

Planning Proposal report

Springside Hill


PREPARED FOR
Traders in Purple

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MECONE.COM.AU

Project Director

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Executive summary

INTRODUCTION

This report has been prepared by Mecone Group Pty Limited on behalf of Traders in Purple (the proponent) in support of a planning proposal request to Kiama Council to amend *Kiama Local Environmental Plan 2011* (LEP) for the land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama (the Site).

THE SITE

The Site comprises 12 lots and a number of unformed Crown roads, covering an area of approximately 114 ha. The Site is currently rural in nature and contains tracts of open grassland and more dense vegetation along several riparian corridors, including Spring Creek. Greyleigh Homestead, an accommodation venue, is contained within the southern portion of the Site and is accessed from Long Brush Road. Another dwelling is located within the northern portion of the Site, accessed from Jamberoo Road. The Site is located directly west of Kiama CBD, approximately 1.7 km west of Kiama Railway Station. The Site directly adjoins a mix of low density and large lot residential zoned land to the east. The proposal seeks to continue the pattern of housing to the west.

OBJECTIVES AND INTENDED OUTCOME

The objectives of the Planning Proposal is to amend the LEP to enable a masterplanned urban residential community to be developed on the Site that incorporates a mix of residential densities, commercial uses, recreation and conservation outcomes that is designed to respect the visual, topographical and environmental characteristics of the Site.

The intended outcome of the Planning Proposal is as follows:

- promote housing affordability and diversity through the introduction of a variety of dwellings, lot sizes and building heights
- retain existing parts of the Site to preserve view lines to and from the west
- incorporate a local centre that provides for commercial and retail daily convenience needs of future and existing residents, and future employment opportunities
- provide recreational opportunities for future and existing residents and visitors, including cycleways and walkways along Spring Creek
- conserve areas of high biodiversity significance
- enable the development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.

PLANNING PROPOSAL

The Planning Proposal request has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979*
- the NSW Department of Planning and Environment's *Local Environmental Plan Making Guideline*
- relevant Section 9.1 Ministerial Directions.

The Planning Proposal request demonstrates that it has site-specific and strategic merit to enable an amendment to *Kiama Local Environmental Plan 2011*.



Strategic merit

The Planning Proposal has strategic merit as it aligns with and promotes several key strategic planning priorities of Council and the State Government identified within State, regional and local policies and strategies.

In particular, the Planning Proposal responds to a change in circumstances in the Kiama LGA as the current strategic planning framework does not provide for sufficient housing supply to meet demand, which is resulting in a critical undersupply of housing.

Site-specific merit

The Planning Proposal has site-specific merit as there are no constraints on the Site that can't be managed that would prevent future development under the proposed land use zones. The proposal has been based on a detailed concept masterplan that has considered the environmental, topographical and visual characteristics of the Site.



1 Introduction

1.1 Overview

This report has been prepared by Mecone Group Pty Limited on behalf of Traders in Purple (the proponent), in support of a planning proposal request to Kiama Council to amend *Kiama Local Environmental Plan 2011* (LEP) for the land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama (the Site).

The Site covers 12 lots in single ownership, covering approximately 114 hectares of land located directly west of the Kiama CBD, adjoining the existing Kiama urban area.

The intent of the planning proposal is to achieve the following objectives:

- design a residential community that responds to the topographical and environmental characteristics of the Site
- create diversity in the range of residential dwellings
- provide diversity in residential lot sizes and building heights
- provide affordable and social housing
- retain existing parts of the Site to preserve view lines to and from the west
- incorporate a local centre that provides for commercial and retail daily convenience needs of future and existing residents, and future employment opportunities
- provide recreational opportunities for future and existing residents, including cycleways and walkways along Spring Creek
- conserve areas of high biodiversity significance
- enable the development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.

1.2 Planning proposal authority

Clause 3.32 of the *Environmental Planning and Assessment Act 1979* identifies the planning proposal authority to be the council for the local government area to which the proposed instrument is to apply, subject to proposals which the Minister directs the Planning Secretary to be the planning proposal authority (cl. 3.32(2)). In this instance, Kiama Council will be the planning proposal authority unless otherwise stated by the Minister.



1.3 Proponent and project team

The proponent for the planning proposal request is Traders in Purple. Traders in Purple are a long-term landowner in Kiama and have successfully delivered several housing projects within the Illawarra Shoalhaven Region and across Australia. Traders in Purple have long-standing partnerships with governments and community housing providers in the delivery of mixed tenure communities. It has a track record of successfully fusing private with social and affordable housing to create cohesive communities of mixed tenures, including partnerships with the NSW Land and Housing Corporation. Traders in Purple have engaged a team of reputable experts to provide advice and input into the planning process. Details of the proposed consultant team and submission documents are outlined below.

TABLE 1 – PROJECT TEAM

Item	Description
Concept Landscaping Plans	Sprout Studios
Concept Masterplan Urban Design	E8 Urban
Project Vision	Hoyne
Housing Study	AEC Economics
Preliminary Economic Impact Assessment	AEC Economics
Traffic Impact Assessment	SCT Consulting
Social and Community Needs Assessment	Mecone
Historical Heritage Constraints Assessment	Biosis
Aboriginal Due Diligence Assessment	Biosis
Ecological Report	Ecological
Bushfire Strategic Study Report	Ecological
Preliminary Water Cycle Management and Flood Assessment	J Wyndham Prince
Potable Water and Wastewater Concept Review	J Wyndham Prince
Utility and Infrastructure Servicing Report	J Wyndham Prince
Visual Attributes Study	Envisage
Stage 1 - Preliminary Site Investigation	Sydney Environmental
Agricultural Assessment and LUCRA	Minesoils
Sustainable Utilities Servicing Strategy	Altogether Group



1.4 Purpose and structure

The purpose of this report is to describe and justify the proposed amendment to Kiama LEP 2011. It has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979*
- the NSW Department of Planning and Environment's Local Environmental Plan Making Guideline
- relevant Ministerial Directions issued under section 9.1 of the *Environmental Planning and Assessment Act 1979*.

This report is divided into two parts:

- Part A: Planning report – provides an overview of the Site, surrounds and planning history
- Part B: Planning Proposal – prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Local Environmental Plan Making Guideline prepared by the NSW Department of Planning and Environment.

The report is structured as follows:

- Part A: Planning report
 - Chapter 2: Site information – provides a description of the Site and surrounds
 - Chapter 3: Project background and context
 - Chapter 4: Statutory planning framework
- Part B: Planning Proposal
 - Chapter 5: Part 1 – A statement of the objectives and intended outcomes
 - Chapter 6: Part 2 – An explanation of the proposed provisions
 - Chapter 7: Part 3 – The justification of strategic and site-specific merit
 - Chapter 8: Part 4 – Maps
 - Chapter 9: Part 5 – Details of community consultation to be undertaken
 - Chapter 10: Part 6 – The anticipated project timeline for the plan making process
 - Chapter 11: Conclusion.



Part A – Planning report

2 Site information

2.1 Site details

The Site is located at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama. It comprises 12 lots and portions of unformed Crown roads, covering approximately 114 hectares of land in the Kiama Local Government Area (LGA). The portions of unformed Crown roads reflect the Sites history of being subdivided as part of historic land grants in Kiama’s urban areas.

The Site is located approximately 1.7 km west of Kiama Railway Station and Town Centre. It directly adjoins a mix of low density and large lot residential zoned land to the east, and contains undulating topography, which naturally recesses along lower order streams and towards Spring Creek that forms its western boundary.

The proposal seeks to continue the pattern of residential development to the west. The Sites size and consolidated ownership provides a unique opportunity for it to be developed for urban land uses consistent with adjoining urban development. The roads adjoining the Site include Greyleigh Drive and Arnold Circuit to the east, Old Saddleback Road and Longbrush Road to the south and Jamberoo Road to the north.

TABLE 2 – THE SITE

Legal description	Address	Area
Lot 201 DP 1148007	177 Long Brush Road, Jerrara	38.08 ha
Lot 1 DP 995058	33 Greyleigh Drive, Kiama	6.39 ha
Lot 1 DP 1003719	33 Greyleigh Drive, Kiama	5.69 ha
Lot 156 DP 751279	33 Greyleigh Drive, Kiama	5.46 ha
Lot 1320 DP1060995	33 Greyleigh Drive, Kiama	3.93 ha
Lot 183 DP 751279	33 Greyleigh Drive, Kiama	1.23 ha
Lot 185 DP 751279	33 Greyleigh Drive, Kiama	1.47 ha
Lot 186 DP 751279	33 Greyleigh Drive, Kiama	2.80 ha
Lot 187 DP 751279	103 Jamberoo Road, Kiama	1.43 ha
Lot 188 DP 751279	33 Greyleigh Drive, Kiama	4.94 ha
Lot 189 DP 751279	33 Greyleigh Drive, Kiama	3.07 ha
Lot 102 DP 1176643	103 Jamberoo Road, Kiama	39.23 ha
Total		113.72 ha



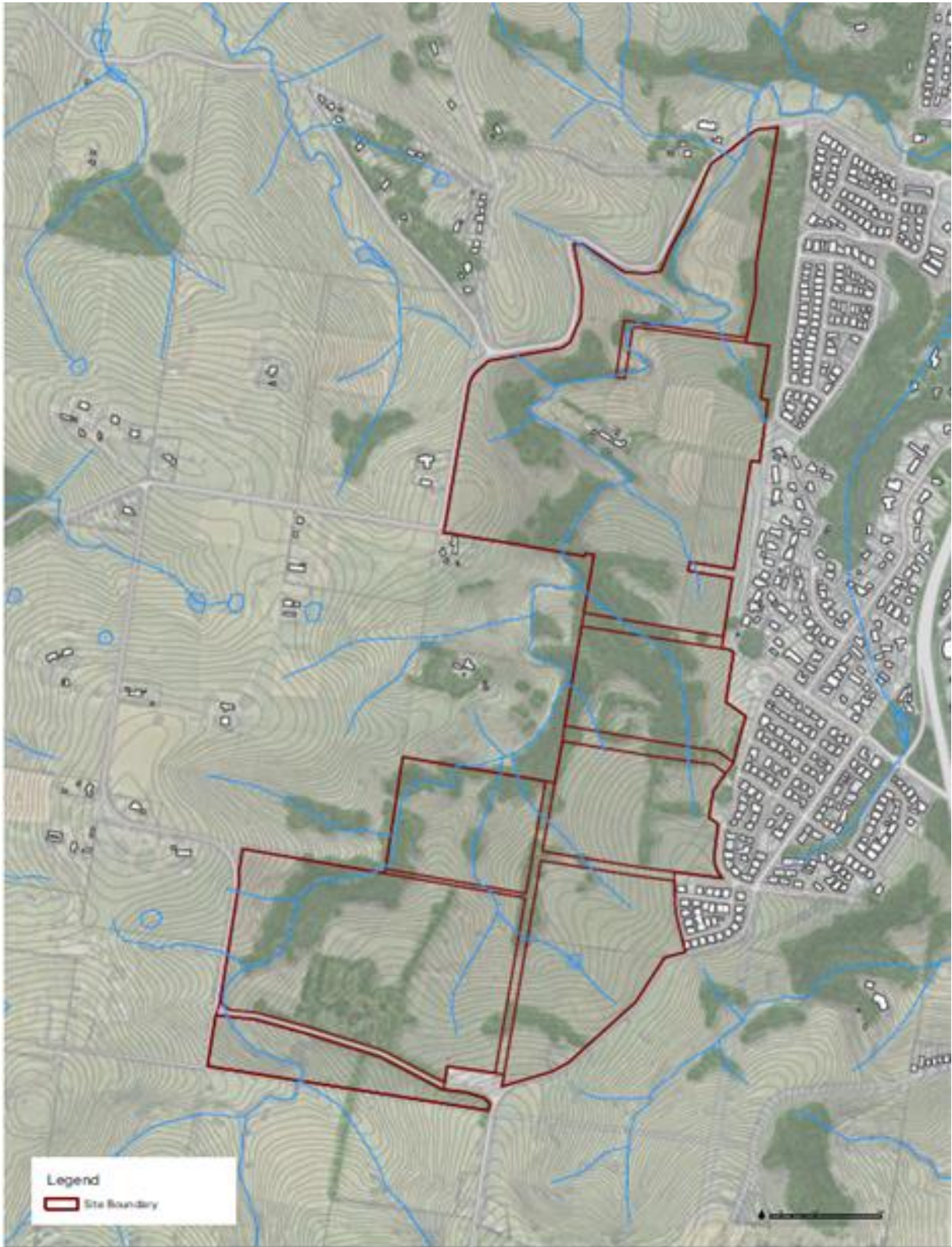


FIGURE 1 – THE SITE

Source: E8 Urban





FIGURE 2 – SITE CONTEXT

Source: Mecone

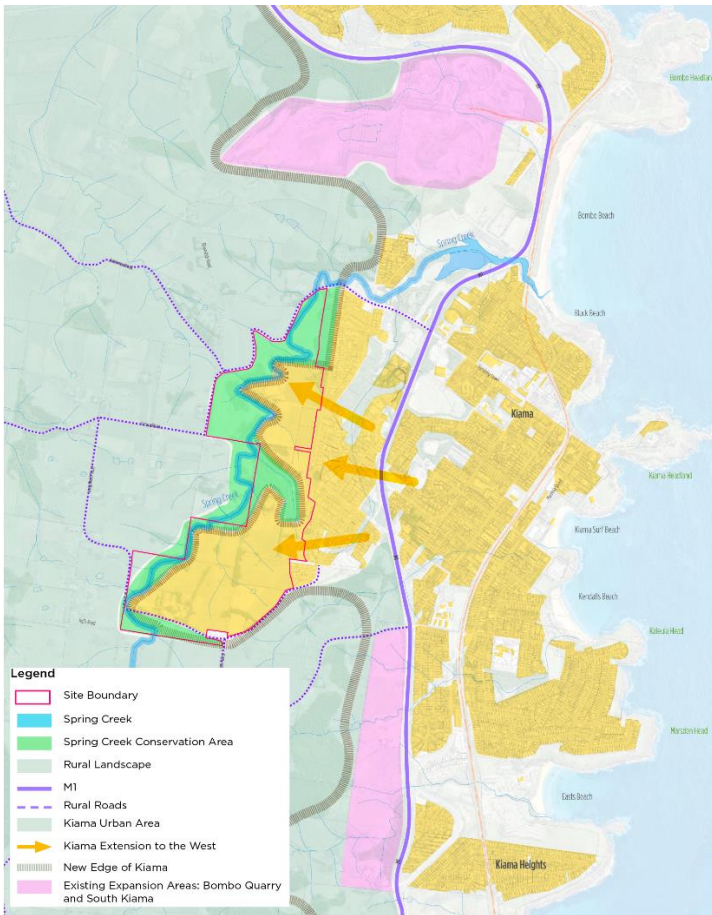


FIGURE 3 – POTENTIAL EXPANSION OF RESIDENTIAL SETTLEMENT

Source: E8 Urban



3 Project background and context

3.1 Site history

Land in the Kiama LGA, including the Site, was subdivided for land grants from the 1840s. 1987 Parish Maps reveal the Site and surrounding lands were subdivided into allotments between 6 and 8 hectares, which is consistent with the historic grants in Kiama's urban areas. Land parcels to the east of the Site have since been developed for low density housing. Despite having similar lot sizes and road allocation patterns, urban development has not extended as far west as the Site, due to more recent planning controls zoning the land for rural purposes.

Original land grants suggest that larger rural land holdings were intended to be located west of the Spring Creek Valley, extending from Jerrara Creek Catchment to the edge of the escarpment. The idea that rural land would be located west of Spring Creek is further supported by the 1987 Illawarra Regional Environmental Plan No 2 (IREP 2), which defines the Jamberoo Valley as land of important agricultural, environmental, and aesthetic value. The Jamberoo Valley, as defined in the IREP 2, is west of the Spring Creek catchment and does not include the Site.

The Site itself has historically been used for rural purposes. There are two dwellings on the Site and ancillary buildings fronting Long Brush Road on its southern portion.

3.2 Project background

Kiama Council has recently retired the historic Kiama Urban Strategy, which historically has been the document that guided and limited the provision and location of new greenfield urban development in Kiama. It is noted that the Kiama Urban Strategy was published prior to amendments to the *Environmental Planning and Assessment Act 1979 (EP&A Act)* in 2018 which introduced new requirements for councils to prepare a Local Strategic Planning Statement (LSPS). It is understood the Kiama Urban Strategy was primarily based on the nomination of potential greenfield sites by landowners and did not include a robust merit assessment or feasibility testing process, nor was it formally endorsed by the Department of Planning and Environment.

Since 2011 when the Kiama Urban Strategy was prepared, circumstances in Kiama and the Illawarra Shoalhaven Region have substantially changed with regard to housing demand and the need to accommodate housing growth.

Despite the retirement of the Kiama Urban Strategy, the Kiama LSPS continues to limit greenfield housing opportunities based on mapping which generally reflects the Kiama Urban Strategy. As such, there is currently no evidence based contemporary plan or policy which seeks to guide housing delivery in Kiama in line with the forecasted growth trends. This current application seeks to respond to a change in circumstances in that there is growing need for housing in Kiama and a current lack of direction in local planning policy to support the sustainable rollout of an adequate pipeline of housing.

It is understood that Council is currently working on a draft Local Housing Strategy in accordance with the commitment made in the Kiama LSPS. This action was identified for completion in FY21/22. We understand this process has been delayed and a local housing strategy is yet to be exhibited. Based on the contemporary evidence available (population forecast, demand trends and currently limited supply capacity) it is reasonable to expect that there will be a need for the Local Housing Strategy to explore potential greenfield opportunities outside of those areas historically identified in the Kiama Urban Strategy.



3.3 Historic planning proposal requests

There have been two planning proposal requests made to Kiama Council by previous landowners on part of the Site that is included in this planning proposal request. Those requests were not supported by Kiama Council, and as such, Council as the planning proposal authority, has not prepared a planning proposal on the Site. Details of those previous requests are outlined below.

3.3.1 2015 planning proposal request

On 22 May 2015, Kiama Council rejected a planning proposal request to rezone approximately 7 hectares of land from RU2 Rural Landscape to R2 Low Density Residential under Kiama LEP 2011. The proposal covered three existing lots generally located at Greyleigh Drive, Danube and Caliope Streets, Kiama, two of those lots form part of this planning proposal request. It was projected to deliver 32 residential lots. Council resolved not to support the planning proposal request primarily on the basis that the land was not identified as a nominated expansion area in the Kiama Urban Strategy (which is now retired).

The request proceeded to a rezoning review where it was also rejected by the Department of Planning and Environment on the basis that it was inconsistent with the regional and local strategic planning framework (which is now outdated) and Council's policy on the location of future urban development.

3.3.2 2019 planning proposal request

19 February 2019, Kiama Council rejected a planning proposal request to rezone approximately 38 hectares of primarily rural land to a mix of residential zones. The proposal covered nine existing lots generally located west of Kiama on land adjoining Greyleigh Drive and Old Saddleback Road, Kiama. Six of those lots form part of this current planning proposal request. It was projected to deliver 168 residential lots. Council resolved not to support the planning proposal request as it was considered premature given the status of Council's draft Local Strategic Planning Statemen

t and inconsistent with the regional and local strategic planning framework. The Department agreed with Council's determination as part of a rezoning review.

The table below highlights the differences between the 2015 and 2019 planning proposal requests by different proponents and the current planning proposal request by Traders in Purple. It demonstrates that there is no consistency between all three.

TABLE 3 – COMPARISON BETWEEN PREVIOUS REQUESTS AND THE CURRENT PROPOSAL

Characteristics	2015 planning proposal request	2019 planning proposal request	Current planning proposal request
Planning proposal lodged	No	No	No
Site area	7.42 ha	28.49 ha	113.72 ha
Existing lots	3	9	12
Projected dwelling yield	32 dwellings	168 dwellings	1,069 dwellings



4 Current statutory planning framework

The Kiama Local Environmental Plan 2011 (LEP) is the primary environmental planning instrument applicable to the Site. The relevant provisions on the Kiama LEP are outlined below.

4.1 Land use zoning

The Site is currently zoned part RU2 Rural Landscape, and part C2 Environmental Conservation and part C3 Environmental Management, which is generally associated with the Spring Creek riparian corridor along the western boundary of the Site. Residential development in the RU2 Rural Landscape zone is limited to dwelling houses and secondary dwellings.

The surrounding land is zoned as follows:

- to the west and south is primarily zoned RU2 Rural Landscape
- to the north is zoned RU1 Primary Production
- to the east forms part of the Kiama urban area and has a mix zones, mainly R2 Low Density Residential and R5 Large Lot Residential.

4.2 Maximum height of buildings

There is currently no maximum height of buildings control applying to the Site. The maximum building heights on the adjoining land is as follows:

- no maximum height of buildings controls on land to the north, west and south
- to the east, the R2 Low Density Residential zone and R5 Large Lot Residential zone has a maximum building height of 8.5 m.

4.3 Floor space ratio

There is currently no floor space ratio (FSR) control applying to the Site. The FSR controls on the adjoining land is as follows:

- no FSR control on land to the north, west and south
- to the east, the R2 Low Density Residential zone and R5 Large Lot Residential zone has a maximum FSR of 0.45:1.

4.4 Minimum lot size

There is currently a 40 ha minimum subdivision lot size applying to the Site. The minimum lot size control on the adjoining land is as follows:

- land to the north, west and south has a 40 ha minimum lot size control
- to the east, the R2 Low Density Residential zone has a minimum lot size control of 450 sqm and the R5 Large Lot Residential zone has minimum lot size control of 1,000 sqm.

4.5 Heritage

There are no items of environmental heritage applying to the Site. The following heritage items are located in the vicinity of the Site:

- local heritage item I80 'Silver Hill', located at 115 Bland Street, Kiama



- local heritage item I99 'Fernleigh residence (former guest house)', located at 2 Dido Street, Kiama
- local heritage item 135 'The Pines Homestead', located at Saddleback Mountain Road, Kiama
- local heritage item I77 'Park Mount residence', located at 82 Jerrara Road, Jerrara.

4.6 Acid sulfate soils

There is a minor affection of acid sulfate soils mapped as Class 5 in the Kiama LEP 2011 on the north-eastern corner of Lot 102 DP 1176643. The zoning on the part of the Lot identified as acid sulfate soils is not proposed to change. It will retain its existing RU2 Rural Landscape zone. The impact of acid sulfate soils on any future development on the Lot will be managed at the development application stage as required. No change is proposed to the mapped acid sulfate soils.

4.7 Terrestrial biodiversity

The Site contains portions of 'Biodiversity Land' as identified on the Terrestrial Biodiversity Map under Kiama LEP 2011. The areas mapped as Biodiversity Land are currently zoned C2 Environmental Conservation. No change is proposed to the areas mapped as Biodiversity Land or the zoning of the land.

4.8 Riparian land and watercourses

The Site is mapped as containing a Category 2 watercourse following Spring Creek, and three Category 3 watercourse tributaries connecting with Spring Creek. No change is proposed to the mapped watercourses. No residential development is proposed within these locations.



Part B – Planning Proposal

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Local Environmental Plan Making Guideline prepared by the Department of Planning and Environment.

The Planning Proposal is structured as follows:

- Part 1 – A statement of the objectives and intended outcomes
- Part 2 – An explanation of the proposed provisions
- Part 3 – Justification of strategic and site-specific merit, outcomes and the process for implementation
- Part 4 – Mapping
- Part 5 – Details of community consultation that is to be undertaken on the Planning Proposal
- Part 6 – Project timeline.

5 Part 1: Objectives and intended outcomes

5.1 Objectives

To amend the Kiama LEP 2011 to enable a masterplanned urban residential community to be developed on the Site that incorporates a mix of residential densities and tenure, commercial uses, recreation and conservation outcomes that is designed to respect the visual, topographical and environmental characteristics of the Site.

5.2 Intended outcome

The intended outcome of the Planning Proposal is as follows:

- promote housing affordability and diversity through the introduction of a variety of dwellings, lot sizes and building heights
- retain existing parts of the Site to preserve view lines to and from the west
- incorporate a local centre that provides for commercial and retail daily convenience needs of future and existing residents, and future employment opportunities
- provide recreational opportunities for future and existing residents and visitors, including cycleways and walkways along Spring Creek
- conserve areas of high biodiversity significance
- enable the development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.



5.2.1 Indicative concept masterplan

Site investigations have informed the development of an indicative concept masterplan for the Site to demonstrate how it could be developed as a result of the planning proposal. The concept masterplan identifies a mix of residential, rural, recreation, employment and conservation land uses. The masterplan exercise has followed a first principles design approach, whereby site opportunities and constraints have been carefully considered to inform the proposed development layout.

The proposed layout responds to the environmental attributes and topography of the land and is generally designed to follow a centralised collector road which runs from Jamberoo Road in the north and creates a loop in the southern portion of the Site. The design carefully responds to the visually important areas of the Site by maintaining rural land uses, open space and larger allotments in areas of visual prominence.

The proposed indicative concept masterplan could enable the following development outcome:

- approximately 1,062 new dwellings which will provide housing for locals, first home owners, key workers and low/middle income earners. The diversity of this housing stock could include:
 - 22 large rural residential allotments, averaging 3,900 sqm
 - 377 low density residential allotments, made up of 233 'standard' lots averaging 523 sqm and 144 'gully' lots averaging 637 sqm
 - 663 low rise, medium density housing dwellings to support a diversity of housing to suit smaller household types such as attached terraces, townhouses and low-rise garden apartments. This includes 172 'mews' lots averaging 196 sqm, 67 medium density lots averaging 338 sqm and 424 townhouses and low rise apartments
 - opportunity for delivery of social and affordable housing. At this stage, it is anticipated this will be made up of a mix of the following:
 - 5% social housing to be delivered to NSW Land and Housing Corporation at no cost
 - 5% delivered as affordable rental housing to be managed by a community housing provider in perpetuity
 - 5% delivered as part of a shared equity scheme for key workers
 - 5% reserved for first home buyers
 - 5% for locals identified in postcodes 2533 and 2534.
- 16 ha of retained rural land, with the potential for an educational establishment and place of public worship
- 43 ha of publicly accessible open space, provided as a combination of formal public open space, riparian lands and conservation areas. This land is intended to be restored and enhanced as part of the development process
- business uses to enable local retail and services
- retention of Greyleigh House to ensure its long term tourism function
- supporting local street, pedestrian network and cycling infrastructure.



5.2.2 Proposed services and infrastructure

Given the proposed change in land use, the proposal will require the staged delivery of services and infrastructure to cater for the increased infrastructure demand and new residents.

The proposed infrastructure to support development on the Site includes:

- a new road network encompassing seven access points across the Site, including a centralised collector road, local streets and smaller shared streets/mews, as well as footpaths and cycle paths
- construction of a bushfire ring road and creation of appropriate asset protection zones
- the extension and upgrade of existing utility services within the vicinity of the site, including electricity, potable water, sewer and telecommunications
- stormwater management infrastructure as part of an integrated water management approach across the Site which responds to the ecological values of the existing watercourse
- community infrastructure including public open space, restored and protected riparian areas and areas of ecological value, local business and tourism opportunities and potential for an educational establishment and place of public worship.

The rollout of infrastructure will likely be staged to suit the preferred delivery model of the neighbourhood. Further details regarding staging will be informed by detailed infrastructure investigations and feasibility analysis closer to development application stage.

The concept masterplan identifies key infrastructure which will service new residents and provide amenity to surrounding areas. Such items include:

- new public streets and footpath network, including cycling infrastructure
- stormwater management infrastructure
- approximately 43 ha of green space made up of public open space and conservation areas which will be accessible to the public
- identification of a potential educational establishment and place of public worship
- protection and enhancement of the Spring Creek Nature Corridor, including enabling public access via a shared walking/cycling path
- land identified for small scale local retail, commercial and services to complement the Kiama CBD
- social and affordable housing in perpetuity to fill a much needed gap in the Kiama housing market.



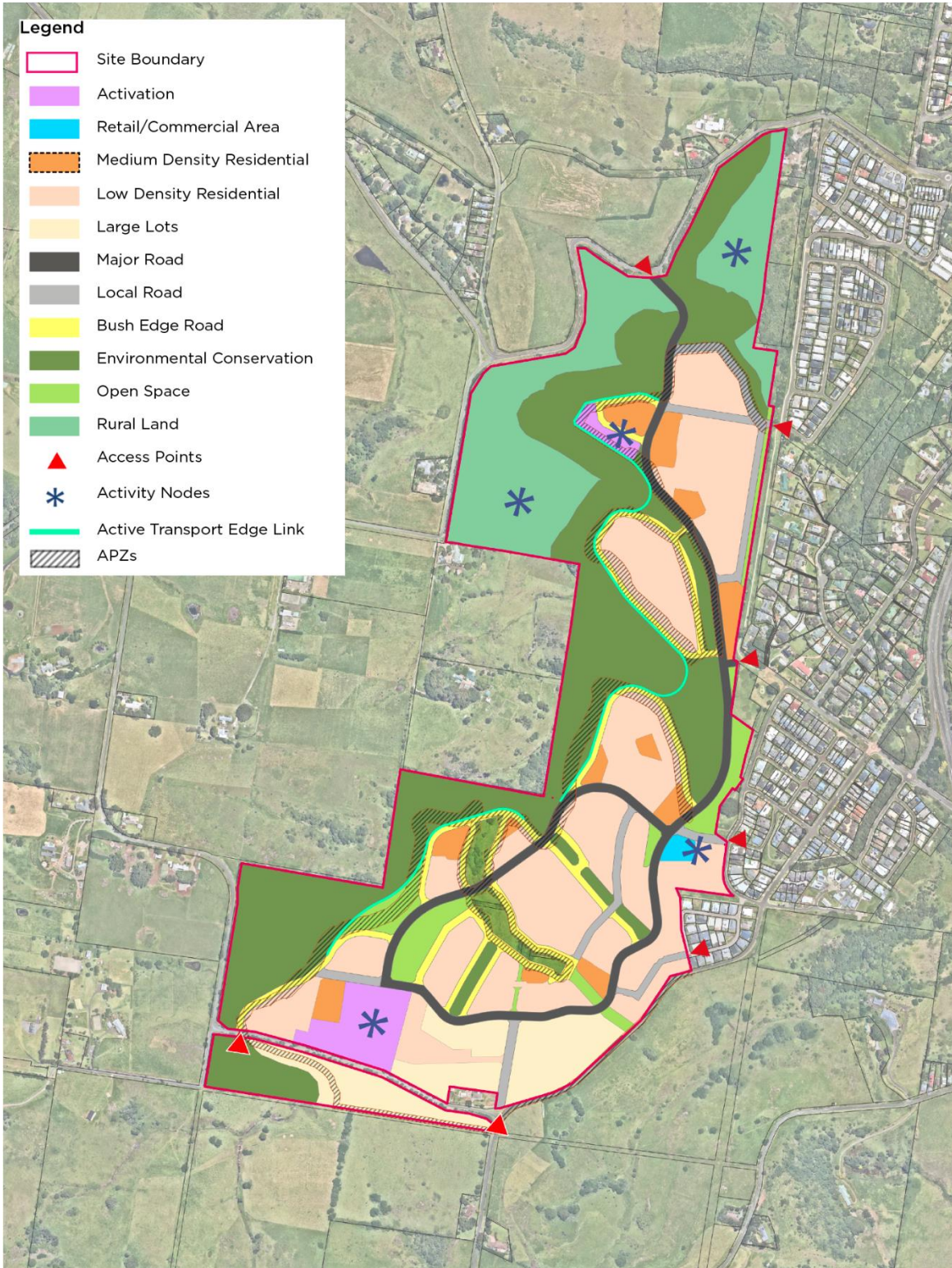


FIGURE 4 – INDICATIVE LAYOUT PLAN

Source: E8 Urban



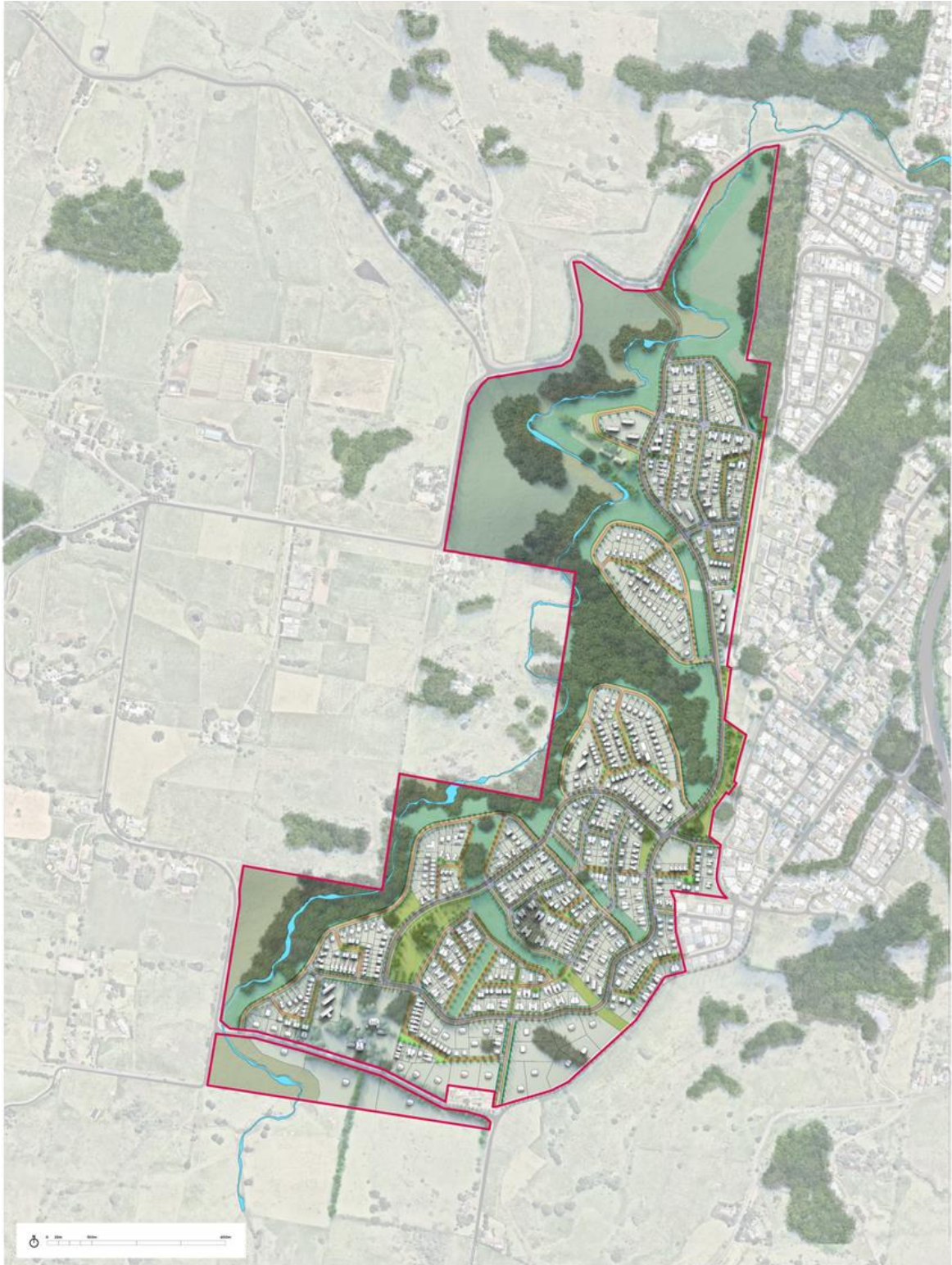


FIGURE 5 – PROPOSED MASTERPLAN
Source: E8 Urban



6 Part 2: Explanation of provisions

The planning proposal seeks to amend the *Kiama Local Environmental Plan 2011* to enable a mix of rural, residential, open space, conservation and employment land uses. The Indicative Layout Plan provides the proposed development layout and high level spatial allocations for new proposed land uses.

Specifically, the planning proposal request seeks amendments to the following:

6.1 Land use zoning

Rezone part of the Site from RU2 Rural Landscape to the following zones to enable development in line with the Indicative Layout Plan through the following zones:

- R2 Low Density Residential
- R3 Medium Density Residential
- E1 Local Centre
- RE1 Public Recreation.

In areas of the Site which are not proposed to be rezoned, the zoning will be retained as RU2 Rural Landscape. No change is proposed to the existing C2 Environmental Conservation and C3 Environmental Management zones.

6.2 Maximum height of buildings

Introduce maximum height of buildings controls of:

- 8.5 m for the R2 Low Density Residential zone
- 15 m for the R3 Medium Density Residential and E1 Local Centre zones.

6.3 Minimum subdivision lot sizes

Reduce the minimum subdivision lot size on part of the Site from 40 ha to the following:

- 450 sqm on land zoned R2 Low Density Residential and R3 Medium Density Residential
- 1,000 sqm on land zoned RU2 Rural Landscape in the southern portion of the Site.

6.4 Exception to minimum subdivision lot size for certain residential development

Introduce a clause that provides an exception to the minimum subdivision lot size to enable the following:

- 350 sqm for lots where it can be demonstrated by a building envelope plan that a dwelling house can be built on the lot
- 200 sqm for a semi-detached dwelling
- 175 sqm for an attached dwelling.

The proposed exception of minimum subdivision lot size clause is as follows:

Exception to minimum subdivision lot size for certain residential development

(1) *The objectives of this clause are—*

(a) to enable lots to be created that are smaller than the minimum lot size shown on the Lot Size Map for certain residential dwellings



(b) to provide opportunities for housing diversity and affordability.

(2) Development consent may be granted to the subdivision of land in Zone R2 Low Density Residential zone and R3 Medium Density Residential zone that results in a lot that is smaller than the minimum lot size shown on the Lot Size Map if—

(a) the subdivision of land results in a lot that is not less than 350 sqm if the consent authority is satisfied that the lot will contain a sufficient building envelop to enable the erection of a dwelling house on the lot, or

(b) the subdivision is carried out for the purposes of a semi-detached dwelling or an attached dwelling, and

(c) the size of any resulting lot is not less than—

(i) in the case of subdivision carried out for the purposes of a semi-detached dwelling – 200 square metres, or

(ii) in the case subdivision carried out for the purposes of an attached dwelling – 175 square metres.

6.5 Land reservation acquisition

Identify the following land for acquisition:

- RE1 Public Recreation
- C2 Environmental Conservation
- C3 Environmental Management.

6.6 Additional permitted use

Incorporate the following additional permitted uses on the Site in Schedule 1 of the Kiama LEP:

- educational establishments and place of public worship in the RU2 Rural Landscape zone
- attached dwellings in the R2 Low Density Residential zone.

The proposed additional permitted use clause is as follows:

Use of certain land at 103 Jamberoo Road, Kiama

(1) This clause applies to land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Road, Kiama, being part of Lot 201 DP 1148007, Lot 1 DP 995058, Lot 1 DP 1003719, Lot 156 DP 751279, Lot 1320 DP 1060995, Lots 183, 185-189 DP 751279, and Lot 102 DP 1176643.

(2) Development for the purposes of the following is permitted with development consent—

(a) educational establishments and place of public worship on land at 103 Jamberoo Road, Kiama, being part of Lot 103, DP 1176643, identified as “...” on the Additional Permitted Uses Map

(b) attached dwellings in the R2 Low Density Residential zone.

6.7 Urban release areas

Amend the urban release areas map to identify the Site.



7 Part 3: Justification of strategic and site-specific merit

7.1 Section A- Need for the proposal

7.1.1 Q1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

Kiama Council has recently retired the historic Kiama Urban Strategy, which historically has been the document that guided and limited the provision and location of new greenfield urban development in Kiama. Since 2011 when the Kiama Urban Strategy was prepared, circumstances in Kiama and the Illawarra Shoalhaven Region have substantially changed with regard to housing demand and the need to accommodate housing growth.

Despite the retirement of the Kiama Urban Strategy, the Kiama LSPS continues to limit greenfield housing opportunities based on mapping which generally reflects the Kiama Urban Strategy. As such, there is currently no evidence based contemporary plan or policy which seeks to guide housing delivery in Kiama in line with the forecasted growth trends. This current application seeks to respond to a change in circumstances in that there is growing need for housing in Kiama and a current lack of direction in local planning policy to support the sustainable rollout of an adequate pipeline of housing.

There is an action in the Kiama LSPS to prepare a Local Housing Strategy in FY21/22. The process to prepare the Local Housing Strategy has been delayed and not yet been exhibited.

The Department of Planning and Environment's LEP Making Guideline requires planning proposals to demonstrate how it satisfies strategic and site specific merit. It outlines assessment criteria that asks whether the planning proposal:

Responds to a change in circumstances that has not been recognised by the existing planning framework.

Further, the Guideline outlines the factors that could lead to a change in circumstances, and includes:

Changes to population and demographic trends and associated needs such as housing or jobs.

The Planning Proposal is a result of change in population and demographic trends in the Kiama LGA that is leading to a critical undersupply of housing over the next 5-15 years. The change in circumstances that justify the need for the Planning Proposal, notwithstanding the strategic and site-specific merit considerations, are outlined below.

Housing demand

A Housing Study has been prepared to demonstrate how the Site can assist in meeting the Department of Planning and Environment's implied dwelling target of 3,771 dwellings by 2041 for the Kiama LGA. The study found that there is a critical undersupply of housing over the next 5-15 years. The proposal has the potential to not only increase supply but will also provide much needed diverse in housing, including affordable and social housing.

The current projected population growth for Kiama LGA between 2021-41 has increased from 3,065 residents (2019 forecast) to 6,917 residents (2021 forecast) reflecting a substantial increase of +126% (or an additional 193 residents per annum). This has not been accounted for in the Kiama Local Strategic Planning Statement and there is no current local housing strategy for Kiama to address this demand.



Based on the 10 year historic average of 81 in-fill dwelling completions per annum, the study found that 1,620 infill dwellings are 'likely' to be delivered between 2021-41. The identified release areas (excluding Bombo Quarry) have the potential to deliver approximately 734 dwellings between 2021-41. Combined, the release areas and infill redevelopment sites have potential to deliver a total of approximately 2,354 dwellings to 2041, falling short of the Department's implied dwelling demand figure of 3,771 by -1,417 dwellings.

The 10 year historic average for dwelling completions (infill and greenfield) throughout Kiama LGA is 125 dwellings per annum (2010-2020). This is materially lower than what is required between 2021-41 based on the Departments implied dwelling demand of 3,771 (equating to 189 dwellings per annum).

Additionally, there is limited future supply from planning proposals in the system. The Kiama CBD Planning Proposal is the only current planning proposal in Kiama LGA that has potential to increase supply. It proposes a minor increase in the maximum height of buildings and maximum floor space ratio control on a limited number of lots in the Kiama Town Centre. The Kiama CBD Planning Proposal will not significantly increase housing supply capacity to address the shortfall in Kiama LGA.

Whilst Bombo Quarry has been identified for potential supply, its constraints in terms of rehabilitation, legislation, timing, complexity and its isolated location (distinct separation from key town centres/amenities), raises uncertainty as to whether it can ever be redeveloped for housing. This is reinforced by advice issued to Council on 1 September 2022 from the Department of Planning and Environment, which is included as Attachment 1.

Further, the Housing Study includes advice from Kiama Council that the wastewater network for Jamberoo is now at full capacity and no additional connections to the wastewater network can be made, which is likely to restrict delivery of new additional housing in Jamberoo.

TABLE 4 – POTENTIAL FUTURE DWELLINGS

Item	Potential dwellings deliverable between 2021-41
Release area – number of lots / dwellings	734*
Projection based on historic infill dwelling average	1,620 (81 dwellings per annum)
Total	2,354
DPE Implied Dwelling Demand	3,771
Gap	-1,417

* Comprises all identified expansion areas in the LSPS, excluding Bombo Quarry/

Source: AEC



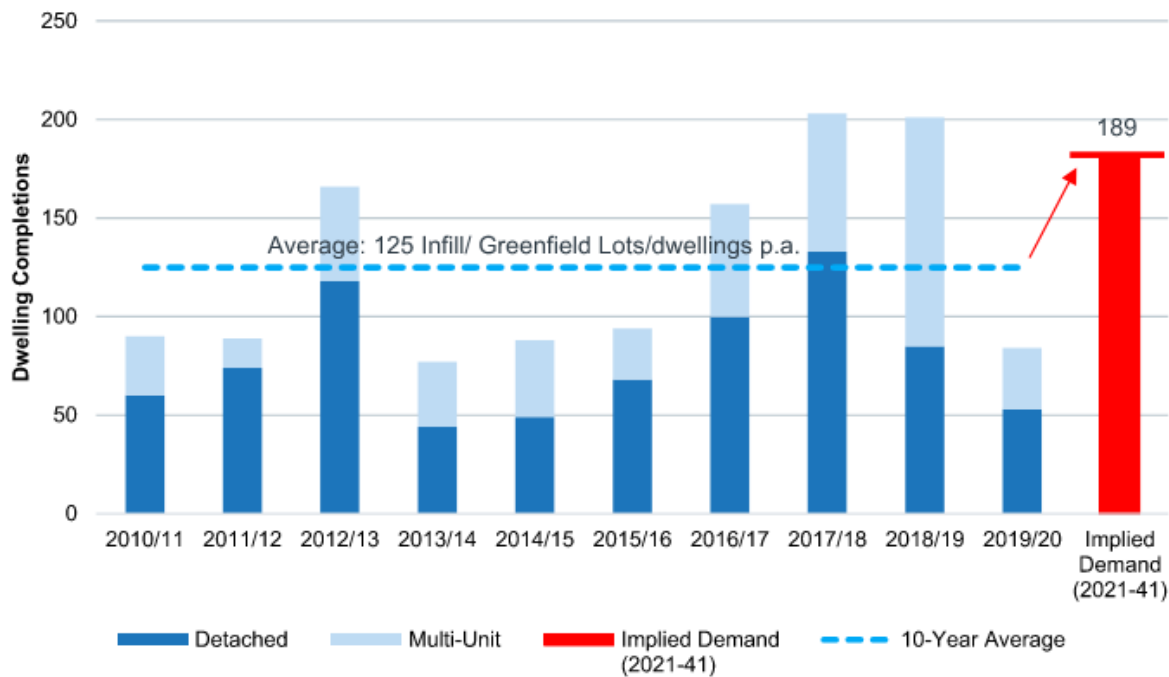


FIGURE 6 – KIAMA LGA HISTORIC DWELLING COMPLETIONS & ANNUAL IMPLIED DWELLING DEMAND (2021-2041)

Source: AEC and Illawarra-Shoalhaven Urban Development Program Dashboard

The change in circumstances is highlighted by the revised population projections, coupled with the lack of a strategic planning document from Council addressing housing demand. The most recent demographic data and housing completions data show that the current housing capacity and supply pipeline does not cater for this increased demand. Without intervention, such as this planning proposal, the supply shortfall will be exacerbated. This shortfall will potentially contribute to heightened affordability issues, critically low rental supply and a lack of housing availability for more vulnerable low and middle income households.

The Site has the potential to contribute to Kiama LGAs housing supply, assist in meeting implied dwelling demand figures, provide a range of suitable housing typologies (including affordable and social housing), unlock formerly privately owned land for open space and community uses, create jobs and ensure the regions long term sustainability and economic strength.

Based on the evidence presented within the Housing Study, it is clear that the consideration of additional housing supply opportunities in appropriate locations is a strategy which could be employed to assist with meeting dwelling demand and managing housing affordability issues in the LGA.

Housing affordability is also becoming an increasing issue for a number of LGAs within the Illawarra Shoalhaven region, however none-more so than for Kiama LGA where median house prices grew by 27% over 2021 and 23% in 2022.

Effectively, household income would need to double in order for existing residents to purchase a median priced house without entering 'mortgage stress' (where mortgage repayments are greater than 30% of a households income). There is a growing unaffordability gap in Kiama LGA that is not being addressed by the existing planning framework.



7.1.2 Q2. Is the Planning Proposal the best means of achieving the objectives and outcomes, or is there a better way?

Yes. The Planning Proposal is the best means of achieving the objectives and intended outcomes as the existing Kiama LEP 2011 does not facilitate the redevelopment of the Site as proposed. A site-specific planning proposal allows for the redevelopment of the Site to be contemplated in detail, and importantly how it integrates with surrounding environment.

7.2 Section B – Relationship to strategic planning framework

7.2.1 Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plan or strategies)?

Yes. The relevant directions, planning priorities and actions of the applicable regional strategic planning documents have been considered in the preparation of the Planning Proposal. The relevant considerations that demonstrate the strategic merits of the Planning Proposal are outlined below.

Illawarra Shoalhaven Regional Plan 2041

The Illawarra Shoalhaven Regional Plan 2041 is a 20-year land use plan that applies to the areas of Wollongong, Shellharbour, Kiama and Shoalhaven on the South Coast of NSW. The Regional Plan sets the strategic framework for the area, aimed at protecting and enhancing the region's assets and plans for a sustainable future.

The Regional Plan is anchored around four key themes:

- A productive and innovative region
- A sustainable and resilient region
- A region that values its people and places
- A smart and connected region.

The Regional Plan anticipates a growth in the region's population of at least 100,000 by 2041, with Kiama's population expected to increase by 3,997 people. It highlights the need for future development to consider sustainability, feasibility, water and wastewater capacity and the protection of existing character when delivering new housing and associated infrastructure.

The Regional Plan recognises the continuing growth in the region's ageing population, the decreasing household sizes, and the increase in home-based working due to the COVID-19 pandemic, which would impact the demand in the type of housing. It encourages an increase in the diversity and affordability of the range of housing available to cater to the needs of all generations and demographics.

The Regional Plan identifies a need for an additional 58,000 dwellings in the entire Illawarra-Shoalhaven region by 2041.

Kiama is identified as a Regional Centre in the Illawarra Shoalhaven Regional Plan. Objective 2 of the Regional Plan is to *grow the region's regional cities*, which includes the regional centre of Kiama. The Regional Plan states that it:

supports regionally significant centres by ... identifying and removing barriers to housing supply in Kiama.



This statement recognises that the current zoned housing supply capacity in Kiama will not meet demand and there is a need to *remove barriers* to new housing opportunities.

Objective 18 of the Regional Plan is to provide *housing supply in the right locations*. This is supported by Strategy 18.1 *identify urban growth boundaries and facilitate opportunities to support ongoing supply of housing in appropriate locations*.

There are no objectives or strategies in the Regional Plan which specifically restrict the consideration of additional housing in appropriate locations where it can be demonstrated that there is a demand. The Planning Proposal directly aligns and responds to the following Regional Plan objectives and strategies as outlined in the table below:

TABLE 5 – REGIONAL PLAN ASSESSMENT

Regional Plan Objectives	Consistency	Justification
Objective 11: Protect and enhance environmental assets	Consistent	The Planning Proposal will retain and protect all existing C2 and C3 zoned conservation land. Additionally, existing RU2 Rural Landscape zone on visually important parts of the site, surrounded by conservation and recreation zoned land in areas of high biodiversity will also be retained. This is generally associated with the Spring Creek riparian corridor that forms the western boundary of the Site. The protection of the Spring Creek corridor provides for biodiversity connections through the Site.
Objective 12: Build resilient places and communities	Consistent	A place based approach has been undertaken to the masterplanning of the Site to ensure that future residential development respects its existing environmental, visual and topographical characteristics. The concept plan identifies connecting roads through the Site, a local centre for the daily convenience needs of residents, protection of areas of biodiversity significance and retention of rural land. Diversity in lot and dwelling sizes, together with an integration of social, affordable and key worker housing, will ensure a thriving community for many decades.
Objective 13: Increase urban tree canopy cover	Consistent	The concept masterplan identifies the opportunity to retain existing biodiversity and to increase the tree canopy cover across the Site through the local street network, local open space and public spaces. This is reinforced through varying lot sizes that provide opportunity for tree planting on development lots.
Objective 14: Enhance and connect parks, open spaces and bushland with walking and cycling paths	Consistent	The proposal incorporates approximately 43 ha of publicly accessible open space provided as a combination of informal public open space, riparian corridors and conservation areas. This land is intended to be restored and enhanced as part of the development process, with extensive walking and cycling opportunities, taking advantage of Spring Creek as a local and regional tourist attraction.
Objective 18: Provide housing supply in the right locations	Consistent	The Objective seeks to balance housing opportunities in urban release areas and existing urban areas. Whilst the Site is not identified within the urban growth boundary by Council, it



provides an opportunity to support housing supply in a key location within close proximity to Kiama Town Centre. A new urban growth boundary could incorporate the Site to ensure that much needed housing supply is provided to address the critical undersupply in Kiama that has not been addressed in strategic plans and strategies. The objective seeks to prioritise new housing opportunities in strategic centres, such as Kiama. The Site is located approximately 1 km from the Town Centre. Further, the single ownership of the Site enables the important supporting infrastructure to be provided in conjunction with housing supply.

<p>Objective 19: Deliver housing that is more diverse and affordable</p> <ul style="list-style-type: none"> • Strategy 19.1: Provide a diversity of housing choices and dwelling sizes • Strategy 19.2: Increase the supply of affordable housing • Strategy 19.3: Renew and increase social housing 	<p>Consistent</p>	<p>The proposal seeks to include a variety of dwelling typologies through the R2 Low Density Residential and R3 Medium Density Residential zones, with varying building heights and lot sizes to promote choice, diversity and affordability. Importantly, the proposal seeks to deliver social and affordable housing, with a mix of the following:</p> <ul style="list-style-type: none"> • 5% social housing to be delivered to the NSW Land and Housing Corporation at no cost • 5% delivered as affordable rental housing to be managed by a community housing provider in perpetuity • 5% delivered as part of a shared equity scheme for key workers • 5% reserved for first home buyers • 5% for locals identified in postcodes 2533 and 2534.
<p>Objective 21: Respond to the changing needs of local neighbourhoods</p>	<p>Consistent</p>	<p>The proposal includes two local centres that provide retail and services for the daily convenience needs of future residents. The centres have been strategically located for access by the majority of the future resident population and incorporated into the masterplan design of the Site.</p>
<p>Objective 22: Embrace and respect the region's local character</p>	<p>Consistent</p>	<p>The concept masterplan that has been developed for the Site has considered its visual, typographical and environmental characteristics in proposing a mix of land use zones, densities and housing typologies to ensure that the local character is respected.</p>
<p>Objective 23: Celebrate, conserve and reuse cultural heritage</p>	<p>Consistent</p>	<p>The Site contains the existing Greyleigh House that offers tourism opportunities, which is proposed to be retained in the RU2 Rural Landscape. The important cultural heritage aspects of the Site are associated with the Spring Creek riparian corridor that is proposed to be zoned public recreation and conservation. The existing historic dry stone walls on the Site will also be retained and incorporated as part of future development</p>
<p>Objective 28: Create connected and accessible walking and cycling networks</p>	<p>Consistent</p>	<p>Opportunities for walking and cycling will be incorporated into the masterplanned street network and throughout the 43 ha of publicly accessible open space provided as a combination of informal public open space, riparian corridors and conservation areas focused along Spring Creek.</p>



7.2.1 Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary of GSC, or another endorsed local strategy or strategic plan?

KIAMA LOCAL STRATEGIC PLANNING STATEMENT

The Kiama Local Strategic Planning Statement (LSPS) establishes a 20 year vision for land use in the Kiama LGA. It captures the local identity and shared community values and outlines how growth and change will be managed into the future. The Kiama LSPS predates the Regional Plan.

The LSPS highlights key community values, including:

- Protecting the natural environment
- Creating a more diverse and sustainable economy
- Retain community spirit but diversify the community with more cultural groups and young people
- Retain the character of the area and distinct towns and villages by avoiding overdevelopment.

The LSPS was published in 2020 and was based on 2019 population projections that forecast the population of Kiama would increase by 4,000 people between 2016 and 2041, from 22,100 to 26,100. The LSPS acknowledges that greenfield sites are required to deliver projected housing demand and identifies potential urban expansion areas, which are limited to those identified in the 2011 Kiama Urban Strategy (now retired).

However, since publication of the LSPS, the Department of Planning and Environment has released updated population projections and implied dwelling demand figures. These show that projections have substantially increased and exceed the available development pipeline and historic dwelling completion data. This constitutes a significant change in circumstances and suggests a requirement for additional greenfield sites, beyond those sites identified in the Kiama Urban Strategy.

An action in the LSPS was for a local housing strategy to be prepared by 2021/2022, which would revise the retired 2011 Kiama Urban Strategy growth boundaries to respond to current population projections and dwelling demand. The draft local housing strategy has not yet been exhibited. The planning proposal request seeks to contribute to the housing supply shortage given the absence of a contemporary housing strategy.

The Kiama LSPS also commits to the preparation of new strategies around rural land uses, urban greening, net zero emissions and walking and cycling. However, these strategies are yet to be prepared.

The table below is an assessment of the Planning Proposal against the relevant LSPS planning priorities.

TABLE 6 – LOCAL STRATEGIC PLANNING STATEMENT ASSESSMENT

Local strategies	Consistency	Justification
Theme 1 Manage sustainable growth		
PP1 Plan for and balance housing supply and demand	Justifiably Inconsistent	The Planning Proposal responds to a change in circumstances in Kiama that has resulted in a critical undersupply of housing to meet the project population growth. The LSPS does not account for updated population and implied dwelling forecasts that are needed in Kiama. The identified growth areas in the LSPS will not deliver the housing supply that is needed in Kiama.



PP4 Support the delivery of required infrastructure	Consistent	The concept masterplan identifies, and the single ownership of the Site will enable, the supporting infrastructure to be delivered in conjunction with much needed housing supply.
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Theme 2 Develop a diverse and resilient economy

PP5 Foster economic diversity	Consistent	The proposal includes two local centres that will provide for the daily convenience needs of future residents. The centres will enable a diverse range of commercial, retail and business activity, providing local employment opportunities. The educational establishment enabled as an additional permitted use will also provide local employment opportunities.
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PP6 Manage tourism development and the visitor economy	Consistent	The existing Greyleigh House will be retained within its existing RU2 Rural Landscape zone and form an important part of the overall masterplan. It will continue to provide tourism opportunities, with visitors benefiting from the publicly accessible walking and cycling opportunities that will be enabled by the proposal.
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PP7 Strengthen commercial centres	Consistent	The additional population on the Site will improve the economic viability of the Kiama Town Centre through increased visitation and spending.
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Theme 3 Protect rural landscapes

PP9 Protect scenic landscapes	Consistent	The important visual aspects west of the Site will be retained within the RU2 Rural Landscape zone and through the open space and conservation areas. A Visual Attributes Study has been prepared and its findings have been incorporated into the masterplan for the Site.
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Theme 4 Mitigate and adapt to climate change and protect our environment

PP10 Conserve areas of environmental significance	Consistent	The areas of high biodiversity significance are retained within the existing conservation zone and proposed public recreation zone, primarily focused along Spring Creek, which aligns with Biodiversity Land identified under the Kiama LEP 2011.
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Theme 5 Foster vibrant and accessible places

PP13 Support and create vibrant places	Consistent	The proposed local centres provide amenity and services for residents within walking distance of dwellings, which improves the vibrancy of the Site.
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PP15 Celebrate and protect local character	Consistent	The local character is celebrated through retention of the important visual and rural aspects of the Site and incorporating it with public recreation opportunities, including a potential natural amphitheatre on the Site.
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COMMUNITY STRATEGIC PLAN

The Community Strategic Plan 2022 - 2032 describes the outcomes for Kiama LGA over the next 10 years and the strategies to achieve them.

The Plan identifies that the population of Kiama is ageing, with the median age of 47, which is significantly higher than the regional median of 41.4; and in the capital cities of 36.5. Currently 32% of the Kiama population is over 60; this will increase to 39% by 2041. It states that many in the community are retired, or semi-retired, with regional populations increasingly seeing younger retirement ages or transitional



arrangements from 55 onwards. The Plan recognises that social connectedness is a major contributor to wellbeing, and it is important not to lose those connections during life stage changes. As such, events, activities and facilities work to create community cohesion and shared opportunities to participate in the society.

The Plan is based around five pillars that reflect the values and aspirations of the Kiama community and support the vision. Within each of these, the Plan identifies outcomes, which are the goals to be achieved, and strategies on how they will be achieved. The relevant outcomes and strategies that the Planning Proposal is consistent with are outlined below.

TABLE 7 – COMMUNITY STRATEGIC PLAN OUTCOMES AND STRATEGIES

Outcome	Strategy
Pillar 1 We belong and contribute	
A strong sense of community and belonging, where social and cultural life flourishes; and our families, friends and visitors feel welcome and included.	<p>Provide spaces, services and initiatives that foster a proud, inclusive, and connected community for all.</p> <hr/> <p>Connect with each other through participating in local arts, cultural and library activities and programs.</p> <hr/> <p>Promote our major facilities to attract events and activities.</p>
We love where we live; we have the services and facilities we need, and the natural beauty of our surroundings enhances our safe, active and healthy lifestyle.	Provide facilities that enable us to participate in social, cultural, recreational and sports activities, no matter our background, ability or age.
To know and honour our local heritage; Indigenous and non-Indigenous.	<p>Support and promote local cultural activities.</p> <hr/> <p>Recognise the importance of our heritage buildings and precincts; safeguard areas and items of local cultural and / or heritage significance.</p>
Pillar 2 We thrive in a sustainable environment	
Our people, our place, our flora and fauna are protected through our planning and our actions.	<p>Protect our coast, our estuaries and waterways.</p> <hr/> <p>Protect our biodiversity, native plants and animals.</p> <hr/> <p>Protect and maintain our natural areas; conserve areas of environmental significance.</p>
Our natural environment of spectacular beaches, rainforests and rolling hills define our place.	Retain and promote our natural environment and our scenic rural landscapes.
Pillar 3 We create a strong and diverse economy	
A strong economy, vibrant local businesses and local economic growth.	<p>Enhance and expand opportunities to demonstrate Kiama LGA as a place to invest in.</p> <hr/> <p>Maintain and expand a wide range of industry and business; including tourism, agriculture, light industry, professional and care services, etc.</p>



Enhance opportunities to create a range of jobs for all residents.

An economy that embraces the tourism opportunities while ensuring we don't lose our community feel; our tourism development and visitor economy is well managed.

Manage tourism development and the visitor economy.

Pillar 4 We are part of a connected and liveable community

We love where we live; our housing reflects our values.

Collaborate and partner through ISJO to develop a regional response to supply of affordable housing.

Facilitate development that is respectful of the local characteristics of the Municipality.

Manage growth sustainably and thoughtfully.

Our built environment is safe and inclusive; our infrastructure is well planned and well managed.

Create a regional network of interconnected roads, shared pathways and cycleways to maximise access to key destinations and facilities.

Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport.

We embrace innovation and new technologies and resources that improve environmental and social outcomes.

Support education, training and different partnerships that support learning and sharing new information and ways of doing.



7.2.2 Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

STATE INFRASTRUCTURE STRATEGY 2022-2042

The State Infrastructure Strategy sets out Infrastructure NSW's advice on the infrastructure needs and priorities of the State for the next 20 years, and beyond. The Strategy recognises that infrastructure is critical in addressing housing supply and affordability. It states that:

New housing supply can only be delivered where infrastructure keeps pace with land use planning. Community acceptance of new development relies on good local amenity – transport connections, schools and health services, public civic and green spaces, protection of local character and access to services close to home. Achieving those outcomes requires timely planning, funding and delivery of local infrastructure in tandem with rezonings and subdivisions, based on well-developed master plans

The Strategy recognises that there are opportunities to improve the supply of housing in greenfield areas, noting that:

Wherever new housing supply is established, this Strategy supports the notion that the quality of local amenity will be upheld by a '15-minute neighbourhood' approach, ensuring residents can access most services and facilities by walking or cycling 15 minutes. This approach will require programs focused on local high streets, open spaces, and safe and enjoyable walking and cycling infrastructure.

The Planning Proposal is consistent with these principles in creating a masterplanned community that incorporates diversity in land uses, housing typologies, local centres and publicly accessible open space and conservation areas. The single ownership of the Site enables supporting infrastructure to be provided upfront in conjunction with housing growth. The table below highlights the relevant objectives and strategic directions that the Planning Proposal is consistent with.

TABLE 8 – STATE INFRASTRUCTURE STRATEGY OBJECTIVES AND STRATEGIC DIRECTIONS

Objectives	Strategic directions
Protect our natural environment	Foster sustainable use of natural resources and construction materials through reuse and recycling.
	Implement a strategic and practical approach to managing biodiversity.
	Capitalise on blue-green infrastructure opportunities
Integrate infrastructure, land use and service planning	Coordinate infrastructure, land use and service planning to meet housing, employment, industry and community needs.



7.2.3 Q6. Is the planning proposal consistent with applicable SEPPs?

Consideration has been given to all state environmental planning policies (SEPPs) in preparing the Planning Proposal. The Planning Proposal is consistent with all relevant SEPPs as outlined in the table below.

TABLE 9 – STATE ENVIRONMENTAL PLANNING POLICY ASSESSMENT

State environmental planning policy	Consistency	Justification
SEPP (Biodiversity and Conservation) 2021	Can be consistent	The SEPP does not prevent the development on the Site. The Site is not identified as a strategic conservation area or land to be avoided.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Housing) 2021	Can be consistent	The Planning Proposal will not create additional uses that can't satisfy the provision of the SEPP.
SEPP (Industry and Employment) 2021	Not applicable	Not applicable
SEPP No 65 – Design Quality of Residential Apartment Development	Can be consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Planning Systems) 2021	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	Not applicable	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable	Not applicable
SEPP (Precincts – Regional) 2021	Not applicable	Not applicable
SEPP (Precinct – Western Parkland City) 2021	Not applicable	Not applicable
SEPP (Primary Production) 2021	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Resilience and Hazards) 2021	Can be consistent	The proposal does not fall within the definition of potentially hazardous or offensive industries. Future development will consider whether the land is contaminated and whether any remediation is required. The Preliminary Site Investigation has not identified any constraints that would prevent the Planning Proposal from progressing.
SEPP (Resources and Energy) 2021	Consistent	The Planning Proposal will not create additional uses that fall within the definition of mining, petroleum production or extractive industries.



SEPP (Sustainable Buildings) 2021	Consistent	The Planning Proposal will not hinder the application of the SEPP.
SEPP (Transport and Infrastructure) 2021	Can be consistent	The Planning Proposal does not create additional uses that can't satisfy the provisions of the SEPP.

7.2.1 Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

Section 9.1 of the *Environmental Planning and Assessment Act 1979* requires a planning proposal to demonstrate how it will achieve or give effect to principles, aims, objectives or policies specified in a Direction issued by the Minister for Planning.

Where the planning proposal is inconsistent with any of the relevant directions, those inconsistencies must be specifically explained and justified in the planning proposal. This can be supported by technical or evidence provided as part of the justification.

Consideration has been given to all Section 9.1 Local Ministerial Directions in preparing the Planning Proposal as outlined in the table below:

TABLE 10 – MINISTERIAL DIRECTION ASSESSMENT

Direction		Consistency	Justification
Focus area 1: Planning systems			
1.1	Implementation of Regional Plans	Consistent	The Planning Proposal is consistent with Objective 18 of the Illawarra Shoalhaven Regional Plan relating to housing supply in the right locations. It achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions. This is discussed under Q3. The Planning Proposal seeks to address a change in circumstances in Kiama relating to the undersupply of housing. This is identified in the Housing Study. The Planning Proposal is needed to satisfy the full intent of the Regional Plan.
1.2	Development of Aboriginal Land Council Land	Not applicable	The Planning Proposal is not identified on Aboriginal Land Council land.
1.3	Approval and Referral Requirements	Consistent	The Planning Proposal does not include consultation, referral or concurrence provisions, nor identifies any development as designated development.
1.4	Site Specific Provisions	Consistent	The Planning Proposal does not propose any unnecessarily restrictive site-specific planning controls.



1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable	The Site is not located in the Parramatta Road Corridor.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable	The Site is not located in the North West Growth Area.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	The Site is not located in the Greater Parramatta Priority Growth Area.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	The Site is not located in the Wilton Priority Growth Area.
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable	The Site is not located in the Glenfield to Macarthur Urban Renewal Corridor.
1.10	Implementation of the Western Sydney Aerotropolis Plan	Not applicable	The Site is not located in the Western Sydney Aerotropolis.
1.11	Implementation of Bayside West Precincts 2036 Plan	Not applicable	The Site is not located in the Bayside West Precinct.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable	The Site is not located in the Cooks Cove Precinct.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable	The Site is not located in the St Leonards and Crows Nest.
1.14	Implementation of Greater Macarthur 2040	Not applicable	The Site is not located in the Greater Macarthur area.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable	The Site is not located in the Pyrmont Peninsula Place.
1.16	North West Rail Link Corridor Strategy	Not applicable	The Site is not located in the North West Rail Link Corridor.
1.17	Implementation of the Bays West Place Strategy	Not applicable	The Site is not located in the Bays West Place Strategy.
1.18	Implementation of the Macquarie Park Innovation Precinct	Not applicable	The Site is not located in the Macquarie Park Innovation Precinct.
1.19	Implementation of the Westmead Place Strategy	Not applicable	The Site is not located in Westmead Precinct.
1.20	Implementation of the Camellia-Rosehill Place Strategy	Not applicable	The Site is not located in the Camellia-Rosehill Precinct.
1.21	Implementation of South West Growth Area Structure Plan	Not applicable	The Site is not located in the South West Growth Area
1.22	Implementation of the Cherrybrook Station Place Strategy	Not applicable	The Site is not located in Cherrybrook Station Precinct.
Focus area 3: Biodiversity and Conservation			



3.1	Conservation Zones	Consistent	The Planning Proposal does not reduce the amount of land zoned for conservation purposes on the Site. The existing C2 and C3 zoned land will remain.
3.2	Heritage Conservation	Consistent	There are no listed items of environmental heritage on the Site.
3.3	Sydney Drinking Water Catchments	Consistent	The Planning Proposal reflects the watercycle management investigations that were undertaken on the Site. The riparian corridors are proposed within an RE1 Public Recreation zone and existing C2 Environmental Conservation zone to protect ecological values. Consultation with relevant State agencies will occur following issue of Gateway determination.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	The Site is not located in the identified Far North Coast LGAs.
3.5	Recreation Vehicle Areas	Consistent	The Site is not identified as or around sensitive land where impacts from recreational vehicles could occur.
3.6	Strategic Conservation Planning	Not applicable	The Site does not contain land that is identified as avoided land or a strategic conservation area.
3.7	Public Bushland	Not applicable	The Planning Proposal does not apply to land within the identified LGAs.
3.8	Willandra Lakes	Not applicable	The Site is not located in the Willandra Lakes.
3.9	Sydney Harbour Foreshores and Waterways Area	Not applicable	The Site is not located in the Sydney Harbour foreshore or waterway.
3.10	Water Catchment Protection	Not applicable	The Site is not located within a regulated catchment within the meaning of <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .

Focus 4: Resilience and Hazards

4.1	Flooding	Consistent	<p>The Planning Proposal is consistent with the principles of the Floodplain Development Manual 2005.</p> <p>A Water Cycle Management and Flood Assessment has been prepared. It shows that flood mapping identifies that flows are contained wholly within the defined watercourses and their riparian areas and do not impact the land proposed for development. These areas are not proposed for residential development.</p> <p>The report identifies there is no evacuation need/risk for the development, nor will the development impact upon the ability for adjoining lands to evacuate in the event of a flood.</p>
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Preliminary site grading of the main collector roads and the bushland perimeter roads demonstrate that the Site can be developed without requiring any filling of the waterways. The waterway crossings associated with the development proposal can be configured to avoid impacts upon the proposed new allotments and minimise flood impacts on adjoining land(s) to acceptable levels.

There are no special flood considerations provisions in the Kiama LEP.

4.2	Coastal Management	Not applicable	The Site is not identified as being located in a coastal zone.
4.3	Planning for Bushfire Protection	Consistent	The Planning Proposal has been informed by a Bushfire Strategic Study. The report found that the Site and future land uses have capacity to comply with the requirements of Planning for Bushfire Protection 2009.
4.4	Remediation of Contaminated Land	Consistent	A Preliminary Site Investigation into contamination has been prepared. It found that the Site can be developed for its intended uses, with further assessment required at the development application stage.
4.5	Acid Sulfate Soils	Consistent	There is a minor affection of acid sulfate soils mapped as Class 5 in the Kiama LEP 2011 on the north-eastern corner of Lot 102 DP 1176643. The zoning on the part of the Lot identified as acid sulfate soils is not proposed to change. It will retain its existing RU2 Rural Landscape zone. The impact of acid sulfate soils on any future development on the Lot will be managed at the development application stage as required. No change is proposed to the mapped acid sulfate soils.
4.6	Mine Subsidence and Unstable Land	Not applicable	The Site is not located in a mine subsidence district and has not been identified as unstable land.
Focus area 5: Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Consistent	The indicative concept plan prepared in support of the Planning Proposal provides opportunities for a bus network to be extended through the Site, as well as the incorporation of active transport, with walking and cycling paths.
5.2	Reserving Land for Public Purposes	Consistent	The Planning Proposal identifies land for public open space generally along the Spring Creek riparian corridor that will be acquired by Kiama Council.
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable	The Site is not located near regulated airports or a defence airfield.



5.4	Shooting Ranges	Not applicable	The Site is not adjacent to/or adjoining an existing shooting range.
Focus area 6: Housing			
6.1	Residential Zones	Consistent	<p>The proposed R2 Low Density Residential and R3 Medium Density Residential zones and the range of lot sizes and building heights will promote diversity and affordability of housing on the Site. The existing planning framework is outdated and does not enable sufficient housing supply. The Planning Proposal seeks to address the change in circumstances in Kiama that has led to the undersupply and lack of diversity and affordability of housing in Kiama.</p> <p>The Site directly adjoins the Kiama urban area and will benefit from being in close proximity to existing infrastructure and services. The single ownership of the Site means that new infrastructure can be delivered concurrently with new housing supply.</p>
6.2	Caravan Parks and Manufactured Home Estates	Consistent	The proposal does not involve any caravan or manufactured home estates.
Focus area 7: Industry and Employment			
7.1	Business and Industrial Zones	Consistent	The Planning Proposal includes two areas zoned as E1 Local Centre to provide for local employment opportunities and daily convenience needs for residents.
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable	The Site is not located in the Byron Shire Council LGA.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	The Site is not located within a north coast LGA that is traversed by the Pacific Highway.
Focus area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable	The Planning Proposal does not change the permissibility of mining on the Site, which is currently prohibited in the RU2 Rural Landscape zone.
Focus area 9: Primary Production			
9.1	Rural Zones	Justifiably inconsistent	<p>The Planning Proposal responds to a change in circumstances in Kiama LGA identified in a Housing Study that highlights a significant undersupply of diverse and affordable housing to support population and demographic changes. The current planning framework does not enable this housing supply to be addressed.</p> <p>Further, an Agricultural Assessment has been undertaken which found that the characteristics of the Site suggest it has little agricultural</p>



productive value. Notwithstanding, the proposal will retain some of the existing agricultural value.

The proposal is also consistent with the Illawarra Shoalhaven Regional Plan objectives of removing barriers to housing supply in Kiama.

9.2	Rural Lands	Justifiably inconsistent	<p>The Planning Proposal is generally consistent with the Illawarra Shoalhaven Regional Plan and Kiama LSPS, with the exception of greenfield land identified for urban growth. This strategic planning framework does not account for the current change in circumstances that has led to significant undersupply and unaffordability of housing in Kiama. The Regional Plan identifies limited greenfield housing opportunities in Kiama. The Council in its LSPS also commits to preparing a local housing strategy to define the Kiama urban growth boundaries to accommodate the most recent population projections. The housing strategy has yet to be exhibited. This Planning Proposal seeks to address this undersupply with a diverse and social and affordable housing.</p> <p>The characteristics of the Site suggest it is not State significant agricultural land. The concept masterplan prepared for the Site has also considered the environmental attributes, avoiding conflict with environmentally sensitive areas, including creek corridors, significant vegetation and areas of visual prominence. This includes restoration and embellishment of the Spring Creek Corridor. These areas will be zoned RE1 Public Recreation and retain the existing C2 Environmental Conservation and C3 Environmental Management zones.</p>
9.3	Oyster Aquaculture	Not applicable	<p>The Site is not located in a priority oyster aquaculture area or is proposed for the purposes of oyster aquaculture.</p>
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	<p>The Site is not located on the Far North Coast.</p>



7.3 Section C – Environmental, social and economic impact

The Planning Proposal is supported by a range of studies/reports outlined below. The outcomes and conclusions of these studies/reports show that the proposal does not include any unreasonable or unmanaged environmental, social or economic impacts.

TABLE 11 – PROJECT TEAM

ITEM	DESCRIPTION
Concept Landscaping Plans	Sprout Studios
Concept Masterplan Urban Design	E8 Urban
Project Vision	Hoyne
Housing Study	AEC Economics
Preliminary Economic Impact Assessment	AEC Economics
Traffic Impact Assessment	SCT Consulting
Social and Community Needs Assessment	Mecone
Historical Heritage Constraints Assessment	Biosis
Aboriginal Due Diligence Assessment	Biosis
Ecological Report	Ecological
Bushfire Strategic Study Report	Ecological
Preliminary Water Cycle Management and Flood Assessment	J Wyndham Prince
Potable Water and Wastewater Concept Review	J Wyndham Prince
Utility and Infrastructure Servicing Report	J Wyndham Prince
Visual Attributes Study	Envisage
Stage 1 - Preliminary Site Investigation	Sydney Environmental
Agricultural Assessment and LUCRA	Minesoils
Sustainable Utilities Servicing Strategy	AltogetherGroup

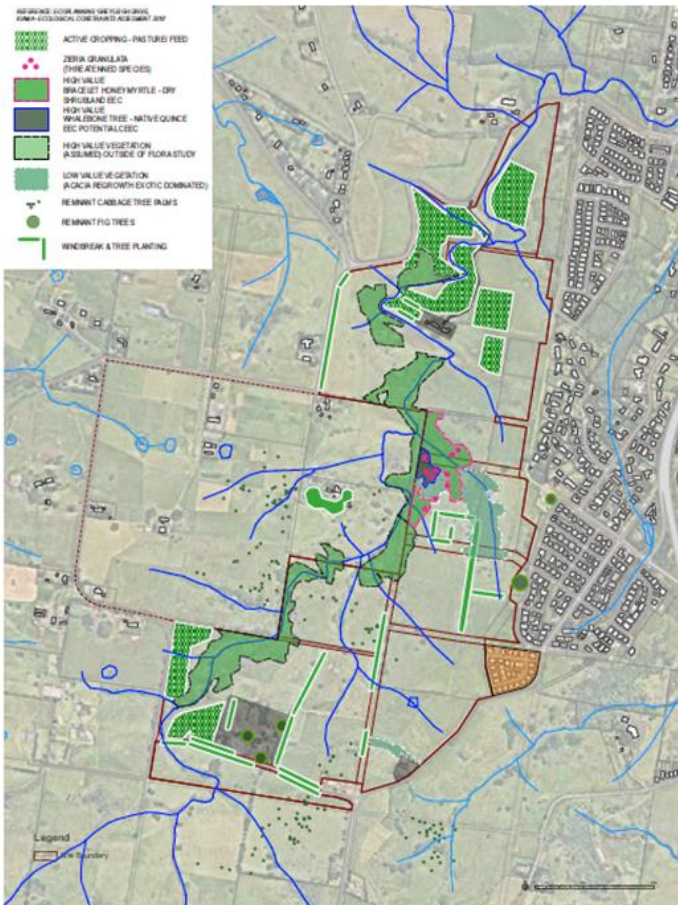


7.3.1 Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Site contains portions of terrestrial biodiversity as identified on the Kiama LEP 2011 mapping. The Spring Creek Corridor is also identified as having biodiversity values on the NSW Biodiversity Values Map.

Based on the current available mapping and historic investigations undertaken in previous planning proposals, a vegetation values map has been prepared and considered as part of the concept masterplan process. Areas of dense vegetation and valuable native vegetation typically follow the creek corridors and have been avoided as part of the development layout.

Areas of ecological value are intended to be contained within the E2 Environmental Conservation, E3 Environmental Management and RE1 Public Recreation zoned land to restrict future development and enable a plan of management to be prepared. The Ecological Report outlines the recommended approach to managing areas of high ecological value.



Vegetation

- Remnant Dry Rain Forest vegetation
- Hedgerows and windbreaks

FIGURE 7 – VEGETATION AND ANALYSIS PLAN

Source: Sprout Studio



7.3.2 Q9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

TOPOGRAPHY

The Site contains undulating topography, which naturally recesses along lower order streams and towards Spring Creek. The investigations included a review of the Sites topography and detailed slope analysis. The proposal avoids areas of slope constraints, to avoid excessive cut and fill and maintain key view lines. Preliminary civil engineering advice has been provided to support the Planning Proposal with consideration of the Sites topography.

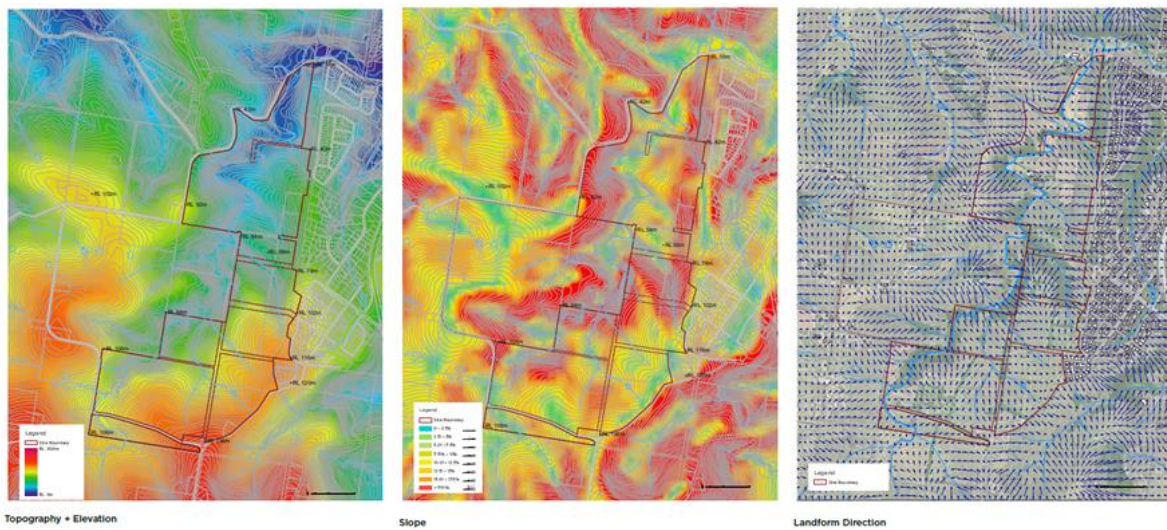


FIGURE 8 – TOPOGRAPHY

Source: E8 Urban

SCENIC LANDSCAPE VLAUES

Parts of the Site are considered valuable in terms of scenic landscape values. A Visual Attributes Study has been undertaken which has informed the concept masterplan and responds to concerns raised by Council in historic planning proposal requests. The study provides insights on the key viewpoints to and from the Site and areas of high visibility. The masterplan responds to the visual analysis by concentrating residential forms within the lower reaches of the Site and avoiding visually prominent areas that do not already adjoin residential uses. Ridgelines on the perimeter of the Site have been prioritised for the retention of rural land, public open space or large lot rural residential land uses.

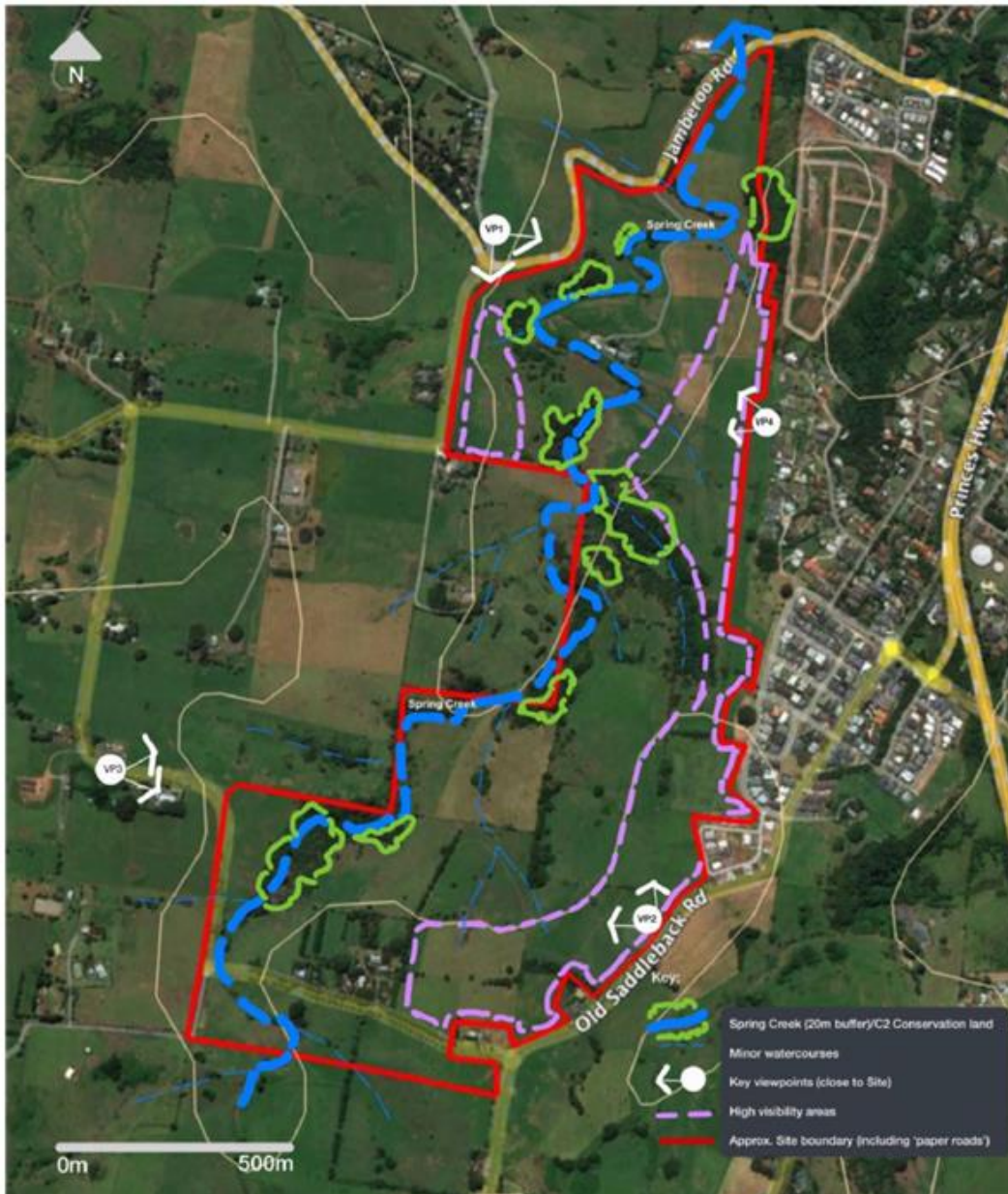


FIGURE 9 – VISUAL ANALYSIS PLAN

Source: *Envisage*



BUSHFIRE

The Site is partially impacted by bushfire prone land, including category 2 and buffer area bushfire risk categories. Bushfire prone land typically follows the pattern of dense vegetation along the Spring Creek corridor.

The concept masterplan has been designed with the intent of creating a bushfire resilient community. A bushfire ring road has been indicated along the Site's perimeter in accordance with the requirements of NSW Rural Fire Service *Planning For Bushfire Protection 2019*. A Bushfire Impact Assessment has been submitted with the Planning Proposal to provide commentary on the nature of bushfire risk and the recommended mitigation measures. There is no evacuation need/risk for the development, nor will the development impact upon any adjoining lands evacuation in the event of a bushfire.

WATER CYCLE MANAGEMENT

The Site is generally bound by Spring Creek to its western boundary and also contains several lower order streams which convey surface water into the creek corridor.

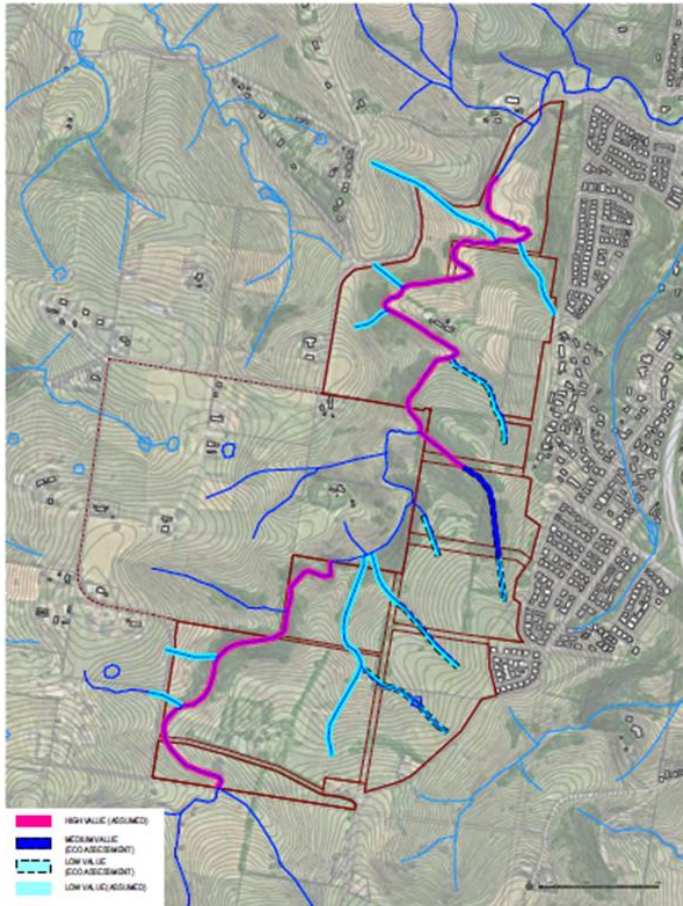
Spring Creek is a category 2 watercourse and several of the feeder streams are identified as category 3 watercourses. These watercourses have been considered in the master planning of the Site. Open space has been co-located with watercourses to prioritise the retention of their natural function and adjoining native vegetation. Lower order creeks may include some formalised drainage infrastructure in key locations to ensure the safety and functionality of the street network.

One of the key intended outcomes of the proposal is the protection and enhancement of the Spring Creek corridor, including opening this natural asset for public access and enjoyment. It is proposed that a shared pedestrian and cycle pathway will be provided along the creek corridor. This will be a key piece of public recreation infrastructure which will service both residents and visitors. In addition, opportunities exist for cultural walks along Spring Creek whereby the indigenous heritage values and history can be integrated into the design, planning and construction of the creek corridor.

Flood mapping shows that flows are contained wholly within the defined watercourses and their associated riparian zones and do not impact the land proposed for development. There is no evacuation need/risk for the development, nor will the development impact upon the ability for adjoining lands to evacuate in the event of a flood.

Preliminary site grading of the main collector roads and the bushland perimeter roads demonstrate that the Site can be developed without requiring any filling of the waterways. The waterway crossings associated with the development proposal can be configured to avoid impacts upon the proposed new allotments and minimise flood impacts on adjoining land(s) to acceptable levels.





Hydrology

- Quality of Spring Creek
- Hierarchy of water courses
- Relationship with remnant Dry Rain Forest vegetation

FIGURE 10 – HYDROLOGY ANALYSIS

Source: *Sprout Studio*

EUROPEAN HERITAGE

The Site is not identified in the Kiama LEP 2011 Heritage Mapping. However, the Site contains several dry-stone walls, identified as item heritage 64 within Kiama LEP Schedule 5. The Site is also nearby other local heritage items, being the Pines Homestead (item I13) and Silver Hill (item 180).

The dry-stone walls identified within the Site are the only heritage items which have the potential to be impacted by future works. According to Kiama Council, the dry-stone walls were constructed during the late 19th and early 20th century and are in varying conditions. The masterplan layout has been designed to generally avoid and minimise impacts to the dry stone walls. Some works may be required in the vicinity of stone walls to enable key infrastructure provision (such as roads and fire track access) and as part of an overall strategy to reduce excessive cut and fill across the Site. In areas where dry stone walls may be impacted, the proposal is to interpret and if possible, re-instate in new suitable locations within the public domain.



ABORIGINAL HERITAGE

The Aboriginal Due Diligence Assessment report identified 11 potential archaeological deposits within the Site. These areas were identified by landform, including elements such as proximity to water, elevation and flat areas. The remainder of the Site was identified as having low potential due to shallow soils, distance from water, prior disturbances from agricultural and residential land use, and unfavourable landforms. The report found one major Aboriginal cultural heritage constraint but proposed a range of strategies that would reduce the impacts and enhance the heritage elements as part of the masterplan. Further consultation will take place with the traditional owners of the land.

CONTAMINATION

The Stage 1 Preliminary Site Investigation report identified seven areas of environmental concern with low potential for contamination. Notwithstanding, the report found that the Site is considered to be suitable (from a land contamination perspective) for the proposed future land use subject to a targeted Stage 2 detailed site investigation within the identified areas of environmental concern as part of future development on the Site. The report concluded that any contamination within the targeted detailed site investigation is likely to be localised and will not preclude any redevelopment of the Site following remediation (if/where warranted).

TRAFFIC AND TRANSPORT

The Site is bound by several local streets which could potentially facilitate future street access. These include:

- existing site entry driveway from Jamberoo Road to the north
- potential extension and upgrade of Bland Street
- potential extension and connection to Danube Street
- potential connection point at Old Saddleback Road and Long Brush Road, near Greyleigh House.

The Site is also located approximately 400 m west of the Princes Highway (at its closest point) which is a classified State Road. Jamberoo Road to the north is a regionally significant arterial road. Access to the Site will naturally rely on existing State and arterial roads.

The cumulative impacts on the road network have been considered as part of a Traffic Impact Assessment. The Traffic Impact Assessment found that the net increase in vehicular traffic associated with the proposal is estimated to be 783 and 860 vehicles per hour for AM and PM peaks based on the RMS Guide to Traffic Generating Developments (2013). It found that the network would operate at satisfactory levels in all modelled periods including a future year with development and does not require any upgrades given there is sufficient remaining capacity on the local road network.

Public transport

Kiama Railway Station is located approximately 1.6 km east of the Site. During the AM peak period, three trains (southbound) arrive at Kiama and six trains travel northbound from Kiama. A bus stop exists near the intersection of Jamberoo Road and Jerrara Road (at the northern end of the Site) with the provision of two services (Route 125) from 6.30 to 10.00 am. Route 125 is a local bus service that connects between Kiama and Jamberoo.

The concept masterplan has been developed to include provision for a future bus route along the main collector road, whereas the internal street network increases permeability and accessibility for active transport, encouraging green transport use for the Site. There is also opportunity to consult with transport service providers and/or community organisation to explore options for alternative transport services such as a community shuttle to Kiama Town Centre or on demand services.



Existing cycle facilities are available along Merrick Circuit, to the east of the Site, delivered as part of newly built subdivision. However, there are limited existing cycleways connecting the proposed development to Kiama Town Centre. Improvement to the pedestrian and cycle infrastructure is a key intended outcome of this proposal.

AGRICULTURAL ASSESSMENT AND LAND USE CONFLICT RISK ASSESSMENT

An Agricultural Assessment and Land Use Conflict Risk Assessment (LUCRA) has been prepared that considers:

- the agricultural productive value of the land, as well as anticipated impacts to agriculture as a result of the proposal
- any potential land use conflicts between proposed urban zones (i.e. residential, business) and adjoining rural zoned land.

The assessment identified that the Planning Proposal will result in removal of 2.2% of land that is used for agriculture in the Kiama LGA, representing \$578,554 per year, being 2.1% of the gross value of agriculture in the Kiama LGA. The current agricultural land uses surrounding the Site and in the broader locality will not change as a result of the Planning Proposal, and there will be no fragmentation or displacement of existing agricultural industries.

The assessment found that the proposal will not negatively impact any existing agricultural enterprise outside the Site. There will be negligible impact on local, regional and State agricultural services as the supply and viability of agricultural support services are driven by social and market trends far exceeding the scale of the minor reduction in agricultural land use and productivity as a result of the Planning Proposal.

In terms of agricultural resources, the assessment found that there will be no direct or indirect impacts to:

- soil resources
- agricultural capability
- surface or groundwater resources
- agricultural infrastructure such as the road network that connects agricultural industries.

Other potential impacts on agriculture such as pest species, biosecurity, air quality and dust, traffic, noise and vibration and cumulative impacts were considered, and the impacts identified as negligible.

The LUCRA outlined potential risks that may arise from developing the Site. However, these can be managed through the development phase and as part of any ongoing management plans.



7.3.3 Q10. Has the planning proposal adequately addressed any social and economic effects?

Outlined below are the social and economic effects of the Planning Proposal.

SOCIAL

A Social and Community Infrastructure Needs Assessment has been prepared to determine the demand on social and community infrastructure as a result of the projected yield of approximately 1,100 dwellings and population of 3,300 people. The report found that the Kiama LGA is currently well served by social and community infrastructure and services, locally and regionally. The proposal, through the addition of 3,300 people, would add to the demand for these existing services, including community and cultural facilities, and active and passive open space.

Notwithstanding, there are opportunities to provide a range of local open space, community facilities, shops and health services on the Site to support both the existing and the incoming population. The additional population is not significant enough to reach a threshold to require the construction of additional community and cultural facilities and is instead likely to support continued patronage of existing facilities, particularly those identified within the catchment of the Site. The demand for additional open space will be absorbed by the existing active open space, however the provision of an additional 43 ha on the Site will supplement this and provide additional passive open space within walking distance of new residences.

Additionally, future development will be required to pay contributions to Kiama Council for community and social infrastructure outlined in the existing Section 7.12 Contributions Plans.

A review of the Kiama social profile has identified that, as the population of Kiama LGA and SA2 is projected to age over the next 20 years, demand for social and community infrastructure and services is likely to disproportionately be aligned towards those which cater towards the needs of older community members, particularly those aged 75+.

A review of the socio-demographic profile highlights that the current population of Kiama LGA has relatively low levels of deprivation and unmet need, particularly in comparison to the wider Illawarra-Shoalhaven region. Additionally, the review of the existing housing profile highlights that the existing housing stock is predominantly large, detached homes with multiple spare bedrooms. Additional housing diversity will be provided through this proposal, with over 60% of the proposed new dwellings being low-rise medium density housing designed to suit smaller households. This can provide suitable smaller housing options for aging residents, as well as affordable housing options for younger households.

The opportunity to deliver social and affordable housing through this proposal may help ameliorate housing stress, through the provision of social housing dwellings, affordable rental housing, shared equity scheme housing for key workers, and housing reserved for first home buyers.

The proposal will provide a range of opportunities for the delivery of social and affordable housing. It is anticipated this will be a mix of the following:

- 5% social housing dwellings to be delivered to NSW Land and Housing Corporation at not cost
- 5% delivered as affordable rental housing, to be managed by a community housing provider in perpetuity at no cost
- 5% delivered as part of a share equity scheme (key workers)
- 5% reserved for first home buyers
- 5% reserved for locals identified in postcodes 2533 and 2534.



The proponent has partnered with Housing Trust, a Wollongong based Community Housing Provider (CHP). Housing Trust will manage the social housing on behalf of NSW Land and Housing Corporation, and manage, and potentially own, the affordable housing component. Housing Trust acknowledge that the proposal will help address the significant need for more market and social and affordable housing in Kiama. Kiama Council does not have an affordable housing policy or plan.

The proponent has a strong track record of delivering social and affordable housing in partnership with NSW Land and Housing Corporation and Community Housing Providers. Currently in NSW, the proponent has five projects with NSW Land and Housing Corporation, one of which was completed in 2021, one currently under construction and three in the planning stage. NSW Land and Housing Corporation has indicated its support for the proposal.

ECONOMIC

The project will improve the local economy and provide employment opportunities during the development and construction phase, as well as ongoing operations. This includes:

- a local centre for retail and business opportunities
- identification of land for a potential educational establishment
- tourism associated with Greyleigh House, nature walks, cycling tracks and environmental education.

A Preliminary Economic Impact Assessment has been prepared to profile the estimated economic benefits that can potentially be generated by the development, including the direct and indirect benefits of both construction and ongoing impacts. These include:

Construction

The report found that the development has the potential to generate significant economic impacts within the Kiama LGA, including \$108.4 million in Gross Regional Product (GRP) directly from construction activity and \$74.9 million in flow on impacts. During construction, a total of 1,365 full time jobs (including direct and indirect) are anticipated to be created, many of which will be filled by locals.

Ongoing

Ongoing economic activity generated from operations of the educational establishment and retail precinct aspects of the development are estimated to include \$19.2 million in GRP, whilst also providing an estimated \$7.2 million in flow on impacts. Importantly the development is anticipated to deliver a total of 274 full time jobs (including direct and indirect), many of which may be filled by locals.



7.4 Section D – Infrastructure (Local, State and Commonwealth)

7.4.1 Q11. Is there adequate public infrastructure for the Planning Proposal?

UTILITY INFRASTRUCTURE

The Utility and Infrastructure Servicing Report identified that lead-in potable water, wastewater, electrical and communications services are required to service the Site. Servicing due diligence has been undertaken that has identified solutions for the provision of essential services to the Site.

In addition to the enquiries and feedback received from Sydney Water, and investigations undertaken by the civil engineer, opportunities exist to design and construct an off grid solution for wastewater and recycled water through AltogetherGroup.

The Utility and Infrastructure Servicing Report concludes that:

- potable water services can be made available to the Site by the provision of a 645m DN200 lead-in from Reservoir 0231 to service land below RL 82, and a 1.14km DN200 lead-in from Reservoir 0423 to service land above RL 82
- wastewater services can be made available to the Site by the provision of a 1.22km DN225 lead in to the north of the Site
- electrical services with sufficient capacity can be made available to the Site via a 2.2km 11kV lead-in from the Kiama Zone Substation
- telecommunications supply is available through the NBN Co. This connection can be upgraded where needed to suit servicing demands
- connection of reticulated gas to the Site is not available, however, gas is not considered to be an essential service.

The outcome of this assessment confirms that the Site can be adequately serviced with all essential utility infrastructure and that the provision of services is not an impediment to future development.

PUBLIC INFRASTRUCTURE

The development of the Site will result in the following public infrastructure being delivered:

- approximately 43 ha of open space, provided as a combination of formal public open space, riparian lands and conservation areas. This land is intended to be restored and enhanced as part of the development process.
- a variety of new green open spaces with varied programming and activation opportunities including:
 - playgrounds
 - picnic facilities
 - natural and built shade
 - designated space for market stalls
 - community meeting places
 - opportunity for public art
- a new natural amphitheatre and outdoor performance space
- restoration and embellishment work along the Spring Creek Corridor, and opening of the creek corridor for public access as a new 2 km walking/cycling route that will connect existing walking/cycling links



- delivery of new local roads, including associated drainage, pedestrian infrastructure and street tree planting in the public domain to achieve a minimum 40% canopy cover. The roads will be designed to accommodate a public transport bus service for local residents.

7.5 Section E – State and Commonwealth Interests

7.5.1 Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Preliminary consultation has occurred with Kiama Council and the Department of Planning and Environment as outlined below. The views of all relevant State and Commonwealth authorities will be obtained following issue of a Gateway determination.

January 2022

On 24 January 2022 preliminary engagement was undertaken with Council regarding the potential opportunity for housing on the Site and the unique opportunities it presents in terms of strategic location and community benefits. At that time, the Kiama Local Housing Strategy was due to be reported to Council in March 2022 and exhibited in April 2022. Following the meeting with Council, a preliminary concept design was prepared to understand the development capacity of the land.

June and December 2022

In June 2022 and December 2022, a meeting was held with the NSW Department of Planning and Environment to provide a briefing on the strategic merits of the Site, increased dwelling demand in the LGA and the proposed concept masterplan. Guidance was sought on the proposed planning pathway and timing. The Department were generally receptive to the proposed concept design approach and acknowledged there is an increased demand for housing in the region. The Department advised that engagement should continue with Council regarding the proposed planning proposal and timing of the Local Housing Strategy.

August 2023

On 28 August 2023 a meeting was held with Council to provide an update on the proposal and to discuss the process for lodgement and consideration, and to understand the timing of the Local Housing Strategy. Council could not confirm a timeframe for when the draft Local Housing Strategy would be publicly available. It also advised that it may not have resourcing capacity to consider the proposal.

November 2023

On 30 November, the proposal was presented to the Kiama Council executive staff. Council were advised that the planning proposal request would be lodged before the end of 2024 and that the proponent is willing to work with Council throughout the assessment phase.



8 Part 4 – Mapping

The Planning Proposal involves the following map amendments to Kiama LEP 2011:

- Land Zoning Map – Sheet LZN_012
- Height of Buildings Map – Sheet HOB_012
- Lot Size Map – Sheet LSZ_01
- Urban Release Area Map – Sheet URA_012
- Land Reservation Acquisition Map – Sheet LRA_012
- Additional Permitted Uses Map – Sheet APU_012



LAND ZONING MAP

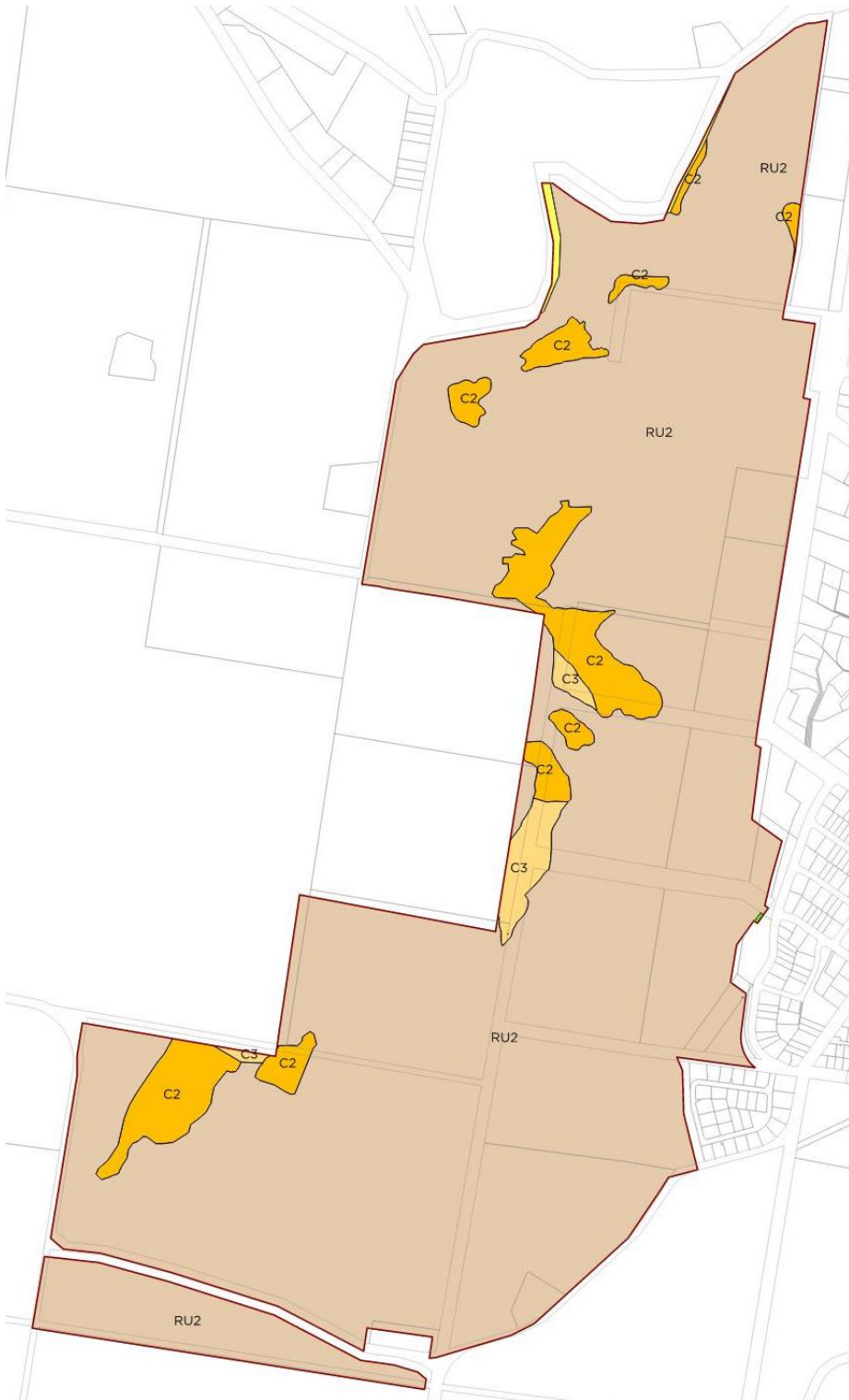


FIGURE 11 – EXISTING LAND ZONING MAP

Source: E8 Urban



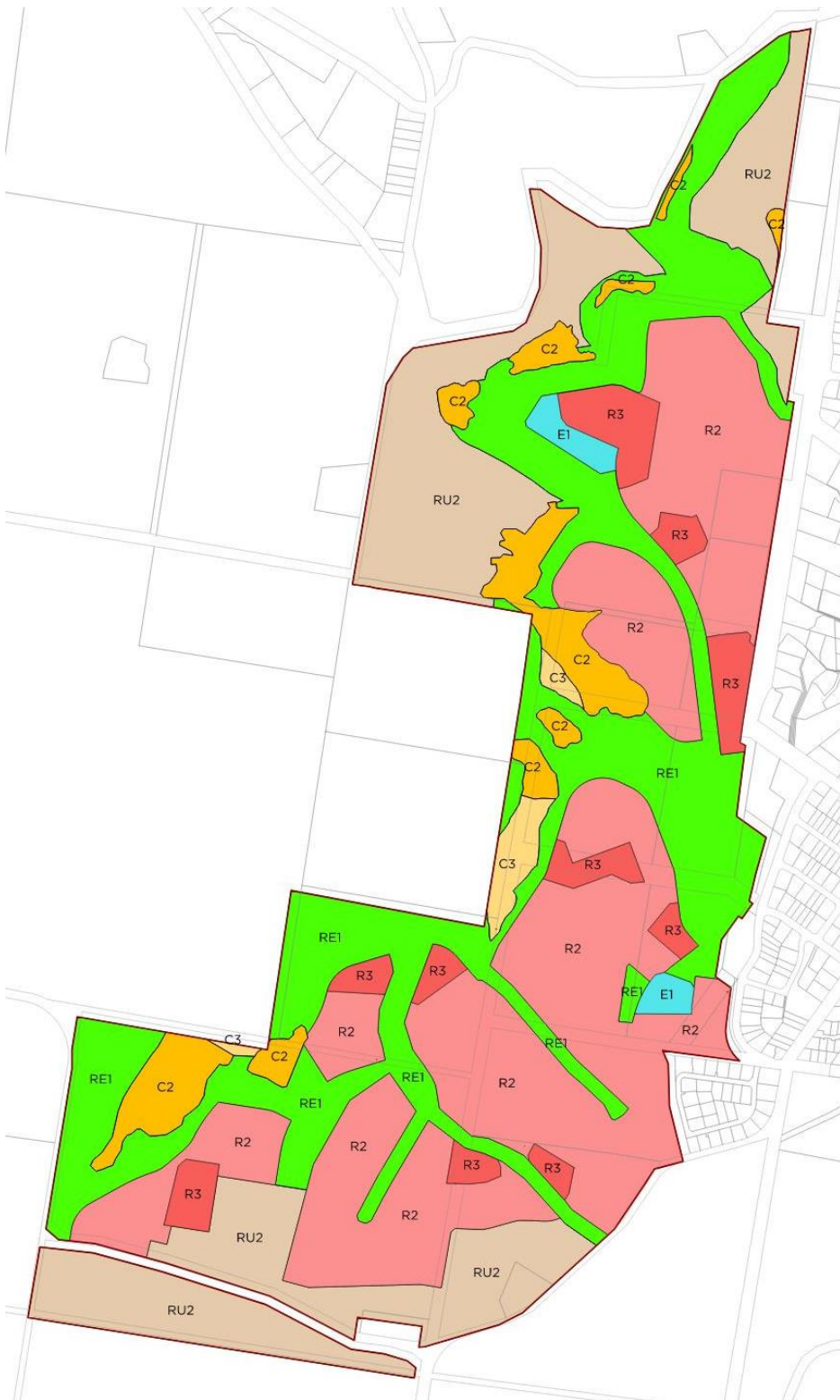


FIGURE 12 – PROPOSED LAND ZONING MAP
 Source: E8 Urban



HEIGHT OF BUILDINGS MAP

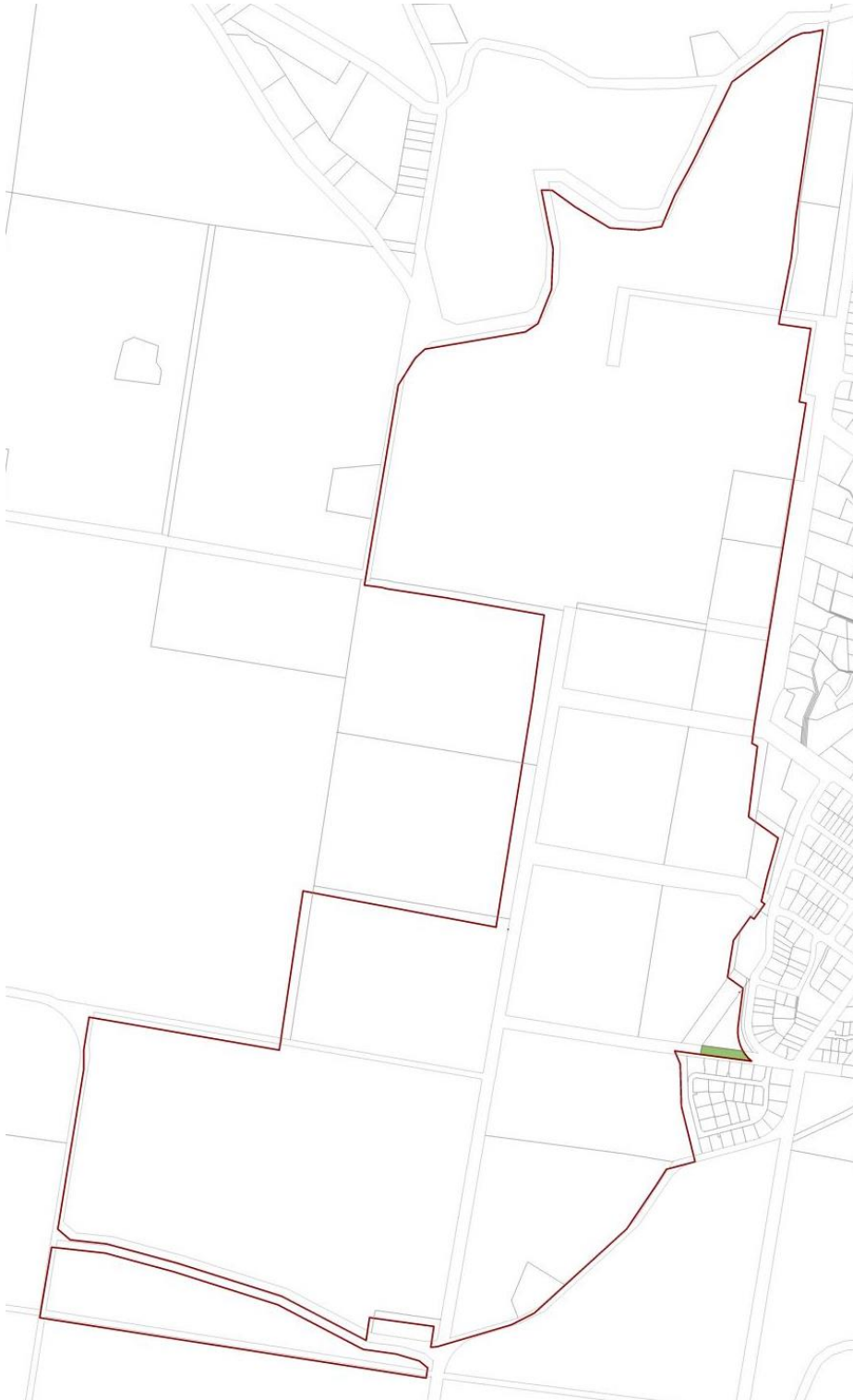


FIGURE 13 – PROPOSED MAXIMUM HEIGHT OF BUILDINGS MAP

Source: E8 Urban



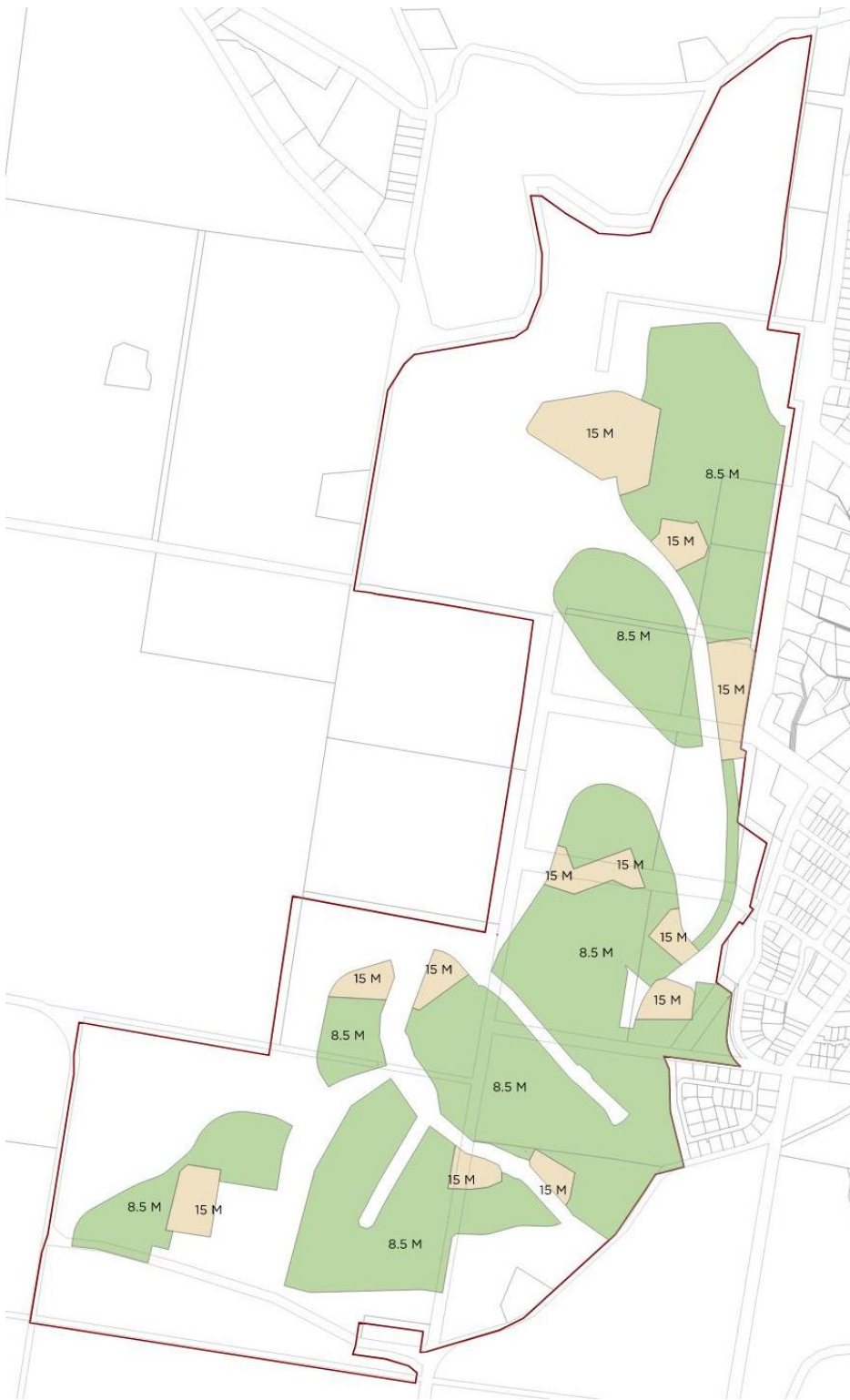


FIGURE 14 – PROPOSED MAXIMUM HEIGHT OF BUILDINGS MAP

Source: E8 Urban



LOT SIZE MAP

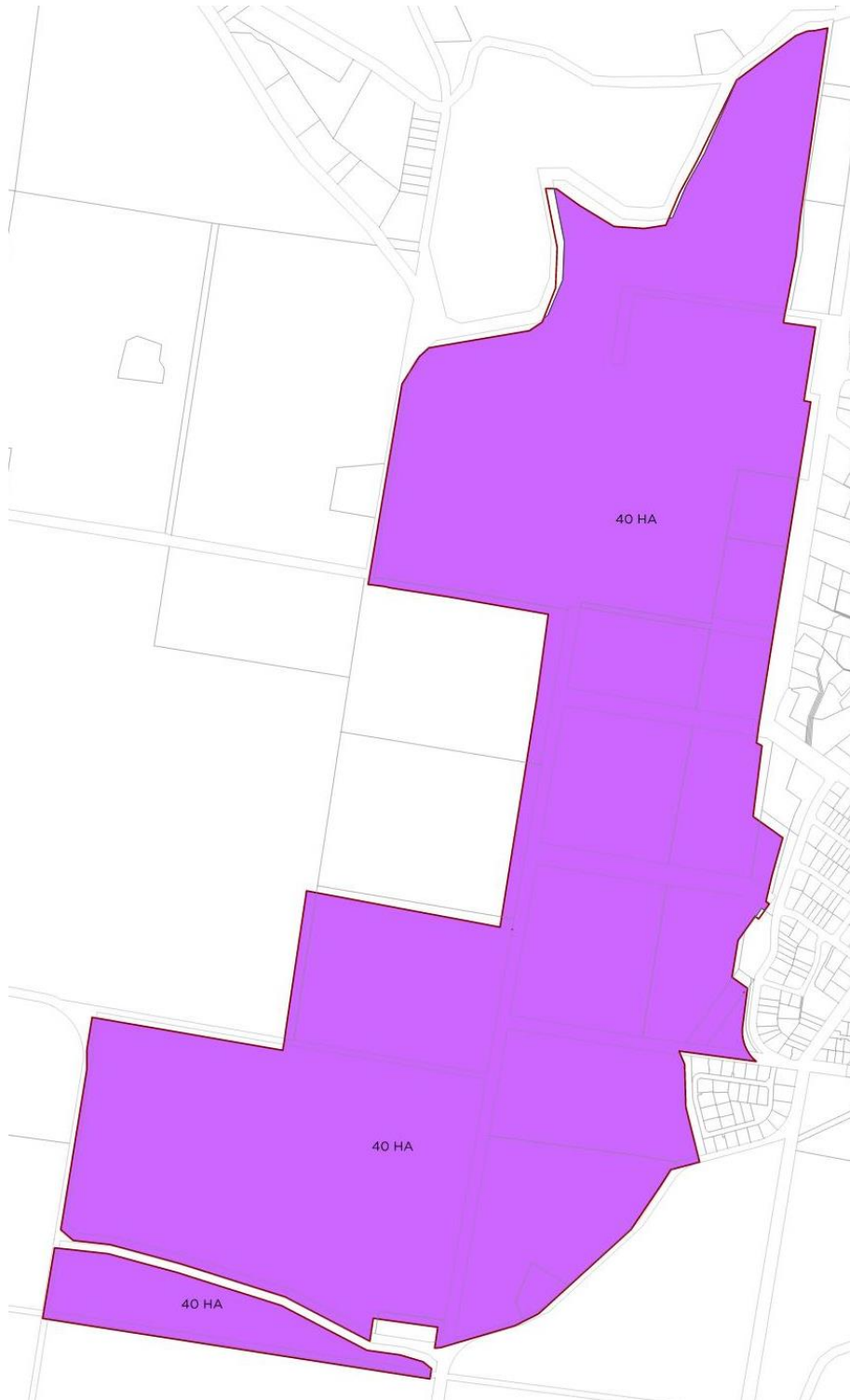


FIGURE 15 – EXISTING MINIMUM LOT SIZE MAP

Source: E8 Urban



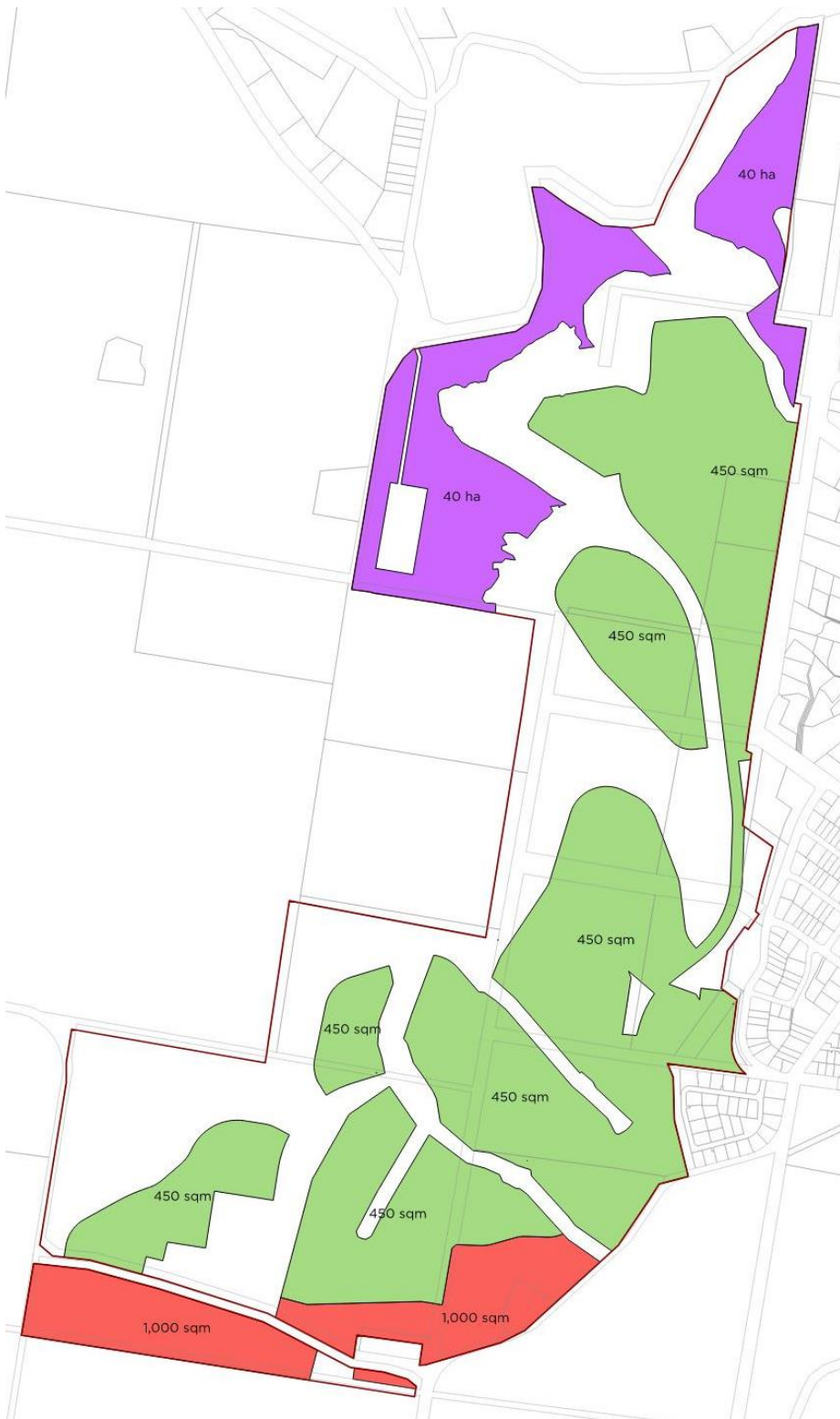


FIGURE 16 – PROPOSED MINIMUM LOT SIZE MAP
 Source: E8 Urban



URBAN RELEASE AREA MAP

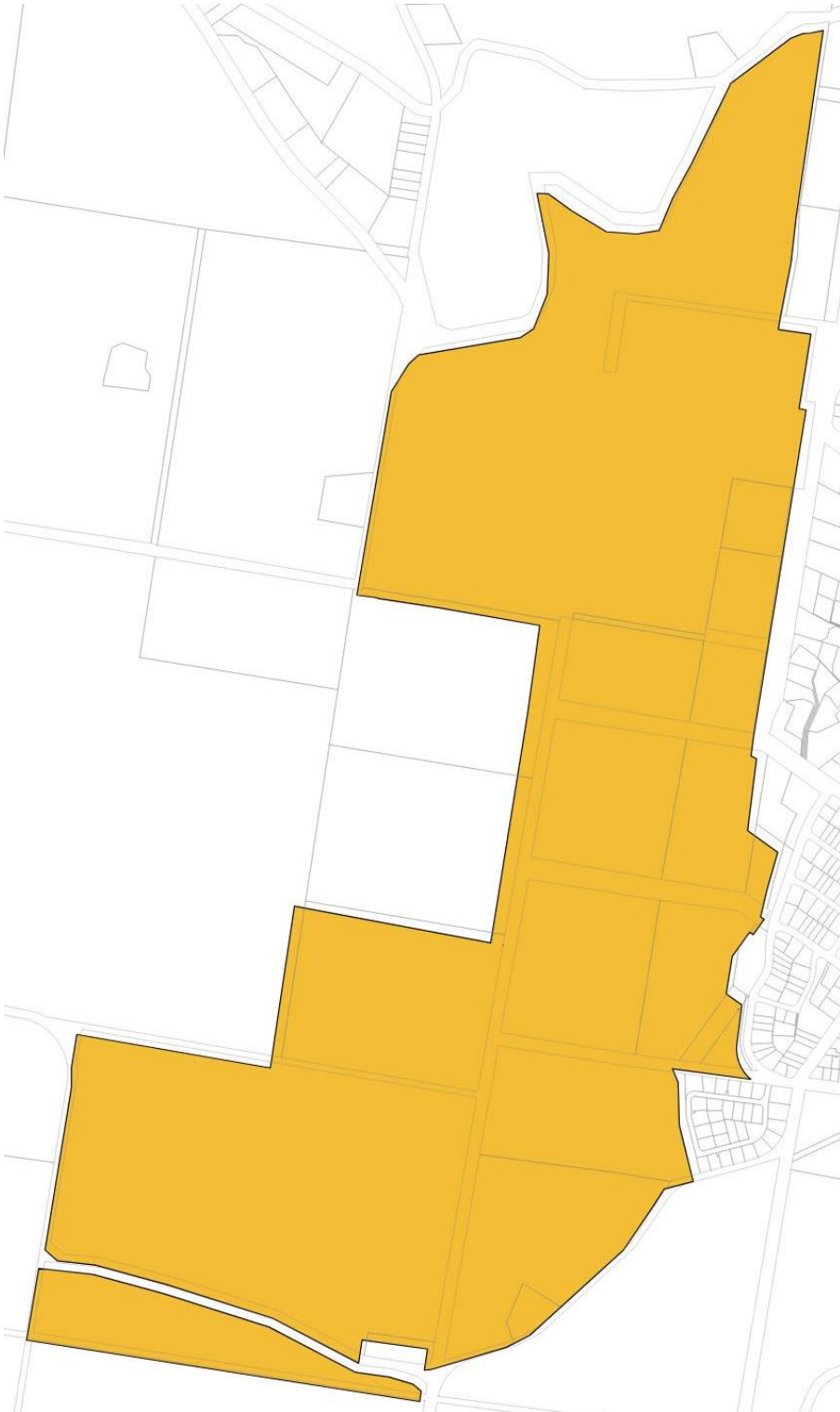


FIGURE 17 – PROPOSED URBAN RELEASE AREA MAP

Source: E8 Urban



LAND RESERVATION ACQUISITION MAP

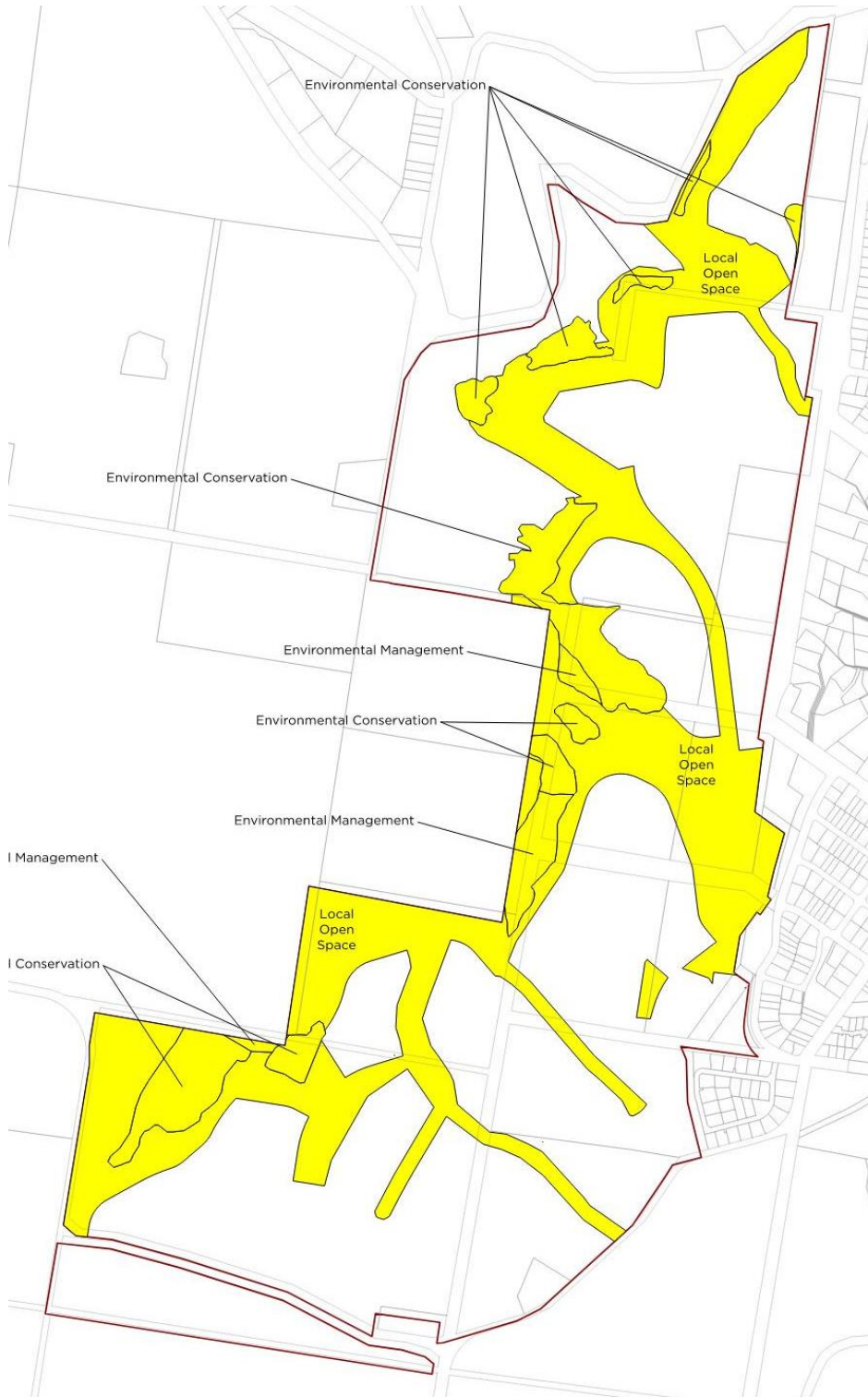


FIGURE 18 – PROPOSED LAND RESERVATION ACQUISITION MAP

Source: E8 Urban



ADDITIONAL PERMITTED USE MAP

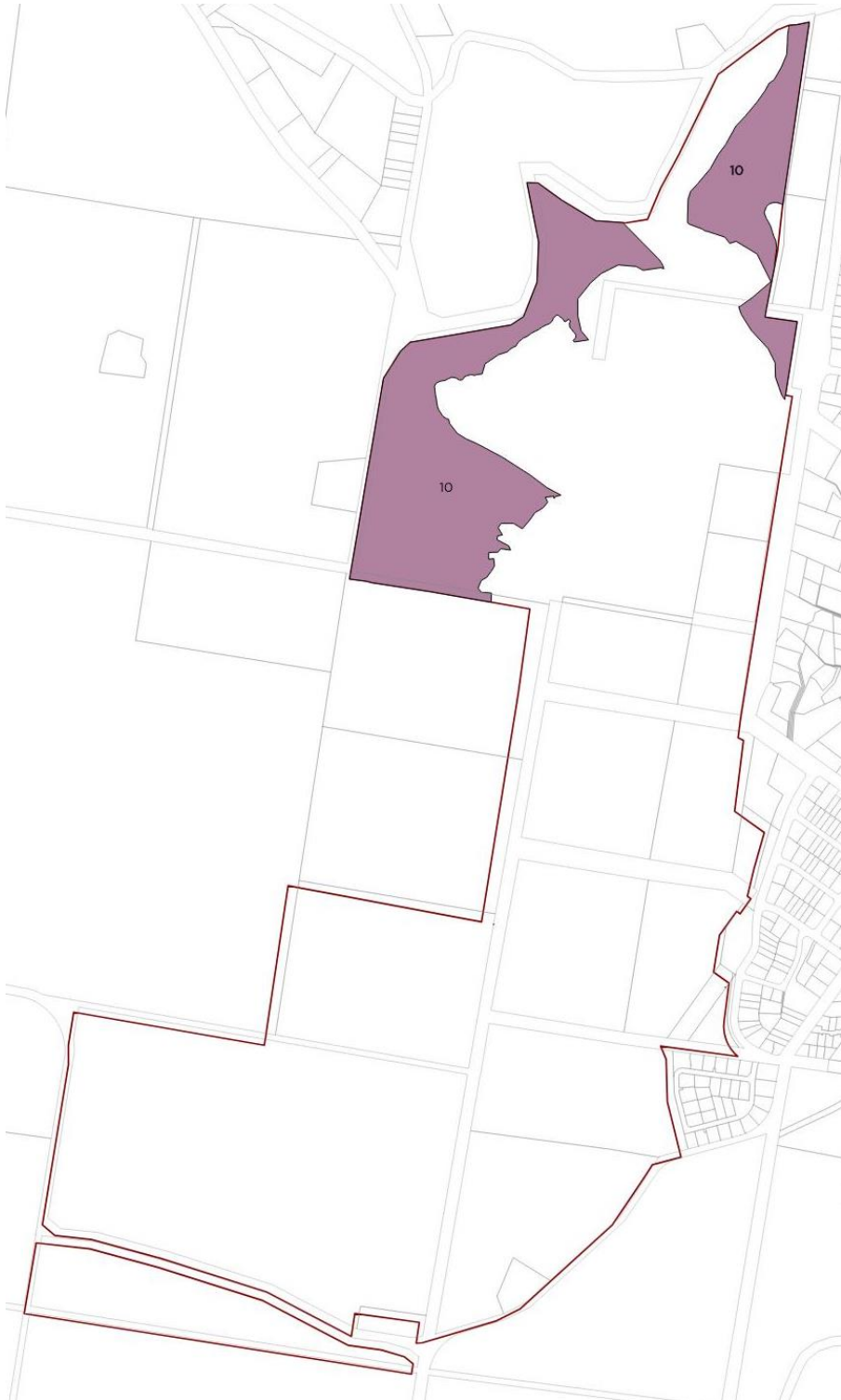


FIGURE 19 – PROPOSED ADDITIONAL PERMITTED USE MAP

Source: E8 Urban



9 Part 5 – Community consultation

Quantitative and qualitative research has been undertaken with the community, commencing in September 2022. This consultation identified particularly desires of the community and were a direct input into the Site masterplan. Further community consultation will occur in line with the Council's Community Participation Plan, with the Planning Proposal to undergo public notification following receipt of a Gateway determination.

10 Part 6 – Project timeline

The anticipated timeframe for completion of the Planning Proposal is as follows:

TABLE 12 – PROJECT TIMELINE

Milestone	Date
Submission of updated Planning Proposal	December 2023
Planning Proposal reported to Local Planning Panel	April 2024
Planning Proposal reported to Council	May 2024
Request for Gateway determination	May 2024
Issue of Gateway determination	June 2024
Commencement and completion dates for public exhibition	July - August 2024
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	June - August 2024
Timeframe for consideration of submissions and proposal post-exhibition	September 2024
Consideration of planning proposal by Council	October 2024
Date of submission to the Department of Planning and Environment to finalise the LEP	November 2024
Anticipated date relevant planning authority will make the plan (if delegated) or anticipated date relevant planning authority will forward to the department for notification	January 2024
Anticipated date for publishing of the plan	February 2024



11 Conclusion

The Planning Proposal has been prepared in support of a request to Kiama Council to amend the Kiama LEP 2011 to enable residential, employment, conservation and open space land use outcomes on the Site.

The Planning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979*
- the NSW Department of Planning and Environment's Local Environmental Plan Making Guidelines
- relevant Section 9.1 Ministerial Directions.

The Planning Proposal demonstrates that it has site-specific and strategic merit to enable an amendment to Kiama LEP 2011. Specifically, the Planning Proposal demonstrates that:

- it is consistent with the Central Coast Regional Plan 2041
- it responds to a change in circumstances in Kiama due to population demographic changes that have resulted in an undersupply in housing that has not been considered in strategic planning documents, which is consistent the *Local Environmental Plan Making Guideline*
- it is consistent with relevant Local Minister Directions and state environmental planning policies
- there are no constraints on the Site that can't be managed that would prevent future development under the proposed land use zones.

The Planning Proposal seeks to implement the place-based masterplan for the Site to enable an urban residential community to be developed that incorporates a mix of residential densities, commercial uses, recreation and conservation outcomes that is designed to respect the visual, topographical and environmental characteristics of the Site.

The Planning Proposal will result in the following positive outcomes for the Kiama LGA:

- promotion of housing affordability and diversity through the introduction of a variety of dwellings, lot sizes and building heights
- retention of existing parts of the Site to preserve view lines to and from the west
- incorporation of a local centre to provide commercial and retail daily convenience needs of future and existing residents, and employment opportunities
- recreational opportunities for future and existing residents and visitors, including publicly accessible walking and cycling along the Spring Creek corridor
- retention of the conservation of areas of high biodiversity significance
- potential development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.



Attachment 1

Department of Planning and Environment



Your ref: 22/70570-SC1423

Our ref: MDPE22/1700

Ms Jane Stroud
Chief Executive Officer
Kiama Municipal Council
PO Box 75
KIAMA NSW 2533

Via email: council@kiama.nsw.gov.au

1 September 2022

Subject: **Illawarra Shoalhaven Regional Plan – Bombo Quarry, Kiama**

Dear Ms Stroud

Thank you for your correspondence to the Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes, regarding the Bombo Quarry site. The Minister asked me to respond on his behalf.

I acknowledge Kiama Municipal Council's (Council) desire for certainty as to the timeframe for ending quarrying at Bombo Quarry. I also appreciate greater certainty will enable Council to plan more effectively for future growth in the Kiama local government area.

The Department of Planning and Environment (Department) understands the owners of Bombo Quarry are not able to provide a timeline for ending quarrying operations at this stage. However, the Department will continue to liaise with both the quarry owners and Council regarding plans for the site.

As you may be aware, the Department met with Council representatives on 19 August 2022. It was agreed that the Department will, in consultation with Council, prepare a roadmap to achieve a shared vision for the future of Bombo Quarry, as set out under Action 9 of the Illawarra Shoalhaven Regional Plan 2041.

Preparing a roadmap will help identify each step in the process, including likely timeframes, while acknowledging that the end date for quarrying operations is uncertain and potentially some years away. This work will also clarify that any future use of the site for housing or employment is unlikely to occur in the short to medium term. As such, the roadmap will provide a high-level vision to help manage stakeholder expectations for the site.

Should you have any questions, you are welcome to contact [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read "Tim Raimond".

Tim Raimond
Deputy Secretary
Planning and Land Use Strategy

