



City of Wollongong Local Environmental Plan 1990 (Amendment No 214)

under the

Environmental Planning and Assessment Act 1979

I, the Minister Assisting the Minister for Infrastructure and Planning (Planning Administration), make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (W91/00536/PC)

DIANE BEAMER, M.P.,

Minister Assisting the Minister for Infrastructure
and Planning (Planning Administration)

2003 No 584

Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 214)

City of Wollongong Local Environmental Plan 1990 (Amendment No 214)

under the

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1 Name of plan

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 214)*.

2 Aims and objectives of plan

The aims and objectives of this plan are:

- (a) to rezone the land to which this plan applies from Zone No 1 (the Non-Urban Zone) to partly Zone No 2 (a) (the Low Density Residential Zone) and partly Zone No 7 (b) (the Environmental Protection Conservation Zone) under the *City of Wollongong Local Environmental Plan 1990*, and
- (b) to identify, protect and enhance remnant forest red gum communities which are of regional conservation significance, and
- (c) to identify, protect and enhance the riparian environment of Brandy and Water Creek and American Creek, which has special ecological and conservational values, and
- (d) to allow minor reshaping of the Brandy and Water Creek and American Creek floodplain, which will enhance the conveyance of stormwater in flood conditions and which will lower the flood level in nearby residential areas, and
- (e) to ensure that the Brandy and Water Creek and American Creek floodplain is managed in a manner that is ecologically sustainable and presents a minimal maintenance burden to Wollongong City Council, and
- (f) to ensure that activities on the Brandy and Water Creek and American Creek floodplain will not increase the risk to the occupants of the floodplain or emergency personnel who assist with the evacuation of those occupants during a flood event, and

- (g) to allow low density residential development in a desirable location on land that has either been previously cleared or has been overgrown with exotic vegetation, and is not subject to flood risk, and
- (h) to ensure that residential development does not compromise the other aims and objectives stated in this clause from being achieved, and
- (i) to ensure that the General Services Corridor under the provisions of *Illawarra Regional Environmental Plan No 1* does not adversely affect the development and conservation potential of the land, and
- (j) to ensure that any development of the land is consistent with and complimentary to development of adjacent land.

3 Land to which plan applies

This plan applies to land situated in the City of Wollongong, being Lot 6002, DP 869342 and Lot 5, DP 867936, between O'Briens and Cordeaux Roads, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 214)" deposited in the office of the Council of the City of Wollongong.

4 Amendment of City of Wollongong Local Environmental Plan 1990

The *City of Wollongong Local Environmental Plan 1990* is amended as set out in Schedule 1.

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City of Wollongong Local Environmental Plan 1990 (Amendment No 214)

Schedule 1 Amendments

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(Clause 4)

[1] Clause 3 Relationship to other environmental planning instruments

Insert after clause 3 (2):

- (2A) In addition to subclause (2), clauses 82, 85 and 88 of *Illawarra Regional Environmental Plan No 1* do not apply to Lot 6002, DP 869342 and Lot 5, DP 867936, between O'Briens and Cordeaux Roads, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 214)".

[2] Clause 6 Definitions

Insert in appropriate order in the definition of *the map* in clause 6 (1):

City of Wollongong Local Environmental Plan 1990
(Amendment No 214)

[3] Schedule 2 Additional development

Insert at the end of the Schedule in Columns 1, 2 and 3, respectively:

<p>Lot 6002, DP 869342 and Lot 5, DP 867936, between O'Briens and Cordeaux Roads, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 214)".</p>	<p>Advertisements; leisure areas; recreation areas; utility installations.</p>	<p>Development consent shall not be granted unless the Council is satisfied that development of the land:</p> <p>(a) will not have a negative impact on the integrity of the riparian corridor (being the area on either side of Brandy and Water Creek and American Creek, as measured at right angles at a distance of 40 metres from the bank of those creeks), and</p> <p>(b) will not increase the risk to the occupants of the Brandy and Water Creek and American Creek floodplain or emergency personnel who assist with the evacuation of those occupants during a flood event.</p>
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[4] Schedule 3A Prohibited development

Insert at the end of the Schedule in Columns 1 and 2, respectively:

<p>Lot 6002, DP 869342 and Lot 5, DP 867936, between O'Briens and Cordeaux Roads, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 214)".</p>	<p>On so much of the land as is within Zone No 7 (b)—buildings used in conjunction with agriculture, dwelling-houses, educational establishments, granny flats, home employment, mines and restaurants.</p>
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Schedule 1 Amendments

[5] Schedule 5 Restricted development

Insert at the end of the Schedule in Columns 1, 2 and 3, respectively:

Lot 6002, DP 869342 and Lot 5, DP 867936, between O'Briens and Cordeaux Roads, Figtree, as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 214)".	Development permissible within Zone No 2 (a) or 7 (b); advertisements; leisure areas; recreation areas; utility installations.	Consent must not be granted to a development application in respect of the land unless there is a master plan for the land. The provisions of the master plan must be taken into consideration by the Council in determining the development application in respect of the land to which the master plan applies.
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BY AUTHORITY
