



City of Wollongong Local Environmental Plan 1990 (Amendment No 221)

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*. (W02/00068/PC)

DIANE BEAMER, M.P.,

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

2004 No 14

Clause 1 City of Wollongong Local Environmental Plan 1990 (Amendment No 221)

City of Wollongong Local Environmental Plan 1990 (Amendment No 221)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *City of Wollongong Local Environmental Plan 1990 (Amendment No 221)*.

2 Aims of plan

The aims of this plan are:

- (a) to establish provisions relating to master plans, in particular for the Wollongong Innovation Campus, and
- (b) to establish a new land use zone, Zone No 3 (e) (the Research and Development Business Zone) under *City of Wollongong Local Environmental Plan 1990*, and
- (c) to permit the establishment of the “Wollongong Innovation Campus”, which comprises a research and development campus, hotel, student and campus-related residential accommodation and necessary support services and facilities on the land, and
- (d) to promote and foster the establishment of collaborative research and development between users of land within the Wollongong Innovation Campus and the University of Wollongong and other enterprises in the Illawarra region, and
- (e) to encourage development of the Wollongong Innovation Campus to proceed in an orderly manner consistent with a master plan for the site, and
- (f) to ensure that the development of the site concerned is undertaken in a manner that demonstrates design of a high quality with respect to the context of the site, scale, built form and density of the development, resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics, and

- (g) to identify, protect and enhance the riparian environment of Fairy Creek and Cabbage Tree Creek, which have special ecological, aesthetic and conservational values, and
- (h) to ensure that activities adjacent to or on the Fairy Creek and Cabbage Tree Creek floodplain will not increase the risk to occupants of the floodplain, or emergency personnel assisting with the evacuation of those occupants, during a flood event.

3 Land to which plan applies

- (1) This plan applies to land situated in the City of Wollongong, which is described as:
 - (a) Wollongong Innovation Campus (owned by the University of Wollongong), being Lot 304 DP 746634, and
 - (b) the Science Centre (owned by the University of Wollongong), being Lot 1 DP 633347, and
 - (c) Campus East site (owned by the University of Wollongong), being Lot 1 DP 719865, and
 - (d) the reserves adjacent to the site bounded by Cabbage Tree Creek and Para Creeks (owned by the Crown and Wollongong City Council), being Lot 2 DP 229815, Lot 203 DP 560343 and part of Lot 303 DP 746634.
- (2) The land to which this plan applies is shown edged heavy black on the map marked “City of Wollongong Local Environmental Plan 1990 (Amendment No 221)” deposited in the office of the Council of the City of Wollongong.

4 Relationship to other environmental planning instruments

- (1) This plan amends *City of Wollongong Local Environmental Plan 1990* in the manner set out in Schedule 1.
- (2) This plan excepts land within Zone No 3 (e) under that plan from *State Environmental Planning Policy No 11—Traffic Generating Developments*, if a master plan approved by the Roads and Traffic Authority applies to the land.

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Schedule 1 Amendments

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(Clause 4)

[1] Clause 6 Definitions

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

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[2] Clause 8 Zones indicated on the map

Insert in appropriate order:

Zone No 3 (e) (Research and Development Business Zone)—
lettered “3 (e)”

[3] Clause 9 Zone objectives and development control table

Insert in appropriate order in the Table to the clause:

Zone No 3 (e) (Research and Development Business Zone)

1 Objectives of zone

The objectives of the zone are:

- (a) to permit the establishment of the “Wollongong Innovation Campus”, which comprises a research and development campus, hotel, student and campus-related residential accommodation and necessary support services and facilities on the land, and
- (b) to provide a purpose-built area where enterprises that carry out research and development as an integral part of their operations can be located, and
- (c) to promote and foster the establishment of collaborative research and development between users of land within the Wollongong Innovation Campus and the University of Wollongong and other enterprises in the Illawarra region, and
- (d) to facilitate practical links between the University of Wollongong’s research activities and initiatives of the business community, and
- (e) to encourage development of land in the zone to proceed in an orderly manner consistent with a master plan adopted by the Director-General for the site, and

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- (f) to ensure that the development of land in the zone is undertaken in a manner that demonstrates design of a high quality with respect to the context of the site, scale, built form and density of the development, resource, energy and water efficiency, landscape, amenity, safety and security, social dimensions and aesthetics, and
 - (g) to ensure that development in the zone is in harmony with the landscape quality of the coastal and foreshore setting, and
 - (h) to permit the provision of University-related facilities, including student and campus-related residential accommodation and support services, incidental or ancillary to research and development activities on the land.

2 Without development consent

Exempt development.

3 Only with development consent

Advertisements; boarding-houses; business signs; commercial premises; commercial signs; community facilities; dwellings; educational establishments; health consulting rooms; helicopter landing sites; hospitals; leisure areas; licensed premises; light industries; motels; places of worship; public utility undertakings; real estate signs; recreation areas; recreation facilities; registered clubs; residential flats; restaurants; serviced apartments; shops; utility installations; warehouses.

4 Only with development consent granted after advertising and satisfying clause 11

Nil.

5 Prohibited

Any purpose other than a purpose included in item 2, 3 or 4.

[4] Clauses 12A and 12B

Omit clause 12A. Insert instead:

12A Building heights

- (1) A person must not, on land described in Column 1 of Schedule 2A, erect a building with a height that exceeds the height specified opposite the land in Column 2 of that Schedule. For the purpose of this subclause, *height* means the distance between the ceiling level of the uppermost floor, measured at the outside wall, and the natural ground level or finished ground level, whichever is the lower.

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Schedule 1 Amendments

- (2) A person must not, on land described in Column 1 of Schedule 2B, erect a building with a height that exceeds the height specified opposite the land in Column 2 of that Schedule. For the purposes of this subclause, *height* means the height of the highest point of the building or that part of the building specified in Column 2 of that Schedule as measured by a Relative Level in metres to Australian Height Datum.

12B Gross floor area

A person must not, on land described in Column 1 of Schedule 2C, erect a building with a gross floor area that exceeds the gross floor area specified opposite the land in Column 2 of that Schedule.

[5] Clauses 38 and 38A

Insert after clause 37D:

38 Development of land within Zone No 3 (e)

- (1) This clause applies to land described in Schedule 5A.
- (2) Consent must not be granted for development of any land to which this clause applies unless the consent authority has had regard to a master plan for all of the land to which this clause applies that has been approved by the Director-General.
- (3) Subdivision of land to which this plan applies is prohibited unless the consent authority is satisfied that the subdivision is for the purpose only of defining the boundaries of lots that are to be the subject of leases.
- (4) *State Environmental Planning Policy No 11—Traffic Generating Developments* does not apply to so much (if any) of the land to which this plan applies as is subject to a master plan approved by the Roads and Traffic Authority.

38A Master plan for land within Zone No 3 (e)

- (1) This clause applies to the land described in Schedule 5A.
- (2) In this clause, *master plan* means a document that describes itself as a master plan and consists of written information, maps and diagrams that comprise a scheme for the future development of the land to which it applies.

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- (3) A draft master plan or amendment to a master plan for any land may be prepared by, or on behalf of, the owner or lessee of the land or by the Council.
 - (4) After the preparation of a draft master plan or amendment to a master plan, the Council must cause the master plan:
 - (a) to be advertised in a newspaper circulating in the locality of the land to which this clause applies, and
 - (b) to be publicly exhibited for not less than 28 days for comment.
 - (5) After being advertised and publicly exhibited, the draft master plan or amendment to the master plan is to be forwarded to the Director-General by the Council, together with any written comments on it received by the Council during the exhibition period.
 - (6) The Director-General may adopt the master plan or amendment to the master plan without alteration or with such alteration as the Director-General considers appropriate.
 - (7) In considering whether or not to approve a draft master plan or amendment to a master plan, the Director-General must take into account:
 - (a) any written submissions made about the draft master plan or amendment to the master plan during the exhibition period, and
 - (b) any other matters the Director-General considers relevant to development of the land to which this clause applies.
 - (8) When a master plan or amendment to a master plan is adopted, the Council must advertise the adoption of the master plan in a newspaper circulating in the locality of the land to which this clause applies.
 - (9) A master plan may be replaced by a subsequent master plan.
 - (10) An amendment to a master plan may be dealt with concurrently with a development application.
 - (11) A master plan and supporting background studies are to be reviewed as specified in the master plan.

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Schedule 1 Amendments

[6] Schedules 2B and 2C

Insert after Schedule 2A:

Schedule 2B

(Clause 12A)

Column 1	Column 2
Land generally included within the Wollongong Innovation Campus (being Lot 304 DP 746634), the Science Centre (being Lot 1 DP 633347) and the Campus East site (being Lot 1 DP 719865), as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 221)".	In the case of: (a) residential development—RL 21.30 metres AHD (to ridge of roof), or (b) hotel—RL 29.7 metres AHD (to parapet), or (c) all other buildings—RL 24.3 metres AHD (to parapet).

Schedule 2C Gross floor area

(Clause 12B)

Column 1	Column 2
Land generally included within the Wollongong Innovation Campus (being Lot 304 DP 746634), the Science Centre (being Lot 1 DP 633347) and the Campus East site (being Lot 1 DP 719865), as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 221)".	135,000 square metres

[7] Schedule 5A

Insert after Schedule 5:

Schedule 5A Master plan site

(Clauses 38 and 38A)

Land generally included within the Wollongong Innovation Campus (being Lot 304 DP 746634), the Science Centre (being Lot 1 DP 633347) and the Campus East site (being Lot 1 DP 719865) and reserves adjacent to the site bounded by Cabbage Tree Creek and Para Creeks (being Lot 2 DP 229815, Lot 203 DP 560343 and part of Lot 303 DP 746634), as shown edged heavy black on the map marked "City of Wollongong Local Environmental Plan 1990 (Amendment No 221)".