to result in significant additional development potential upon sites to be rezoned or result in further impacts upon Aboriginal cultural landscapes and/or listed State and Local Heritage items.</p> <p>It is considered the Planning Proposal is not inconsistent with the Ministerial Direction 2.3 Heritage and it is recommended no amendments occur to the proposal.</p>
<b>NSW RFS</b>	The agency raised no objection to the Planning Proposal. No additional comments were provided.	Noted.
<b>Sydney Water</b>	The agency raised no objection to the Planning Proposal. No additional comments were provided.	Noted.
<b>Civil Aviation Safety Authority</b>	The agency raised no objection to the Planning Proposal.	Noted.

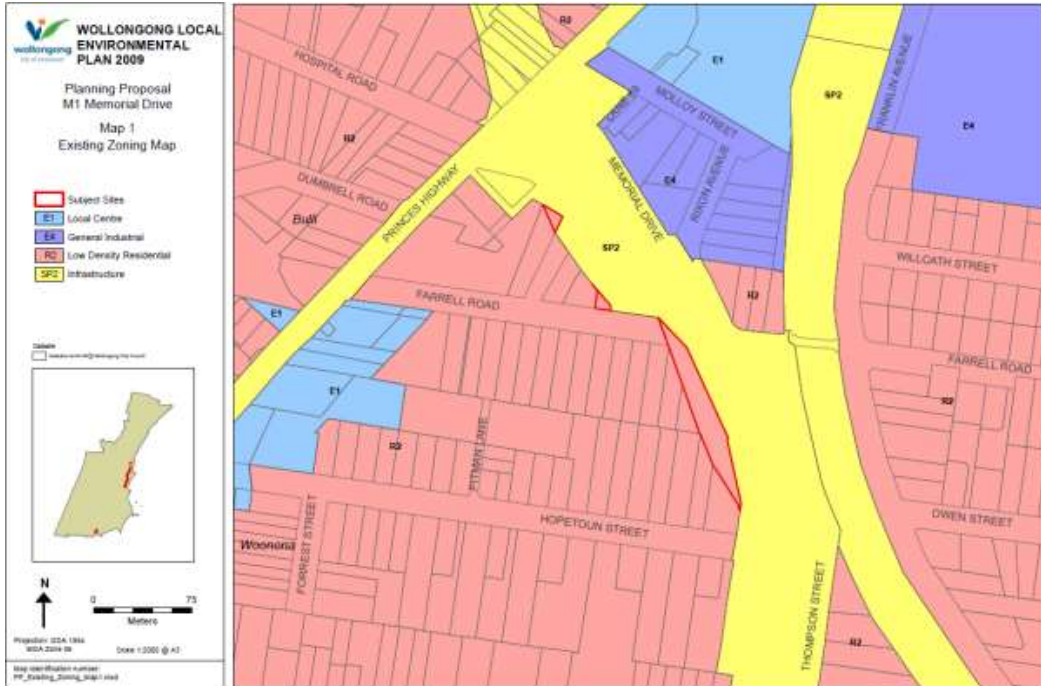
Agency	Comment	Response
	<p>The agency noted the proposed height amendments appears to assure that the obstacle limitation surface for Shellharbour Aerodrome will not be infringed upon. Recommended Council seek further comment from the operator of the aerodrome, being Shellharbour Council.</p>	<p>The Planning Proposal is not expected to result in development exceeding the obstacle limitation surface for Shellharbour Aerodrome and does not extend into the Shellharbour LGA therefore, no further comments from Aerodrome operator have been sought.</p>



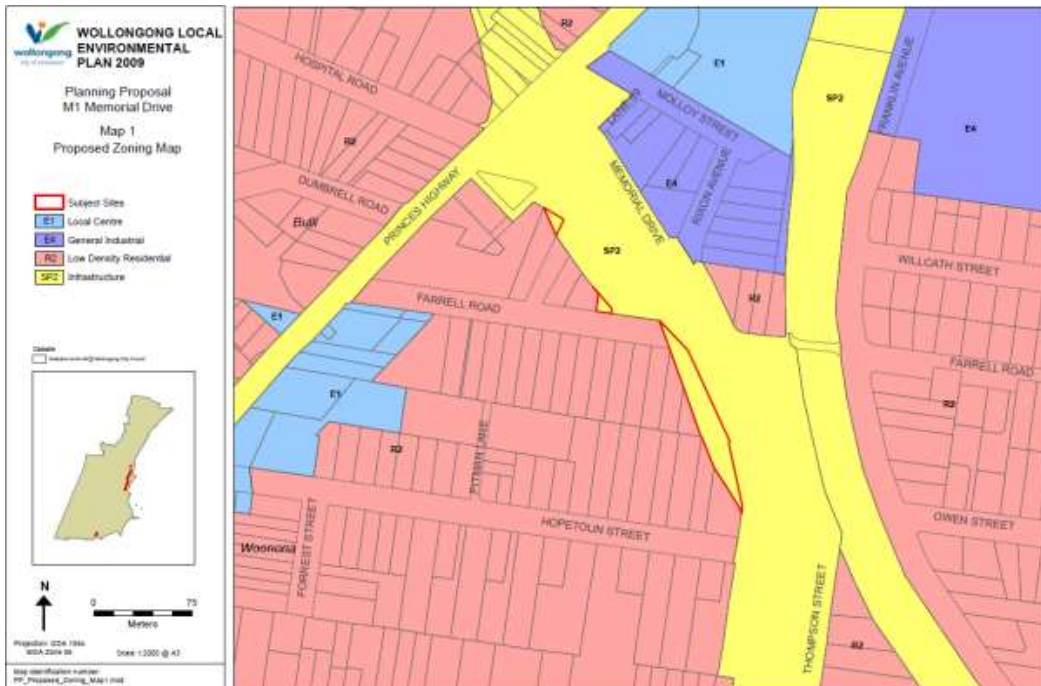
**Location: Map 1 Bulli**

**Land Zoning Map**

**Existing Land Zoning Map**



**Proposed Land Zoning Map**



**Lot Size Map**

**Existing Lot Size Map**



**Proposed Lot Size Map**



**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio**





**Height Limit Map**

**Existing Height Limit Map**



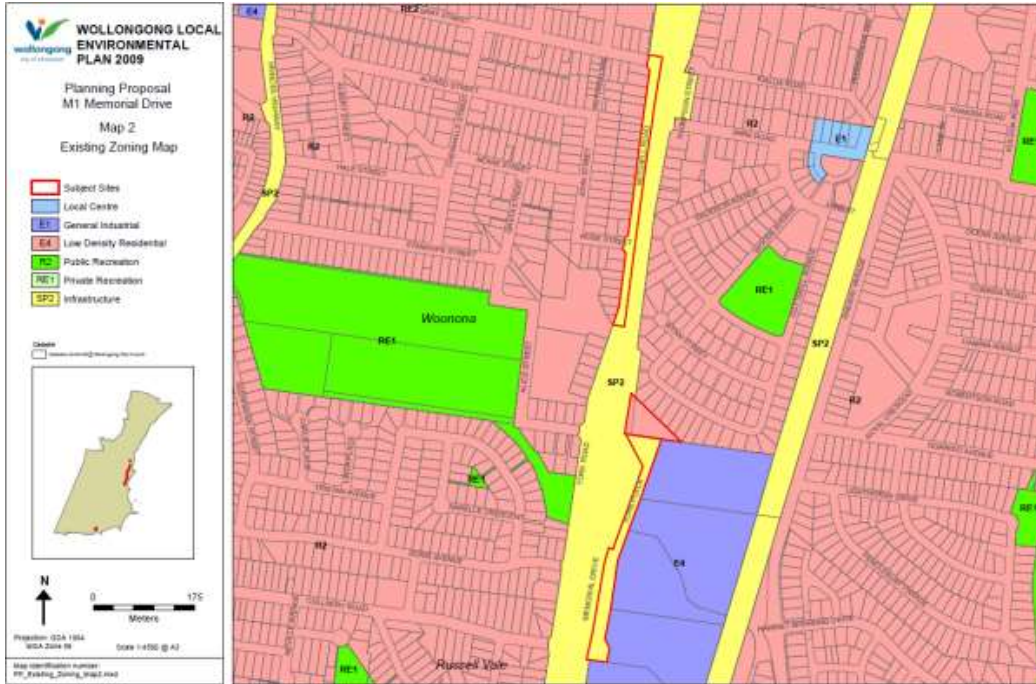
**Proposed Height Limit Map**



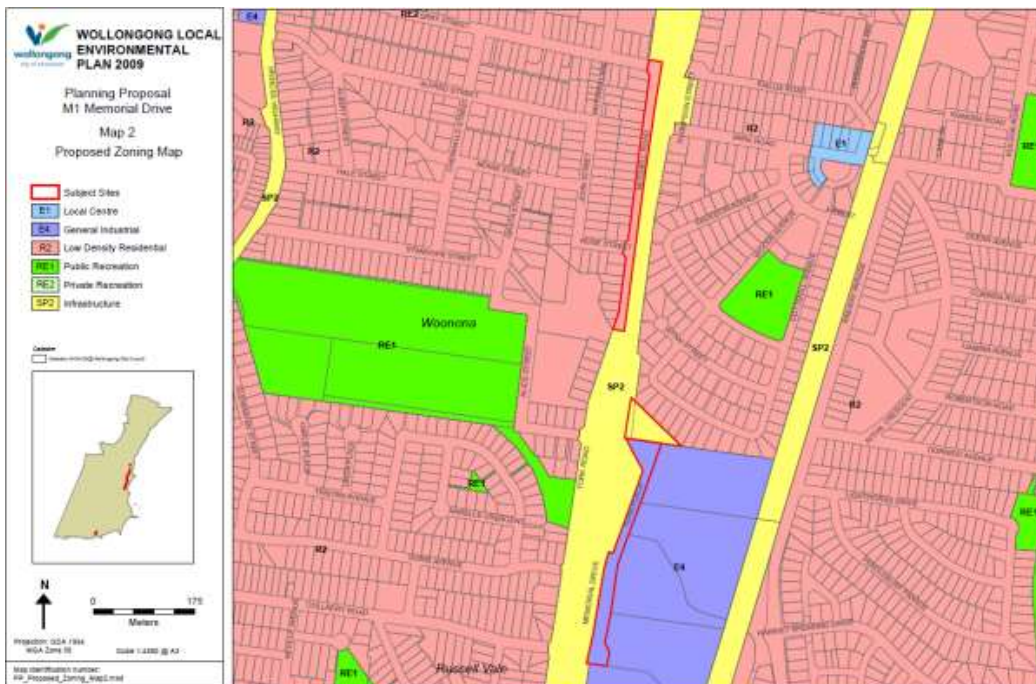
**Location: Map 2**

**Land Zoning Map**

**Existing Land Zoning Map**



**Proposed Land Use Zoning Map**





**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**

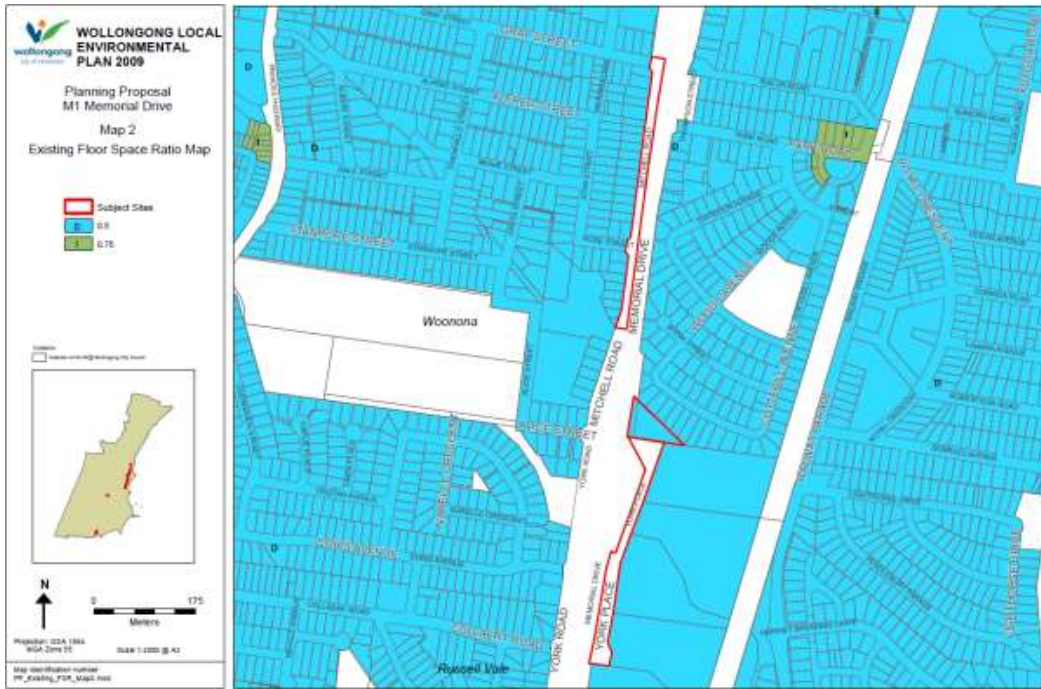


**Proposed Minimum Lot Size Map**



**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio Map**





**Height Limit Map**

**Existing Height Limit Map**



**Proposed Height Limit Map**





**Location: Map 3**

**Land Zoning Map**

**Existing Land Zoning Map**



**Proposed Land Use Zoning Map**



**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**



**Proposed Minimum Lot Size Map**

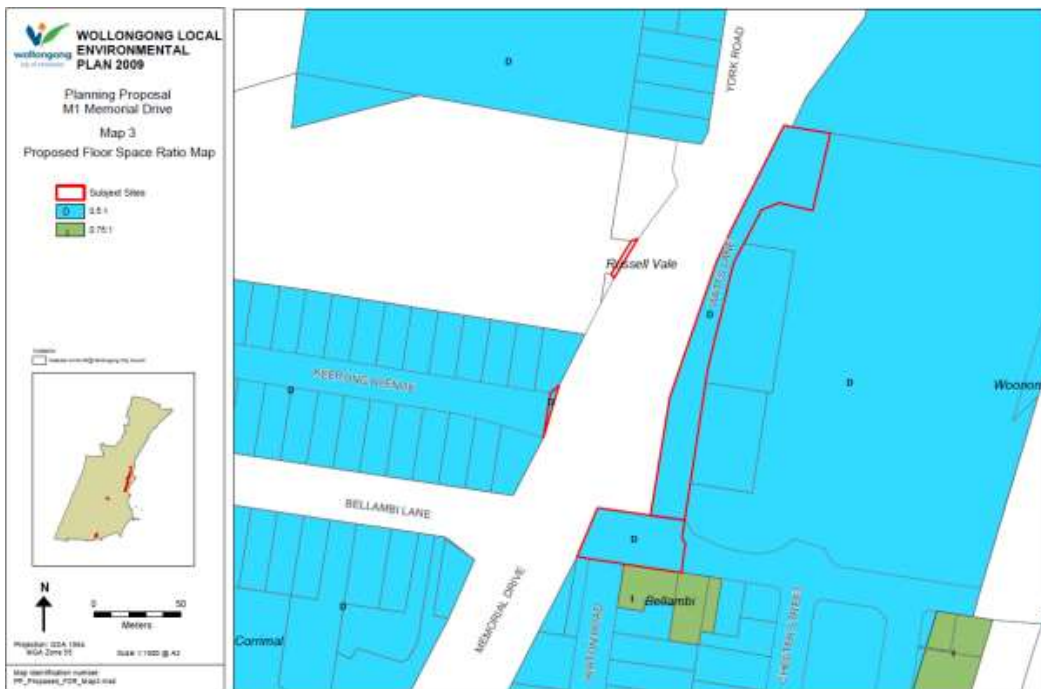


**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio Map**



**Height Limit Map**

**Existing Height Limit Map**



**Proposed Height Limit Map**

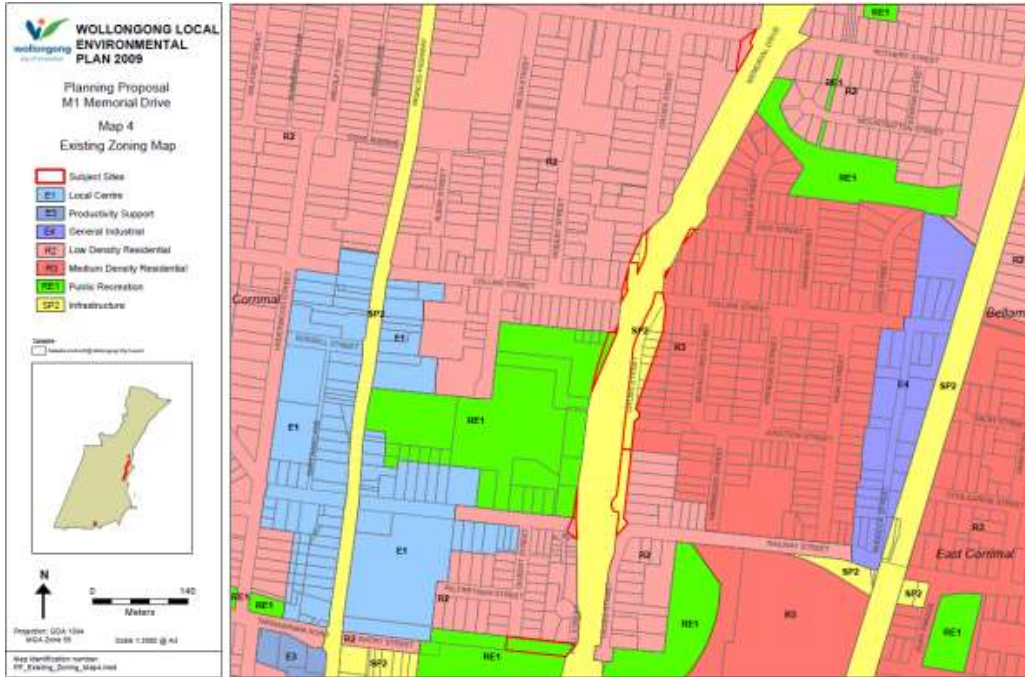




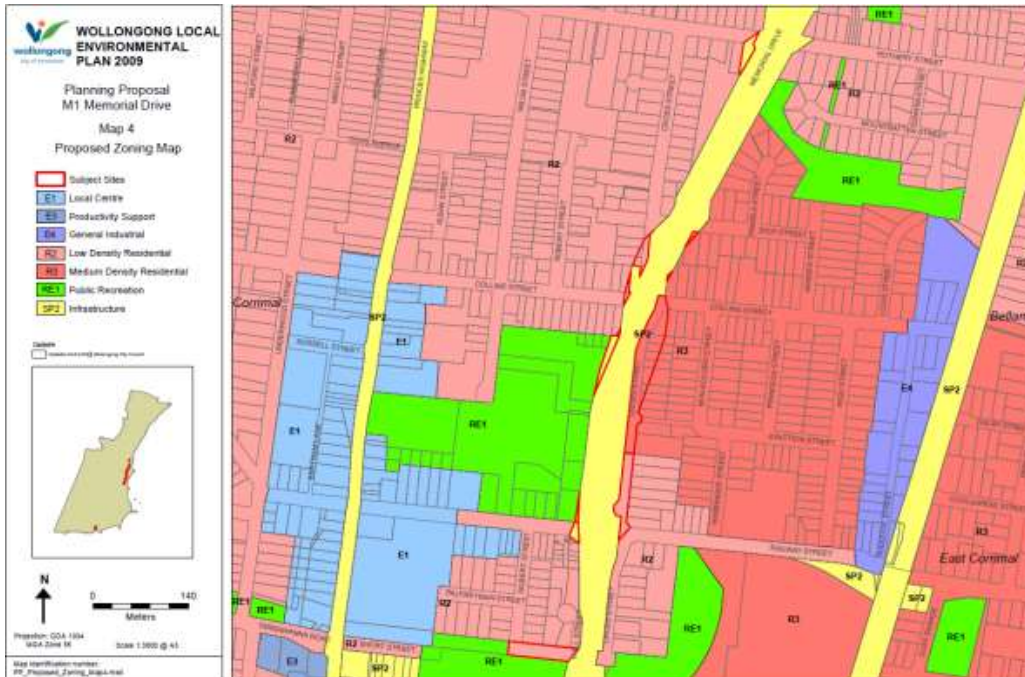
**Location: Map 4**

**Land Zoning Map**

**Existing Land Zoning Map**

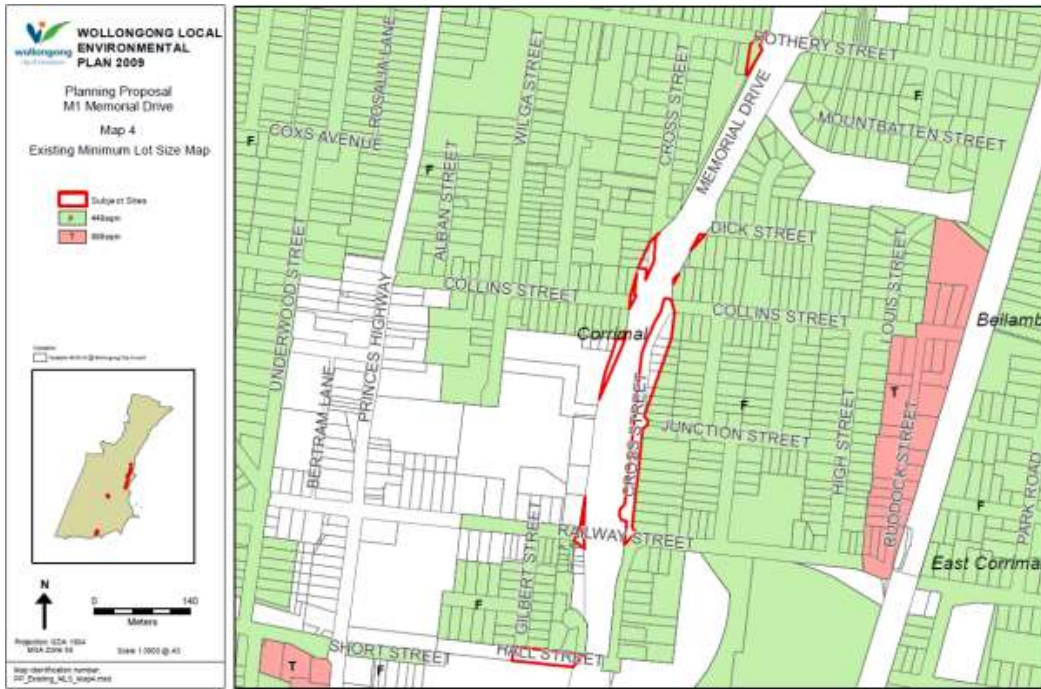


**Proposed Land Use Zoning Map**



**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**



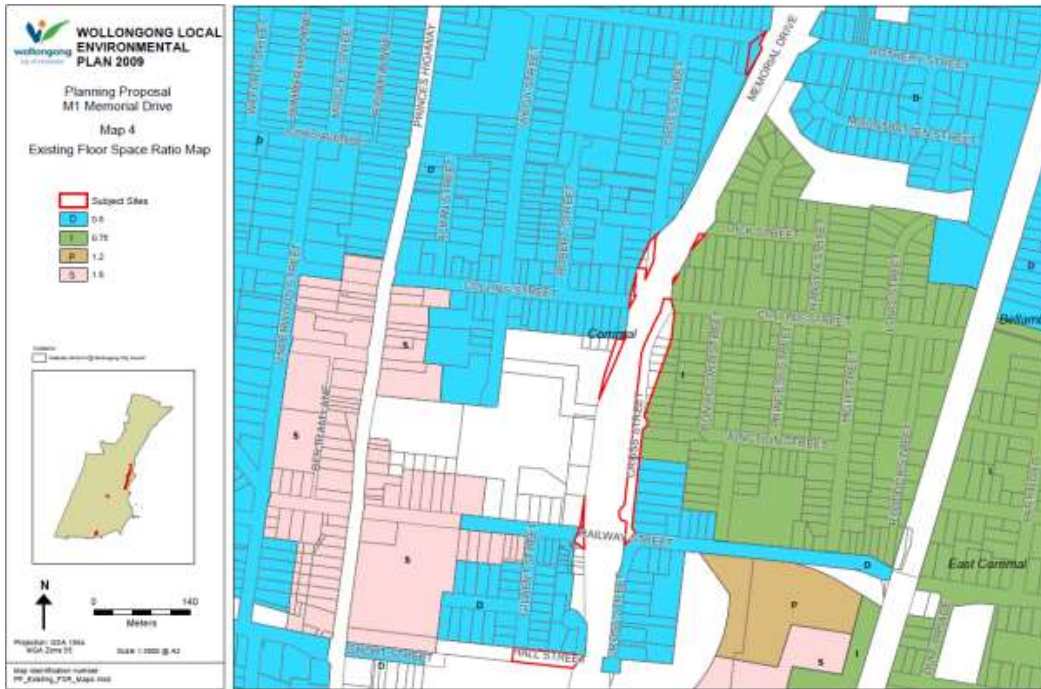
**Proposed Minimum Lot Size Map**



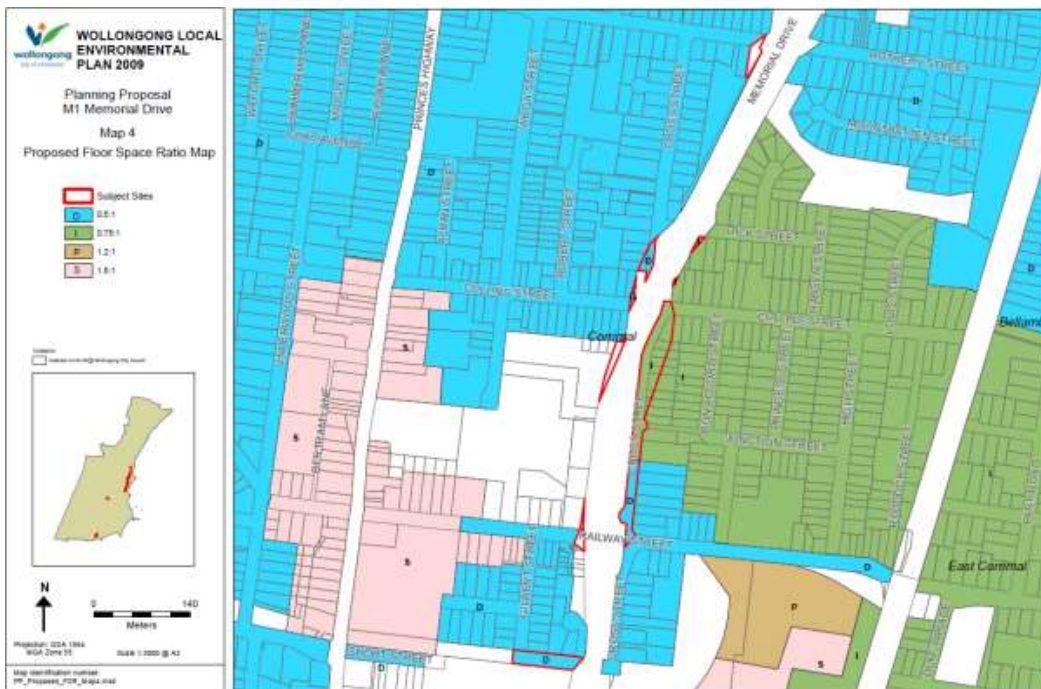


**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio Map**



**Height Limit Map**

**Existing Height Limit Map**



**Proposed Height Limit Map**





**Location: Map 5**

**Land Zoning Map**

**Existing Land Zoning Map**



**Proposed Land Use Zoning Map**



**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**



**Proposed Minimum Lot Size Map**



**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio Map**



**Height Limit Map**



**Existing Height Limit Map**



**Proposed Height Limit Map**



Location: Map 6

Land Zoning Map

Existing Land Zoning Map



Proposed Land Use Zoning Map





**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**



**Proposed Minimum Lot Size Map**



**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio Map**





**Height Limit Map**

**Existing Height Limit Map**



**Proposed Height Limit Map**





Location: Map 7

Land Zoning Map

Existing Land Zoning Map



Proposed Land Use Zoning Map



**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**



**Proposed Minimum Lot Size Map**



**Floor Space Ratio Map**

**Existing Floor Space Ratio Map**



**Proposed Floor Space Ratio Map**





**Height Limit Map**

**Existing Height Limit Map**



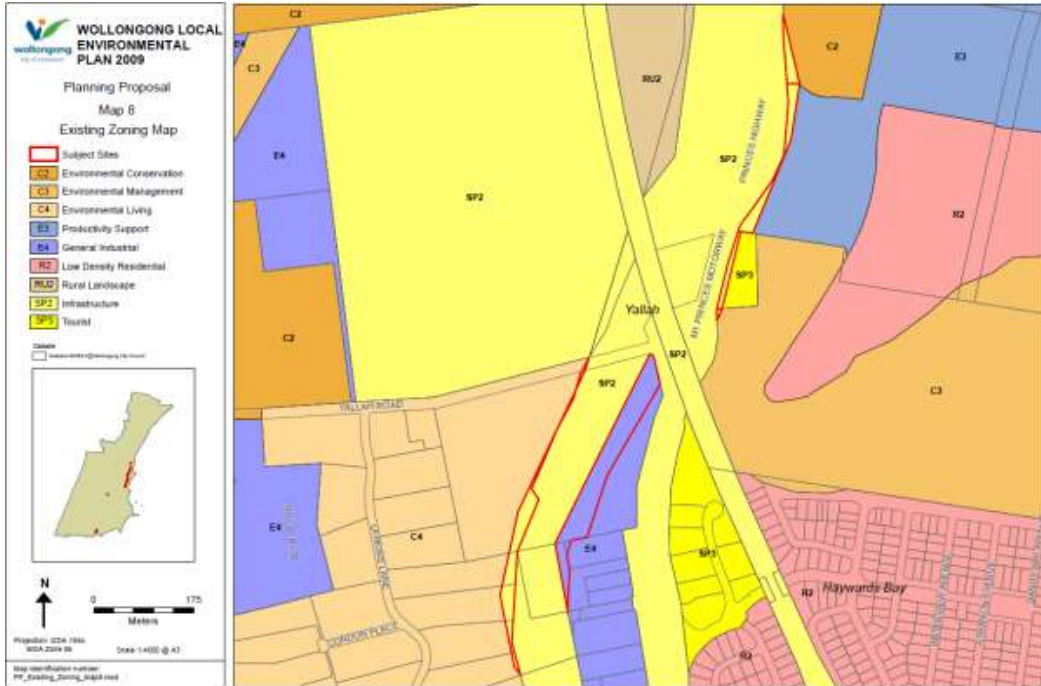
**Proposed Height Limit Map**



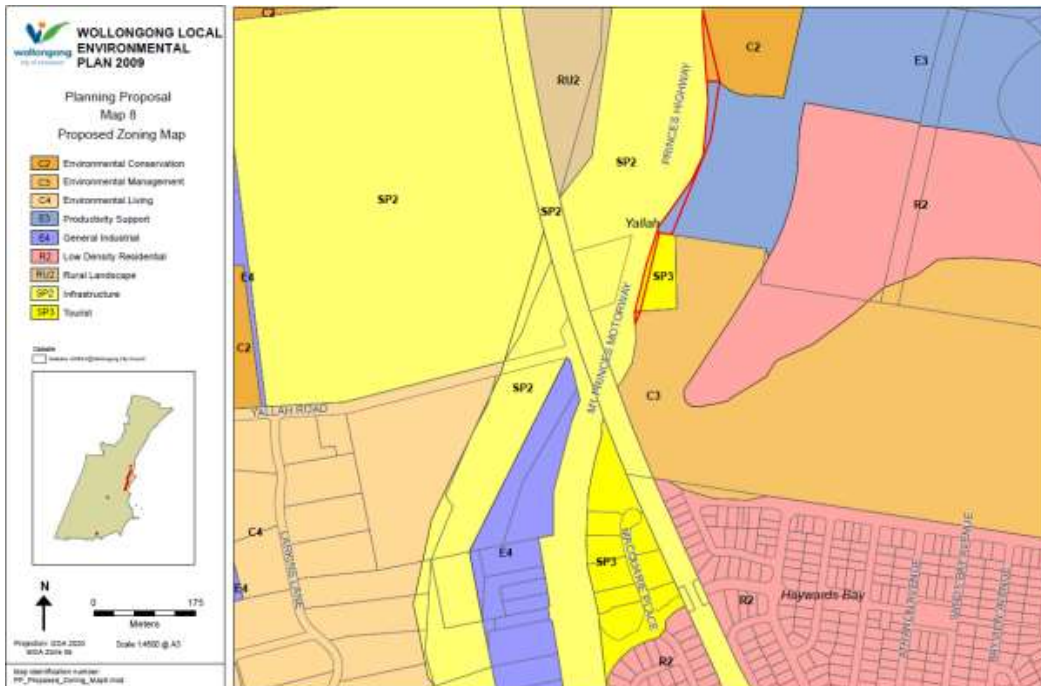
**Location: Map 8**

**Land Zoning Map**

**Existing Land Zoning Map**

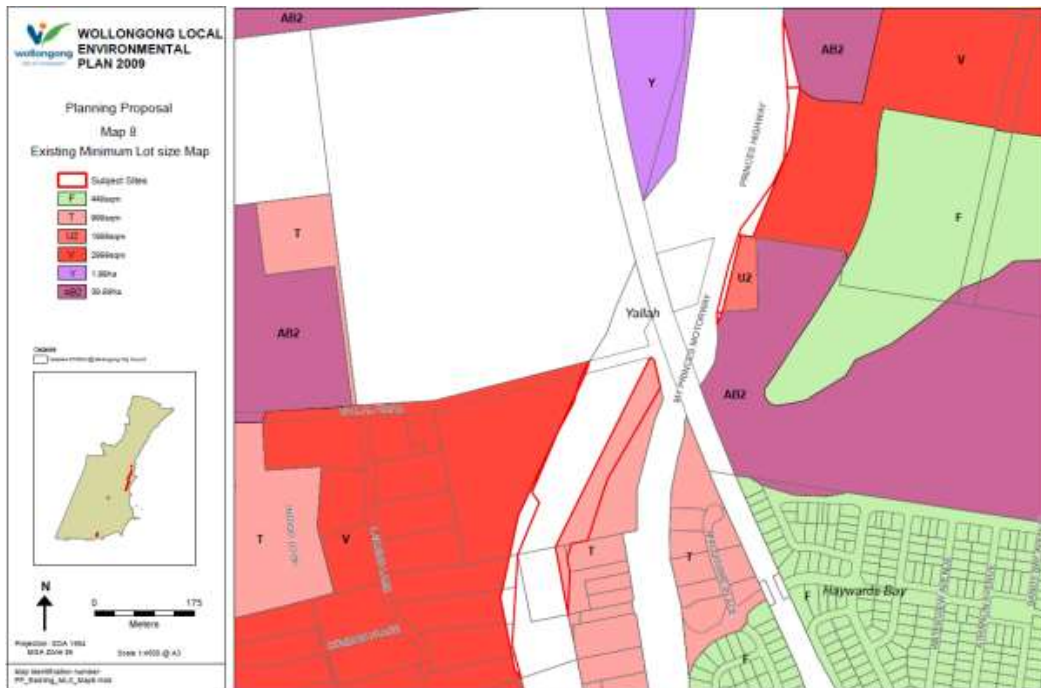


**Proposed Land Use Zoning Map – no change to land south of rail line due to consultation with TfNSW**

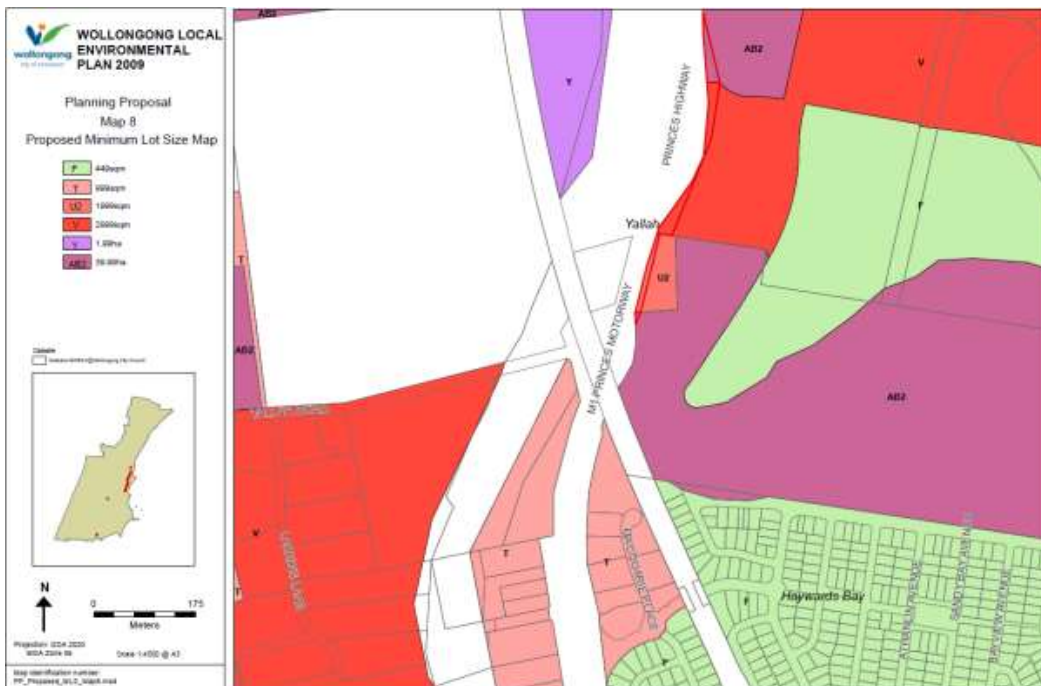


**Minimum Lot Size Map**

**Existing Minimum Lot Size Map**



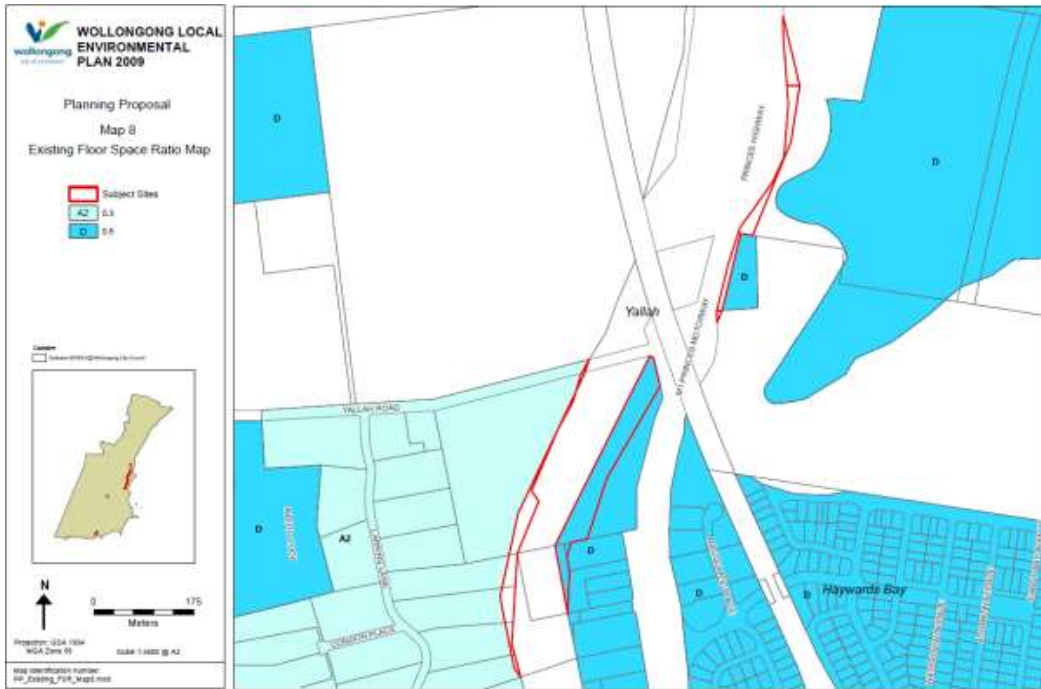
**Proposed Minimum Lot Size Map – no change to land south of rail line due to consultation with TfNSW**



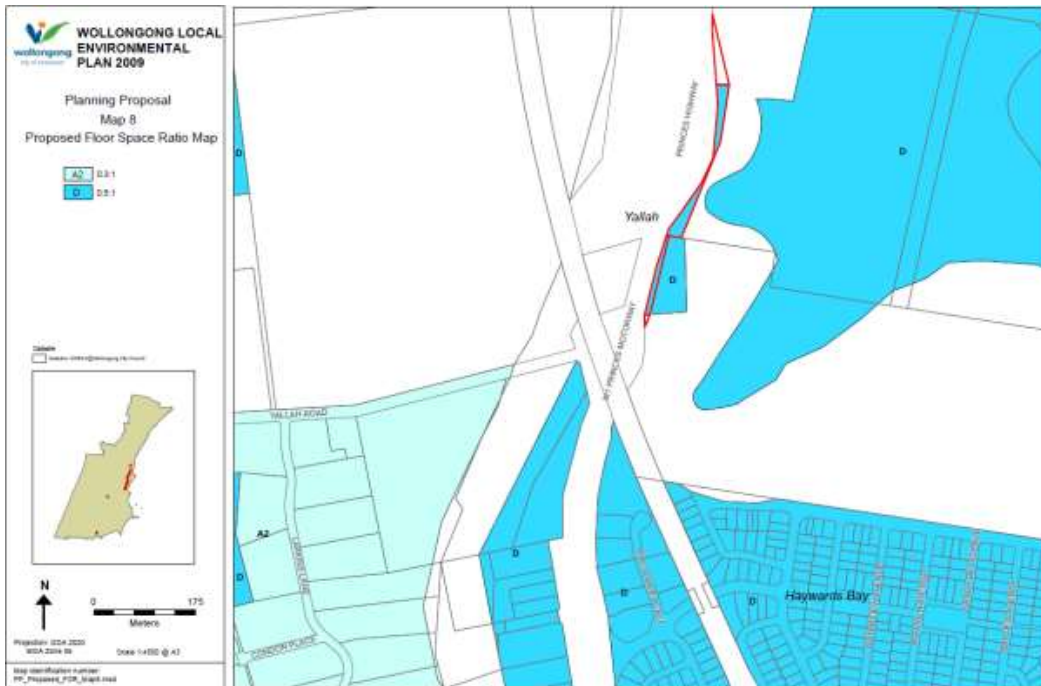


Floor Space Ratio Map

Existing Floor Space Ratio Map

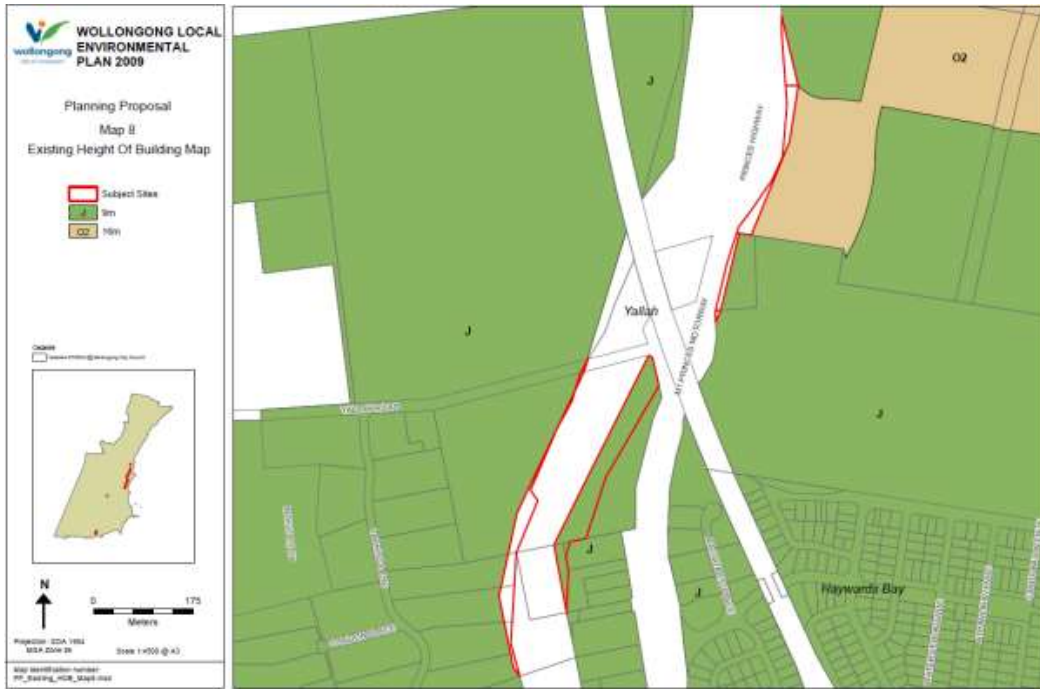


Proposed Floor Space Ratio Map – no change to land south of rail line due to consultation with TfNSW



**Height Limit Map**

**Existing Height Limit Map**



**Proposed Height of Building Map – no change to land south of rail line due to consultation with TfNSW**

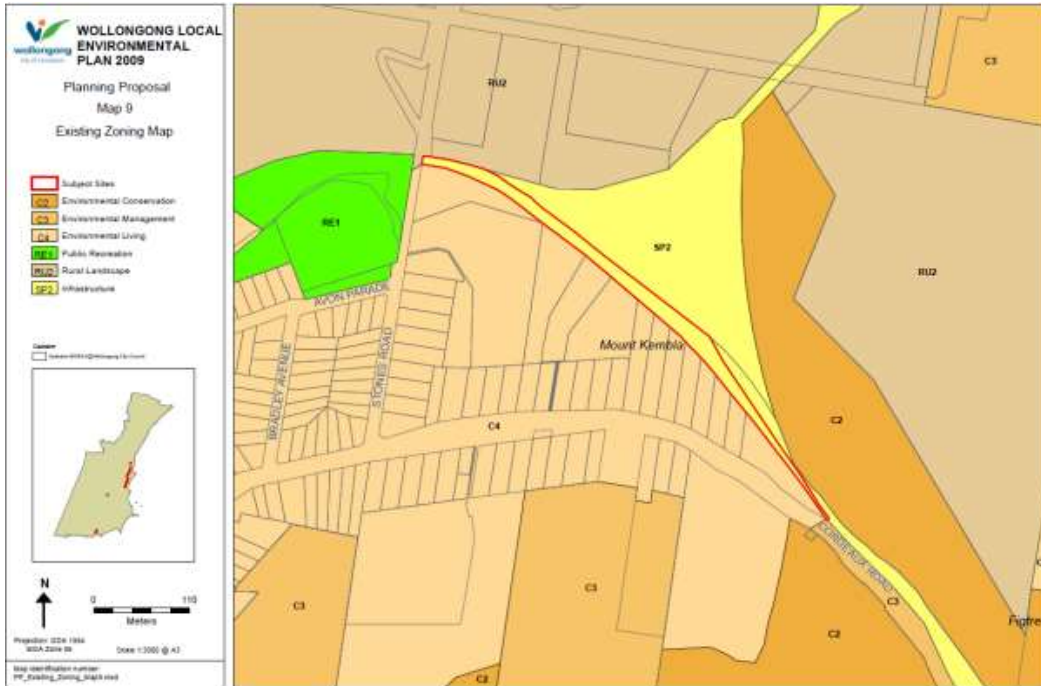




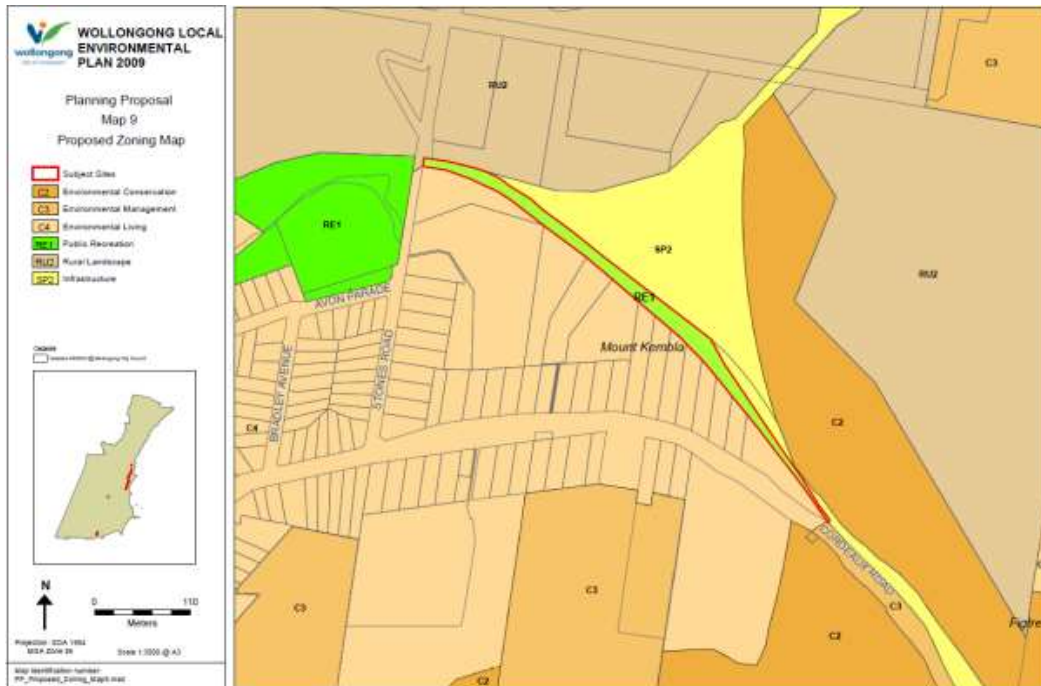
**Location: Map 9**

**Land Zoning Map**

**Existing Land Zoning Map**



**Proposed Land Use Zoning Map**



**Land Reservation Acquisition - Towradgi**

**Existing Land Reservation Acquisition Map**



**Proposed Land Reservation Acquisition Map**



**Land Reservation Acquisition - Yallah**

**Existing Land Reservation Acquisition Map – to be retained without amendment following consultation with TfNSW**

