

Planning Proposal

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF DRAFT LEP: Proposed Reclassification of Council Owned Land at Avondale Road Dapto, Northcote Street/Greenacre Road Wollongong and Brokers Road Mt Pleasant [ESP-100.01.043]

ADDRESS OF LAND:

1. Part of Lot 49 Avondale Road (Lot 49 DP 24980), Dapto;
2. Lot 14 Northcote Street (Lot 14 Sec B DP 15742), Wollongong;
3. Lot 6 Greenacre Road (Lot 6 Section C DP 15742), Wollongong; and
4. Part of Brokers Road Reserve (Lot 10 DP 579510), Mt Pleasant.

MAPS:

Location Map: Part of Lot 49 Avondale Road (Lot 49 DP 24980), Dapto



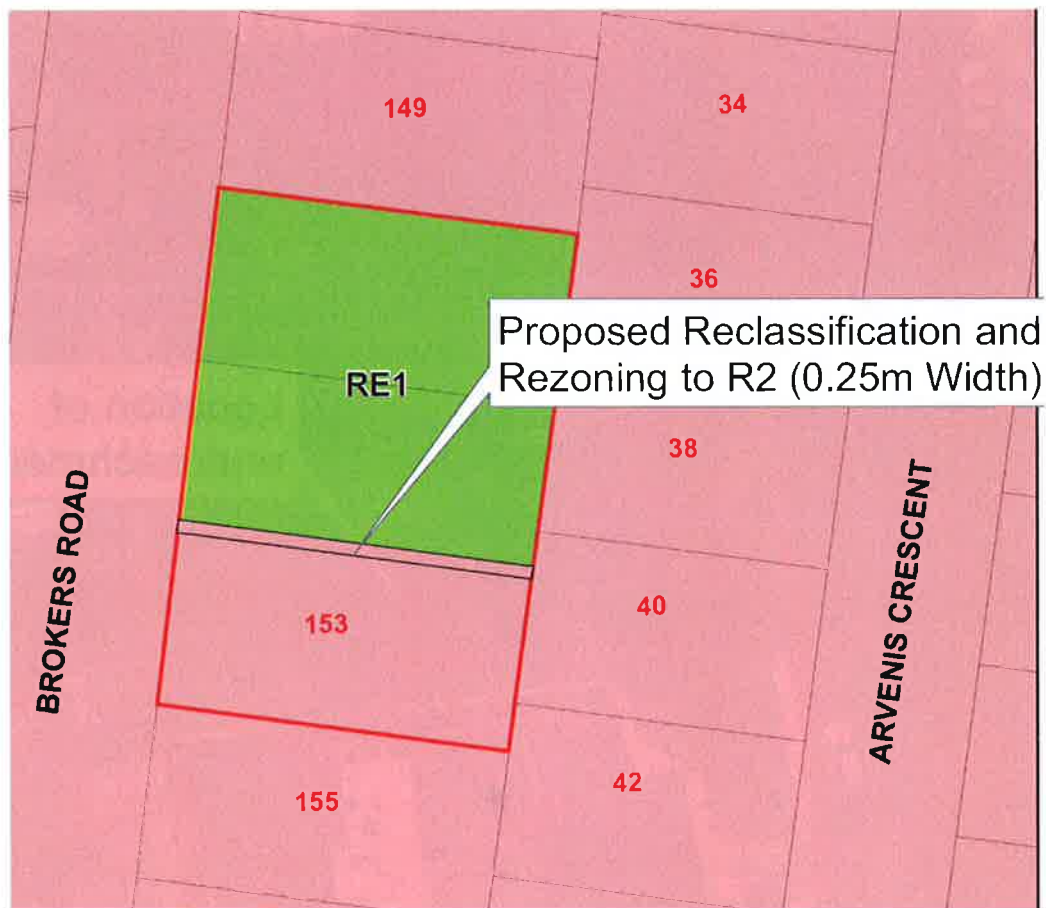
Location Map: Lot 14 Northcote Street (Lot 14 Sec B DP 15742), and Lot 6 Greenacre Road (Lot 6 Section C DP 15742, Wollongong)



Location Map: Part of Brokers Road Reserve (Lot 10 DP 579510), Mount Pleasant



Zoning Map: Part of Brokers Road Reserve (Lot 10 DP 579510), Mount Pleasant



BACKGROUND:

Part 1: OBJECTIVES OR INTENDED OUTCOMES OF THE PLANNING PROPOSAL:

Concise statement setting out objectives or intended outcomes of the planning proposal.

1. Part of Lot 49 Avondale Road, Dapto

Reclassification of a section of Council owned land at the southern end of Western Avenue to facilitate the construction of a road extending from the existing cul-de-sac in Western Avenue to Marshall Street. A section of Council owned land zoned RE1 Public Recreation and measuring approximately 702m² is required to be reclassified from Community land to Operational land in order to facilitate the road construction.

2. Lot 14 Northcote Street and Lot 6 Greenacre Road, Wollongong:

A strip of Council owned drainage reserve which dissects 15 and 15B Northcote Street Wollongong is classified as Community land. The implication of Council ownership and classification of this strip of land is that the residents of 15 and 15B Northcote Street are not formally permitted access to or across it to reach their dwelling or backyard. The Planning Proposal seeks a reclassification of the strip of land to Operational, the creation of an easement for the drainage of water over it, and transfer of the land at fair market value to the affected landowners. On further examination, it is evident that the drainage reserve extends down to Greenacre Road, and hence the length of the reserve should be considered as part of this Planning Proposal. The sizes of the parcels proposed to be reclassified from Community land to Operational land are 265m² on Northcote Street and 480.6m² on Greenacre Road.

3. Part of Brokers Road Reserve, Mt Pleasant:

Boundary adjustment involving a rezoning and reclassification of a narrow strip of land along the boundary of Brokers Road Reserve and the adjoining property at 153 Brokers Road, Mt Pleasant. The strip of land to be rezoned from RE1 Public Recreation to R2 Low Density Residential, and reclassified from Community land to Operational land. This will facilitate a boundary adjustment between Brokers Road Reserve and the adjoining residential property at 153 Brokers Road, to resolve an issue with the existing boundary fence which encroaches onto the Reserve. The total site area of the Reserve is approximately 1360m². Along the southern boundary of the Reserve, a strip of land approximately 22-25 cm wide with an area of 6.7m² has been encroached by the northern boundary fence from 153 Brokers Road.

Part 2: EXPLANATION OF THE PROVISIONS OF THE PLANNING PROPOSAL:

Statement of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed via a LEP.

Reclassification of the following four (4) parcels of Council owned land from Community land to Operational land and remove any real or perceived trusts, caveats and interests from the land:

- Part of Lot 49 Avondale Road (Lot 49 DP 24980), Dapto;
 - Lot 14 Northcote Street (Lot 14 Sec B DP 15742), Wollongong;
 - Lot 6 Greenacre Road (Lot 6 Section C DP 15742), Wollongong; and
 - Part of Brokers Road Reserve (Lot 10 DP 579510), Mt Pleasant.
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- Amendment of the Wollongong LEP 2009 Land Zoning Map in accordance with the proposed zoning map (R2) shown at attachment 1; and
 - Amendment of the Wollongong LEP 2009 Floor Space Ratio Map in accordance with the proposed floor space ratio map, shown at attachment 2, which indicates a maximum permissible floor space ratio of 0.5:1; and
 - Amendment of the Wollongong LEP 2009 Minimum Lot Size Map, shown at attachment 3, which indicates a minimum lot size of 449m².

Part 3: JUSTIFICATION OF OBJECTIVES, OUTCOMES AND PROVISIONS AND PROCESSES FOR THEIR IMPLEMENTATION:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?	The planning proposal is the result of a Council resolution dated 23 July 2012 (copy of report and minutes are attached). The proposed reclassification of Part of Lot 49 Avondale Road, Dapto is required as part of the implementation of the West Dapto Initial Access Strategy.
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Part of Lot 49 Avondale Road A section of Council owned land zoned RE1 Public Recreation is required to be reclassified from Community land to Operational land in order to facilitate the road construction. Council's Generic Plan of Management for Council land (2011) enables the dedication of land for road widening or roadworks of a minor nature. In this instance, the extension is not considered to be of a minor nature as it is changing the nature of Western Avenue from a cul-de-sac to a

	through road. A reclassification of the parcel is therefore necessary. Northcote Street/Greenacre Road A reclassification of a strip of Council owned drainage reserve is necessary in order to resolve an access issue to private property. Part of Brokers Road Reserve: Reclassification of the strip of land from Community land to Operational land is required under the Local Government Act 1993 in order to enable the boundary adjustment. Rezoning of the strip of land is proposed to ensure its ongoing use as part of the residential property at 153 Brokers Road is consistent with its zoning under the WLEP 2009.
3. Is there a net community benefit?	West Dapto is identified in the Illawarra Regional Strategy as the priority new land release area for the Region. Planning for West Dapto includes the implementation of the West Dapto Initial Access Strategy. The other proposed reclassifications are intended to resolve isolated issues of access across and encroachment of small parcels of Council owned land.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?	Consistent with the Illawarra Regional Strategy (2007). West Dapto is identified in the Illawarra Regional Strategy as the priority new land release area for the Region. Planning for West Dapto includes the implementation of the West Dapto Initial Access Strategy. The Illawarra Regional Strategy Sustainability criteria have been considered in the context of this proposal. The proposal is consistent with regard to criteria set in relation to infrastructure provision and access.
5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	The planning proposal is consistent with Council's Strategic Planning documents to guide future development in the City in terms of helping to achieve targets for an integrated transport network, delivering efficient, safe and affordable solutions.
6. Is the planning proposal consistent with applicable state environmental planning policies?	Refer to the attached Table A – Checklist of State Environmental Planning Policies.
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	Refer to Table B – Checklist of Ministerial Directions.

Section C – Environmental, social and economic impact

8. 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?	There are no known critical habitat or threatened species populations or ecological communities or habitats affected by this proposal.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed? This might include natural hazards such as flooding, land slip, bushfire hazard etc. If it is necessary to undertake technical studies or investigations to address an identified matter, these should be undertaken following the initial gateway determination.	There are no known natural hazards associated with the land parcels proposed for reclassification, and no likely negative environmental effects as a result of the planning proposal.
10. How has the planning proposal adequately addressed any social and economic effects?	The proposed extension of Western Avenue to Marshall Street is not considered to be of a minor nature as it is changing the nature of Western Avenue from a cul-de-sac to a through road. This may affect the amenity of the street for existing residents. The proposed reclassification of Part of Lot 49 Avondale Road, Dapto is required as part of the implementation of the West Dapto Initial Access Strategy, designed to provide an integrated transport strategy for the West Dapto area. There are no known heritage issues.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	No impact on existing services/utilities.
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	The Gateway Determination will stipulate the required consultation with public authorities.

Part 4: DETAILS OF COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL:

Any Gateway Determination will confirm community consultation requirements. If the Planning Proposal is supported, the Proposal will be exhibited for a minimum period of twenty-eight (28) days, and include:

- Hard copies at Council's Administration building and relevant Libraries;
- Electronic copy on Council's website;
- Notification letters to surrounding and nearby property owners; and
- Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Infrastructure

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
State policies			
SEPP No. 1	Development Standard	N/A	
SEPP No. 4	Development Without Consent and miscellaneous Exempt and Complying Development	N/A	Clause 6 and parts 3 and 4 of SEPP were repealed by Wollongong LEP 2009
SEPP No. 6	Number of Storeys in a Building	N/A	
SEPP No. 10	Retention of Low-Cost Rental Accommodation	N/A	
SEPP No. 14	Coastal Wetlands	N/A	
SEPP No. 15	Rural Land Sharing Communities	N/A	
SEPP No. 19	Bushland in Urban Areas	N/A	
SEPP No. 21	Caravan Parks	N/A	
SEPP No. 22	Shops and Commercial Premises	N/A	
SEPP No. 26	Littoral Rainforests	N/A	No littoral rainforests identified by the policy in the Wollongong LGA
SEPP No. 29	Western Sydney Recreational Area	Does not apply to Wollongong	
SEPP No. 30	Intensive Agriculture	N/A	
SEPP No. 32	Urban Consolidation (Redevelopment of Urban Land)	N/A	
SEPP No. 33	Hazardous and Offensive Development	N/A	
SEPP No. 36	Manufactured Home Estates	N/A	
SEPP No. 38	Olympic Games and Related Projects	N/A	
SEPP No. 39	Spit Island Bird Habitat	Does not apply to Wollongong	
SEPP No. 41	Casino/Entertainment Complex	Does not apply to Wollongong	
SEPP No. 44	Koala Habitat Protection	N/A	
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	
SEPP No. 50	Canal Estate Development	N/A	
SEPP No. 52	Farm Dams, Drought Relief and Other Works	N/A	
SEPP No. 53	Metropolitan Residential Development	N/A	
SEPP No. 55	Remediation of Land	N/A	
SEPP No. 56	Sydney Harbour Foreshores and Tributaries	Does not apply to Wollongong	
SEPP No. 59	Central Western Sydney Economic and Employment Area	Does not apply to Wollongong	
SEPP No. 60	Exempt and Complying Development	N/A	
SEPP No. 62	Sustainable Aquaculture	N/A	
SEPP No. 64	Advertising and Signage	N/A	
SEPP No. 65	Design quality of residential flat development	N/A	
SEPP No. 70	Affordable Housing (revised schemes)	N/A	
SEPP No. 71	Coastal Protection	N/A	
SEPP	Housing for Seniors or People with a Disability 2004	N/A	
SEPP	Building Sustainability Index: BASIX 2004	N/A	
SEPP	Major Projects 2005	N/A	
SEPP	Development on Kurnell Peninsular 2005	Does not apply to Wollongong	
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	
SEPP	Mining, Petroleum Production and	N/A	

State Environmental Planning Policy		Compliance	Comment
	Extractive Industries 2007		
SEPP	Infrastructure 2007	N/A	
SEPP	Temporary Structures 2007	N/A	
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	
SEPP	Rural Lands 2008	Does not apply to Wollongong	
SEPP	Affordable Rental Housing 2009	N/A	
SEPP	Western Sydney Employment Lands 2009	Does not apply to Wollongong	
SEPP	Exempt and Complying Development Codes 2008	N/A	
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	
Deemed SEPPS(former Regional Plans)			
Illawarra REP 1	Illawarra	Repealed within Wollongong	
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	
REP	Sustaining the catchments		
Greater Metropolitan REP No.2	Georges River catchment		

Table B - Checklist of Section 117 Ministerial Directions

Ministerial Direction		Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	N/A
1.2	Rural Zones	N/A
1.3	Mining, Petroleum Production and Extractive Industries	N/A
1.4	Oyster Aquaculture	N/A
1.5	Rural Lands	N/A
2. Environment and Heritage		
2.1	Environment Protection Zone	N/A
2.2	Coastal Protection	N/A
2.3	Heritage Conservation	N/A
2.4	Recreation Vehicle Areas	N/A
3. Housing, Infrastructure and Urban Development		
3.1	Residential Zones	N/A
3.2	Caravan Parks and Manufactured Home Estates	N/A
3.3	Home Occupations	N/A
3.4	Integrating Land Use and Transport	The proposed reclassification of Part of Lot 49 Avondale Road, Dapto is required as part of the implementation of the West Dapto Initial Access Strategy.
3.5	Development Near Licensed Aerodromes	N/A
3.6	Shooting Ranges	N/A
4. Hazard and Risk		
4.1	Acid Sulfate Soils	N/A
4.2	Mine Subsidence and Unstable Land	N/A
4.3	Flood Prone Land	N/A
4.4	Planning for Bushfire Protection	N/A
5. Regional Planning		
5.1	Implementation of Regional Strategies	Consistent with the Illawarra Regional Strategy, which includes the need for an integrated transport strategy for the West Dapto development.
5.2	Sydney Drinking Water Catchments	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Wollongong
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Wollongong
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable to Wollongong

5.6	Sydney to Canberra Corridor	Not applicable to Wollongong – revoked 10/7/08
5.7	Central Coast	Not applicable to Wollongong – revoked 10/7/08
5.8	Second Sydney Airport: Badgerys Creek	Not applicable to Wollongong
6. Local Plan Making		
6.1	Approval and Referral Requirements	Not applicable
6.2	Reserving Land for Public Purposes	Not applicable
6.3	Site Specific Provisions	Not applicable
7. Metropolitan Planning		
7.1 2036	Implementation of the Metropolitan Plan for Sydney	Not applicable