



New South Wales

Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979. (W03/00178/PC WOLL)

KRISTINA KENEALLY, M.P.,
Minister for Planning

2009 No 18

Clause 1 Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)

Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)*.

2 Aims of Plan

The aim of this Plan is to amend *Wollongong City Centre Local Environmental Plan 2007* to:

- (a) remove all trusts and other interests from certain Council car park sites, previously reclassified as operational land within the meaning of the *Local Government Act 1993*, and
- (b) correct minor anomalies.

3 Land to which Plan applies

- (1) In respect of the aim referred to in clause 2 (a), this Plan applies to the following land:
 - (a) Lot 101, DP 814507, Auburn Street car park, Wollongong,
 - (b) Lot 1, DP 1013057, Bank Street car park, Wollongong,
 - (c) Lot 122, DP 513474 and Lot 1, DP 206847, Thomas Street car park, Wollongong,
 - (d) Parts of Lots 16 and 17, Section A and another part of Lot 16, Section A of W G Robertson's Subdivision of 78 lots in the Town of Wollongong which said subdivision was offered for sale on the fifth day of July 1884 and Lots 1 and 2, DP 307576 and Lots A and B, DP 340118, Victoria Street car park, Wollongong.
- (2) In respect of the aim referred to in clause 2 (b), this Plan applies to the land to which *Wollongong City Centre Local Environmental Plan 2007* applies.

4 Amendment of Wollongong City Centre Local Environmental Plan 2007

Wollongong City Centre Local Environmental Plan 2007 is amended as set out in Schedule 1.

5 Declaration of maps

Each map adopted by the *Wollongong City Centre Local Environmental Plan 2007* that is specified in Column 1 of the following Table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the Table as approved by the Minister on the making of this Plan.

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Wollongong City Centre Local Environmental Plan 2007 Floor Space Ratio Map	Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)—Amendment No 01/07 Floor Space Ratio Map
Wollongong City Centre Local Environmental Plan 2007 Land Reservation Acquisition Map	Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)—Amendment No 01/07 Acquisition Maps 1 and 2
Wollongong City Centre Local Environmental Plan 2007 Land Zoning Map	Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)—Amendment No 01/07 Land Zoning Map

2009 No 18

Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)

Schedule 1 Amendments

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Maps

Insert “or replaced” after “as amended” in clause 7 (1) (b).

[2] Clause 7 (1) (b)

Insert “or replace” after “to amend”.

[3] Clause 7 (4)

Insert after clause 7 (3):

- (4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

[4] Clause 10 Land use zones

Insert “(City Edge)” after “B4 Mixed Use”.

[5] Land Use Table

Insert “(City Edge)” after “**Zone B4 Mixed Use**” in the heading to Zone B4.

[6] Land Use Table, Zone SP2

Omit “; Roads” from item 3.

[7] Clause 22 Floor space ratio

Insert “1.5:1” in Column 4 of the matter relating to R1 General Residential in the Table to clause 22 (2).

[8] Clause 22 (2), Table

Insert “(City Edge)” after “B4 Mixed Use” in Column 1.

[9] Clause 22A Minimum building street frontage

Insert “(City Edge)” after “B4 Mixed Use” in clause 22A (1).

[10] Clause 22C Car parking

Insert “(City Edge)” after “B4 Mixed Use” in clause 22C (1).

[11] Clause 22C (1) (b)

Omit “residential activities”. Insert instead “retail premises”.

[12] Clause 22C (5)

Omit the subclause. Insert instead:

- (5) In this clause:
- commercial activities*, in relation to the use of a building, means the use of the building for the purposes of business premises, office premises, hotel accommodation or other like uses or a combination of such uses, other than:
- (a) hotel accommodation that is subdivided under a strata scheme, and
 - (b) serviced apartments.

[13] Clause 22D

Omit the clause. Insert instead:

22D Building separation within Zone B3 Commercial Core or B4 Mixed Use (City Edge)

- (1) Buildings on land within Zone B3 Commercial Core or Zone B4 Mixed Use (City Edge) must be erected so that:
 - (a) there is no separation from any other building at the street frontage height, and
 - (b) there is a distance of at least 12 metres from any other building between the street frontage height and less than 45 metres above ground level, and
 - (c) there is a distance of at least 28 metres from any other building at 45 metres or higher above ground level.
- (2) Despite subclause (1) (a), if a building contains a dwelling that is located at the street frontage height, the building may be separated from any other building at the street frontage height.
- (3) Despite subclause (1) (b) and (c), if a building contains a dwelling that is located above street frontage height, all habitable parts of the dwelling including any balconies must be at least:
 - (a) 20 metres from any habitable part of a dwelling contained in any other building, and
 - (b) 16 metres from any other part of any other building.
- (4) For the purposes of this clause, a separate tower or other raised part of the same building is taken to be a separate building.

2009 No 18

Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)

Schedule 1 Amendments

(5) In this clause:

street frontage height means that portion of the building that is built to the street alignment and has a minimum height of at least 12 metres and a maximum height of 24 metres above ground level.

[14] Clause 25 Land acquisition within certain zones

Insert at the end of the Table to clause 25 (2) under the headings “**Type of land shown on Map**” and “**Authority of the State**”, respectively:

Zone B3 Commercial Core and marked “Local Road” Council

[15] Clause 25A

Insert after clause 25:

25A Development on land intended to be acquired for a public purpose

- (1) The objective of this clause is to limit development on certain land intended to be acquired for a public purpose.
- (2) Despite clause 25 (3), development consent must not be granted to any development on land within Zone B3 Commercial Core and marked “Local road reservation”, as shown on the Land Reservation Acquisition Map, other than development for the purpose of earthworks, public utility undertakings or roads.

[16] Schedule 4 Classification and reclassification of public land

Omit “Nil” from Part 2 of Schedule 4. Insert instead:

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Wollongong	Lot 101, DP 814507, Auburn Street car park, Wollongong	Nil
Wollongong	Lot 1, DP 1013057, Bank Street car park, Wollongong	Nil
Wollongong	Lot 122, DP 513474 and Lot 1, DP 206847, Thomas Street car park, Wollongong	Nil

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharged
Wollongong	Parts of Lots 16 and 17, Section A and another part of Lot 16, Section A of W G Robertson's Subdivision of 78 lots in the Town of Wollongong which said subdivision was offered for sale on the fifth day of July 1884 and Lots 1 and 2, DP 307576 and Lots A and B, DP 340118, Victoria Street car park, Wollongong	Nil

[17] Schedule 5 Environmental heritage

Insert "**Part 1**" before "**Heritage Items**".

[18] Schedule 5

Omit the following matter:

North Wollongong	North Beach Surf Club	Cliff Road—North Beach	State
Wollongong	Post Office	91 Crown Street	Local
Wollongong	Hickman House	348–352 Crown Street (Wollongong Hospital Site)	Local
Wollongong	Nurses' Home	348–352 Crown Street (Wollongong Hospital Site)	Local
Wollongong	Regent Cinema	197 Keira Street	Local
Wollongong	Wollongong Railway Station	Lowden Square	Local
Wollongong	Illawarra Historical Society Museum (former Wollongong East Post Office)	11 Market Street	Local
Wollongong	House (Harrigan's Family Home)	18 Regent Street	Local
Wollongong	House	92 Smith Street	Local

2009 No 18

Wollongong City Centre Local Environmental Plan 2007 (Amendment No 1)

Schedule 1 Amendments

[19] Schedule 5

Insert in appropriate order:

Wollongong	Wollongong East Post Office	91 Crown Street	State
Wollongong	Nurses' Home	348–352 Crown Street (Wollongong Hospital Site)	State
Wollongong	Regent Theatre	197 Keira Street	State
Wollongong	Wollongong Railway Station group	Lowden Square	State
Wollongong	Illawarra Historical Society Museum (former Wollongong Post Office)	11 Market Street	Local

[20] Schedule 5, Part 2

Insert at the end of the Schedule:

Part 2 Heritage Conservation Areas

Suburb	Description	Significance
Wollongong	Market Street Heritage Conservation Area	Local
Wollongong	North Beach Precinct and Belmore Basin Heritage Conservation Area	State

[21] Dictionary

Omit the definitions of *flood prone land* and *public hall*.

[22] Dictionary, definition of “heritage conservation area”

Insert “or described in Part 2 of Schedule 5, or both” after “Heritage Map” wherever occurring in paragraphs (a) and (b).

BY AUTHORITY