PLANNING PROPOSAL REPORT

25 COLE STREET, KIAMA

MKR00906

31 July 2026



ACKNOWLEDGEMENT OF COUNTRY

Maker Consulting Services acknowledges the Australia's First Peoples and the traditional custodianship of the lands, waters and skies throughout Australia. Recognising their continuing connection to Country, culture, community and knowledge.

We acknowledge the Traditional Custodians of the Country, on which this document was prepared, and recognise all First Nations peoples whose Countries may be connected to, impacted by, or represented within this work.

We pay our respects to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples.

VERSION LIST

Version	Prepared by	Approved by	Date
1	CL	JS	31/07/26

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APPENDICIES

Appendix		Author
A.	**Response to Scoping Proposal**	Maker Consulting Services
B.	**LEP Maps**	Maker Consulting Services
C.	**Concept Scheme**	Maker Consulting Services
D.	**Flora and Fauna Assessment**	Lodge Environmental
E.	**Vegetation Management Plan**	Lodge Environmental
F.	**Bushfire Hazard Constraints Assessment**	Harris Environmental
G.	**Traffic Noise Intrusion Assessment**	Hardwood Acoustics
H.	**Aboriginal Cultural Heritage Assessment**	Austral Archaeology
I.	**Statement of Heritage Impact**	Austral Archaeology
J.	**Conservation Management Plan**	Austral Archaeology
K.	**Contamination Report**	Terra Insight
L.	**Flooding Letter**	Maker Consulting Services
M.	**Sydney Water Advice**	Sydney Water
N.	**Electrical Advice**	Elekon

EXECUTIVE SUMMARY

This Planning Proposal has been prepared by Maker Consulting Services on behalf of the landowner to facilitate residential subdivision and development at 25 Cole Street, Kiama. The proposal seeks to amend the Kiama Local Environmental Plan 2011 (Kiama LEP 2011) to enable low-density residential development on land strategically identified as suitable for greenfield housing in the Kiama Local Housing Strategy 2025. The site is strategically located within the Kiama town catchment, adjoining existing residential development and close to services, transport infrastructure and community facilities.

The Planning Proposal seeks the following amendments to the Kiama LEP 2011 which are consistent with the provisions applying to surrounding residential areas:

- Reclassification of the adjoining Council reserve from community to operational land to enable potential divestment and integration into the future development site;
- Rezoning of the unconstrained portion of the site from RU2 Rural Landscape to R2 Low Density Residential;
- Reduction of the minimum subdivision lot size from 40 hectares to 450m² for the proposed R2 zoned land;
- Application of a maximum building height of 8.5 metres to the proposed R2 zoned land; and
- Application of a maximum floor space ratio of 0.45:1 to the proposed R2 zoned land and the Council reserve (if incorporated).

A Concept Scheme accompanies the Planning Proposal (**Appendix C**) and demonstrates that the site can be developed in a manner that responds to environmental constraints while integrating with the existing urban area. The proposal involves:

- Nine additional low density residential lots on the site, encompassing the adjoining Council reserve (subject to reclassification and Council divestment);
- A new internal road which connects to Cole Street;
- A strategically located expansion of greenfield housing which manages bushfire hazards and impacts to areas of high ecological value; and
- Rehabilitation and long-term management of environmentally sensitive land, supported by a Vegetation Management Plan.

The Planning Proposal is strongly supported by the Kiama Local Housing Strategy 2025, which identifies the site as Tier 4 Strategically Identified Land suitable for residential development. The proposal gives effect to the Illawarra Shoalhaven Regional Plan 2041 and the Kiama Local Strategic Planning Statement 2020 by delivering additional housing in an appropriate location while protecting environmental areas.

Supporting technical studies have been prepared to address Council and State agency requirements, including ecology, bushfire, traffic noise, contamination and heritage. These studies demonstrate that environmental impacts and hazard constraints can be appropriately managed or avoided and that the land is suitable for residential

development. As such, the Planning Proposal presents an effective scheme for delivering strategically located housing in Kiama whilst minimising environmental and amenity impacts.

1 INTRODUCTION

This Planning Proposal has been prepared by Maker Consulting Services (Maker) to support to support an amendment to the Kiama Local Environmental Plan 2011 (Kiama LEP 2011) to facilitate residential subdivision and development at 25 Cole Street, Kiama (the site).

The Planning Proposal will seek to enable residential development on the site through the following amendments to the Kiama LEP 2011:

- Reclassification of the Council reserve from community to operational land to facilitate divestment of the Council asset and incorporate it within the development site.
- Rezone the existing north-western portion of the site zoned RU2 Rural Landscape to part R2 Low Density Residential;
- Decrease the minimum subdivision lot size from 40ha to 450sqm for the R2 Low Density Residential zoned land;
- Amend the building height map to apply a maximum building height of 8.5m for the proposed R2 Low Density Residential zoned land; and
- Amend the floor space ratio map to apply a maximum floor space ratio of 0.45:1 for the proposed R2 Low Density Residential zoned land and the Council reserve.

This Planning Proposal has been prepared with regard to Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act), the NSW Department of Planning, Housing and Infrastructure's (DPHI's) Local Environmental Plan Making Guideline and Kiama's Planning Proposal Policy.

This Planning Proposal is accompanied by a Concept Scheme prepared by Maker Consulting Services (**Appendix C**) which demonstrates proposed Torrens Title subdivision and residential development.

1.1 APPLICANT DETAILS

The Applicant's details are provided below:

Applicant	Arissa
Address	25 Cole Street, Kiama NSW 2523
ABN/ACN	50 628 452 719

1.2 SITE DETAILS

Legal Description	Address	Area
Lot 1 in DP 1231462	25 Cole Street, Kiama	30,469.6sqm
Lot 514 in DP1066359	Cole Street Kiama (Council Reserve)	1,558.76sqm

2 BACKGROUND

2.1 PLANNING PROPOSAL

The Planning Proposal seeks to amend the Kiama LEP 2011 to rezone the subject site from RU2 Rural Residential to R2 Low Density Residential to facilitate future residential development within the Kiama LGA.

The Planning Proposal seeks the following amendments to the Kiama LEP 2011:

- Reclassification of the Council reserve from community to operational land to facilitate divestment of the Council asset and incorporate it within the development site.
- Rezone the portion of the site unaffected by constraints between the C2 and R2 zoning from RU2 Rural Landscape to part R2 Low Density Residential;
- Decrease the minimum subdivision lot size from 40ha to 450sqm for the corresponding area;
- Amend the building height map to apply a maximum building height of 8.5m for corresponding area; and
- Amend the floor space ratio map to apply a maximum floor space ratio of 0.45:1 for the corresponding area.

2.2 PRE-LODGEMENT CONSULTATION

In accordance with the Local Environmental Plan Making Guideline, a Scoping Proposal was prepared and submitted to Council on 13 December 2024. Council issued written feedback on 21 March 2025. A detailed response to those comments is provided at **Appendix A**.

3 THE SITE

3.1 SITE OVERVIEW

The land subject to this Planning Proposal is located at 25 Cole Street, Kiama, within the Kiama Local Government Area (LGA) as shown in **Figure 1**. For the purposes of this Report, the entirety of 25 Cole Street will be referred to as the 'broader site', with the area subject of this Planning Proposal being referred to as 'the subject site'/ 'the site'.

The broader site has a split zoning comprising part R2 Low Density Residential, part RU2 Rural Landscape and part C2 Environmental Conservation. This Planning Proposal relates only to the western portion of the site currently zoned RU2 Rural Landscape area within the broader site (Lot 1 in DP 1231462) and the adjoining Council reserve (Lot 514 in DP1066359). The broader site has a total area of approximately 30,469.6sqm, and the subject site is approximately 7,245sqm.

The subject site is predominantly void of any structures, with the exception of a curved driveway leading to a large outbuilding that is associated with the existing dwelling on the site known as 25 Cole Street, Kiama. Vehicular access for the site is off Cole Street at its western boundary. Most of the site has been cleared with the exclusion of the dense bushland vegetation extending from the southwest of the site through to the north of the site. The topography of the site is mostly steep, sloping from northwest to southeast. The Site adjoins the Cole Street/Bulga Reserve to the immediate north.

The site is strategically located in proximity to the Princes Highway which serves as a connection between Wollongong to the Kiama Town Centre and further south to Gerringong. Additionally, the site is within a close catchment to school establishments, local centre shops and restaurants and recreational facilities such as the Kiama Tennis Club and Kiama Bowling and Recreation Club.



Figure 1 **Site Aerial**

Source: Six Maps

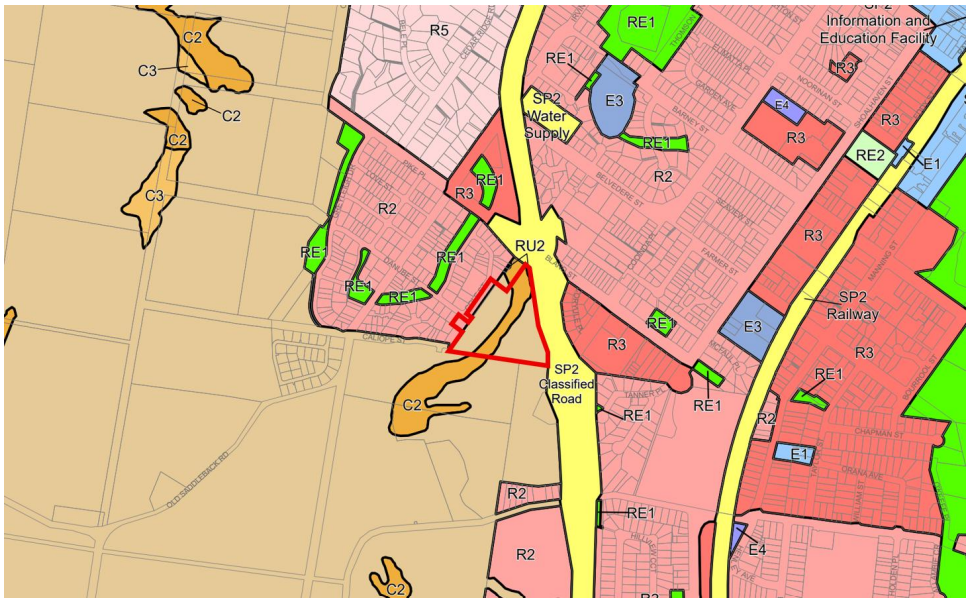


Figure 2 **Current Site Land Use Zone Map**

Source: Kiama Local Environmental Plan 2011, Lan Use Zone Map



Figure 3 **View of Council reserve from Cole Street facing east**

Source: Maker



Figure 4 **View of existing dwelling and ancillary structures at 25 Cole Street**

Source: Maker



Figure 5 **Environmentally sensitive vegetation viewed from Council reserve**

Source: Maker



Figure 6 **Existing plant community (Illawarra Complex Dry Rainforest)**

Source: Lodge Environmental



Figure 7 **Planted vegetation located within the site**

Source: Lodge Environmental



Figure 8 **Dry sandstone walls located within the site**

Source: Austral Archaeology

3.2 SURROUNDING DEVELOPMENT

The site is surrounded by established residential development and is within proximity to the Kiama Town Centre. Specifically, the surrounding context includes the following

- **North:** To the north of the site sits low density residential along Cole Street and a small pocket of C2 Environmental Conservation land.
- **East:** The site is bounded by the Princes Highway to the east, with further residential development and Kiama Town Centre located further east of the highway.
- **South:** The adjoining site to the south is mostly vacant rural containing pockets of dense vegetation.
- **West:** Immediately west of the site consists of low density residential dwellings along Cole Street.

3.3 POLICY FRAMEWORK

The site is identified as Tier 4 Strategically identified land in the Kiama Local Housing Strategy 2025 (KLHS 2025) which was endorsed 15 July 2025. The Strategy recognises the site's suitability for accommodating additional housing given the site is classified as Tier 4 Strategically identified land, it has been confirmed as "most suitable" for urban development in Council's analysis for new housing areas, as it meets the criteria of being within proximity to a local town centre, existing train and bus stops and existing educational infrastructure.

3.4 EXISTING CONTROLS

3.4.1 Kiama Local Environmental Plan 2011

The key Environmental Planning Instrument (EPI) applying to the site is the Kiama Local Environmental Plan 2011 (Kiama LEP 2011). A summary of the relevant controls in the Kiama LEP 2011 is provided in **Table 1**.

Table 1 – Relevant controls pursuant to the Kiama LEP 2011

Clause	Comment
Part 2 Permitted or prohibited development	
Clause 2.1 - Land use zoning	The site contains split zoning, comprising part R2 Low Density Residential, part C2 Environmental Conservation and part RU2 Rural landscape.
Part 4 Principal development standards	
Clause 4.1 Minimum subdivision lot size	• R2 Low Density Residential: 450m2 • C2 Environmental Conservation and RU2 Rural Landscape: 40ha
Clause 4.1C – Exceptions to minimum subdivision lot sizes for certain split zones	The proposed subdivided lots are greater than the applicable lot size for the R2 Low Density Residential zone. As such, the subdivision will occur in a manner that promotes suitable land uses and development.
Clause 4.3 – Height of Buildings	The R2 portion of the site has a maximum building height of 8.5m. The remainder of the site has no prescribed maximum building height.
Clause 4.4 – Floor Space Ratio	The R2 portion of the site is subject to an FSR of 0.45:1. There is no prescribed maximum FSR for the remainder of the site.
Part 5 Miscellaneous	
Clause 5.11 Bushfire Hazard Reduction	Under the Bushfire Prone Land Map, the site is identified as containing a Vegetation Buffer and Category 2 and 3 Vegetation zoned land.
Clause 5.16 - Subdivision of, or dwellings on, land in certain rural, residential or conservation zones	The following matters are to be considered when granting development consent to development on land in Zone C2 and RU2 in order to minimise potential land use conflict between existing and proposed development— 1. The existing uses and approved uses of land in the vicinity of the development, 2. Whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,

	3. Whether or not the development is likely to be incompatible with a use referred to in paragraph 1 or 2, 4. Any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph 3.
Part 6 Additional local provisions	
Clause 6.4 Terrestrial Biodiversity	The site is identified as containing a strip of terrestrial biodiversity land, running from the north to the south of the site. As such, the consent authority must consider whether the development is likely to have a negative adverse impact on the ecological value of the existing flora and fauna on the land, and whether the proposed development will limit connectivity of the land by fragmenting, disturbing and or diminishing the biodiversity structure, function and composition of the land. Additionally, if such significant impacts are to occur, the development must be designed, sited and managed to alleviate and mitigate any potential impacts.

3.4.2 Kiama Development Control Plan 2020

The Kiama Development Control Plan 2020 (Kiama DCP 2020) provides detailed guidance in relation to development matters beyond those standards contained within the Kiama DCP 2020. An outline of the key chapters applying to the site is provided below:

- Chapter 2: Site Considerations.
- Chapter 3: Common Requirements.
- Chapter 4: Heritage and Cultural Conservation.
- Chapter 5: Subdivision, consolidation and boundary adjustment.
- Chapter 6: Residential accommodation.

The subject site is not specifically identified in the Kiama DCP 2020 and is therefore subject to the general controls provided in the above chapters. The proposed subdivision layout has been designed to enable appropriate lot size configurations that meet the requirements outlined in Chapter 5: Subdivision, consolidation and boundary adjustment. The subdivision layout represents an extension of the surrounding residential area.

Furthermore, each lot is suitable for low density residential development that will enable and general compliance with the controls outlined in *Chapter 6: Residential accommodation*. The proposal will enable low density residential dwellings that meet the relevant built form, landscaping and setback requirements.

4 CONCEPT SCHEME

4.1 OVERVIEW OF CONCEPT PLANS

The proposed amendments to the Kiama LEP 2011 are supported by Concept Plans prepared by Maker which are provided at **Appendix C** and extracted at **Figure 9**. The Concept Plan demonstrates that the subject site, including the adjoining Council Reserve can be appropriately developed under the proposed amendments to zoning, minimum lot size control, building height and FSR provisions whilst respecting the characteristics of the local area and the subject site.

The Concept Plans take into consideration the existing environmental constraints of the subject site, with a private road providing vehicular access into the residential lots proposed adjacent to the riparian corridor running through the centre of the site. This will provide an immediate buffer to the proposed low density residential development that is proposed to the western portion of the site (currently zoned RU2 Rural Landscape) and directly aligns with the existing neighbouring residential development, consistent with the part of the site identified for housing in the Kiama Local Housing Strategy 2025.

The proposed amendments to zoning and associated provisions to be amended do not apply to the rest of the site, since that portion of the broader site is not considered suitable for residential development. Further, the indicative Concept Plan takes into consideration connectivity with the broader road network, specifically utilising the existing vehicular access provided from Cole Street.

The key components of the Concept Plans include:

- The R2 Low Density Residential land being extended to cover the north western part of the subject site unaffected or not unreasonable affected constraints, characterised by a minimum area of 450sqm.
- Construction of a new perimeter road accessed from Cole Street.
- Subdivision of the Reserve into approximately four (4) residential lots, as would be permitted via the existing development standards. As the Concept Plan is an indicative illustration of the proposal, the subdivision layout will be subject to further design development.



Figure 9 **Concept Scheme subdivision layout**

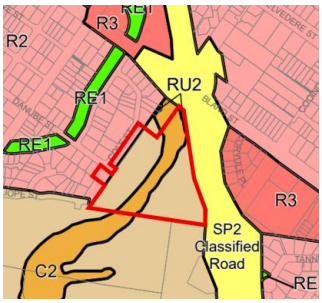
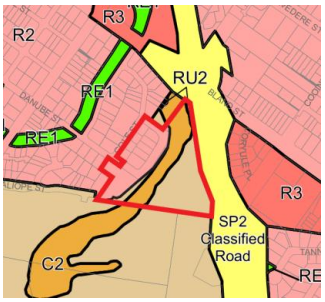
Source: Maker Consulting

4.2 AMENDMENTS TO THE KIAMA LEP 2011

A summary of the existing and proposed planning control amendments to the Kiama LEP 2011 is provided in **Table 2** below.

Draft LEP maps are provided at **Appendix B**.

Table 2 – Existing and proposed controls

Clause	Existing Kiama LEP 2011 Map	Proposed Kiama LEP 2011 Map
Clause 2.2 – Land Use Zoning Land Zoning Map - Sheet LZN_012		

Clause 4.1 Minimum Lot Size Map Minimum Lot Size Map - Sheet LSZ_012		
Clause 4.3 Height of Buildings Map Height of Buildings Map - Sheet HOB_012		
Clause 4.4 Floor Space Ratio Map Floor Space Ratio Map - Sheet FSR_012		

4.3 COUNCIL RESERVE

The proponent is currently in discussion with Council regarding the divestment of the Council reserve to be incorporated in the subject site. This would enable to incorporation of the reserve into the subject site resulting in an increase of 1,558.76qm of the overall site area and facilitate to the additional residential lots as part of the proposal.

5 PLANNING PROPOSAL

5.1 OBJECTIVES AND INTENDED OUTCOMES

5.1.1 Objective

The objective of this Planning Proposal is to amend the Kiama LEP 2011 to rezone part of the RU2 Rural Landscape zone land to facilitate Torrens Title subdivision and subsequently residential development, in line with the Kiama Local Housing Strategy 2025.

5.1.2 Intended outcomes

The intended outcomes of the proposed amendment to the Kiama LEP 2011 are as follows:

- The provision of additional residential lots that will positively contribute to achieving the housing targets outlined in the Kiama Local Housing Strategy 2025.
- Facilitate urban development that is consistent and compatible with adjacent residential areas.
- Facilitate the rehabilitation and conservation of the environmentally sensitive areas including the threatened ecological communities and an endangered species.
- The efficient use of land that is well serviced and suitable located within the existing Kiama centre catchment.
- Establish a functional and amenable interface with the residential neighbourhood and the environmentally sensitive area.

5.2 EXPLANATION OF PROVISIONS

Table 3 – Explanation of provisions

Map type and sheet	Explanation for amendment	Proposed change
Clause 2.2 – Land Use Zoning Land Zoning Map - Sheet LZN_012	The site is currently zoned RU2 Landscape.	Rezone a portion of the site to R2 Low Density Residential.
Clause 4.1 Minimum Lot Size Map Minimum Lot Size Map - Sheet LSZ_012	The site currently has a minimum lot size of 40ha	Decrease the minimum subdivision lot size to 450sqm to align with the proposed R2 zone.
Clause 4.3 Height of Buildings Map Height of Buildings Map - Sheet HOB_012	No Height of Buildings map applies to the site.	Introduce a Height of Building of 8.5m to align with the proposed R2 zone.
Clause 4.4 Floor Space Ratio Map Floor Space Ratio Map - Sheet FSR_012	No Floor Space Ratio map applies to the site.	Introduce a Floor Space Ratio of 0.45:1 to align with the proposed R2 zone.

6 JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

6.1 STRATEGIC MERIT

6.1.1 Section A – need for the Planning Proposal

Q1 – Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal aligns with intended outcomes of the KLHS 2025 which identifies the site as Tier 4 Strategically Identified Land, as shown in **Figure 10**. Tier 4 Strategically Identified Land identifies land with strategic suitability for housing growth, subject more a more detailed investigation and the relevant planning approvals.



Figure 10 Extract from KLHS 2025 regarding 25 Cole Street, Kiama

Source: Kiama Local Housing Strategy

Additionally, this Planning Proposal has been prepared in accordance with the following strategic planning policies:

- Illawarra Shoalhaven Regional Plan 2041
- Kiama Local Strategic Planning Statement 2020
- Future Transport Strategy 2056

Detailed responses and assessments against the relevant objectives and priorities set out in these strategic plans and the KLHS 2025 are provided in Section 6.1.2 below.

Q2 – Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes - A Planning Proposal is the only mechanism for achieving the objectives and intended outcomes. The KLHS 2025 has identified the land suitable for additional housing under the Tier 4 Strategically Identified Land category. This necessitates further detailed investigation in the form of a Planning Proposal to facilitate the residential subdivision and unlock additional housing in line with KLHS 2025.

6.1.2 Section B – relationship to the strategic planning framework

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 plans or strategies)?

Illawarra Shoalhaven Regional Plan 2041

The Illawarra Shoalhaven Regional Plan 2041 (ISRP2041) was released in May 2021 and is the principal strategic framework for the region. The plan's aim is to promote and improve the area's resources by identifying the land use priorities and ley area decisions over the next 20 years to create a diverse, innovative and globally connected region. It applies to the local government areas of Wollongong, Shellharbour, Kiama, and Shoalhaven. The subject site is located within the boundaries of the Kiama Strategic Centre. A preliminary assessment of the proposed Planning Proposal against the relevant objectives of the regional Plan is provided in **Table 4** below.

Table 4 – Consistency with State Environmental Planning Policies

Objective	Assessment
Objective 11: Protect Important environmental assets	The Planning Proposal will facilitate the rehabilitation and ongoing management of the adjoining environmentally sensitive areas and which includes a threatened ecological community and an endangered species. The proposal achieves Strategy 11.1 through the implementation of the accompanying Vegetation Management Plan which provides for long term conservation of the ecologically sensitive area. The proposed subdivision layout has been designed to align with the topography of the land and ensure the protection of important environmental assets.
Objective 12: Build resilient places and communities	The Planning Proposal will facilitate the delivery of additional housing for the community of Kiama. The indicative Concept Plan has been designed to prevent any future development within areas which are at unreasonable risk of bushfire or which would impact on areas with terrestrial biodiversity values. By doing so, the proposal aims to alleviate any negative impacts of development on these areas and promote the safety and well-being of the community per Strategy 12.2.
Objective 18: Provide housing supply in the right locations	The Planning Proposal will deliver increased housing supply in Kiama, whilst protecting the environmental values of the land. The indicative concept plan will provide: • Additional housing supply in an identified area for growth with minimal environmental impact and mitigation methods proposed. • Increase housing supply in an area which is in close proximity to services, job opportunities and infrastructure.

Q4 – Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

Kiama Local Strategic Planning Statement 2020

The Kiama Local Strategic Planning Statement 2020 (The Kiama LSPS) is the key strategic planning document for the Kiama LGA. It was adopted in July 2020 and sets out the strategic vision and land use planning strategy for the next 20 years. A preliminary assessment of the Planning Proposal against the relevant themes of the Kiama LSPS is provided in **Table 5**.

Table 5 – Consistency with the Kiama Local Strategic Planning Statement

Planning Priority	Assessment
Planning Priority 1 - Plan for and balance housing supply and demand	The Planning Proposal is consistent with this priority as it provides additional housing supply in the form of low impact residential development with varying lot sizes.
Planning Priority 10 - Conserve areas of environmental significance	The Planning Proposal ensures that future development will protect environmentally significant land. The Planning Proposal will address any related negative and adverse impacts the valued biodiversity land and any future development will be required to address the provisions in the DCP in relation to the protection of the natural environment and the enhancement of sustainability.
Planning Priority 12 - Plan for and adapt to the impacts of natural hazards and the changing climate	The site is mapped as Category 1 and 3 bushfire prone land. The Planning Proposal will seek to mitigate and minimise bushfire impacts by positioning the subdivided lots to the west of the identified bushfire areas and position a suitable road between the proposed lots and the hazard. A Bushfire Assessment will accompany the Planning Proposal.

Kiama Local Housing Strategy 2025

The Kiama Local Housing Strategy 2025 (KLHS 2025) provides a framework for delivering a suitable amount and types of new homes in the right locations supported by infrastructure Importantly, the Site is identified in the KLHS 2025 as a potential site for a proponent led site specific Planning Proposal for delivery of residential development. This Planning Proposal directly aligns with the intended strategic opportunity for the site, facilitating new housing limited whilst retaining the environmentally valued lands of the site.

An assessment of the Planning Proposal against the relevant strategies of the KLHS 2025 is provided in **Table 6**.

Table 6 – Consistency with Kiama Local Housing Strategy 2025

Priority	Assessment
Priority 1: Sufficient and well-located housing supply	The Planning Proposal is consistent with this priority as the development will occur in an area already established with existing services and infrastructure. The Site is identified a 'new opportunity area' to support additional housing in the Draft KGHS. Additionally,

	as the subject site is located approximately 1.5km from the Kiama town centre, the Planning Proposal will provide increased housing stock and mix in an area that has good access to services and employment opportunities.
Priority 2: Diversity of housing options	The Planning Proposal will respond to this priority through facilitating new low density residential development with varying lot sizes.
Priority 3: Infrastructure is provided to support population growth and vice versa	The site is suitably serviced by existing infrastructure. Additionally, given the proposal results in minor additional housing and will therefore not have a substantial impact on existing infrastructure. No additional infrastructure is required other than a small perimeter road which provides access to the additional lots.
Priority 4: Our centres and villages thrive	The Planning Proposal will facilitate new housing in the broader Kiama town centre catchment, supporting the viability of the centre.

Kiama Community Participation Plan 2022-2032

The Community Strategic Plan Kiama 2022-2032 (Kiama CSP) was adopted by Council in June 2022. This plan identifies visions and goals by the community for the Kiama region for 2032. The plan is supported by a 10-year resourcing strategy, a delivery program, progressing report and an annual operational plan and budget. It acts as a constant evaluation tool for Council to ensure progress towards said vision is achieved.

The Planning Proposal aligns with the Kiama CSP in which the proposed development will provide for the demand of additional housing in the form of low-density residential development. Importantly, the Planning Proposal respects the surrounding environmental constraints and hazards. The development will not generate adverse negative environmental impacts, rather, will mitigate and responds to the existing area to accommodate growth that will benefit the future Kiama community.

Q5 – Is the Planning Proposal consistent with any other applicable State and regional studies or strategies

NSW Housing Strategy 2041

The NSW Housing Strategy was released in March 2021 and sets a 20-year vision: NSW will have housing that supports security, comfort, independence and choice for all people at all stages of their lives. The strategy focuses on housing in the right locations, housing that suits diverse needs and housing that feels like home. The strategy is guided by the four pillars of supply, diversity, affordability and resilience. The Planning Proposal will contribute to achieving this vision through the provision of additional low density housing in close proximity to the Kiama town centre. The mix of residential product that will be provided as part of any future redevelopment of the Site will ensure that it is inclusionary and designed to meets the changing needs of the community.

Future Transport Strategy 2056

The Future Transport Strategy 2056 sets out the NSW Government's vision for transport in a growing and changing state. It guides the community on strategic directions for future



planning integrated with evolving transport networks throughout the Sydney metropolitan area and the state. The strategy delivers a framework that informs place-based planning and policy decisions to achieve successful outcomes, aiming to connect community to the city and state shaping infrastructure and services pipeline.

The proposal is consistent with the objectives of Future Transport Strategy 2056, as it will improve connectivity and access to the Site through the provision of an internal road network. The new road will connect to the existing road network, with good connections between the site, Kiama town centre and the M1 Princes Motorway which provides direct access to Wollongong in the north and Nowra in the south.

Q6 – Is the Planning Proposal consistent with applicable State Environment Planning Policies

The State Environmental Planning Policies directly applicable to the Planning Proposal are identified in **Table 7**.

Table 7 – Consistency with State Environmental Planning Policies

Priority	Consistent			Assessment
	Yes	No	N/A	
State Environmental Planning Policy (Biodiversity and Conservation) 2021	✓			The site contains a Threatened Ecological Community, identified as Illawarra Subtropical Rainforest (Endangered under the Biodiversity Conservation Act 2016) and Illawarra–Shoalhaven Subtropical Rainforest (Critically Endangered under the Environment Protection and Biodiversity Conservation Act 1999). Additionally 19 individual *Zieria granulata* trees were identified which is an endangered species. A Flora and Fauna Assessment has been prepared which concludes that the impacts from the proposed residential subdivision are minimal on the ecologically sensitive area and generally avoid the more significant vegetation. A Vegetation Management Plan has also been prepared which details the suitable ongoing management of the ecologically sensitive area.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008			✓	Not applicable to this Planning Proposal.

State Environmental Planning Policy (Housing) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Industry and Employment) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Planning Systems) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Precincts—Central River City) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Precincts—Regional) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Primary Production) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Resilience and Hazards) 2021	✓			A Preliminary Site Investigation (PSI) has been prepared for the site which concludes that there is no presence of contaminants that would make the site unsuitable for residential development. Further remediation works are not required.
State Environmental Planning Policy (Resources and Energy) 2021			✓	Not applicable to this Planning Proposal.
State Environmental Planning Policy (Sustainable Buildings) 2022			✓	Not applicable to this Planning Proposal, however may be applicable at the development application stage.

State Environmental Planning Policy (Transport and Infrastructure) 2021	✓			A Traffic Noise Intrusion Assessment has been prepared to assess the potential noise impacts on the proposed residential subdivision from Princes Highway. The report concludes that future development can readily comply with the prescribed internal noise level requirements of the SEPP (T&I) 2021 through standard acoustic treatments. As such, the site is not exposed to adverse road traffic noise that limit the rezoning and redevelopment of the site.

Q7 – Is the Planning Proposal Consistent with the applicable Ministerial Directions (Section 9.1 Directions) or key government priority?

The proposal's consistency with applicable Section 9.1 Directions is assessed in **Table 8**.

Table 8 – Assessment of Section 9.1 Ministerial Directions

Priority	Consistent			Assessment
	Yes	No	N/A	
Focus area 1 – Planning Systems				
1.1 Implementation of Regional Plans	✓			As discussed in Section 6.1.2, the Planning Proposal is consistent with the Illawarra-Shoalhaven Regional Plan.
1.2 Development of Aboriginal Land Council land			✓	The Planning Proposal does not seek to develop on Aboriginal Land Council land.
1.3 Approval and Referral Requirements			✓	The PP does not include any provisions that would require unnecessary concurrence, consultation or referral of development applications to a public authority. The PP is not identified as designated development. The PP will enable the efficient and appropriate assessment of future development applications.
1.4 Site Specific Provisions	✓			The PP seeks to introduce existing LEP planning controls onto the subject site which reflects neighbouring sites. The proposed planning controls will not

				unnecessarily restrict the development of the site.
1.4A Exclusion of Development Standards from Variation			✓	The PP does not seek to exclude clause 4.6 variations.
Focus area 1 (Place-based) – Planning Systems				
1.5 Parramatta Road Corridor Urban Transformation Strategy			✓	The Site of the Planning Proposal is not located in the Parramatta Road Corridor.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	The Site of the Planning Proposal is not located in the North West Priority Growth Area.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	The Site of the Planning Proposal 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			✓	The Site of the Planning Proposal is not located in the Wilton Priority Growth Area.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	The Site of the Planning Proposal is not located in the Glenfield to Macarthur Urban Renewal Corridor.
1.10 Implementation of the Western Sydney Aerotropolis Plan			✓	The Site of the Planning Proposal is not located in the Western Sydney Aerotropolis
1.11 Implementation of Bayside West Precincts 2036 Plan			✓	The Site of the Planning Proposal is not located in any of the Bayside West precincts.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct			✓	The Site of the Planning Proposal is not located in the Cooks Cove precinct.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan			✓	The Site of the Planning Proposal is not located in the boundaries of the St Leonards and Crows Next Plan.
1.14 Implementation of Greater Macarthur 2040			✓	The Site of the Planning Proposal is not located in the boundaries of the Greater Macarthur 2040 plan.

1.15 Implementation of the Pyrmont Peninsula Place Strategy			✓	The Site of the Planning Proposal is not located in the boundaries of the Pyrmont Peninsula Place Strategy.
1.16 North West Rail Link Corridor Strategy			✓	The Site of the Planning Proposal is not located in the North West Rail Link Corridor.
1.17 Implementation of the Bays West Place Strategy			✓	The Site of the Planning Proposal is not located in the Bays West Precinct.
1.18 Implementation of the Macquarie Park Innovation Precinct			✓	The Site of the Planning Proposal is not located in Macquarie Park.
1.19 Implementation of the Westmead Place Strategy			✓	The Site of the Planning Proposal is not located in Westmead.
1.20 Implementation of the Camellia–Rosehill Place Strategy			✓	The Site of the Planning Proposal is not located in Camellia, nor Rosehill.
1.21 Implementation of South West Growth Area Structure Plan			✓	The Site of the Planning Proposal is not located in the South West Growth Area.
1.22 Implementation of the Cherrybrook Station Place Strategy			✓	The Site of the Planning Proposal is not located in the Cherrybrook station precinct.
Focus area 2 – Design and Place				
Repealed				
Focus area 3 – Biodiversity and Conservation				
3.1 Conservation Zones	✓			25 Cole Street is partially affected by the C2 Environmental Conservation zone. Notwithstanding, the PP relates to the western portion of the site which is not affected by the C2 zone and therefore does not reduce the conservations standards applicable to the broader site. Additionally, the PP is supported by a Flora and Fauna Assessment and Vegetation Management Plan which enables the adequate conservation of the environmentally sensitive area. Refer to **Section 7.1 and Appendix D and E**.
3.2 Heritage Conservation	✓			The Site subject to this Planning Proposal is not located in a heritage conservation area. The site does contain dry stone walls which will be restored as part of the development

				of the land and which are further discussed at **Section 6.4** below.
3.3 Sydney Drinking Water Catchments			✓	The site is not within a drinking water catchment.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs			✓	The Site is not located in the Far North Coast.
3.5 Recreation Vehicle Areas			✓	The PP is not located in a Recreation Vehicle Area nor does it seek to introduce Recreation Vehicle Areas.
3.6 Strategic Conservation Planning			✓	The Site does not contain land identified as avoided land or a strategic conservation area under the *SEPP (Biodiversity and Conservation) 2021*.
3.7 Public Bushland			✓	The Site is not located in an area of Public Bushland.
3.8 Willandra Lakes Region			✓	The Site is not located in the Willandra Lakes Region.
3.9 Sydney Harbour Foreshores and Waterways Area			✓	The Site is not located in the Sydney Harbour Foreshores and Waterways Area.
3.10 Water Catchment Protection			✓	The Site is not located within a Water Catchment Protection Area.
Focus area 4 – Resilience and Hazards				
4.1 Flooding			✓	The Site is not located on flood prone land. Refer to **Section 6.6** below.
4.2 Coastal Management			✓	The Site is not located in a Coastal Management Area.
4.3 Planning for Bushfire Protection	✓			The Site is located on bushfire prone land. A Bushfire Hazard Constraints Assessment has been prepared by Harris Environmental as part of this PP to satisfy the requirements of ministerial direction 4.3. Refer to **Section 7.2 and Appendix F**.
4.4 Remediation of Contaminated Land	✓			A Preliminary Site Investigation has been prepared by Terra Insight and has concluded that the Site is not contaminated, and no remediation works are required. **Section 7.5 and Appendix K**.

4.5 Acid Sulfate Soils			✓	The Site is not subject to Acid Sulfate Soils.
4.6 Mine Subsidence and Unstable Land			✓	The Site is not located on land identified as mine subsidence or unstable land.
Focus area 5 – Transport and Infrastructure				
5.1 Integrating Land Use and Transport	✓			The PP will provide additional housing close to Kiama Town Centre which is an established mixed-use area and is suitably serviced by the local and state road infrastructure. The proposed residential subdivision includes the construction of a new road which will connect the subdivision to the local road network.
5.2 Reserving Land for Public Purposes			✓	The Site is not located on land reserved for public purposes.
5.3 Development Near Regulated Airports and Defence Airfields			✓	The Site is not located near regulated airports or defence fields.
5.4 Shooting Ranges			✓	The PP does not include nor is it located near any shooting ranges.
5.5 High Pressure Dangerous Goods Pipelines			✓	The PP will not be impacted by any high pressure dangerous goods pipeline.
Focus area 6 – Housing				
6.1 Residential Zones	✓			The PP will provide additional housing in an existing area and will result in the efficient use of existing infrastructure and services. The PP will help provide for the existing and future housing needs.
6.2 Caravan Parks and Manufactured Home Estates			✓	Not relevant to this PP.
Focus area 7 – Industry and Employment				
7.1 Employment Zones			✓	Not relevant to this PP.
7.2 Reduction in non-hosted short-term rental accommodation period			✓	Not relevant to this PP.
7.3 Commercial and Retail Development along the			✓	Not relevant to this PP.



Pacific Highway, North Coast				
Focus area 8 – Resources and Energy				
8.1 Mining, Petroleum Production and Extractive Industries			✓	Not relevant to this PP.
Focus area 9 – Primary Production				
9.1 Rural Zones	✓			Under Ministerial Direction 9.1, a PP may rezone land within a rural zone to residential if it is justified by a strategy, study or plan. The Kiama Local Housing Study identifies a portion of the subject site as suitable for residential development. Additionally, the PP is consistent with the objective of this direction which is to protect the agricultural production value of rural land. The portion of land to be rezoned is minor in scope and does not significantly contribute to agricultural production value of the land.
9.2 Rural Lands			✓	Not relevant to this PP.
9.3 Oyster Aquaculture			✓	The Site does not contain any Priority Oyster Aquaculture Areas.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast			✓	Not relevant to this PP.

6.2 SITE-SPECIFIC MERIT

6.2.1 Section C – environmental, social and economic impact

Q8 – Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats, will be adversely affected as a result of the proposal?

A Flora and Fauna Assessment (FFA) has been prepared by Lodge Environmental which assesses the presence of listed species under the Biodiversity Conservation Act 2016 and the Environment Protection and Biodiversity Conservation Act 1999.. The impact of the proposal on critical habitat or threatened species, populations, ecological communities is further discussed in **Section 7.1**.

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

A detailed assessment of the environmental effects as a result of this proposal is provided in **Section 7** including bushfire and contamination impacts. Relevant management measures are identified where appropriate, and, on this basis, no unacceptable impacts are likely to result from this Planning Proposal or future development on the Site.

Q10 Has the Planning Proposal adequately addressed any social and economic effects?

The social and economic impacts related to the PP are generally considered minimal due to small scale of the proposed residential subdivision, resulting in only nine additional lots. The proposed additional housing will likely have a small yet positive impact on the vitality of the Kiama Town Centre without placing a significant strain on existing services. The additional residential housing options resulting from the PP increase housing supply and therefore have a positive impact on housing affordability for the community.

6.2.2 Section D – infrastructure (local, state and commonwealth)

Q11 – Is there adequate public infrastructure for the Planning Proposal?

The subject site is currently serviced by public infrastructure via Cole Street including local roads and services. The Planning Proposal involves the construction of an additional road which connects to Cole Street.

6.2.3 Section E – State and Commonwealth interests

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

State and Commonwealth public authorities will be consulted in accordance with the Planning Proposal and Gateway determination process. Due to the minor scope of the Planning Proposal, it is unlikely that there will be any objections from state and federal public authorities.

7 ENVIRONMENTAL CONSIDERATIONS

7.1 ECOLOGY

7.1.1 Flora and Fauna Assessment

A Flora and Fauna Assessment (FFA) has been prepared by Lodge Environmental (dated 6 July 2026) which assesses the impact the Planning Proposal and Indicative Concept Scheme will have on the surrounding flora and fauna. The FFA is provided at **Appendix D**. The FFA includes a desktop study and field surveys (carried out on 12/09/2025 and 16/10/2025). **Figure 11** below shows the extent of the of the proposed subdivision in relation to the native vegetation. Minimal clearing is proposed to enable the construction of the new perimeter road.

7.1.2 Threatened ecological communities and endangered species

The assessment identified the presence of three vegetation types including Illawarra Complex Dry Rainforest (PCT 3077) in poor condition (0.17 ha), planted vegetation (0.3ha), and exotic pasture (0.83ha. PCT 3077 meets the criteria for a Threatened Ecological Community, representing Illawarra Subtropical Rainforest (Endangered under the *Biodiversity Conservation Act* 2016) and Illawarra–Shoalhaven Subtropical Rainforest (Critically Endangered under the *Environment Protection and Biodiversity Conservation Act* 1999).

A total of 73 plant species were recorded (42 native and 31 exotic) including 19 individual *Zieria granulata* trees which is an endangered flora species under the BC Act & EPBC Act. The population of *Zieria granulata* on the subject site is considered significant and requires careful consideration and mitigation measures. No threatened fauna species were recorded during field surveys, and fauna habitat was assessed as low to moderate quality.

Notwithstanding, the location of ecologically sensitive flora communities, and specifically *Zieria granulata*, largely sit outside the proposed subdivision footprint. As such, the potential impacts from the proposed development are considered low and manageable subject to adherence to Vegetation Management Below discussed in **Section 7.1.3**.

7.1.3 Vegetation Management Plan

A Vegetation Management Plan (VMP) has been prepared by Lodge Environmental (dated 6 July 2026) to guide the long-term management and restoration of native vegetation associated with the proposed rezoning and future subdivision of the site. The VMP is provided at **Appendix E**. The VMP includes three management zones: a biodiverse Asset Protection Zone to protect threatened *Zieria granulata* and buffer Illawarra Subtropical Rainforest, an assisted regeneration zone targeting weed control and natural rainforest recovery, and an active restoration zone requiring large-scale revegetation of historically cleared land, as shown in **Figure 12**.

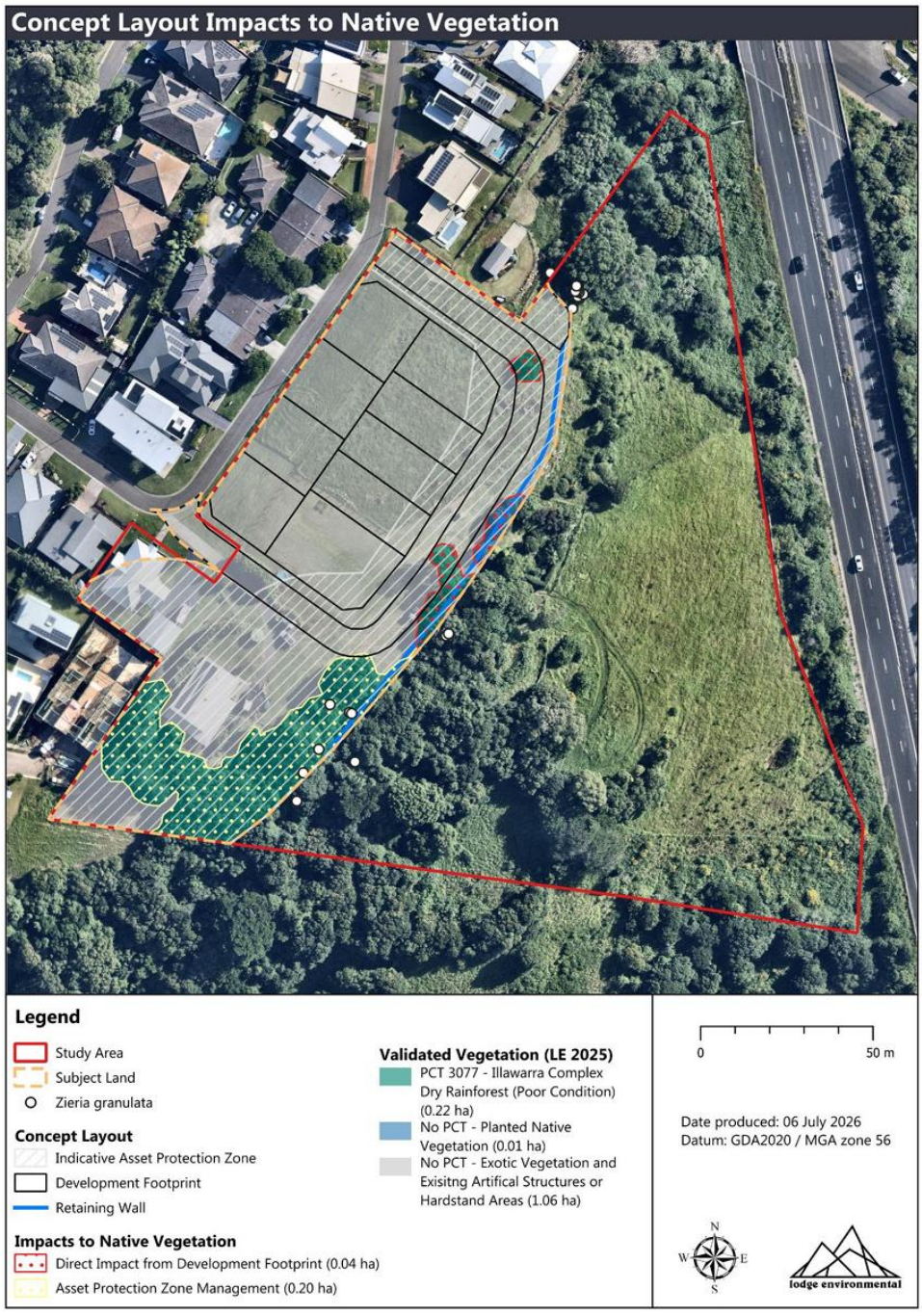


Figure 11 **Proposed impacts to native vegetation**

Source: Austral Archaeology



Figure 12 Vegetation Management Plan

Source: Austral Archaeology

7.2 BUSHFIRE IMPACTS

A Bushfire Hazard Constraints Assessment has been prepared by Harris Environmental Consulting (dated 16 July 2026) in relation to the proposed rezoning and subdivision of the site, and is provided at **Appendix F**. The report assesses the bushfire impacts resulting from the existing vegetation, slope of the land and fire history. Vegetation within 140 metres of the site has been assessed and Asset Protection Zone (APZ) requirements and Bushfire Attack Levels (BALs) have been calculated for each proposed lot.

The assessment found that although the site is mapped as bushfire-prone land, it has minimal surrounding fire history, access to reticulated water and hydrant within acceptable distances, and can generally manage fire risk present at the site. The exposure to BALs (including BAL-40 and BAL-FZ) for the proposed lots are shown in **Figure 13**.

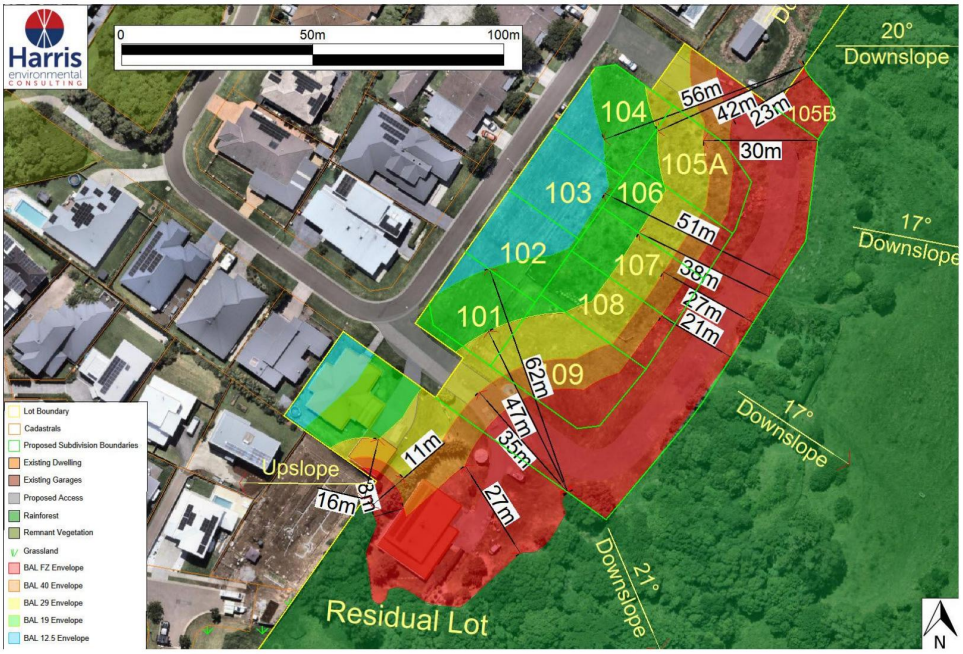


Figure 13 **Bushfire Attack Level (BAL) map**

Source: Harris Environmental Consulting

The BAL rating for the southern and southeastern elevation has been established using Method 2 AS3959 to calculate the radiant heat emission. Minimal clearing of vegetation is proposed to enable the construction of the new perimeter road, as shown in **Figure 11**.

As part of the development of the Proposal, the rezoning of the far north eastern extent of the land from RU2 to C2 was explored. Despite this land immediately adjoining the existing C2 land, if this area was to be zoned to C2, the resultant APZs would be significantly greater and threaten a potential building envelope on the adjoining site. Additionally, the registration of an APZ over a portion of C2 land is not considered consistent with the objectives of that zone. Therefore, to protect the development of the remaining area of the site, it is proposed that this area be zoned R2 and form a part of the adjoining future lot, with appropriate APZ restrictions to be worked through as part of a future Development Application.





The report concludes that all proposed lots can support a building envelope that is not exposed to radiant heat greater than 29 kW/m2. In this regard, the proposed lots are considered to not result in an unreasonable exposure to bushfire related impacts.

7.3 TRAFFIC NOISE

A Traffic Noise Intrusion Assessment has been prepared by Harwood Acoustics (dated 28 May 2026) to assess whether future residential development can comply with the noise level requirements prescribed in Clause 2.120 of the *State Environmental Planning Policy (Transport and Infrastructure)* 2021 given the site's proximity to Princes Highway. The report is provided at **Appendix G.** The assessment identifies the predicted external traffic noise levels across the site range from approximately 52–62 dBA during the day and 46–56 dBA at night. Notwithstanding, the report concludes that future dwellings can effectively achieve internal noise level requirements by implementing standard acoustic treatments such as improved glazing at the development application stage. As such, the site is not considered to be exposed to adverse traffic noise that would limit the rezoning or future development of the site for residential purposes.

7.4 HERITAGE

7.4.1 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment (ACHA) was undertaken by Austral Archaeology (dated 13 May 2026) and is provided at **Appendix H**. The ACHA assesses the potential for the development to result in impacts on Aboriginal material at the site. The investigation included a desktop review using the Aboriginal Heritage Management System (AHIMS) database and a review of previous archaeological assessments within the Kiama region and an on-site survey carried out on 2 December 2025.

During the survey, no artefacts were identified within the study area and was therefore reassessed as having low archaeological potential. Although the south-east portion of the site is assessed as having a moderate archaeological potential, no works are proposed in this location.

The investigation concludes that the proposed works will not impact any recorded Aboriginal sites and that no further assessment or works are required given no cultural material were identified within the study area Heritage Impact. The ACHA outlines recommendations including necessary steps to be taken in the event that cultural materials are encountered.

7.4.2 Heritage Impacts

A Statement of Heritage Impact has been prepared by Austral Archaeology (dated 13 March 2026) and is provided at **Appendix I**. The Statement assesses the potential impact of the proposed development on the significance of any historic built or archaeological values that may be present within the study area. The site does not contain any heritage items; however the study area has been identified as containing dry stone walls, which are listed as items of environmental heritage in Chapter 4 of the Kiama Development Control Plan 2020.

The Statement outlines recommendations for carrying out the proposal in a manner that minimises impact to these items of heritage value. This includes carrying out archival recording of all dry stone walls within the study area and to adhere to the Conservation Management Plan prepared by Austral Archaeology, discussed in **Section 7.4.3**.

7.4.3 Conservation Management Plan

A Conservation Management Plan has been prepared by Austral Archaeology (dated 13 March 2026) which documents the physical condition of the dry stone walls, and provides recommendations to enable its ongoing conservation for at least a 10 year period. Refer to **Appendix J**.



Figure 14 East facing view of dry stone wall

Source: Austral Archaeology

7.5 CONTAMINATION

A Preliminary Site Investigation (PSI) was undertaken by Terra Insight (dated 8 October 2025) to assess whether any potential contamination risks exist on the site and whether they pose a risk to future development. The PSI is provided at **Appendix K**. The investigation involves a desktop review and soil sampling across 25 Cole Street in 2019 and across Bulga Reserve in 2025 in identified areas of concern. It found all contaminants were within acceptable levels for residential development, with minor copper exceedances attributed to natural background levels. Additionally, no asbestos was detected. The PSI concludes that the land does not present unacceptable contamination and is therefore suitable for redevelopment without remediation works.

7.6 FLOOD IMPACTS

A Flooding Letter has been prepared by Maker (dated 8 May 2026) and is provided at **Appendix L**. The letter provides an analysis of flooding constraints on the site and immediate surrounds resulting from the Spring Creek Catchment Flood Study. Although the site is not impacted by any flood affectations, the Flooding Letter addresses the flood emergency response with regards to the flooding on the surrounding access and egress roads.

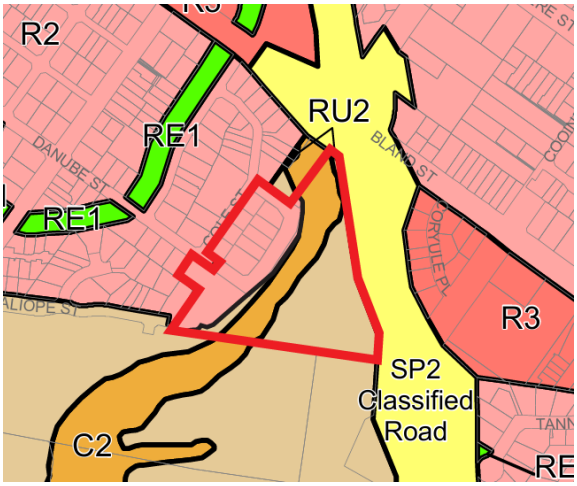
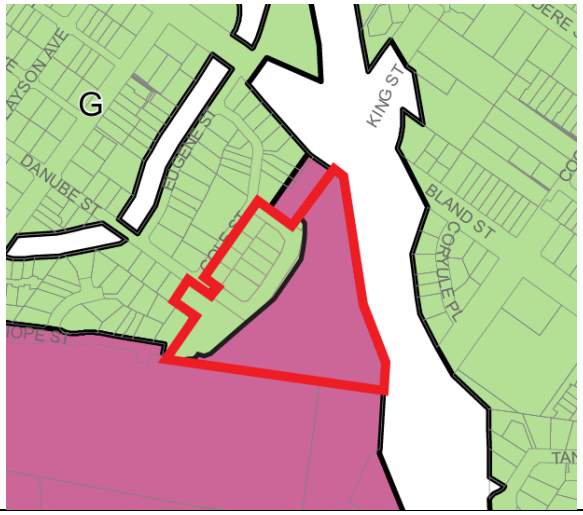
The existing access/egress roads for Cole Street and Eugene Street are flooded in all events from the 20% AEP to the PMF storm. These streets are subject to high hazard flooding which causes isolation for all existing properties on Cole Street. Due to the short-duration of the flood event (less than 2 hours), a shelter-in-place strategy is considered appropriate given the site is not flood affected.

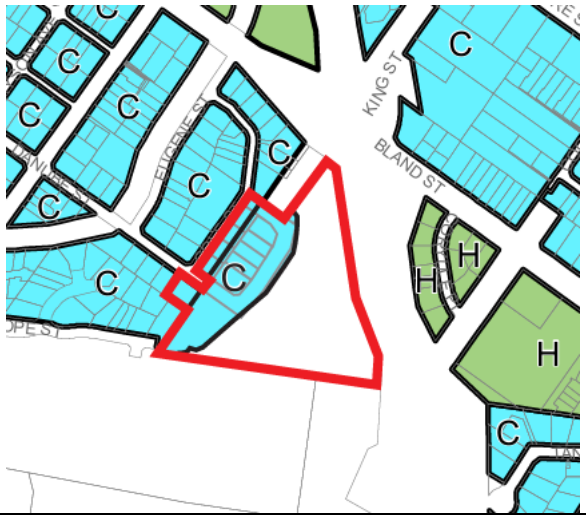
As such, the flood constraints do not pose an unacceptable risk to the proposed residential redevelopment of the site and that further flood investigations are not considered necessary at this location.

8 MAPS

The proposed amendments to the maps are shown in **Table 9** (larger scale of proposed KLEP 201 mapping modifications shown in **Appendix B**). Final mapping will be prepared by KMC and DPHI at the finalisation stage in accordance with the Standard Technical Requirements for KLEP 2011 Maps.

Table 9 - Proposed Kiama LEP 2011 Maps

Clause	Proposed LEP 2011 Map
Clause 2.2 – Land Use Zoning Land Zoning Map - Sheet LZN_012	
Clause 4.1 Minimum Lot Size Map Minimum Lot Size Map - Sheet LSZ_012	

Clause 4.3 Height of Buildings Map Height of Buildings Map - Sheet HOB_012	
Clause 4.4 Floor Space Ratio Map Floor Space Ratio Map - Sheet FSR_012	

9 COMMUNITY CONSULTATION

In accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979, the PP will be made publicly exhibited in accordance with the Gateway determination requirements. The exhibition would involve notification of the PP:

- on the relevant council's website
- on the Planning Portal
- in writing to affected and adjoining landowners unless this is impractical and therefore not required as part of the Gateway determination

10 PROJECT TIMELINE

Table 10 provides the project timeline anticipated for the subject Planning Proposal based on the benchmark timeframes for a standard Planning Proposal.

Table 10 – Anticipated Project Timeline

Stage	Timeframe
Stage 1 – Pre-lodgement	Complete
Lodgement	August 2026
Stage 2 – Assessment of Planning Proposal	December 2026
Stage 3 – Gateway Determination	March 2026
Stage 4 – Post-Gateway	June 2027
Stage 5 – Public exhibition & assessment	August 2027
Stage 6 - Finalisation	October 2027

11 CONCLUSION

The Planning Proposal seeks to facilitate a well-located residential at 25 Cole Street, Kiama by amending the Kiama Local Environmental Plan 2011. The proposed amendments are consistent with adjoining properties and enable the reclassification and integration of the adjoining Council-owned Cole Street/Bulga Reserve. These amendments will allow for and efficient, orderly and environmentally responsive residential outcome.

The Planning Proposal has strategic merit given it:

- Aligns with the Illawarra Shoalhaven Regional Plan 2041, which promotes appropriately located residential growth within and adjacent to existing urban areas.
- Contributes to local housing supply and diversity in a constrained housing market without undermining established urban growth boundaries.
- Applies appropriate residential zoning and development standard controls consistent with surrounding R2 Low Density Residential land.
- Represents an orderly and efficient use of land in accordance with the objectives of the Environmental Planning and Assessment Act 1979.

The Planning Proposal has site specific merit given it:

- Located close to Kiama town centre, services, community facilities and existing road infrastructure.
- Is located on a clearly defined, unconstrained portion of the broader site, allowing residential development to be located away from sensitive environmental lands.
- Suitably addresses environmental constraints (biodiversity, riparian areas, bushfire risk) through avoidance, mitigation and long-term management measures.
- Is supported by a Vegetation Management Plan to improve ecological outcomes and manage degraded conservation areas.
- Demonstrates that the site can accommodate residential development while maintaining appropriate buffers, access and environmental protection.
- Provides an opportunity to improve long-term management of adjoining environmentally sensitive lands that are currently degraded.

Given the above, the Planning Proposal is considered to be appropriate for the site and is suitable to be endorsed and proceed through Gateway to public exhibition.

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Geelong Office
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Newtown VIC 3220
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Nowra Office
179 Cambewarra Road
Bomaderry NSW 2541
P: 02 4415 9212

Newcastle Office
L01, 2 Dick Street
Newcastle West NSW 2302

www.makercs.com.au

Management Systems

Quality and safety are extremely important to Maker and as such we are certified to the following Australian Standrads:

- ISO 9001:2015 Quality Management Systems
- ISO 45001:2018 Occupational Health and Safety Management Systems
- ISO 14001:2015 Environmental Management Systems

MAKER CONSULTING SERVICES

Urban Development Institute of Australia VICTORIA

Urban Development Institute of Australia NEW SOUTH WALES

PROPERTY COUNCIL of Australia

PLANNING PROPOSAL ASSESSMENT REPORT

PP-2026-1733 – 25 Cole Street Kiama

Planning Proposal	
PP Number:	PP-2026/1733
Name of Site:	25 Cole Street, Kiama
Property:	Lot 1 DP1231462, 25 Cole Street Kiama & Lot 514 DP1066359, Cole Street/Bulga Reserve Kiama
Description:	1. Rezone the western part of Lot 1 to R2 Low Density Residential with a minimum lot size of 450sqm, floor space ratio of 0.45:1 and 8.5m height limit and the remaining RU2 Rural Landscape to C3 Environmental Management. 2. To reclassify Lot 514 from Community to Operational land and remove the 'public reserve' notation and make minor mapping corrections to part of the land and road.
Clause amendments:	Nil
Map amendments:	Kiama LEP 2011 – LZN Sheet 12 Kiama LEP 2011 – LSZ Sheet 12 Kiama LEP 2011 – FSR Sheet 12 Kiama LEP 2011 – HOB Sheet 12
Date Lodged:	07 August 2026
Council Meeting:	19 November 2026
Recommendation:	The Planning Proposal should be supported for endorsement and submitted for a Gateway Determination.

Assessment of Planning Proposal:

Note: This assessment report should be read in conjunction with the Council Report.

PLANNING PROPOSAL ASSESSMENT REPORT
PP-2026-1733 – 25 Cole Street Kiama

The PP has been assessed on the following criteria:

1. Strategic Merit: Consistency with the relevant Regional Plan, Council's Local Strategic Planning Statement (LSPS) and Local Housing Strategy (LHS).
2. Site-specific Merit: Evaluation of environmental, social, and economic impacts.
3. Ministerial Directions
4. State Environmental Planning Policies

1. STRATEGIC MERIT TEST

The strategic merit test poses three main criteria for assessing the strategic merit of a Planning Proposal. These criteria, and the assessment of the PP is provided below:

i. Consistent with the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.

The applicable regional plan is the Illawarra-Shoalhaven Regional Plan (ISRP) 2041.

The PP has strategic merit as it is generally consistent with the Illawarra Shoalhaven Regional Plan 2041.

The Regional Plan recognises the need for the provision of housing supply in appropriate locations, building resilient communities and protecting important environmental assets, all of which are addressed throughout the PP.

Table 1 sets out the assessment against the Objectives of the Illawarra Shoalhaven Regional Plan 2041.

Table 1 Regional Plan Assessment

Local Strategies	Justification
Objective 11: Protect important environmental assets	The PP seeks to protect high environmental values by maintaining the C2 Environmental Conservation zoned area of the site and introducing C3 Environmental Management zoned areas to the remaining site. The proposal is supported with technical studies including a Flora and Fauna Assessment, Vegetation Management Plan and Conservation Management Plan, and retains significant native vegetation, threatened species habitat, and areas of high environmental values.
Objective 12: Build resilient places and communities Objective 12.2: Reduce exposure to bushfire and natural hazards	The proposal considers flood risk, bushfire constraints, infrastructure servicing and emergency access. Supporting technical studies identify the need for Asset Protection Zones (APZs), emergency access and evacuation planning to ensure appropriate protections for future residents.

Local Strategies	Justification
	The NSW Shelter in Place Guideline for Flash Flooding states that shelter-in-place for new greenfield development is not supported. A review of the Spring Creek Flood Study shows that the site is not directly impacted by flood water, however there are concerns surrounding access and isolation of the site during 1% AEP flood events or larger. A Flood Emergency Evacuation Plan was requested from the applicant on 24/09/26 to further address shelter-in-place concerns and allow Council to make an informed decision surrounding the supporting of the proposed shelter-in-place. A Flood Emergency Response Plan has been provided as requested which proposes early evacuation in the event of a predicted flood, with evacuation occurring prior to rainfall commencement, and a Shelter-in-place strategy when rainfall has commenced or evacuation has not been completed prior to access becoming affected. Whilst the site becomes isolated during critical storm events, the duration of which the site would be isolated would only be for a maximum of 1.5 hours, and flooding would recede within 2.5-3 hours, meaning that shelter-in-place would only be for a short duration of time. This has been assessed as satisfactory and will be further assessed by the SES during public exhibition should a Gateway determination be received.
Objective 18: Provide housing supply in the right locations	The site is included in the Kiama LHS 2025 and is adjoining an existing local neighbourhood. The proposal seeks to provide a small number of low-density dwellings in a strategically identified area that is well-connected.
Objective 22: Embrace and respect the region's local character	The PP proposes a small number of low-density residential dwellings, while preserving the remainder of the site as a combination of environmental conservation (C2) and environmental management (C3) which will also retain the natural vista and limit future development on the site.
Objective 23: Celebrate, conserve and reuse cultural heritage	The PP seeks to conserve, manage and celebrate the region's natural and cultural heritage. The PP incorporates measures to identify, protect and manage dry-stone walls through environmental zoning (C2 & C3) and subdivision design. The Kiama Development Control Plan includes controls to protect the heritage values of the site.

The PP is also consistent with Illawarra-Shoalhaven Regional Plan (ISRP) 2041 Appendix B Urban Growth Area Policy.

The Planning Proposal has also been assessed against the Draft Illawarra Shoalhaven Plan and is consistent with the relevant Priorities and Responses.

Table 2 sets out the assessment against the priorities and responses of the Draft Illawarra Shoalhaven Plan.

Table 2 Draft Illawarra Shoalhaven Plan Assessment

Regional Priorities & Responses	Justification
Priority: Housed	Plan for a housing pipeline: The site has been identified in the Kiama LHS (Updated 2025) to increase housing supply in suitably identified locations. The proposed residential zoning will be adjoining an already existing neighbourhood located close to amenities and infrastructure.
Priority: Resilient	'Increase resilience to naturals hazards' During the scoping proposal referrals were made to multiple state agencies for comment relating to natural hazards that the site may be exposed to. The PP is accompanied by a Strategic Bushfire Assessment, a Flooding Letter and a Flood Emergency Response Plan. These have been reviewed and assessed as part of this report, and it has been deemed that the recommendations made increase the overall resilience to natural hazards. 'Promote sustainable built environments' The proposed R2 zoned land will be appropriately located in relation to bushfire and flood hazards. The DA process will ensure that the built environments will be designed and constructed to manage risk to natural hazards and be prepared for a changing climate.
Response 1: Increase housing supply in the urban growth area	Strategic outcomes: • Urban land is contained within the urban growth area • Land use planning and infrastructure decisions are prioritised in feasible locations The Local Housing Strategy (2025) has been considered during the assessment of the PP. The site is identified as a Tier 4 greenfield development site. The site is within an existing neighbourhood and is appropriately serviced by infrastructure. Initial enquiries of service agencies indicate that there is capacity available within the existing reticulated water supply and sewerage systems to

	cater for the additional lots, and that there is capacity in the local electricity supply network.
Response 2: Prioritise housing diversity and choice to meet changing household needs	Strategic outcomes: • Density is focused in the locations that are best connected to jobs are services through rapid public transport • Land use planning and infrastructure decisions are prioritised in feasible locations. The proposed site is located close to several bus stops and within 2km of Kiama Train Station. The site is also closely situated to an onramp to the M1 Princes Hwy, providing convenient serviceability to larger metropolitan centres in the north.
Response 9: Protect the region's natural places so both people and nature can thrive as the climate changes	Strategic outcomes: • Urban land that is susceptible to natural hazards have a clear pathway to make communities safer or adjust to tolerate risk • Development avoids locations which are sensitive to environmental changes, such as sensitive water catchments, coastal areas, important agricultural land and regional biodiversity corridors. The PP has been accompanied by advice from the RFS and SES regarding natural hazards and appropriate responses. The applicant has addressed these through the provision of a Strategic Bushfire Assessment and a Flood Emergency Response Plan, which have both been assessed as satisfactory in this assessment report. The broader site contains C2 and the implementation of C3 zoning will ensure that environmental lands will not be negatively impacted by this PP.

ii. Consistent with a relevant local strategy that has been endorsed by the Department.

The PP has been assessed against the Kiama Local Strategic Planning Statement 2020 (Updated 2025), Local Housing Strategy (2025), and Community Strategic Plan (2025-2035). The planning proposal is consistent with relevant local strategic plans.

Table 3 sets out the assessment against the local planning strategies.

Table 3 Local Strategic Planning Assessment

Local Strategies	Justification
Kiama Local Strategic Planning Statement (LSPS) 2020 (Updated 2025)	Although the site was not identified in the LSPS 2020, the site was strategically identified as part of the Local Housing Strategy (LHS) 2025. The 2025 review of the LSPS included updating the identified greenfield sites with those in the Local Housing Strategy 2025. The LSPS has key Themes and Planning Priorities to indicate the focus of future strategic planning in the LGA. The following themes are relevant to this PP. **Theme 1: Manage Sustainable Growth** The PP seeks to deliver low density housing on a small portion of the site which will assist with housing supply and demand in an appropriate location. The proposed R2 zoning area will have the capacity to provide less than 10 residential lots, demonstrating sustainable growth. (PP1) **Theme 3: Protect Rural Landscapes** The PP seeks to rezone part of the RU2 Rural Landscape zone to R2 Low Density Residential and retain the remainder of the site for environmental conservation (C2) and environmental management (C3), which will retain the landscape. The protections offered by environmental zoning will ensure the scenic rural landscape will be protected. (PP9) **Theme 4 – Mitigate and Adapt to Climate Change and Protect Our Environment** The C2 Environmental Conservation zone within the site is located to protect areas of medium and high environmental values (PP10). The PP seeks to avoid and minimise the impacts to biodiversity values, waterways, significant native vegetation and retaining threatened species habitat. The addition of C3 Environmental Management zone across the current RU2 zone will further contribute to the protection of the environment and create a buffer zone surrounding the C2 Environmental Conservation zone. (PP10) Consultation has occurred with the RFS and SES to ensure that the future impacts of natural hazards and the ever-changing climate have been considered and addressed. (PP12) **Theme 5 – Foster Vibrant and Accessible Places** The PP seeks to provide additional dwelling adjoining an existing neighborhood. The Kiama LEP 2011 and DCP 2020 include controls to manage the potential impacts on heritage items. (PP15) The PP seeks to celebrate and protect local character by protecting areas of high environmental value and landscape features. (PP15)

Local Strategies	Justification
Local Housing Strategy 2025 (LHS)	**Consistent:** The Local Housing Strategy (2025) has been considered during the assessment of the PP. The site is identified as a Tier 4 greenfield development site. Action 20 of the Strategy outlines that Council will support PPs for greenfield sites which are identified by the Strategy and which comply with relevant Ministerial Directions, SEPPs and the non-negotiable principles for greenfield development so they can proceed to Gateway to enable community consultation. Table 3 provides assessment against the non-negotiable principles for greenfield development which are all satisfied. The PP is consistent with the Local Housing Strategy 2025.
Community Strategic Plan 2025-2035 (CSP)	**Consistent:** The PP would facilitate housing that enables current and future residents to remain within the region, supporting social sustainability through an increased housing supply. The PP will protect the environmental values of the site through the implementation of C2 & C3 environmental zoned land. Links to the future adjoining precincts will further enhance accessibility and livability across the area.

Local Housing Strategy – non-negotiable principles for greenfield development

The site is identified as a Tier 4 greenfield development site. Action 20 of the Strategy outlines that Council will support PPs for greenfield sites which are identified by the Strategy and which comply with relevant Ministerial Directions, SEPPs and the non-negotiable principles for greenfield development as listed below.

Table 4 sets out the assessment against the Local Housing Strategy non-negotiable principles.

Table 4 Non-Negotiable Principles for Greenfield Development Compliance

Principle	Met?	Comment
There are appropriate road, pedestrian and public transport networks and connections	Yes	The subject site is an identified growth area that has provided a plan demonstrating connectivity to the adjoining urban areas and transport networks. The final road connection will be assessed as part of the future DA process.
Engagement with State Government to ensure state infrastructure and services can be planned and delivered for each urban expansion areas has occurred.	Yes	Engagement has occurred with State Agencies through the Scoping Proposal (pre-lodgment) process and no significant concerns where raised. Additional engagement will occur during public exhibition.
The Sydney Water system has capacity to provide sewer and	Yes	The applicant has obtained a Sydney Water Feasibility Analysis confirming that

Principle	Met?	Comment
water connectivity to each urban expansion area.		there is capacity within the existing system to service this development.
Each urban expansion area is provided with mix of land use zones to ensure a diversity of housing typologies, employment lands, open space and natural areas.	In part	The size and location of this site limits opportunities for housing diversity, however single dwellings and dual occupancies will be permissible. C2 Environmental conservation zones and C3 Environmental Management zones are also proposed to be provided to ensure natural areas are retained and preserved.
Employment lands are provided within each urban expansion to ensure local services are provided to new residents and to minimise traffic impacts and movement.	Not applicable	The size of this site does not warrant the provision of employment lands on site. The site is within close proximity to existing services.
Financial liability to council is minimised – where land such as riparian corridors and stormwater management lands and infrastructure are proposed to be dedicated to Council, these are dedicated free of cost following rehabilitation and/or construction works, with a maintenance period and with in-perpetuity funding.	Yes	The proposed subdivision will be undertaken entirely at the proponent's expense. All costs associated with the proposed subdivision, including utility infrastructure extension and provision, stormwater drainage works, and road works, will be borne by the proponent with no cost implications for State agencies or Council. The residual environmental land will be retained and managed in private ownership.
Each urban expansion area is provided with useable public open space which meets both quantum and quality standards.	In Part	The proposed dwelling yield of this site does not justify the provision of public open space being provided on site. The site is within walking distance to existing public open space areas, and embellishments can be considered to accommodate future requirements The proposal includes the reclassification of Council community land to operational land to facilitate the provision of housing as per the LHS and therefore will result in the loss of approximately 1,558m^2 of public open space. This land is currently used as informal car parking and is considered a negligible loss of public open space to help assist in the delivery of much needed residential dwellings. This is further explained and justified below under Ministerial Direction 6.1

Principle	Met?	Comment
Heritage Items and values are identified and preserved.	In Part	A Statement of Heritage Impact and a Conservation Management Plan have been completed by Austral Archaeology and has identified seven (7) dry stone walls in varying states of ruin. Four of these dry stone walls will be impacted by the subsequent works that would arise following the implementation of R2 zoned land as a result of this PP being supported. The dry stone walls have been assessed against 8 criteria for their importance, and have each received grades of significance based on their overall condition and importance. Dry stone wall number one has been graded as having 'Little' significance, as well as being in a poor condition and missing several elements. This dry stone wall is proposed to be removed to help facilitate residential development. Dry stone wall number two has been assessed as having a 'Moderate' significance, and has been classified as being in good condition, but missing elements. The conservation approach to this wall is for the partial removal at the north-western extent due to its location within the proposed works area, and recording of the remaining wall to document the location, length and condition. Additionally, repair and reconstruction works should be undertaken to ensure the long-term conservation of the dry stone wall. Dry stone wall number four has been graded as having 'Little' significance, as it is likely a modern configuration. This dry stone wall is proposed to be removed to help facilitate residential development.

Principle	Met?	Comment
		Dry stone wall number five has been graded as having 'Little' significance, as well as being in a poor condition and missing several elements. This dry stone wall is proposed to be removed to help facilitate residential development. All other dry stone walls will not be impacted by the proposed residential zoning and have had recommendations made to ensure they are archived and maintained as necessary. As the dry stone walls to be impacted by the proposal are considered to have either little or moderate significance, it may be supported that these be removed to help achieve the identified dwelling yield and increase the importance of the remaining nearby dry stone walls. Council approval will be required at the DA stage for the removal of any dry stone walls.
Areas of high environmental significance are appropriately retained and managed within urban expansion areas	Yes	The current C2 zoned land has been reviewed and will be retained. The residue Rural zoned land is proposed to be rezoned to C3 to ensure the protection of this environmental land. A Vegetation Management Plan (VMP) and a Flora and Fauna Study have been prepared to guide the future maintenance.
The provision of social and affordable housing has been adequately considered	Not applicable	The proposed dwelling yield of this site does not warrant the provision of social or affordable housing.

iii. Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

The PP is responding to the current national housing supply crisis. The PP proposes to increase housing supply in proximity to local services.

In summary, the Strategic Merit test has been fully satisfied for this PP.

2. SITE-SPECIFIC MERIT TEST

The Planning Proposal must demonstrate that it has site-specific merit. In order to establish site-specific merit, the PP must meet the following criteria:

i. The natural environment (including known significant environmental values, resources or hazards).

The PP proposes a small area of R2 zoning and residential development in the western portion of the subject site that is appropriately located in consideration to environmental values and hazards.

The PP is accompanied by advice received through the Scoping Proposal from various state agencies and professional consultants to address the natural environment and hazards that impact or have the potential to impact the site.

Advice was sought from the Rural Fire Services (RFS), Environmental Protection Agency (EPA), NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) and the State Emergency Services (SES) regarding site-specific concerns relating to the natural environment and its relationship with the PP.

Additional advice has been sought from professional consultants, including the following reports:

- a vegetation management plan,
- a flora and fauna impact statement,
- preliminary site investigation with soil sampling, and
- strategic bushfire assessment

The RFS required a Strategic Bushfire Assessment Study to be prepared to address Chapter 4 of Planning for Bushfire Protection 2019, and for the study must demonstrate compliance with access standards and Asset Protection Zone (APZ) measurements. A Strategic Bushfire Assessment has been completed by Harris Environmental and found that the bushfire hazard risk for the subject site is “fairly low”, as there is little bushfire risk outside the subject site that poses a threat. The primary bushfire threat for the development is the conservation zoned rainforest within the subject site. Additionally, the proposed subdivision layout has been amended to comply with the relevant access and APZ requirements. The Planning Proposal has satisfactorily demonstrated compliance with bushfire requirements, and the final subdivision layout and compliance with RFS requirements will be further assessed at DA stage.

Although no formal response was received from NSW EPA, a Preliminary Site Investigation has been prepared by Terra Insight, concluding that the site does not pose any contamination risk to future residential development. No further remediation works are required.

The DCCEEW suggests several considerations, mainly aimed at demonstrating that steps have been taken to avoid or minimize impacts on biodiversity and high environmental value land through the provision of a flora and fauna assessment and a Vegetation Management Plan. A Flora and Fauna Assessment and a Vegetation Management Plan have been completed by Lodge Environmental. The FFA identifies a threatened ecological community and an endangered species that are present on the site. The footprint of the proposed residential subdivision largely avoids the environmentally sensitive areas with only minor clearing required along the perimeter of the conservation area. The addition of C3 Environmental Management zoning will add a buffer zone around the C2 Environmental Conservation zoned land, further minimizing potential impacts on the threatened ecological community and endangered species.

A Vegetation Management Plan (VMP) has been provided with the aim of guiding the restoration of the vegetation within the site to enhance natural values and assist in the establishment of a resilient ecosystem. This will be implemented in conjunction with the Flora and Fauna Assessment and Strategic Bush Fire Study. This will ensure a coordinated and adaptive approach to site management, promoting biodiversity conservation, ecological connectivity, bushfire resilience, and the long-term sustainability of environmental values within and surrounding the development area.

Although the site is not flood affected, the SES recommended undertaking a Flood Impact and Risk Assessment addressing flood behaviours, access and egress, isolation risk, PMF events and climate change. The PP proposes a shelter-in-place strategy to mitigate the impact of flooding on future residents, due to the site not being directly impacted by flood waters and the adjoining streets being subject to high hazard flooding causing isolation for a maximum of 3.5 hours. The NSW Shelter in Place Guideline for Flash Flooding states that shelter-in-place for new greenfield development is not supported, and the applicant has been requested to provide a FIRA to accurately assess the proposal.
Maker Consulting Services have prepared a 'Flooding Letter' to address issues raised by the SES. However, this was assessed as insufficient and a request for information was addressed to the applicant on 14th September 2026, requesting a Flood Emergency Evacuation Plan. A Flood Emergency Response Plan (FERP) has been provided by Maker CS. It is acknowledged that the site is located above the mapped PMF flood extent identified in the Spring Creek Catchment Flood Study (2014). The principal flood risk is associated with loss of vehicular access and egress when surrounding roads are affected by high hazard flooding.

The FERP has two recommendations for a response strategy:

1. Early evacuation as advised by the SES, with evacuation recommended to occur before rainfall commences and while access roads remain safe
2. Shelter-in-place where rainfall has commenced or evacuation has not been completed prior to access becoming affected.

The combination of rapid onset, high road hazard and short flood duration has been considered and the Flood Emergency Response Plan has been deemed an acceptable strategy for the site. Shelter-in-place is supported in this instance given the small number of additional lots, and the provision of the Flood Emergency Response Plan. Further consultation will be undertaken with the SES during the public exhibition stage of the Planning Proposal.

ii. The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal.

The site is adjacent to existing residential development along Old Saddleback Road and Cole Street. Appropriate buffers, by way of perimeter roads, will ensure future residential development does not impact adjacent agricultural and environmental lands.

The subject site borders the recently approved 2 Caliope Street Kiama strategically identified greenfield land, further demonstrating site-specific and strategic merit and contributing to Council's housing supply targets. Having both of these sites next to each other helps facilitate an integrated and efficient urban expansion area that contributes towards a cohesive and connected residential community with appropriately located existing infrastructure.

iii. The services and infrastructure that are or will be available to meet the demands arising from the Planning Proposal and any proposed financial arrangements for infrastructure provision.

Initial enquiries of service agencies indicate that there is capacity available within the existing reticulated water supply and sewerage systems to cater for the additional lots, and that there is capacity in the local electricity supply network.

There are no proposed financial arrangements for infrastructure required, and no other infrastructure demand generated by this proposed development. Section 7.12 Contributions will be levied on future Development Applications.

3. MINISTERIAL DIRECTIONS

A PP needs to be consistent with all relevant Ministerial Directions issued under s9.1 of the *Environmental Planning and Assessment Act 1979*.

The assessment of the PP against each Ministerial Directions is provided at Table 5:

Table 5 Ministerial Directions Compliance Checklist

Ministerial Direction	Assessment
Priority 1: Aboriginal Outcomes	
P1.1 – Aboriginal Land Planning	The PP does not alter land containing any identified Aboriginal cultural heritage values. Therefore, this direction does not apply.
P1.2 Cultural Guidance	The PP is supported by an Aboriginal Cultural Heritage Assessment (26/73401) which determined that no cultural materials were identified throughout the investigation. The proposal will not impact any recorded Aboriginal sites. The PP is considered consistent with Direction P1.2
Priority 2: Housed	
P2.1 – Housing	The PP supports the delivery of housing within an approved strategically identified greenfield site. The decrease to the minimum lot size and changes to maximum floor space ratio provides opportunity for increased density and housing diversity. The PP is well-located to make efficient use of existing infrastructure and services. The PP is considered consistent with Direction P2.1.
Priority 3: Prosperous	
P3.1 – Employment	This direction does not apply to the PP.
P3.2 – Rural	The PP seeks to rezone RU2 Rural Landscape to R2 Low Density Residential. This land has been strategically identified in the Kiama Local Housing Strategy 2025.

Ministerial Direction	Assessment
	The C2 Environmental Conservation land within the subject site will remain unaffected by the rezoning process. The RU2 zoned land that is not subject to R2 rezoning will be rezoned to C3 Environmental Management land to achieve rezoning consistency throughout the LGA The PP is considered consistent with Direction P3.2
P3.3 – Airport Safeguarding	This direction does not apply to the PP.
P3.4 – Mining and Petroleum Production	This direction does not apply to the PP.
P3.5 – Oyster Aquaculture	This direction does not apply to the PP.
P3.6 – Mine Subsidence and Unstable Land	This direction does not apply to the PP.
Priority 4: Connected	
P4.1 – Integrating Land Use and Infrastructure	The PP facilitates the development of a service road that enables the efficient use of existing infrastructure and services. The location of the proposed subdivision will support the community prioritising walking, cycling, and public transport use. It should also be noted that a 'right of carriageway' has been carried over from past consolidation plans and now burden Lot 1 DP 1231462 and benefit Lot 15 DP 1290761 (See Figure 2). Should the PP be successful, a legal access may be required to retain right of carriageway in the future. The PP is considered consistent with Direction P4.1
Priority 5: Resilient	
P5.1 – Strategic Conservation Planning	This direction does not apply to the PP.
P5.2 – Conservation	The PP supports the protection and conservation of environmental values by maintaining C2 Environmental Conservation zoned land. The PP is supported by a Flora and Fauna Assessment and Vegetation Management Plan which enables the adequate conservation of the environmentally sensitive area. Additional C3 Environmental Management zoning will be introduced to all remaining RU2 zoned land at the site, creating an important buffer between the C2 Environmental

Ministerial Direction	Assessment
	Conservation zoned land the proposed R2 Low Density Residential zoned land. The PP is considered consistent with Direction P5.2.
P5.3 – Foreshore and Water Catchment Areas	This direction does not apply to the PP.
P5.4 – Contaminated Lands	The proposed amendments to zoning do not increase contamination risks. Future development applications processes will continue to assess whether the land is suitable for its intended use. The PP is considered consistent with Direction P5.4
P5.5 – Acid Sulfate Soils	The PP does not intensify land uses within areas affected by acid sulfate soils. Future development applications processes will continue to be assessed in accordance with relevant provisions of the Kiama LEP 2011. The PP is considered consistent with Direction P5.5.
P5.6 – Threatened species, threatened ecological communities and their habitats	The PP maintains C2 Environmental Conservation zoned land and is supported by a Flora and Fauna Assessment and Vegetation Management Plan. The PP does not impact any area mapped on the Biodiversity Values Map and does not propose clearing. The proposal is not considered to introduce any significant additional indirect impacts on important vegetation or fauna habitat. The proposal in its current layout is not considered to have any significant impact on any TEC's, Mammals or Fauna located within the site. The PP is considered consistent with Direction P5.6.
P5.7 – Flooding	The PP does not relate to land that is identified as Flood Prone Land. Supporting documentation has been prepared to address concerns raised during the Scoping Proposal process. The PP is considered consistent with Direction P5.7.
P5.8 – Coastal Management	The site is not within a coastal zone. This direction does not apply to the PP.
P5.9 – Planning for Bush Fire Protection	The PP contains land that is identified as bushfire affected and is supported by a Strategic Bushfire Assessment. Overall, the bushfire hazard risk for the site has been assed as fairly low, as there is little bushfire risk outside the subject lot that poses a threat. The primary bushfire threat for the development is the conservation zoned rainforest within the

Ministerial Direction	Assessment
	subject lot and has been accommodated for in the assessment completed by Harris Environmental Consulting. The proposal meets the Acceptable Solutions of the Planning for Bushfire Protection 2019 relating to APZs, Landscaping, General Requirements for Access, Perimeter Roads, Non-Perimeter Roads, Property Access, Water Supplies, Electricity Services and Gas Services. The PP is considered consistent with Direction P5.9.
Priority 6: Liveable	
P6.1 – Reserving Land for Public Purposes	The PP seeks to reclassify Lot 514 from community to operational land to enable the current residential planning controls to be realized and integration into the future development site of 25 Cole Street (See Figure 1). This lot is currently listed as Council owned community land dedicated for public reserve. Although the site is noted as a public reserve, this land is currently predominantly used for informal car parking by adjoining neighbors and provides little amenity to the existing neighbourhood. If this PP is to be successful, it will result in the loss of approximately 1,558m^2 of public open space. The site is not embellished as a public reserve and is not used for public recreation. Nearby public reserves are available to provide appropriately located access for future residents. This has been assessed as being of a negligible effect on productive public open space, and therefore an acceptable inconsistency. As this PP proposes the loss of land for public purposes, it will require a Public Hearing, followed by the Governors' approval to remove its listing as land dedicated for public reserve.
P6.2 – Willandra Lakes Region	This direction does not apply to the Kiama LGA.
Priority 7: Coordinated	
P7.1 – High pressure dangerous goods pipeline	This direction does not apply to the PP.

4. STATE ENVIRONEMTNAL PLANNING POLICIES (SEPPs)

The PP must demonstrate consistency with all relevant SEPPs.

Table 6 sets out the assessment against the relevant SEPPs. In summary, the PP is consistent with all relevant SEPPs.

Table 6 State Environmental Planning Policies (SEPPs) Assessment

SEPP	Comment
SEPP (Housing) 2021	The PP supports the delivery of housing diversity and density through additional residential land with planning controls consistent with adjoining residential zoned land. The PP is considered consistent with the SEPP.
SEPP (Resilience and Hazards) 2021	Consistent - A preliminary site investigation for potential contamination has been undertaken. The study assessed 12 soil samples taken across 25 Cole Street and Bulga Reserve, finding that the site is suitable for the proposed development. The PP is considered consistent with the SEPP.
SEPP (Transport and Infrastructure) 2021	Section 2.120 of the SEPP allows development of residential accommodation adjacent to a freeway after being satisfied that appropriate measures have been undertaken to ensure that appropriate noise levels can be achieved. A Traffic Noise Intrusion Assessment has been completed, indicating that compliance with the SEPP can be achieved. The PP is considered consistent with the SEPP.
SEPP (Biodiversity and Conservation) 2021	Kiama LGA is not a Koala Management area. The site has high ecological values in the C2 zoned area. The residue lot will be zoned C2 and C3 to protect the environmentally sensitive area. The PP seeks to protect the population of Illawarra *Zieria granulate.* The plants which reside within the identified impact area will be prioritized for retention within the APZ. A Vegetation Management Plan has been prepared for the residue lot. The proposed residential area is not located within the environmentally sensitive area and will not have adverse impacts on biodiversity and conservation. The PP is considered consistent with the SEPP.

KIAMA MUNICIPAL COUNCIL

PLANNING PROPOSAL ASSESSMENT REPORT

PP-2026-1733 – 25 Cole Street Kiama

Outcome of assessment:

The Planning Proposal should be supported for finalisation.

Reasons for recommending the Planning Proposal be supported	
1)	The Planning Proposal has been prepared in accordance with the *Environmental Planning and Assessment Act, 1979* and the LEP Making Guideline (2026).
2)	The Planning Proposal has demonstrated strategic merit.
3)	The Planning Proposal has demonstrated site specific merit.
4)	The Planning Proposal has satisfied all relevant Ministerial Directions, and any inconsistencies have been satisfactorily justified.
5)	The Planning Proposal has satisfied all relevant SEPPs.
6)	The Planning Proposal is consistent with the Illawarra Shoalhaven Regional Plan 2041 and draft The Illawarra Shoalhaven Plan (exhibited 2026).
7)	The Planning Proposal is consistent with relevant local strategies that have been endorsed by the Minister including the Local Strategic Planning Statement, Local Housing Strategy and Community Strategic Plan.
8)	The Planning Proposal is consistent with the aims, objectives, and provisions of relevant Council policies including the Vegetation Study and Draft Employment Lands Strategy.
9)	The site is suitable for the proposed planning controls.
10)	The Planning Proposal is recommended to proceed to Gateway and public exhibition.

Assessment completed by: Brendan Pfister
Strategic Planner
12/10/26

Assessment reviewed by: Melissa Ballinger
Strategic Planning Coordinator
23 October 2026

Assessment approved by: Angus Brooks
Acting Manager Planning and Development
29 October 2026

Figure 1 **Deposited Plan for Lot 514 in DP 1066539**

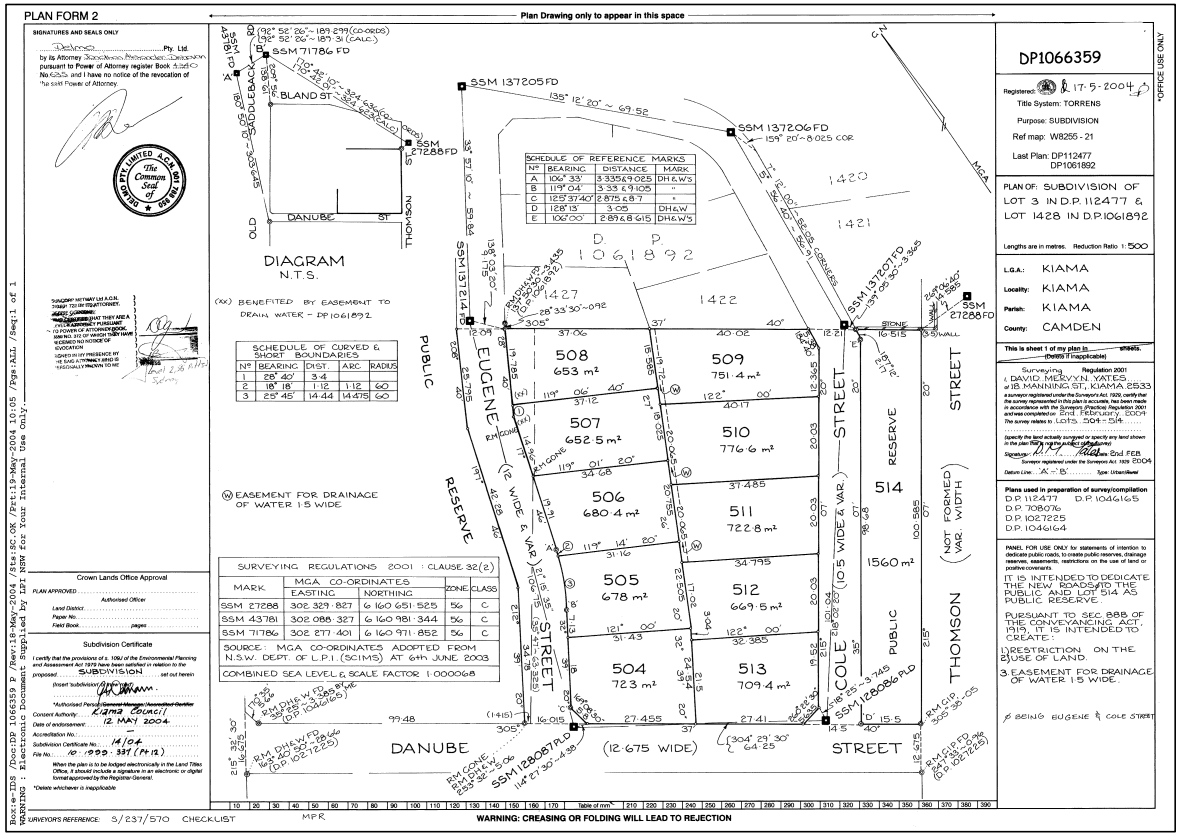
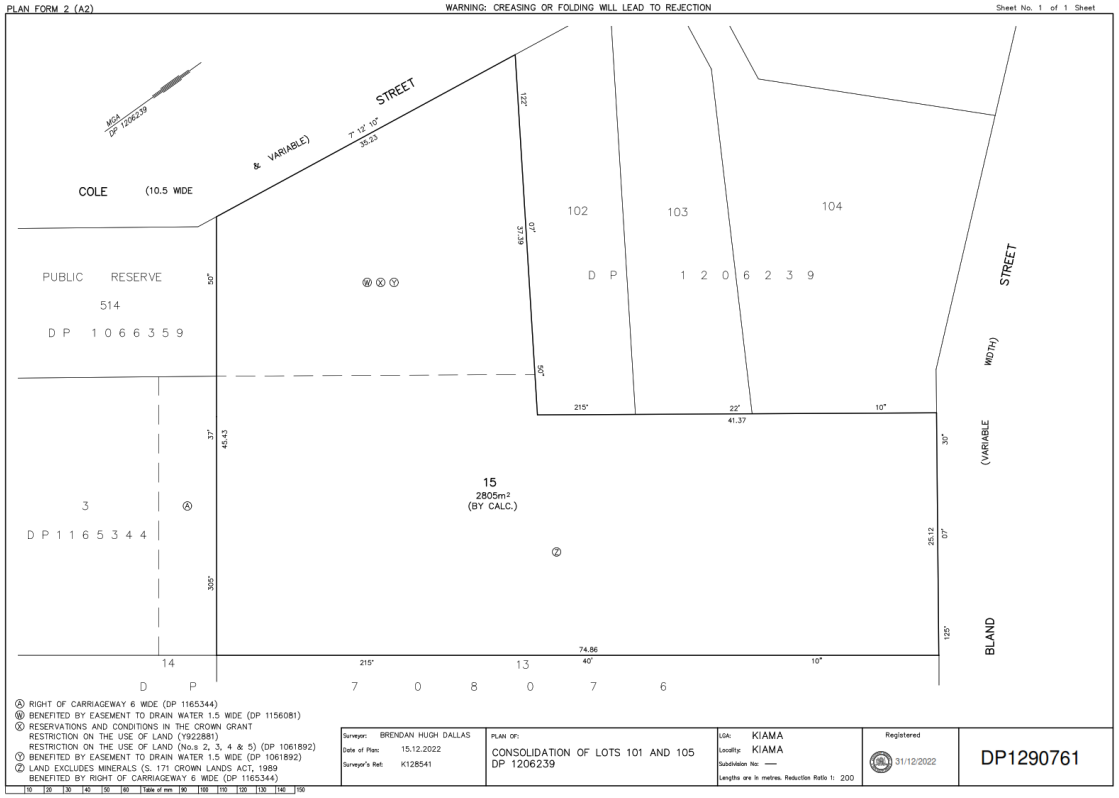
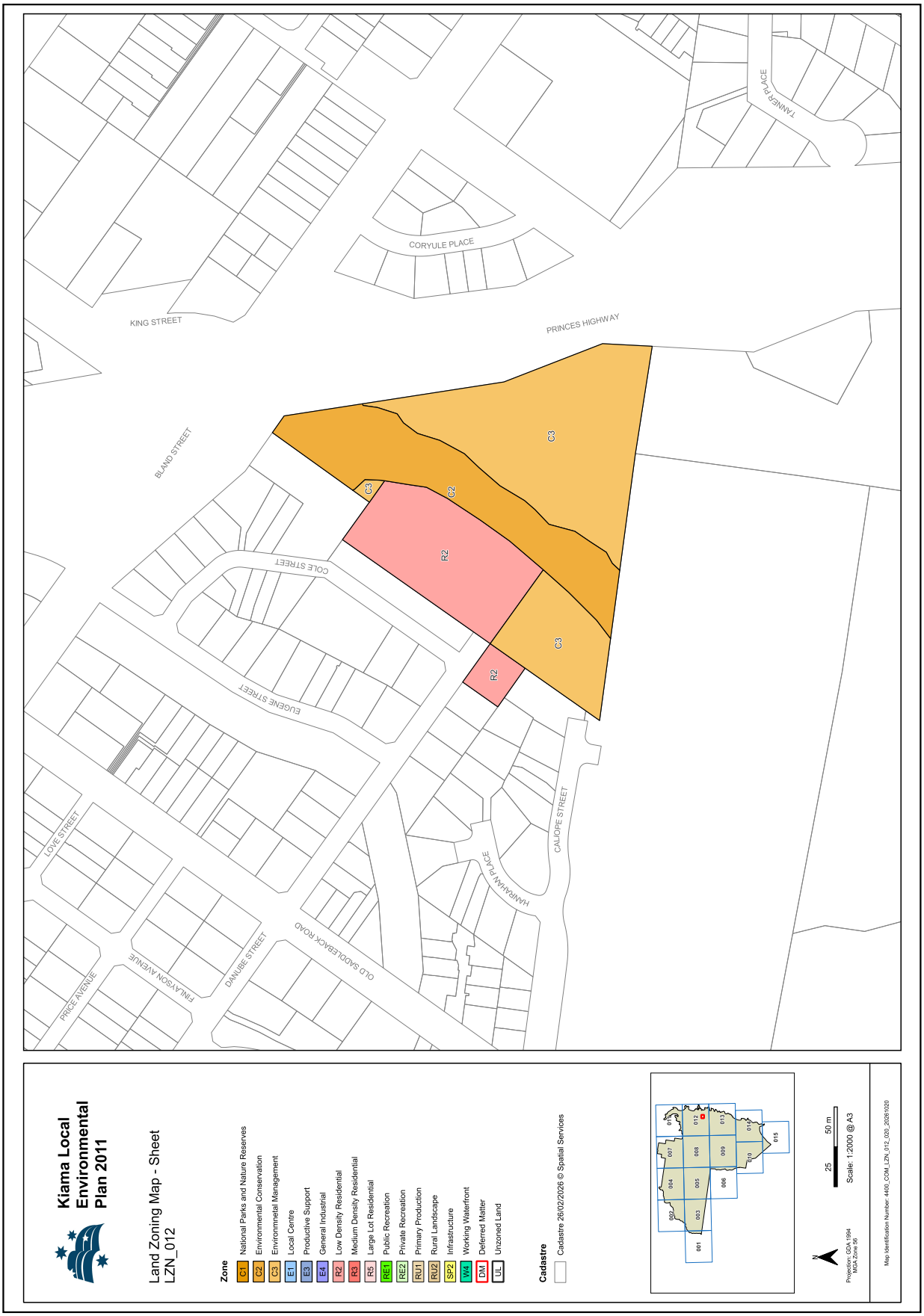


Figure 2 Deposited Plan for Lot 15 in DP 1290761 showing 'right of carriageway'



Item 15.2

Enclosure 3





Item 15.2

Enclosure 4



Item 15.2

Enclosure 5



Item 15.2

Enclosure 6