

Reclassification of Council owned land at Avondale Road, Dapto; Northcote Street/Greenacre Road, Wollongong; and Brokers Road, Mt Pleasant

Proposal Title :	Reclassification of Council owned land at Avondale Road, Dapto; Northcote Street/Greenacre Road, Wollongong; and Brokers Road, Mt Pleasant		
Proposal Summary :	The proposal relates to 3 sites: 1. Avondale Rd, Dapto - reclassify land from community to operational to facilitate the construction of a road; 2. Northcote St/Greenacre Rd, Wollongong - reclassify parts of a drainage reserve (which dissects privately owned properties) from community to operation to enable the sale of the land to adjoining property owners to resolve access issues; and 3. Brokers Rd, Mt Pleasant - rezone and reclassify a 0.25m wide strip of land from RE1 Public Recreation/Community to R2 Low Density Residential/Operational to resolve a situation in which the fence of an adjoining property encroaches onto the Brokers Road Reserve.		
PP Number :	PP_2012_WOLLG_008_00	Dop File No :	12/14080

Proposal Details

Date Planning Proposal Received :	31-Aug-2012	LGA covered :	Wollongong City
Region :	Southern	RPA :	Wollongong City Council
State Electorate :	KEIRA SHELLHARBOUR WOLLONGONG	Section of the Act :	55 - Planning Proposal
LEP Type :	Reclassification		

Location Details

Street :	Avondale Road		
Suburb :	Dapto	City :	Postcode : 2530
Land Parcel :	Part of Lot 49 DP 24980 Dapto		
Street :	Northcote Street		
Suburb :	Wollongong	City :	Postcode : 2500
Land Parcel :	Lot 14 Sec B DP 15742 Wollongong		
Street :	Greenacre Road		
Suburb :	Wollongong	City :	Postcode : 2500
Land Parcel :	Lot 6 Sec C DP 15742 Wollongong		
Street :	Brokers Road		
Suburb :	Mt Pleasant	City :	Postcode : 2519
Land Parcel :	Part of Brokers Road Reserve Lot 10 DP 579510 Mt Pleasant		

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DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : Kathryn Adams
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DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	
Regional / Sub Regional Strategy :	Illawarra Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with :	Yes		
If No, comment :			

Have there been meetings or communications with registered lobbyists? : No
If Yes, comment :

Supporting notes

Internal Supporting Notes : **Reclassify from Community to Operational is required to:**
1. Avondale Rd, Dapto - facilitate the construction of a road consistent with the West Dapto Access Strategy;
2. Northcote St/Greenacre Rd, Wollongong - enable the sale of parts of a drainage reserve (which dissects privately owned properties) to adjoining property owners to resolve access issues; and
3. Brokers Rd, Mt Pleasant - resolve a 0.25m wide encroachment of a private property onto the Brokers Road Reserve by potential sale to the adjoining owners. The land will also be rezoned from RE1 Public Recreation to R2 Low Density Residential with a floor space ratio of 0.5:1 and a minimum lot size of 449m2.

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External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **Council has clearly explained the objectives and outcomes for each component of the Planning Proposal.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **Council has clearly identified the changes to the Wollongong LEP 2009 as a result of the Planning Proposal.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA : **3.4 Integrating Land Use and Transport
5.1 Implementation of Regional Strategies**
* May need the Director General's agreement

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered : **As identified by Council, the relevant s117 Directions are: 3.4 Integrating Land Use and Transport; and 5.1 Implementation of Regional Strategies.**

The Planning Proposal is consistent with these Directions.

The reclassification of land at Avondale will facilitate the construction of a road to implement the West Dapto Initial Access Strategy. The need for an integrated transport strategy for West Dapto is identified in the Illawarra Regional Strategy.

Council has noted that s117 Direction 6.2 Reserving Land for Public Purposes does not apply. However, the Proposal will reduce the Brokers Road Reserve - zoned RE1 Public Recreation - by approximately 9m2. It is considered that this is a minor change and the Director General can approve of the change.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain : **As noted above, the Planning Proposal is consistent (or justifiably inconsistent) with relevant s117 Directions. There are no SEPPs that are relevant to the proposal.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Council has provided maps that clearly identify the areas proposed to be reclassified.**

In relation to the rezoning of Brokers Road Mt Pleasant, Council has also provided zoning, floor space ratio, and minimum lot size maps.

These maps are suitable for exhibition. However, Council should consider whether a map showing a change in height of buildings is required for the area to be removed from Brokers Road Reserve.

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Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has identified that the length of the exhibition period should be determined through the Gateway process but should be a minimum of 28 days.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Wollongong Local Environmental Plan 2009 is in place.**

Assessment Criteria

Need for planning proposal : **Council has identified that a Planning Proposal is needed to reclassify 4 parcels of land (at 3 locations) from community to operational. The need for each reclassification is justified as follows:**

- 1. Avondale Rd - this reclassification would see approximately 700m2 of RE1 zoned land reclassified to enable the construction of a road linking Western Avenue to Marshall Street. The purpose is to improve vehicle circulation and access in this area. This linkage is identified in the West Dapto Initial Access Strategy and facilitates the development of West Dapto urban release areas;**
- 2. Northcote/Greenacre - an existing drainage reserve dissects 2 private properties and has implications for the legal access to parts of these properties. The reclassification is necessary to enable the land to be sold to the relevant private landowners and create a drainage easement; and**
- 3. Brokers Rd - A brick fence between the Brokers Road Reserve and the adjoining residential property to the south encroaches onto the Reserve by 25cm along the length of the property. The reclassification will allow a minor boundary adjustment to resolve the issue.**

Consistency with strategic planning framework : **The Avondale Rd reclassification to enable a link road to be constructed is consistent with the Illawarra Regional Strategy and with Council's West Dapto Initial Access Strategy.**
The other reclassifications are minor in nature and not inconsistent with the strategic planning framework.

Environmental social economic impacts : **The proposal does not have a negative environmental impact.**
The Avondale Rd reclassification will have social and economic impacts. It will change an existing cul-de-sac into a through road, with implications for the amenity of existing residents. However, the proposal aims to improve traffic flow in the area and assist in the

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traffic management associated with the future development of West Dapto.

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **6 Month** Delegation : **DG**

Public Authority Consultation - 56(2)(d) : **Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **Yes**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
20120831 - Planning Proposal.pdf	Proposal	Yes
Reclass covering letter.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.4 Integrating Land Use and Transport**
5.1 Implementation of Regional Strategies

Additional Information : **It is recommended that the planning proposal proceeds through the Gateway subject to the following conditions:**

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal must be made publicly available for 28 days; and

(b) the relevant planning authority must comply with the notice requirements for public

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exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009). This will involve the preparation of maps that clearly identify changes to zones, floor space ratio and minimum lot size. Council should also consider whether a map showing height of buildings is required.

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act.

Transport for NSW - Roads and Maritime Services

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 6 months from the week following the date of the Gateway Determination.

SECTION 117 DIRECTIONS

5. The Director General approves of the reduction in land zoned RE1 Public Open Space as this is of minor significance.

6. The Director General can be satisfied that the planning proposal is consistent with all other relevant s117 Directions or that any inconsistencies are only of minor significance.

Further referral under these Directions is not required for the Plan while it remains in its current form.

Supporting Reasons :

As it relates to the reclassification of Avondale Rd, the planning proposal is consistent with the strategic planning framework including the Illawarra Regional Strategy and the West Dapto Initial Access Strategy.

The other reclassifications are of a minor nature.

Signature:



Printed Name:

MARK PARKER
Local Planning Manager

Date:

11th September 2012