

## ITEM 4 DRAFT PLANNING PROPOSAL POLICY

The processing of Planning Proposals (including reclassification of Council land) resulting in the preparation of Local Environmental Plans is a Core Business activity for Council. The need for a Planning Proposal Policy has been identified to guide the preparation and submission of Planning Proposal requests.

This report presents the rationale for a Planning Proposal Policy and recommends that Council resolve to exhibit a draft Planning Proposal Policy and accompanying Application Form and Checklist for community comment.

### RECOMMENDATION

The draft Planning Proposal Policy and accompanying Application Form and Checklist be exhibited for a minimum period of 28 days for public comment.

### REPORT AUTHORISATIONS

Report of: Jason Brown, Manager Environmental Strategy and Planning (Acting)  
Authorised by: Mark Riordan, Director Planning and Environment – Future City and Neighbourhoods (Acting)

### ATTACHMENTS

- 1 Draft Planning Proposal Policy
- 2 Draft Planning Proposal Application and Checklist

### BACKGROUND

A Local Environmental Plan (LEP) is a legal document which guides development and land use within a particular Local Government Area. The LEP generally comprises a written document and accompanying maps and states whether development:

- is permissible on the land;
- is subject to specific restrictions, including controls on height, minimum land area, floor space, heritage, acid sulphate soils, flooding etc;
- requires consent of Council.

LEPs are also used to reserve land for open space, schools, transport and other public purposes, as well as control advertising and protect vegetation. The *Environmental Planning and Assessment Act 1979* (the EP&A Act), administered by the NSW Department of Planning and Environment, details the process for preparing, making and amending LEPs. All land, whether privately owned, leased or publicly owned, is subject to the controls set out in the relevant LEP.

Within the Wollongong LGA, the Wollongong LEP 2009 generally applies, although parts of Yallah and Marshall Mount are still subject to the Wollongong LEP 1990 and Wollongong LEP No. 38 (1984). Land at Sandon Point and Calderwood is zoned under State Environmental Planning Policy (Major Development) 2005 and development within the port of Port Kembla is controlled under the State Environmental Planning Policy (Three Ports) 2013.

Council has the ability to amend the LEP as the need arises. Regular reviews of the whole LEP, or major sections of the plan on a programmed basis, are the preferred approach. However, Council may also consider requests for LEP amendments where such a change is warranted, via the Planning Proposal process.

Until October 2012 the consideration of a rezoning request was entirely at the discretion of Council, with no formal application process. In October 2012 the NSW Department of Planning introduced a “Pre-Gateway Review” process to enable proponents to appeal to the Department if Council refused their

rezoning request or failed to make a decision within 90 days of lodgement of a Planning Proposal request. This changed the status of the rezoning process to be similar to a development application process, but without the administrative procedures and systems that are currently in place to support the consideration of development applications. In 2016 the pre-Gateway Review was renamed to “Rezoning Review”.

A request to change the zoning, permitted land uses or development standards applicable to a parcel of land (height of buildings, minimum lot size for subdivision, floor space ratio etc.) is a formal process that amends the statutory planning controls contained in the Local Environmental Plan. A request to amend the LEP is known as a Planning Proposal and is undertaken through the Gateway process under the NSW planning legislation. Council or a Government Agency can initiate a Planning Proposal based on a strategic direction or policy, or a land owner may request Council to consider an amendment.

To amend an existing LEP, an application needs to be made to Council in the form of a **“Planning Proposal Request”**. The Planning Proposal Request explains the intended effect of the proposed LEP amendment (change) and the reasons or justification for making it. The Planning Proposal request must include appropriate supporting material or investigations. Rezoning requests must be justified, having regard to Council’s strategic plans and policies, and the NSW Department of Planning Regional Strategy.

A Planning Proposal request must be formally considered at a Council meeting and a Council resolution is required to prepare a draft Planning Proposal to change the zoning, permitted land uses or development standards applicable to a parcel of land. If supported by Council, the draft Planning Proposal is then referred to the NSW Department of Planning to go through the Gateway determination process. At the Gateway determination the Department of Planning will decide whether the proposal has merit and is justified on planning grounds, whether further technical studies must be undertaken, and the consultation required.

Any proposed amendment to the LEP requires community consultation, such as public exhibition or in the case of a reclassification of land, a public hearing. During the exhibition period Council Reference Groups or Advisory Committees will be given the opportunity to provide comment on relevant Planning Proposal requests. Following the exhibition, Council considers the issues raised in submissions and determines whether to finalise the Planning Proposal. If supported, the Planning Proposal is forwarded to the NSW Parliamentary Counsel Office for the preparation of the amending LEP, which is the legal instrument. With the Minister’s approval the amending LEP becomes law and is notified on the NSW Legislation website, and the Wollongong LEP 2009 is amended.

Council currently receives on average four Planning Proposal requests per calendar year and no Planning Proposal Policy is in place to guide the preparation and submission of the applications. A review of other Council operations has shown that a number of Councils have adopted a Policy, Guidelines and/or Application template in this regard, including Parramatta, Willoughby, Warringah, Canada Bay, Auburn, Sutherland, North Sydney, Strathfield, Kiama, Shoalhaven, Tweed and Lake Macquarie.

## PROPOSAL

A Planning Proposal Policy is required to inform the community about the Planning Proposal process, guide applicants and improve the efficiency of assessment. The objectives of a Planning Proposal Policy are to:

1. Explain the purpose of a Planning Proposal and the steps in the Planning Proposal process;
2. Communicate that applications to rezone land or change development standards or permitted uses are generally not encouraged by Council and should only be submitted in the following circumstances:
  - where land cannot be reasonably developed or used under the existing zoning or controls;
  - where it is necessary to correct an error or anomaly (eg mapping);

- where there is a sound strategic argument for an amendment, based on consistency with Council's Strategic Plan, The Regional Strategy, or similar strategy or policy (as opposed to speculative in nature);
  - where the proposed amendment is considered to be minor in nature and has merit, and has been sufficiently justified;
  - where development of land in accordance with the existing zoning would not be in the public interest;
3. Prioritise the processing of Planning Proposal requests to ensure those providing the greatest public benefit are given preference over those serving individual interest or are of limited benefit to the greater Wollongong community. As a guide, the following would be given priority:
- Contributes to economic growth and promotes sustainable practice;
  - significant employment generating development;
  - provision of high quality, appropriately located housing accessible to the broader and lower income community;
  - education, medical or community facilities and services;
  - commercial, retail or residential development in accordance with an adopted Council or State government strategy;
  - preservation and conservation of the environment;
  - reducing an identified conflict between incompatible land uses;
  - improving tourism opportunities;
  - Implementing endorsed Council Strategies or Concept Plans (eg West Dapto Amendments);
4. Make applicants aware that some areas in the local government area will have Council and/or State endorsed Masterplans or Concept Plans requiring that a Planning Proposal request address certain criteria, for example, the demonstration of an improved environmental outcome associated with development;
5. Ensure the Planning Proposal is prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and relevant Department of Planning guidelines including **"A guide to preparing planning proposals"** and **"A guide to preparing local environmental plans"** and specify the information to be submitted in a Planning Proposal request;
6. Ensure transparency in Council's decision making functions, by referring any application which is made by a Council employee/Councillor and/or their immediate relative/s, to an independent consultant for assessment;
7. Clarify the role of Council Reference Groups or Advisory Committees; and
8. Advise the applicant of the fees applicable to an application and the risks of submitting a Planning Proposal request.

It is envisaged that the Policy will need to be updated periodically to reflect the outcome of studies and policy and strategy development designed to identify appropriate locations for urban and related development eg a city wide Housing Strategy.

## CONSULTATION AND COMMUNICATION

Preliminary consultation has been undertaken with relevant internal divisions in the development of the draft Planning Proposal Policy. Additionally, research of policies of other Councils has been undertaken as input into this draft Policy.

Should Council resolve to endorse the draft Policy (Attachment 1) and draft Application/Checklist (Attachment 2), they will be placed on public exhibition for a minimum of 28 days to gain community input and feedback.

### PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2022 goal 5.1.5 *“The long term needs of the community, including our people and places, are effectively planned for”* under the Community Goal *“We are a healthy community in a liveable city”*.

It specifically delivers on core business activities as detailed in the Land Use Planning Service Plan 2017-18.

### CONCLUSION

A Planning Proposal Policy is required to inform the community about the Planning Proposal process, guide applicants and improve the efficiency of assessment. It is recommended that Council resolve to exhibit the draft Planning Proposal Policy and accompanying Application Form and Checklist for public comment.



ADOPTED BY COUNCIL: [TO BE COMPLETED BY CORP SUPPORT]

## BACKGROUND

This policy has been developed in order to guide the preparation and submission of Planning Proposal requests.

A Local Environmental Plan (LEP) is a legal document which guides development and land use within a particular Local Government Area. The LEP generally comprises a written document and accompanying maps and states whether development:

- Is permissible on the land;
- Is subject to specific restrictions, including controls on height, minimum land area, floor space, heritage, acid sulphate soils, flooding etc;
- Requires consent of Council.

LEPs are also used to reserve land for open space, schools, transport and other public purposes, as well as control advertising and protect vegetation. The law outlining the process for making a LEP is the *Environmental Planning and Assessment Act 1979 (the EP&A Act)*, administered by the NSW Department of Planning and Environment. All land, whether privately owned, leased or publicly owned, is subject to the controls set out in the relevant LEP, typically the Wollongong LEP 2009.

Council has the ability to amend the Wollongong LEP 2009 as the need arises. Regular reviews of the whole LEP, or major sections of the plan on a programmed basis, are the preferred approach. However, Council may also consider requests for LEP amendments where such a change is warranted, via the planning proposal process.

An application to change the zoning, permitted land uses or development standards applicable to a parcel of land (height of buildings, minimum lot size for subdivision, floor space ratio etc.) is a formal process that amends the statutory planning controls contained in the Local Environmental Plan.

## OBJECTIVE

The main objectives of this policy are to outline –

- What is a planning proposal and what is its purpose;
- The steps in the planning proposal process;
- Consideration of planning proposal requests;
- Information to be submitted in a planning proposal request; and
- The fees applicable to a planning proposal.

## POLICY STATEMENT

This policy aims to inform the community about the Planning Proposal process, guide applicants and improve the efficiency of assessment.



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## STATEMENT OF PROCEDURES

**Amending a LEP – Planning Proposal Request**

A request to amend the zoning of land, the development standards applying to land, or the permitted land uses is known as a planning proposal and is undertaken through the Gateway process under the NSW planning legislation. Council or a Government agency can initiate a planning proposal based on a strategic direction or policy, or a land owner may request Council to consider the preparation of an amendment.

To amend an existing LEP, an application needs to be made to Council in the form of a **“Planning Proposal Request”**. The Planning Proposal Request explains the intended effect of the proposed LEP amendment (change) and the reasons or justification for making it. The planning proposal request must include appropriate supporting material or investigations. The preparation of a planning proposal is the first step in the process of amending a LEP.

Rezoning requests must be justified, having regard to Council’s strategic plans and policies, and the NSW Department of Planning Regional Strategy, The Illawarra Shoalhaven Regional Plan 2015. A planning proposal request must be formally considered at a Council meeting. Council officers prepare a report for Council on the merits of the proposal. Preliminary consultation may be undertaken to inform the preparation of the report, depending on the complexity of the proposal. A Council resolution is required to support an application to change the zoning, permitted land uses or development standards applicable to a parcel of land. It should be noted, however, that a Council resolution to prepare a planning proposal or an amendment to the LEP does not necessarily guarantee that the proposed amendment will proceed.

If supported by Council, the draft planning proposal is then referred to the NSW Department of Planning and Environment to go through the *Gateway determination process*. The “Gateway” process allows a planning proposal to be reviewed at an early stage to make a decision whether to proceed further. At the Gateway determination the Department of Planning will decide whether the proposal has merit and is justified on planning grounds, whether further technical studies must be undertaken, and the consultation required. Any proposed amendment to the LEP requires community consultation, such as public exhibition or in the case of a reclassification of land, a public hearing. During the exhibition period relevant Council Reference Groups or Advisory Committees will provide comment on relevant Planning Proposal requests.

Following exhibition, Council considers a report on submissions and should the resolution be to finalise the Planning Proposal, Parliamentary Counsel then prepares the amending LEP – the legal instrument. With the Minister’s approval the amending LEP becomes law and is notified on the NSW Legislation website.

Under some circumstances Council may seek advice from The Independent Hearing and Assessment Panel (IHAP) in relation to planning proposals, the role of the IHAP being to provide independent, expert advice on the merit of the proposal. The Panels may also act as the relevant planning authority when directed.

The proponent and those making submissions are advised of Council report dates and resolutions through the process and given the opportunity to address Councillors at Council meetings through the Public Access Forum.

Should Council initially resolve not to support a planning proposal request, the proponent can request an independent review of Council’s decision through the “Rezoning Review” mechanism.

An *online tracking system* is available for any person to follow the progress of a Planning Proposal once it has been submitted to the Department of Planning and Environment by Council.

**Consideration of Planning Proposal Requests**

Applications to rezone land or change development standards or permitted uses are generally not encouraged by Council and should only be submitted in the following circumstances:

- Where land cannot be reasonably developed or used under the existing zoning or controls;
- Where it is necessary to correct an error or anomaly (eg. mapping);
- Where there is a sound strategic argument for an amendment, based on consistency with Council’s Strategic Plan, the Regional Strategy, or similar strategy or policy;
- Where the proposed amendment is considered to be minor in nature and has merit, and has been sufficiently justified;
- Where development of land in accordance with the existing zoning would not be in the public interest.

**The following Planning Proposal requests will generally not be supported by Council:**

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- requests that are not supported by a strategy, plan or policy and are considered speculative;
- the rezoning of single properties to increase housing density;
- increasing housing in the Illawarra Escarpment, except where implementing an adopted strategy;
- permitting housing within E2 Environmental Conservation and E3 Environmental Management zoned land;
- increasing residential density in medium and high flood hazard areas (ie within the 1% AEP flood level);
- proposing the loss of employment land; and
- proposing the linear expansion of town centres.

It is necessary to prioritise the processing of planning proposal requests to ensure those providing the greatest public benefit are given preference over those serving individual interest or are of limited benefit to the greater Wollongong community. As a guide, the following would be given priority:

- Contributes to economic growth and promotes sustainable practice;
- Significant employment generating development;
- Provision of high quality, appropriately located housing accessible to the broader and lower income community;
- Education, medical or community facilities and services;
- Commercial or retail development in accordance with an adopted Council or State government strategy;
- Preservation and conservation of the environment;
- Reducing an identified conflict between incompatible land uses;
- Improving tourism opportunities; and
- Implementing endorsed Council Strategies or Concept Plans (eg West Dapto Amendments).

Some areas will have Masterplans or Concept Plans requiring that a Planning Proposal request address certain criteria, for example the demonstration of an improved environmental outcome associated with proposed development.

Applicants are strongly advised to discuss any request with a Council officer from the Land Use Planning team prior to formally lodging a planning proposal and incurring the associated costs.

### Planning Proposal Request: Information to be submitted

A planning proposal must be prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and relevant Department of Planning guidelines including “*A guide to preparing planning proposals*” and “*A guide to preparing local environmental plans*”.

Section 55 (2) of the Act outlines that a planning proposal must include the following components:

- Part 1:** A **statement** of objectives and intended outcomes of the proposal.
- Part 2:** An **explanation** of the provisions of the proposal.
- Part 3:** A **justification** of the objectives and outcomes, including how it is to be implemented – details on why Council should support the change in zoning or development standards.
- Part 4:** **Maps** containing the appropriate detail are to be submitted, including site map; land use zonings; land constraints such as flood risk, bushfire, heritage areas etc.
- Part 5:** Details of the **community consultation** to be undertaken.

The project timeline forms **Part 6** of a planning proposal.

The planning proposal is structured as a number of statements and questions which must be responded to with accurate, current and sufficient information to allow assessment of the proposal by Council officers, Councillors and the Department of Planning and Environment.

The planning proposal must contain sufficient detail to demonstrate that relevant environmental, social, economic and other site specific matters have been identified and if necessary that any issues can be addressed with additional information and/or through consultation with agencies and the community. The level of detail required in a planning proposal should be proportionate to the complexity of the proposed amendment, recognising that a planning proposal must provide enough information to determine whether there is strategic merit in the proposed amendment and to demonstrate compliance with relevant statutory considerations.

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A planning proposal may be accompanied by a proposal to enter into a Planning Agreement under s93F of the EP&A Act under which a material public benefit will be provided. Council's policy on Planning Agreements sets out Council's approach to the use of planning agreements through negotiation when considering planning proposals.

In order for Council officers, Councillors and the Department of Planning and Environment to ascertain the appropriateness of the planning proposal the constraints on site must be identified, and any proposed development on site will need to have consideration to these constraints. Any proposed intensification of land use will require identification of any environmental and physical constraints such as flood affectation, land stability, contamination, natural environment, bush fire, heritage and scenic landscape considerations. The proposed impacts on traffic and transport, town services and infrastructure also require consideration.

The following is required to be lodged as part of any planning proposal request:

Justification for the planning proposal, including:

- a. The need for the Planning Proposal;
  - b. Relationship to strategic framework – how is the planning proposal consistent with legislation and statutory requirements such as section 117 Directions and State Environmental Planning Policies (SEPPs), regional strategies and Council endorsed policies, strategies and locality Concept Plans;
  - c. The context of the planning proposal – if the planning proposal implements the outcomes of a strategic study or report (a copy of the study or report to be submitted with the planning proposal request); and
  - d. Potential economic, social and environmental impacts of the planning proposal and how they are proposed to be managed – positive and negative impacts should be identified, including proposed methods of amelioration where negative impacts are likely.
2. Appropriate supporting technical studies completed by suitably qualified experts to demonstrate the capacity of the land, concept diagrams, preliminary plans and illustrative maps. The level of detail will be proportionate to the impact the planning proposal is likely to have. This may include (but is not limited to) the following technical issues/considerations:
- a. Environmental – flora and fauna, bush fire, flooding, stormwater, riparian, geotechnical, coastal, contamination;
  - b. Traffic and transport;
  - c. Urban design;
  - d. Heritage;
  - e. Consistency with Council Strategy or Concept Plan;
  - f. Economic;
  - g. Social and cultural, including the preparation of an Aboriginal Cultural Heritage "Due Diligence" Assessment;
  - h. Infrastructure and servicing; and
  - i. Visual impact.
- NB** The Gateway determination may require additional information.
3. The completed Planning Proposal *Application Form and Checklist* (including the legal property description in full and land owner consent authorising the making of a draft LEP over the subject land).
  4. The submission of all documentation in electronic format (PDF). All documentation will need to be uploaded on Council's website for consultation and therefore should be kept under 50MB (noting that files over 10MB generally cannot be emailed). Wherever possible suits of documents should be combined into one file (while keeping under the 50MB guide).
  5. Four hard copies of the request and all documentation.
  6. Mapping data is to be supplied in a format compatible with ARC GIS.
  7. Applicable Fees.

To ensure transparency in Council's decision making functions, any application which is made by a Council employee/Councillor and/or their immediate relative/s, will be referred to an independent consultant for assessment.

For more information proponents should refer to the Department of Planning and Environment publication "A guide to preparing planning proposals".



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Planning proposal applications will require external planning expertise on behalf of the applicant. It is recommended that a town planning consultant be engaged for the preparation of planning proposal applications, and other specialist consultants may also be needed to provide technical input in support of the proposed changes. The application must include an accurate assessment of the likely impacts of the change in land use and identify any land constraints, supported by technical investigations. Any study that is deemed necessary to assess the suitability of the proposal and may have a significant bearing on Council's decision making about whether to proceed with preparing a planning proposal will be required prior to a report being prepared for Council.

**NB** Council staff may refuse to accept the submission of a planning proposal request if the proposal is deemed to be lacking the necessary information and detail required of a planning proposal, as outlined in this section.

### Fees

For applicable fees and charges, please refer to Wollongong City Council's [Schedule of Fees and Charges](#). The proponent is required to pay the prescribed fee associated with preparing a planning proposal as outlined in Council's Fees and Charges. The proponent is also required to pay for any required technical studies.

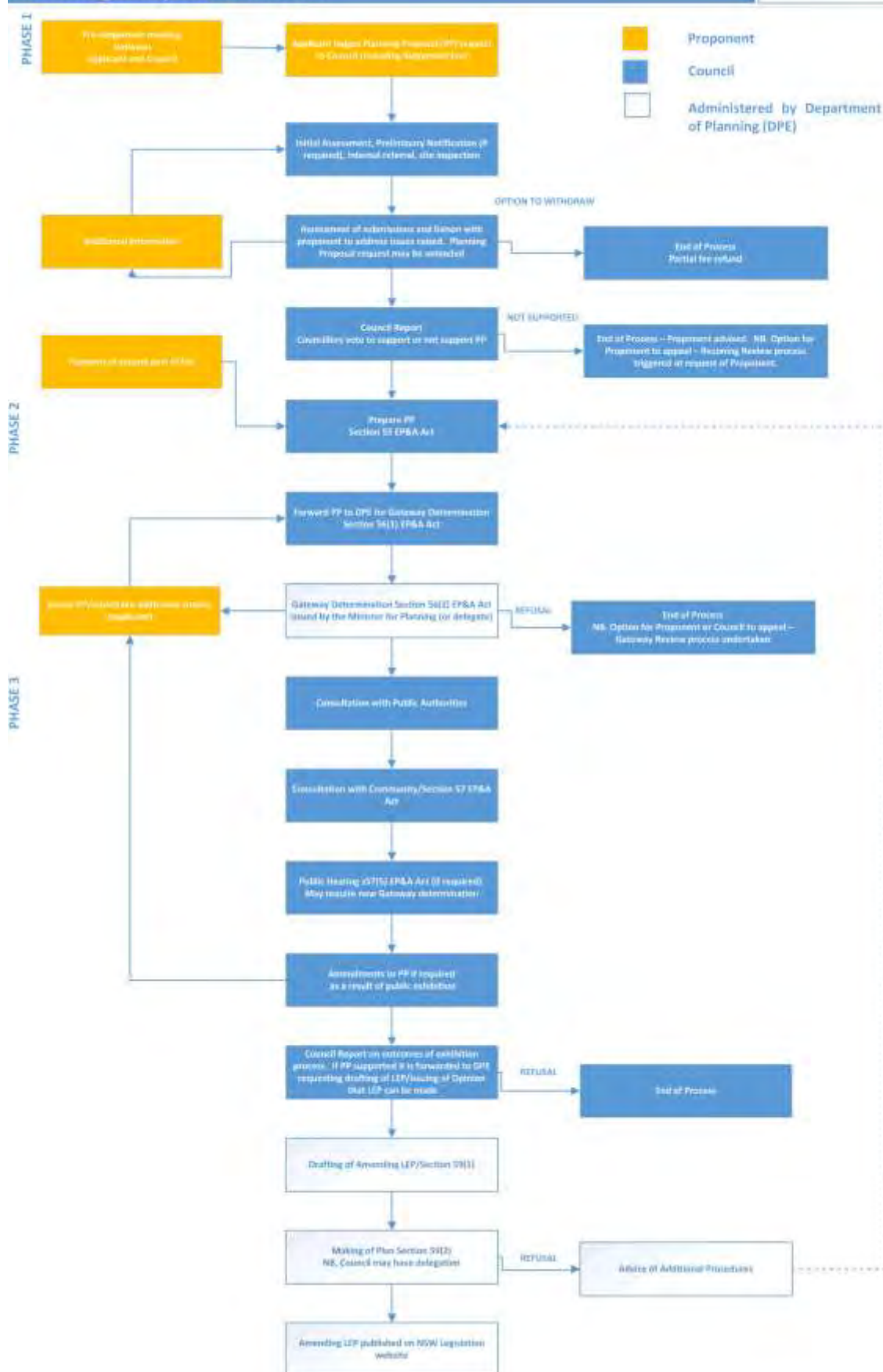
### What are the applicant's risks in applying for a Planning Proposal?

The following should be noted:

- Council can request that the Minister for Planning terminates a planning proposal at any point of the process, including after all investigations, analysis and community engagement has been completed. However, proponents can request an independent review of decisions if Council has refused or failed to respond to a planning proposal;
- Council officers may seek an extension of time from the Department of Planning and Environment for the completion of a planning proposal should Council resources be required on other higher priority projects;
- The planning proposal process can occur over many years, depending on the nature and complexity of the proposal, and there are several key milestones that need to be achieved along the way. With each one there is a risk for the process to cease;
- Council officers may decline to accept the lodgement of a planning proposal request, where the application content is deemed inadequate;
- Council officers may, based on a preliminary desktop assessment of a submitted planning proposal request, determine that the information submitted is not satisfactory and should not be reported to a Council meeting. This may arise where the initial review of the information submitted reveals that the proposal is inconsistent with local and/or state policy, or is subject to insurmountable environmental constraint etc;
- The applicant is responsible for the payment of any studies, specialist advice, or consultancies as required during the LEP amendment process;
- Time of lodgement does not determine the priority of processing and progressing of an amendment – it is necessary to prioritise proposals to ensure those providing the greatest public benefit are given preference over those servicing individual interest or are of limited benefit to the greater Wollongong community;
- The application must be accompanied by the relevant fee. Part of the initial fee is refundable should the planning proposal process be terminated or be unsuccessful. The second part of the fee (if Council resolves to support the preparation of a Planning Proposal) is not refundable. If the JRRP support a Planning Review and the Department of Planning and Environment issues a Gateway determination, the second fee is payable; and
- Council gives no undertaking that the processing of a planning proposal will result in the requested LEP amendment occurring. It is possible that all the steps in the process can be completed and an amendment declined by Council or the Minister for Planning.

## Planning Proposal Process

31 October 2017



## PLANNING PROPOSAL POLICY

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SUMMARY SHEET	
Responsible Division	Environmental Strategy and Planning
Date adopted by Council	[To be inserted by Corporate Governance]
Date of previous adoptions	[List previous adoption dates]
Date of next review	[List date - Not more than 4 years from adoption]
Legislative or other requirement for review <b>DELETE THIS WHOLE ROW IF NOT APPLICABLE</b>	[List review timeframe and Act, policy or review requirement]
Responsible Manager	Manager Environmental Strategy and Planning
Authorised by	Director Planning and Environment – Future City and Neighbourhoods

## PLANNING PROPOSAL APPLICATION AND CHECKLIST

A Planning Proposal must be prepared in accordance with the Department of Planning documents “A guide to preparing a planning proposal”, “A guide to preparing local environmental plans” and Section 55 of the Environmental Planning and Assessment Act 1979.

### 1. Property Details

#### Address:

Number ..... Street .....

Suburb ..... Postcode .....

**Property Description:** Lot ..... Sect ..... DP/SP .....

**Site Area:** .....m<sup>2</sup> .....ha

**Note:** Signatures of all applicants and registered owners are required on the last page/s of this application form. Without these signatures Council will not accept this application.

### 2. Planning Proposal Description

**Proposed Amendment to LEP** – what are you applying to amend? (please tick all that apply)

☐ Zone ☐ FSR ☐ Minimum Lot Size ☐ Height of Building  
☐ Heritage ☐ Additional Permitted Use

Other (please provide a brief description)

.....  
 .....  
 .....  
 .....

**Planning Proposal Objectives and Intended Outcomes** (please describe what the Planning Proposal application is intended to allow eg. a zone change to allow construction of townhouses, office development, retail etc.)

.....  
 .....  
 .....  
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 .....  
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 .....  
 .....

### 3. Accompanying Documentation

Please list documents and studies to be submitted in support of the Planning Proposal.

- .....
- .....
- .....
- .....
- .....
- .....

#### Document copies required

Council requires **four** hard copies of all documents submitted.

Council requires **two** electronic copies (PDF format on CD) of all documents submitted.

If the proposed amendment includes mapping, a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument is required (eg. current versus proposed zoning). **Four** hard copies and **two** electronic copies (PDF format) are required.

### 4. Applicable Fee

Please confirm with Council for clarification of "Minor" and "Major" amendment prior to submitting Planning Proposal Request.

**Minor Rezoning/Amendment** – Spot rezonings (One lot or less than 1,500m<sup>2</sup>)

**Major Rezoning/Amendment** – Rezonings including spot rezonings (more than one lot and 1,500m<sup>2</sup>), creation of new zones, rezonings where a LES or technical study is required (eg. flood, heritage, land capability).

### 5. Applicant Details and Declaration

Mr Mrs Ms Miss Dr Other .....

Family Name (or Company) .....

Given Name/s (or ABN) .....

Postal Address .....

Suburb ..... Postcode .....

Email .....

Contact Person (available during business hours) .....

Contact Person Phone Number .....

**Disclosure Statement of Political Donations and Gifts**



Have you made a reportable political donation or gift within the two years preceding this application? (if a reportable political donation has been made, please complete the disclosure form at [www.wollongong.nsw.gov.au](http://www.wollongong.nsw.gov.au)).

Is a Disclosure Statement provided? ☐ Yes ☐ No

### Disclosure Statement re Transparency

To ensure transparency in Council's decision making functions, any application which is made by a Council employee/Councillor and/or their immediate relative/s, will be referred to an independent consultant for assessment.

I am an employee/Councillor or relative of an employee/Councillor of Wollongong City Council. If yes, please state relationship:

.....

### Declaration and Consent

I hereby apply for the proposal described above and I consent to Council copying this application, and any supporting material, for the purpose of obtaining public comment. I agree to payment of Council's Planning Proposal Fees as set out in Council's Fees and Charges. I declare that the information in this application and checklist is, to the best of my knowledge, true and correct.

I understand that if the information is incomplete the application may be delayed or rejected, or more information may be requested. I acknowledge that if the information provided is misleading any approval granted may be void. I accept that Council cannot be held liable for delays in processing arising out of inadequacies in the material submitted in support of this application.

Applicant Signature ..... Date .....

## 6. Owner's Details and Consent *(required for application to be accepted)*

### Multiple Owners

Every owner of the land must sign this form, or provide authorisation under separate cover (eg. multiple individuals or multiple companies).

### Individuals

If you are signing on behalf of the owner as the owner's legal representative, you must state the nature of your legal authority and attach documentary evidence under separate cover (eg. Power of attorney, Executor, Trustee etc.).

### Strata Title and Community Title

If the property is a unit under strata title or a lot in a community title, then in addition to the owner's signature the common seal of the Owners Corporation must be stamped on this form over the signature of the owner and signed by the chairman of the Owners Corporation or the appointed managing agent.

### Company

If the owner is a company, a separate letter is to accompany this application stating acknowledgement and consent of this application. The letter is to be signed by an authorised director in accordance with the Company's Memorandum and Articles of Association.

**Owner/s: Family Name (or Company)** .....

**Given Name/s (or ABN)** .....

**Postal Address** .....

**Suburb** ..... **Postcode** .....

**Phone** ..... **Email** .....

**Disclosure Statement re Transparency**  
 To ensure transparency in Council's decision making functions, any application which is made by a Council employee/Councillor and/or their immediate relative/s, will be referred to an independent consultant for assessment.

I am an employee/Councillor or relative of an employee/Councillor of Wollongong City Council. If yes, please state relationship:

**Declaration and Consent:** I/we own the subject land and consent to this application, accept that all communication regarding this application will be through the nominated applicant, and consent for authorised Council Officers to enter the land to carry out inspections relating to this application.

Owner/s Signature (ALL OWNERS ARE TO SIGN) .....

.....

Date .....

## 7. Planning Proposal Checklist

The following information must be submitted with all applications. Note: please ensure that all documentation listed is submitted at lodgement otherwise this may delay acceptance and processing of the application.

- a) Have you had a pre application meeting with Council's Strategic Planning Staff?  
☐ Yes ☐ No
- b) If Yes: please provide date of meeting and name of Council officer (Pre-lodgement meeting number PLM -.....)  
 Date ..... Council officer .....

### INFORMATION TO BE SUBMITTED

		Applicant to tick	Office Use Only
1	Completed application form with consent of owner/s.		
2	Payment of Application Fee.		
<b>PLEASE PROVIDE 4 HARD COPIES AND 2 DIGITAL COPIES of the following information</b>			
<b>Site Information</b>			
3	Description of the subject land and the locality.		
4	Current zoning.		
5	A Plan of the site drawn to scale identifying physical features such as trees, watercourses, topography, existing buildings etc.		
6	Site analysis of property and surrounding environment identifying any relevant significant issues, such as any development constraints (eg bush fire, flooding, geotechnical, threatened species, contamination, Aboriginal/European heritage, impacts to traffic/site access etc.).		
7	Details of current existing uses and development on the land, and surrounding properties, and the potential impact of the proposal on the surrounding area.		
8	Photographs of the site and surrounding neighbourhood.		
<b>Planning Proposal</b>			
The Planning Proposal must be prepared in accordance with the Department of Planning "Guide to preparing Planning Proposals" and "Guide to Preparing LEPs"			
9	Objectives and intended outcomes of the Planning Proposal – description of what the application is intended to allow.		
10	Justification for those objectives, outcomes and provisions, including any anticipated public or environmental benefit that would result from the proposed amendment.		
11	Explanation of the intended land uses/activities for the site requiring a rezoning or change to planning controls.		
12	An explanation of the provisions to be included in the LEP amendment – proposed zoning, change in permissible use etc.		
13	Draft amended mapping – current and proposed indicative maps showing where the planning proposal seeks to amend the Wollongong LEP 2009 in relation to Land zoning, Height of buildings, FSR, Minimum Lot Size etc.		
14	Relevant information provided to assess the environmental impacts of the proposal on the site and surrounding environmental (eg traffic studies, commercial/economic viability analysis, ecological assessment, built form analysis, noise analysis, infrastructure servicing etc.).		
15	Demonstrated consistency with the strategic planning framework: <ul style="list-style-type: none"> <li>• Illawarra-Shoalhaven Regional Plan;</li> <li>• Council's Community Strategic Plan – Wollongong 2022;</li> <li>• Wollongong City Council endorsed Strategies and Policies;</li> <li>• Applicable State Environmental Planning Policies (SEPPs) and</li> </ul>		

	<ul style="list-style-type: none"> <li>Applicable Ministerial Directions (s117 directions).</li> </ul>		
16	Planning Proposal prepared in accordance with Section 55 of the EP&A Act 1979 and Guide to Preparing Planning Proposals (NSW Department of Planning).		
17	Details provided of any consultation undertaken to inform the preparation of the Planning Proposal request (eg discussions with relevant State Government agencies).		
<b>Supporting Documents – Required on a merits basis</b> In addition to the above mandatory information a planning proposal should be accompanied by relevant supporting studies and/or investigations, <b>justifying</b> the proposal. Copies of all supporting studies justifying the proposal must be submitted at the time of lodgement.			
18	<b>Traffic and Transport</b> An assessment considering the likely impact of the planning proposal on local traffic and transport issues, public transport infrastructure and/or cycle and pedestrian movement, and access to the site.		
19	<b>Environmental Considerations/Potential Impacts</b> May include specialist reports addressing flora and fauna, bush fire hazard, soil stability, erosion, landslip and subsidence, water quality, stormwater management, flooding, land contamination, noise impact, visual impact, climate change, sea level rise and acid sulphate soils. Planning Proposals in the vicinity of the Illawarra Escarpment should demonstrate an improved environmental outcome (eg through Biodiversity stewardship agreements).		
20	<b>Urban Design</b> Site analysis, building mass and/or block diagram study (changes in building height and FSR), development yield analysis (lots or jobs created), draft DCP controls or other design guidelines.		
21	<b>Economic</b> Economic impact and viability assessments, retail centres hierarchy and/or employment land analysis.		
22	<b>Social and Cultural</b> Heritage impact, Aboriginal and European archaeology, open space management, social and cultural impacts and stakeholder engagement plans.		
23	<b>Infrastructure</b> Infrastructure servicing arrangements.		
24	<b>Any other matters relevant to the specific planning proposal.</b>		
<b>Development Concept</b>			
25	An indicative development concept, illustrating the nature and scale of development envisaged for the site – built form, open space, vehicular and pedestrian access etc., and relationship with surrounding area. This information could include a draft DCP containing guidelines to assist in providing a framework to assess future development on the site.		