

COUNCIL RESOLUTION EXTRACT FROM MINUTES 15 DECEMBER 2014

DISCLOSURES OF INTERESTS

Councillor Martin declared a non-financial, non-significant conflict of interest in Items 2, 3, 4, 5, 6, 7, 9 and 17, which are all Planning Proposals and will involve the Department of Planning and Environment. Councillor Martin advised that she would absent herself from discussion on Item 2 (Submission on the Draft Illawarra Regional Growth and Infrastructure Plan) as she is based in the Wollongong Office of the Department of Planning and Environment.

CALL OF THE AGENDA

218 COUNCIL'S RESOLUTION – RESOLVED on the motion of Councillor Brown seconded Councillor Blicavs that the staff recommendations for Items 1, 5 to 7, 10 to 16, and 19 to 25 inclusive, be adopted as a block.

In favour Councillors Kershaw, Connor, Brown, Martin, Takacs, Merrin, Blicavs, Dorahy, Colacino, Crasnich, Curran and Bradbery
Against Councillor Petty

ITEM 6 - DRAFT HUNTLEY AVONDALE ROAD NORTH NEIGHBOURHOOD PLAN

The following staff recommendation was adopted as part of the Block Adoption of Items (refer Minute Number 218).

COUNCIL'S RESOLUTION –

- 1 The draft Huntley Avondale Road North Neighbourhood Plan be placed on public exhibition for a minimum period of 28 days, excluding the Christmas and New Year period (Attachment 1 of the report).
- 2 Consultation with NSW State agencies occur as part of the exhibition period.
- 3 A Draft Planning Proposal be prepared to amend the boundary between the E4 Environmental Living and R2 Low Density Residential

Minute No.

zone on Lot 2 DP 549152 (as indicated in Figure 3 and Attachment 3 of the report) and consequential amendments be made to the Minimum Lot Size and Floor Space Ratio Maps.

- 4 The draft Planning Proposal be referred to the NSW Department of Planning and Environment for a Gateway determination and, if endorsed, exhibited for a minimum period of 28 days.
- 5 Council request authority for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012 for the Planning Proposal.

ITEM 6

DRAFT HUNTLEY AVONDALE ROAD NORTH NEIGHBOURHOOD PLAN

Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area contains specific development controls to guide future urban development in the West Dapto Release Area and supplements the standard provisions contained in the Development Control Plan. Wollongong Local Environmental Plan 2009 and Chapter D16 requires a Neighbourhood Plan to be prepared and adopted by Council to guide development within the specified neighbourhood/precinct.

This report considers the draft Neighbourhood Plan submitted for the Huntley Avondale Road North precinct to accommodate residential development in conjunction with the approved Golf Course (DA-2009/1037). The draft Neighbourhood Plan provides for a total of 156 residential lots with a diverse mix of lot sizes. The report recommends that the Neighbourhood Plan be placed on public exhibition for a minimum period of 28 days.

RECOMMENDATION

- 1 The draft Huntley Avondale Road North Neighbourhood Plan be placed on public exhibition for a minimum period of 28 days excluding the Christmas and New Year period (Attachment 1).
- 2 Consultation with NSW State agencies occur as part of the exhibition period.
- 3 A Draft Planning Proposal be prepared to amend the boundary between the E4 Environmental Living and R2 Low Density Residential zone on Lot 2 DP 549152 (as indicated in Figure 3 and Attachment 3) and consequential amendments be made to the Minimum Lot Size and Floor Space Ratio Maps.
- 4 The draft Planning Proposal be referred to the NSW Department of Planning and Environment for a Gateway determination and if endorsed exhibited for a minimum period of 28 days.
- 5 Council requests authority for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012 for the Planning Proposal.

ATTACHMENTS

- 1 Draft Neighbourhood Plan
- 2 Indicative Concepts for Adjoining Land
- 3 Draft Planning Proposal Maps

REPORT AUTHORISATIONS

Report of: Renee Campbell, Manager Environmental Strategy and Planning
Authorised by: Andrew Carfield, Director Planning and Environment – Future, City and Neighbourhoods

BACKGROUND

The West Dapto Release Area covers an area of approximately 4,700 hectares and is proposed to provide an additional 17,000 dwellings. The Release Area will also accommodate 183 hectares of employment land when fully developed.

On 5 May 2012, the Wollongong Local Environmental Plan (West Dapto) 2010 (LEP) was approved and notified by the NSW Minister for Planning. This LEP permits urban development in stages 1 and 2, of the 5 total stages. The first two stages will allow the development of approximately 6,676 dwellings. On 6 June 2014 the Wollongong Local Environmental Plan (West Dapto) 2010 was merged with the Wollongong Local Environmental Plan 2009.

Wollongong DCP Chapter D16 West Dapto Release Area contains specific development controls to guide future urban development in the West Dapto Release Area, and supplements the standard provisions contained in the Development Control Plan. Chapter D16 requires that a Neighbourhood Plan be prepared and adopted by Council to guide development within the specified neighbourhood/precinct. The Neighbourhood Plan also addresses the DCP requirement of the LEP.

The adoption of a Neighbourhood Plan enables future development applications submitted in accordance with the Plan to comply with Clause 6.2 of the Wollongong Local Environment Plan 2009. Without a Neighbourhood Plan Council is unable to issue development consent for urban development, other than for minor matters.

A Neighbourhood Plan is essential in urban release areas to ensure development occurs in an efficient cohesive manner that encourages integration of development sites and development sequencing. It can ensure appropriate connectivity between developments and other neighbourhood precincts in terms of road and cycle way layouts, stormwater and drainage management, access to public transport routes and appropriately located open space and recreation opportunities for residents. It can also assist to resolve any potential future conflicts between separate developments undertaken with differing timeframes.

The Neighbourhood Plan process outlined in Development Control Plan Chapter D16 Clause 5.1 – Requirement for a Neighbourhood Plan, requires the draft Neighbourhood Plan to be reported to Council as an amendment to Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area. If endorsed by Council, it is then publicly exhibited and subject to the outcomes of the exhibition, the revised Neighbourhood Plan is to be reported to Council for adoption and inclusion in the Development Control Plan.

Council has now adopted the following Neighbourhood Plans for West Dapto:

- Bong Bong East and North;
- Bong Bong Town Centre;
- Wongawilli North;

- Shone Avenue South;
- Reddalls Road Industrial;
- Sheaffes Road North; and
- Darkes Road South West.

Draft Huntley Avondale Road North Neighbourhood Plan

On 12 December 2011 Council resolved to finalise the rezoning of the former Huntley and Avondale Colliery located in Stage 4 of the West Dapto Urban Release Area. The rezoning was for a combination of RE2 Private Recreation, R2 Low Density Residential, E2 Environmental Conservation, E3 Environmental Management and E4 Environmental Living (refer to Figure 1).

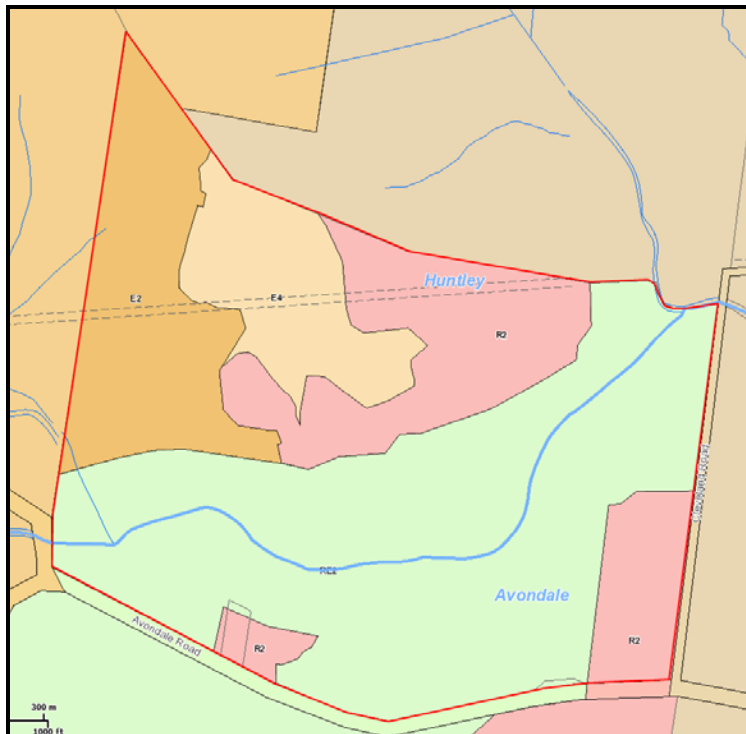


Figure 1: Wollongong LEP 2009 Zones – Huntley Avondale Road North Precinct

The LEP amendment was notified (gazetted) by the NSW Department of Planning and Environment on 29 June 2012.

On 3 December 2011 Southern Joint Regional Planning Panel approved DA-2009/1037 for the construction of an 18 hole golf course and associated facilities including a clubhouse, golf lodge accommodation and biomechanics and sports education centre. The golf course and associated facilities are accommodated in the RE2 Private Recreation lands located in both the north and south precincts. Early works associated with the approved golf course have commenced in the south precinct. A construction certificate for Stages 1 and 2 earthworks for partial construction of a number of golf holes has been issued. There have been two subsequent modifications to this

development application relating to the Section 94 contributions and timing, and another for the relocation of access roads, buildings, car park and additional tree removal.

The applicant has been liaising with Council about the Neighbourhood Plan requirements for the site and has negotiated to deliver two Neighbourhood Plans for Huntley. This area is being split into a northern precinct and a southern precinct divided by Avondale Road. The submitted draft Neighbourhood Plan is for the northern precinct.

The northern precinct includes Lot 1 DP 382339, Lot 1 and Lot 2 DP 549152. It has an area of approximately 47 hectares and is bounded by Avondale Road to the south and Cleveland Road to the east, rural pasture land to the north and the Illawarra Escarpment to the west. The area is zoned under Wollongong Local Environmental Plan 2009 as R2 Low Density Residential, E4 Environmental Living, RE2 Private Recreation, E3 Environmental Management and E2 Environmental Conservation. Refer to Table 1 for development standards. The site has two low order streams that flow into Mullet Creek. Mullet Creek is within the golf course area. The two lower order streams are located in the residential zoned area of the site. The site is predominately cleared pasture land with the exception of vegetated areas located on the north western portion of the precinct. The precinct contains some areas of the Ecologically Endangered Communities of Illawarra Lowlands Grassy Woodlands and Illawarra Subtropical Rainforest.

A dwelling house is located adjacent to Avondale Road in the southern central portion of the precinct. Access to the dwelling house is provided from Avondale Road. Six sites of low to moderate archaeological Aboriginal significance have been identified in the precinct. These matters will be further discussed later in the report.

Zone	Area	Lot Size	FSR	Height
R2 Low Density Residential	24 ha	300-449m ²	0.5:1	9m
E4 Environmental Living	5 ha	1,499m ²	0.3:1	9m
RE1 Public Recreation	10 ha	NA	NA	NA
E2 Environmental Conservation	7.6 ha	39.99ha	NA	9m

Table 1 – Development Standards and area breakdown

PROPOSAL

The applicant submitted a draft Neighbourhood Plan for the Huntley Avondale Road North Precinct as set out in Attachment 1. The draft Neighbourhood Plan provides for:

- Three distinct development areas described by the applicant as Cleveland Road Site 1 and Site 2 and Avondale Road Site 1 with 156 lots. Refer to Table 2 and Figure 2 below for the indicative lot yield breakdown;
- A community park of approximately 1.5ha;
- Indicative locations for the proposed sewage pump out station; and

- Preliminary drainage concept design including 4,500m² of detention basins and 800m² of bio-swales.

Site	Zone	Yield	Lot Size Range
Cleveland Road Site 1	R2 Low Density Residential E4 Environmental Living	93 lots 23 lots	450 to 1372m ² 1,508 to 3,447m ²
Cleveland Road Site 2	R2 Low Density Residential	22 lots	450m to 701m ²
Avondale Road Site 1	R2 Low Density Residential	18 lots	300 to 477m ²
Total		156 lots	

Table 2 – Indicative Yields

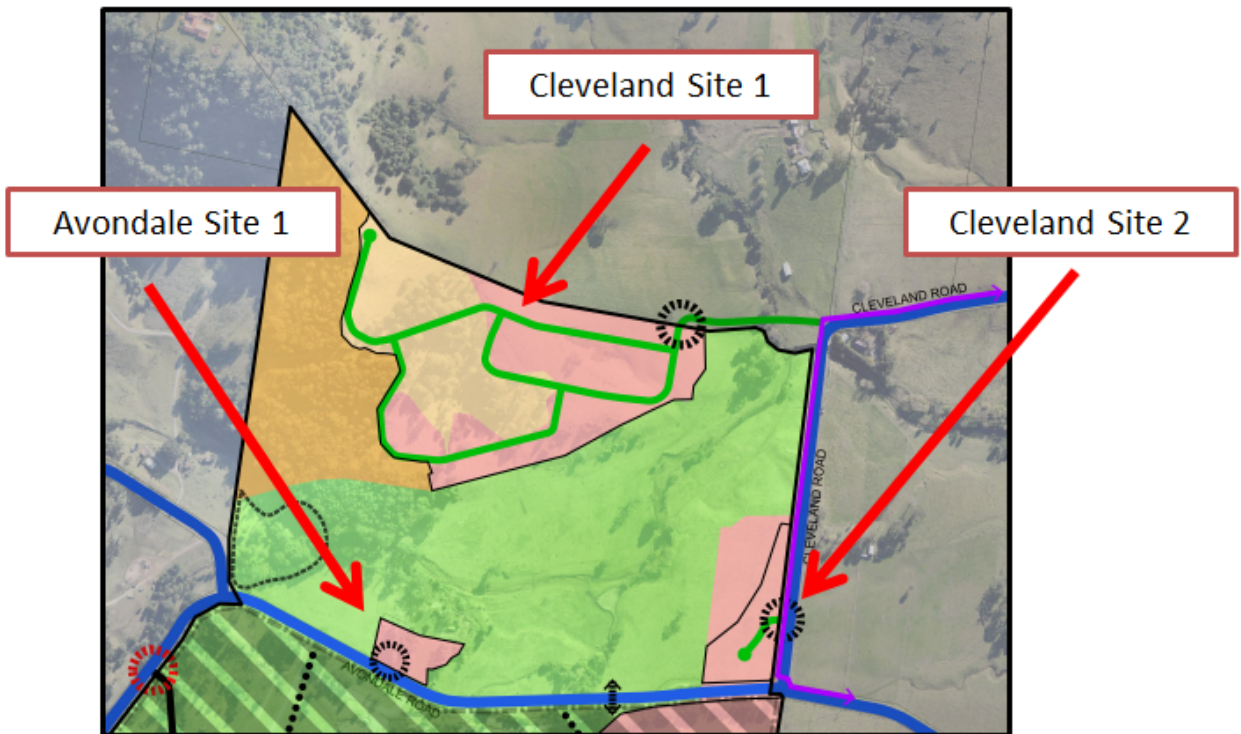


Figure 2 – Development Sites

The proposal includes environmentally significant land zoned E2 Environmental Conservation that is to be preserved with no development encroaching. Indicative building envelopes have been provided on the large lots in the E4 Environmental Living Zone demonstrating that the impact on the Illawarra Lowlands Grassy Woodland can be minimised through sensitive placement of future housing in the E4 Environmental Living zone. It is noted that the proponent is seeking to use offsetting options to compensate for the loss of this vegetation. This matter is discussed in the Planning and Policy Impact section of the report.

Planning Proposal: To facilitate the draft Neighbourhood Plan a planning proposal is required to allow for efficient and orderly delivery of lots. A zone boundary adjustment is proposed between the E4 Environmental Living land and the R2 Low Density Residential zoned land. In total an area of 1,300m² is proposed to be rezoned from R2 Low Density Residential to E4 Environmental Living and a total of 600m² of E4

Environmental Living to R2 Low Density Residential. This equates to a net gain of 700m² in E4 Environmental Living zone (refer to Figure 3). The zone boundary adjustment would facilitate better development of each lot by eliminating the spilt zoning of lots. Currently the draft Neighbourhood Plan provides 11 lots that are located in more than one zone. This can create difficulties for the assessment of a development application therefore it is considered appropriate that the zone and corresponding maps such as minimum lot size and floor space ratio (but not height) are adjusted as part of the draft Neighbourhood Plan.

The draft Planning Proposal would apply to Lot 2 DP 549152 as outlined below in Figure 3 and Attachment 3. Corresponding amendments would be made to the Minimum Lots Size Map and Floor Space Ratio Map.

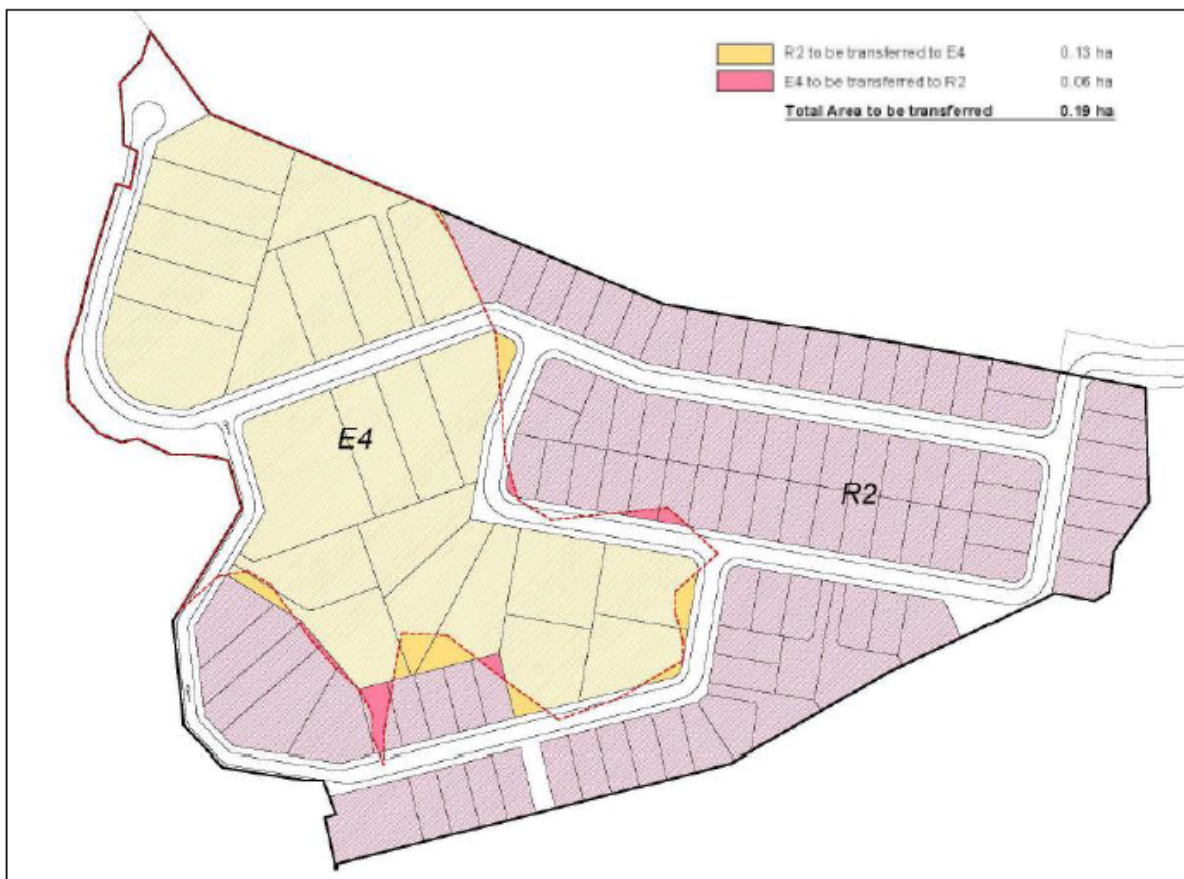


Figure 3 – Planning Proposal for boundary adjustment between E4 Environmental Living and R2 Low Density Residential zoned land.

Road Layout and Access: The applicant indicates that the proposed internal road network is entirely in accordance with Council's draft DCP typologies and specifications for road types in West Dapto and includes provision for pedestrian and cycle paths. The internal road layout largely avoids cul-de-sacs, with the exception of:

- Cleveland Road Site 1 where there is a requirement to provide a perimeter road adjacent to the land zoned E2 Environmental Conservation under Wollongong DCP 2009.

- Cleveland Road Site 2 and Avondale Road Site 1 which are constrained in size. As a consequence cul-de-sacs are the most efficient and logical way to access individual lots that cannot be accessed from the external road network.

The applicant notes that the cul-de-sacs do not provide access to more than 10 dwellings in accordance with the Wollongong DCP 2009 requirements and are located on roads which will carry limited amounts of traffic.

Access for the development site is proposed as follows and set out in Attachment 1.

Cleveland Road Site 1: Access to be gained from Cleveland Road; this requires the road to transverse the adjoining property to the north. Land owner's consent has been obtained to support this road. There are three internal road types proposed as follows:

- Type 1 Access Street with a road reserve of 13.5m;
- Type 1(a) One Way Access Street with a road reserve of 10.5m; and
- Type 2 Local Minor Street with a road reserve of 14.5m.

Cleveland Road Site 2: Access to individual lots will be provided from Cleveland Road and Avondale Road for any lots fronting these roads and a new Type 1 Access Street with a road reserve of 13.5m will be provided from Cleveland Road for remaining lots.

Avondale Road Site 1: Access to individual lots will be provided from Avondale Road to the south for lots fronting this road with a new 6m wide internal private road connecting to Avondale Road for remaining lots.

Traffix has prepared a traffic assessment in support of the draft Huntley Avondale Road North Neighbourhood Plan. In summary, this assessment concludes:

- 1 The road hierarchy and layout has been designed in accordance with Council's Draft DCP and road design specifications.
- 2 The roads are able to accommodate the expected traffic volumes based on the application of RMS trip rates and having regard also for Amcord Guidelines.

While no objection has been raised in relation to the layout, further work will be required to:

- 1 Justify the change to the road reserve radius turning head which is currently set at 12m in the DCP. It is noted that the current cul-de-sacs in the Neighbourhood Plan do not comply with this requirement. However this is a minor change and could be rectified as part of the consultation process.
- 2 Demonstrate through additional information or revise the Neighbourhood Plan that no turning head is required for Avondale Site 1. Further work should either justify or demonstrate how turning will be facilitated for all vehicles including garbage collection.

- 3 Demonstrate that a 12.5 metre heavy rigid vehicle can service the entire internal road network in a forward direction. This is to ensure that access by waste collection and removalist vehicles can be carried out safely. There are 2 proposed cul-de-sacs which would not comply with this requirement.

Given the nature of the above requests, it is considered suitable for the applicant to undertake the additional work during the exhibition period and it be incorporated into the Neighbourhood Plan and DCP controls within Chapter D16 post exhibition.

Traffic has also provided a number of considerations for the applicant that must be undertaken at development application stage. These will be provided to the applicant as part of the Neighbourhood Planning process. These considerations include:

- 1 Traffic calming where required;
- 2 Intersection treatments;
- 3 Waste collection vehicle movements; and
- 4 Active frontages to main roads and parklands.

The applicant's consultant Urbis has given careful consideration to the potential future residential development of the rural land immediately to the north of the Avondale Road North Precinct. Urbis has prepared an indicative lot layout for a low density residential lot (450sqm in area) scenario and a large lot (1,500sqm in area) development scenario on the adjoining land (Attachment 2). These scenarios demonstrate that the proposed access arrangements to Cleveland Site 1 do not prevent the orderly development of land immediately to the north from being developed for residential purposes in the future.

Pedestrian and Cycle Way Networks: The applicant notes that the West Dapto Section 94 Plan identifies a proposed regional cycle way traversing through the approved golf course. A cycle way is instead proposed along Cleveland Road connecting to the approved pedestrian underpass associated with the golf course. The applicant considers this to be the more logical location for the cycle way, because it is not viable or safe to provide a public cycle way through a private golf course. The cycle way will be built concurrently with the future upgrade of Cleveland Road so that the road is trafficable within a 1:100 year flood.

The applicant states that proposed internal road network is entirely in accordance with Council's draft DCP typologies and specifications for road types in West Dapto and includes provision for pedestrian paths with the Type 2 Local Minor Street cross section as per the DCP.

Drainage and Flooding: A Trunk Drainage Proposal was prepared by Barker Ryan Stewart dated 20 May 2014 for Huntley Heritage Pty Ltd. The report details the procedures, assumptions and parameters adopted in the flood study report, this information was used to provide advice in relation to a concept design for trunk drainage measures associated with the residential land and the approved golf course. The report has drawn on studies and investigations undertaken for Council and for the land owner.

The run off from Cleveland Road Site 1 is proposed to be conveyed to bio detention basins and bio-swales. These basins will reduce peak discharges coming from the developed sites and reduce the peak flows before releasing them into Mullet Creek. The report concludes that with the inclusion of the proposed bio-detention basins and the resulting peak flows passing under Cleveland Road is restricted to less than that of the pre-development case. The stormwater will be treated by bio-detention basins and bio-swales. The location of the proposed bio-detention basins and bio-swales are shown on the Neighbourhood Plan. The basins are largely located outside of the major flood plain areas. Concept Plans have been provided to Council.

The preliminary drainage concept for the draft Neighbourhood Plan is proposed as follows:

- Detention basin for the east of Cleveland Road Site 1 with a storage area of 1,500m²;
- Detention basin to the south of Cleveland Road Site 1, with a storage area of 3000m²;
- Bio-basin to the north of Avondale Road Site 1 with a filter area of 250m²; and
- Bio-basin to the west of Cleveland Road Site 2 with a filter area of 550m².

Flooding - Clause 7.4 of the Wollongong LEP 2009 applies to flood prone land and states that appropriate measures must be in place to ensure development is not adversely affected by flooding.

The Huntley Avondale Road North Precinct is not identified as a flood planning area on the Flood Planning Map in Wollongong LEP 2009 however the Precinct is located within the upper Mullet Creek catchment and is identified as being of 'high - medium' flood risk in the Mullet and Brooks Creek Floodplain Risk Management Study and Plan prepared by Bewsher on behalf of Wollongong Council in 2010.

The applicant states that the flooding impacts have been considered in the preparation of the draft Neighbourhood Plan road and lot layout, with all the proposed residential development areas located above the 1 in 100 year flood levels.

Council has a "stay in place" policy for flood events and as such Council would expect that development would be located above the 1 in 100 year flood levels. The proposed development zones are consistent with Council's flood maps.

While the residential areas are above the 1 in 100, it is noted that the external access roads are affected by flood waters in the 1 in 100 year Average Recurrence Interval to depths exceeding 'reliable access' as follows:

- Avondale Road approximately 700m east of the Precinct exceeds depth of 1.5m;
- Cleveland Road bridge exceeds depth 1.5m;

- Cleveland Road approximately 170m east of the bridge exceeds depth of 1.25m; and
- All the affected roads are relatively short lengths of road.

Urbis states that it is proposed to provide access to the Cleveland Road Site 1 via a new bridge which crosses Mulletts Creek on land to the north of the site. The level of flood free access available to the precinct will need to be further considered when development applications for residential subdivision are submitted to determine what external access arrangements are required to be upgraded (if any) to provide flood resistant access to future housing. It is noted that Avondale and Cleveland Roads are proposed to be upgraded in the future, with a new bridge built over the intersection of Avondale and Cleveland Road under the West Dapto Section 94 Contributions Plan so that they are trafficable in a 1 in 100 year flood.

Comments in relation to Stormwater and Flooding are as follows:

- The draft Neighbourhood Plan proposes detention basins within the existing 100 year flood extents. Detention basins need to be located outside of the 100 year flood extents to provide any effective attenuation of stormwater runoff from the proposed development; however this could be reviewed at development application stage.
- The Avondale Road Site 1 precinct is wholly within a Probable Maximum Flood (PMF) flow path according to Council's flood information. Development of this portion of the Neighbourhood Plan is considered unlikely without flood adversely impacting upon adjoining residential land. This precinct should be removed from the Neighbourhood Plan.

Comment: Avondale Road Site 1 is outside the 1 in 100 year event and the land has been zoned as appropriate for residential development on this basis it is therefore considered that the land could still be developable especially given that Avondale Road is being realigned and will be subject to further work to align with Council requirements. This will have an impact on the precinct which is not yet known and may impact the site in a positive manner therefore it is premature to sterilise the land from further development. The matter should be further explored at development application stage.

- The Cleveland Road Site 2 precinct is partly located within a Probable Maximum Flood (PMF) flow path according to Council's flood information. Earthworks would be required to the northern portion of this precinct such that floodwaters do not impact upon future development of this precinct however this could be further explored at DA stage.
- Reliable Access in a 1 in 100 year flood along Avondale Road between the Avondale Road Site 1 precinct and Cleveland Road does not appear feasible according to Council's flood information. This aspect needs further investigation by the consultant to achieve the flood access objective of Chapter D16 for new development within the West Dapto area however this could be further explored at development application stage.

It is considered that the development of the precinct as proposed is feasible and that while some further work would be necessary in relation to the drainage basins it would be more appropriate that this work is undertaken at the development application stage.

Infrastructure: It is proposed that the all development areas will have access to potable water through a connection to Sydney Water main.

Due to the lack of adjacent development areas within the West Dapto Urban Release Area at this time, Sydney Water have confirmed that State sewerage facilities are not available to service the Avondale Road North Precinct in the short term and work has only recently been progressed to service land within Stages 1 and 2 of the West Dapto Urban Release Area.

A private sewerage facility is proposed to be accommodated on the site to service the Avondale Road North Precinct. GHD have advised that a Temporary Pump Out Tank is sufficient to service the future lots in the Avondale Road North Precinct. This tank will be required to be emptied regularly by trucks. This will be subject to detailed design and further approval at subdivision development application stage with the concurrence of the NSW Department of Health. The indicative location of the pump out station is shown on the Neighbourhood Plan.

Subject to the development of Stages 3 and 4 of the West Dapto Urban Release Area (which includes the suburb of Avondale) Sydney Water have advised that detailed planning for the staged delivery of truck infrastructure is likely to be undertaken in the future (anticipated to be in 2017). Depending on the timing of this infrastructure, a private sewerage treatment plant may be built which services both Avondale Road North and South Precincts.

The applicant proposed that the details of necessary infrastructure to provide electricity to the precinct will be confirmed with Endeavour Energy as part of the development application for subdivision.

Consultation with NBN has confirmed that no issues are anticipated with providing telecommunications to the precinct. Further details for the necessary connections would be appropriate at the development application stage for subdivision.

Biodiversity: One of the key considerations of the draft Neighbourhood Plan is the ecological attributes of the site. Urbis notes that the majority of the Huntley Avondale Road North Precinct has been subject to clearing. There is remnant vegetation on the north-west slopes which contains two Endangered Ecological Communities (EECs) being the:

- 1 Illawarra Lowlands Grassy Woodland (approximately 46ha) located in Cleveland Road Site 1 in the land zoned E2 Environmental Conservation and E4 Environmental Living. The most disturbed portions of the Illawarra Lowlands Grassy Woodlands are located in the E4 Environmental Living zone.
- 2 Illawarra Subtropical Rainforest (approximately 19ha) located in Cleveland Road Site 1. The Illawarra Subtropical rainforest is located in the E2 Environmental

Conservation zone and is outside of the development footprint and will not be affected by future residential development proposed by the Neighbourhood Plan.

Hollow bearing trees have been identified in the Huntley Avondale Road North Precinct. However the hollow bearing trees are located in the E2 Environmental Conservation zone outside of the development footprint and will not be affected by any future residential development.

EcoLogical has assessed the Neighbourhood Plan and notes that the draft Neighbourhood Plan proposes:

- Locating building envelopes outside of the 'high' constraint areas, the lowest density E4 Environmental Living zone (large lot) and associated Asset Protection Zones (APZ) located in the 'medium' constraint area and R2 Low Density Residential zone (small lot) located in the area of 'low' ecological constraint;
- No lot layout or development is proposed in the 'high' constraint area designated as E2 Environmental Conservation;
- The location of the building envelopes in the large lot layout allows for the avoidance of clearing some trees in this area; and
- The Cleveland Road Site 2 and Avondale Road Site 1 do not have any native vegetation or are considered likely to retain extant native vegetation that would affect the proposed lot layout.

The draft Neighbourhood Plan will impact approximately 3.32 hectares of Illawarra Lowlands Grassy Woodland, entirely located within Cleveland Road Site 1. Assessment of biodiversity offset options to compensate for the loss of this vegetation has commenced and is documented in the ecological assessment provided to Council. The potential offset measures and mechanisms are significant for the site in achieving balanced development outcomes. The proposed offset strategy is anticipated to be undertaken through a Bio-banking Statement which would be subject to consultation between Office of Environment and HHT Huntley Heritage. The Bio-Banking approach is supported as an offset measure for the loss of biodiversity in the E4 Environmental Living zone.

Furthermore it is noted that Clause 5.9 of Wollongong LEP 2009 states that development consent is required for tree removal. Anticipated future tree removal has been minimised through sensitive design of the lot and road layout. However, given the vegetated nature of the precinct, some tree removal will be required to accommodate future housing, services and the internal road layout as depicted in the Neighbourhood Plan. Indicative building envelopes have been provided for the large residential lots in the E4 Environmental Living land to demonstrate the removal of EECs (Illawarra Lowlands Grassy Woodland) can be minimised through the sensitive siting of future housing in the E4 Environmental Living zone. In conjunction with this approach offsetting is proposed to support and compensate for the anticipated tree removal. Detailed assessment of tree removal will form part of any future Development Applications for subdivision however it is generally considered that bio banking is the

preferred method for offsetting and is subject to ongoing negotiations. It may be necessary to increase certainty that one of the objectives and controls for the Neighbourhood Plan relate to achieving, maintaining or improving outcomes on the site.

Riparian Corridors: The Wollongong LEP 2009 identifies the riparian corridor of Mullet Creek and two ephemeral streams that transverse the development area of Cleveland Road Site 1 as shown in Figure 4 below.



Figure 4 – Wollongong LEP 2009 Riparian Corridors

All the future residential development areas are located more than 40m from Mullet Creek, which is an identified Category 1 Stream. The Category 1 streams (namely Mullet and Box Creeks) are located wholly within the land zoned RE2 Private Recreation, which is the location of the approved golf course. Council has already approved the management of these Creeks under the Avondale Golf Course Vegetation Management Plan dated June 2011.

The consultant has submitted a report prepared by Grinsell and Johns that claims the two ephemeral streams mapped in the LEP are in fact two natural low lying depressions and are not considered to be classified as riparian corridors. The Neighbourhood Plan requires construction over and filling in of these low lying depressions to accommodate the proposed lot and road layout. The proposed filling of these low lying depression areas will be complemented with adequate drainage and stormwater infrastructure to ensure no adverse impacts to the existing flooding/flow behaviours within this area.

Council's mapping identifies four classes of riparian corridors; the highest class objective is an Environmental Corridor such as Mullet Creek, followed by Terrestrial and Aquatic Habitat, Bank Stability and Water Quality and Piped. The two streams are considered to be part of the third lower order class of Bank Stability and Water Quality. As part of previous Neighbourhood Plans these stream types have been managed as part of the subdivision layout and road network with in principle support from Office of

Water at the Neighbourhood Planning stage and then subject to satisfactory arrangements issued at development application stage. As part of the exhibition process, consultation with the Office of Water would confirm whether these two streams could also be managed through the subdivision and road network as proposed by the consultant. For the purposes of exhibition it is considered that a similar approach to the management would not be inappropriate at this stage pending advice from Office of Water.

Heritage Conservation: Clause 5.10 of Wollongong LEP 2009 relates to both European and Aboriginal heritage and states that development consent is required for altering or demolishing a heritage item of an archaeological item.

European Heritage: The precinct does not contain any European local heritage items under Wollongong LEP 2009. The following local heritage items are located in close proximity to the site and shown in Figure 5 below:

- Item 5981 former site of 'Avondale Public School' at 451 Cleveland Road;
- Item 9980 'Glen Avon' at 456 Cleveland Road; and
- Item 5979 Trees (former site of "Benares") at 410 Cleveland Road.

The applicant states that the proposed road and lot layouts and future housing will not result in any adverse impacts on any of these local European heritage items or their heritage curtilage.



 The Avondale Road North Precinct

Figure 5 – Wollongong LEP 2009 Heritage Items

Aboriginal Heritage: Avondale Road North Precinct contains five identified archaeological sites, three which has been identified as being of 'low' archaeological significance and two which have been identified as being of 'moderate' archaeological significance. The assessment of the Aboriginal Heritage of the site was considered extensively as part of the Planning Proposal for the former Huntley and Avondale Mine

site and it is anticipated that any further work should now be undertaken at the development application stage.

The sites that are identified as having low archaeological significance will not be disturbed as part of the future residential development footprint identified in the Neighbourhood Plan. No further archaeological work is recommended for the 'low archaeological value' areas and there is no constraint to the proposed lot layout, excavation and landscaping within these areas.

A stone scatter archaeological site known as *Avondale 1* was identified in proximity to the river in the north east corner of the site and is of 'moderate' significance and high cultural value and will not be disturbed by the proposed future residential development footprint identified in the Neighbourhood Plan.

Avondale 6 has 'moderate' archaeological significance due to its relatively higher frequency of artefacts and has some research potential. Avondale 6 will be impacted by the proposed realignment of Avondale Road where it is to connect to Cleveland Road.

The main access road to Cleveland Road Site 1 is proposed through an extension of Cleveland Road which traverses land immediately to the north of the site. This land lies outside of the study boundary for the Aboriginal Cultural Heritage Assessment and adjacent to an area of 'moderate' significance.

Accordingly, the works associated with the realignment of Avondale Road which may require the disturbance of Avondale Road 6 and the proposed expansion of Cleveland Road into Cleveland Road Site 1 require further investigation. This will be undertaken through an Aboriginal Heritage Impact Permit (AHIP) which will be determined by the NSW Office of Environment and Heritage once development application approval for subdivision has been obtained. The proposed development areas and extension of Cleveland Road have a limited footprint within the context of the wider site and largely avoids areas of potential archaeological significance which have previously been identified.

The Aboriginal Archaeological and Cultural Heritage Assessment reports provided in support of the previous Planning Proposal and development applications for this site are considered to provide a sufficient level of detail and assessment to support the progression of the draft Neighbourhood Plan at this stage. Whilst the proposal is likely to involve impacts to two identified Aboriginal sites in the study area, the level of information provided in relation to these sites is considered sufficient to allow for an assessment of impacts at the planning level and to allow for potential tweaks to the plan during the finalisation of the Neighbourhood Plan and/or the development application phase.

Further detailed assessment of the impacts and specific requirements relating to the future development application stage, and the obtaining of AHIP's for the eventual works that result in disturbance of the Aboriginal sites will be required by Office of Environment and Heritage (OEH) as the proposal develops to development application stage.

It is recommended that both the Office of Environment and Heritage, and the local Aboriginal community groups be notified of the Neighbourhood Plan and invited to provide comment during the exhibition period.

Open Space and Recreational Facilities: The applicant notes that the Avondale Road North Precinct is identified within the Stage 4 of the West Dapto Urban Release Area and that the West Dapto Section 94 Plan does not apply at this time. It is noted however that there is a resolution tied to the draft Planning Proposal that requires that the site be mapped as urban release area and be included in the Section 94 Development Contribution Plan. Currently the Master Plan for West Dapto does not identify any open space, recreation services or community facilities with the Avondale Road North Precinct. The open space requirements for West Dapto Urban Release Area set at a rate of 3.9ha per 1,000. Based on projected future occupancy calculated by the applicant (outlined below) it is expected that Avondale Road North Precinct will have a population of 452 people. Breakdown of the persons per dwelling as provided is detail below:

- 3.2 persons per dwelling for large houses on lots greater than 600sqm (23 lots);
- 2.9 persons per dwelling for standard houses on lots 450-600sqm (115 lots); and
- 2.5 persons per dwelling for small houses on lots 350-450sqm (18 lots).

The applicant concludes that there is therefore no requirement under the West Dapto Section 94 Plan to provide any open space within this defined precinct. Notwithstanding, the applicant notes that the Neighbourhood Plan precinct is well served with passive local open space and private recreational open space in the form of the community park (1.4ha) and golf course. The community park is locally known as Rotary Park. It is intended by the applicant that this park will be dedicated to Council at subdivision stage subject to further consultation with Council. Further, the Neighbourhood Plan retains the vegetation in the E2 Environmental Conservation zone.

Bushfire Prone Land: The site contains bushfire prone land as mapped by Council and the NSW Rural Fire Service (RFS). Buffer and Vegetation Category 1 land is identified predominantly in the R2 Low Density Residential and E4 Environmental Living zoned land in the Cleveland Road Site 1.

EcoLogical have assessed the bushfire risk associated with residential development as part of the rezoning of the site. The Neighbourhood Plan has been developed to:

- Accommodate the minimum APZs as specified by EcoLogical in accordance with acceptable solutions of planning for bushfire protection for residential subdivision;
- Ensure that building envelopes can be located outside of the APZs; and
- Allow for safe access and egress to the Avondale Road North Precinct during bushfire emergencies.

The necessary bushfire protection measures have been mapped as part of the Neighbourhood Plan in Attachment 2.

It is noted that Cleveland Road Site 2 and Avondale Road Site 1 do not require APZ's because they will not be bushfire affected land being surrounded by a golf course and public roads.

The Cleveland Road Site 1 will accommodate APZs along the western edge. The location and dimension of the APZs are consistent with the advice prepared by EcoLogical, with APZs varying between 20m – 50m in width. In accordance with WDCP 2009, an internal perimeter road is provided around the western edge of the future subdivision layout with the APZs to separate lots from bushfire threat from the west.

Geotechnical and Contamination: The current use of the former dairy farming site is for occasional rural agricultural. A *'Preliminary/Targeted Soil Investigation at Huntley Heritage Mine Rehabilitation and Dairy Farm Residential Sites'* was prepared by Pacific Environmental dated 22 June 2011 to support the rezoning of the site. This report concluded that the land proposed to be rezoned and developed for residential development is not contaminated, does not require further detailed investigation and does not require remediation work as defined by *State Environmental Planning Policy No 55—Remediation of Land* (SEPP 55). The report concluded that the matters of contamination of the Avondale Road North Precinct were satisfied and concluded that the site was suitable to accommodate residential uses in accordance with SEPP 55.

There are no known geotechnical constraints associated with Avondale Road North Precinct.

Social Planning: The referral notes the following:

- Need for integration of the Neighbourhood Precinct to Avondale Road via pedestrian and bike paths;
- Positive range of lot sizes that encourage housing choice; and
- Better access and movement requires no roll top kerbs.

The proposed road cross sections accommodate footpaths and cycleways and that the proposed road cross sections comply with Council requirements. A range of lot sizes is proposed.

CONSULTATION AND COMMUNICATION

The draft Neighbourhood Plan forms an amendment to the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area. As such, it is required to be exhibited for a minimum period of 28 days to enable community and agency input.

If endorsed for exhibition, the exhibition of the draft Plan will be advertised on Council's website, in the local newspapers and letters will be sent to affected and surrounding landowners, community Aboriginal groups, relevant State agencies including, Department of Planning and Environment, Office of Environment and Heritage, Sydney Water, Rural Fire Service, and Office of Water.

Following the exhibition period, issues raised in submissions will be reviewed and reported to Council.

PLANNING AND POLICY IMPACT

Illawarra Regional Strategy

The draft Neighbourhood Plan is consistent with the urban development outcomes stipulated in the Illawarra Regional Strategy (2007) for the West Dapto Release Area.

Wollongong Community Strategic Plan 2022

This report contributes to the Wollongong 2022 Objective - *the sustainability of our urban environment is improved* under the Community Goal *we value and protect our environment*.

It specifically delivers on 1.6.2 *Review and Assess Neighbourhood Plans*.

CONCLUSION

The Huntley Avondale Road North Precinct was rezoned on 6 July 2012. The land capability assessment undertaken by Urbis in support of the Neighbourhood Plan has considered all the issues as identified in Council planning policies and provided a good level of information supporting the proposed Neighbourhood Plan/Master Plan. It is considered that the Neighbourhood Plan demonstrates that the site can be developed and integrated based on the current layout. The applicant will be advised of further issues that will need to be addressed as part of any development application however in its current form the Neighbourhood Plan is suitable for exhibition for inclusion in the Wollongong Development Control Plan 2009 Chapter D16 West Dapto Urban Release Area. It is recommended that the Neighbourhood Plan be placed on public exhibition for a minimum period of 28 days, excluding the Christmas and New Year period, and consultation be undertaken with State Agencies including the Office of Water, Sydney Water and the Office of Environment and Heritage. The Neighbourhood Plan can then be revised and reported back to Council.

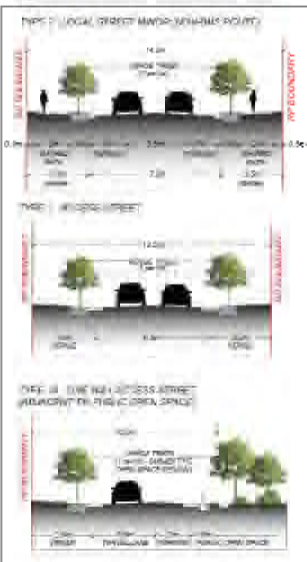
It is also recommended that a draft Planning Proposal be progressed for the boundary adjustment between the E4 Environmental Living and R2 Low Density Residential zoned land on Lot 2 DP 549152 to facilitate the future efficient subdivision of the land in accordance with the draft Neighbourhood Plan.

The draft Planning Proposal should be submitted to the NSW Department of Planning and Environment for a Gateway determination and exhibited for a minimum of 28 days using the General Manager's delegation.

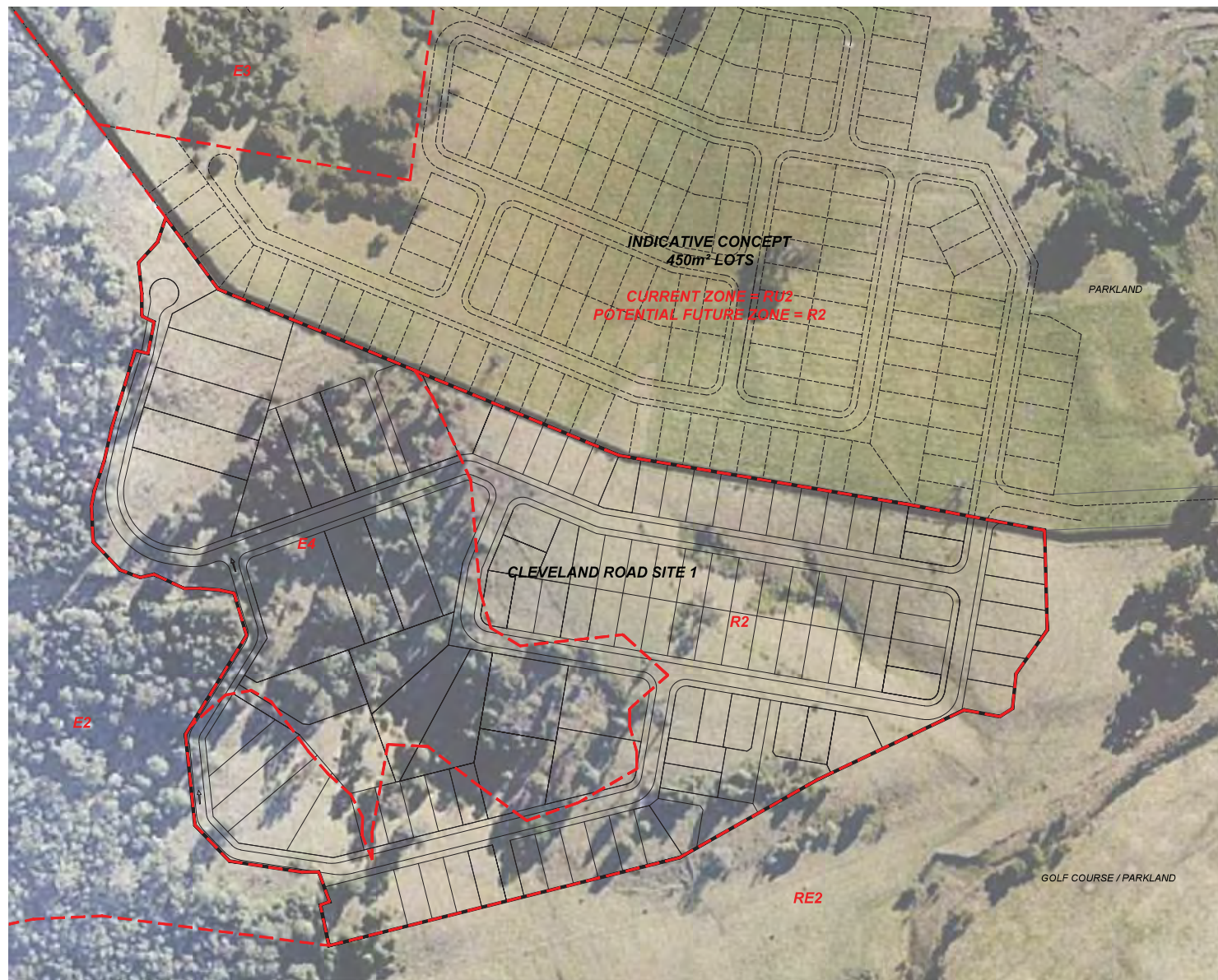
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Chapman Road Site 1		
	10000' x 150'	= 1.50 Acres
	4000' x 200' (20)	= 2.10 Acres
	Total Area	= 3.60 Acres
Chapman Road Site 2		
	10000' x 200' (20)	= 2.10 Acres
Arundale Road Site 1		
	20000' x 100' (10)	= 1.80 Acres
TOTAL LOTS		= 5.40 Acres

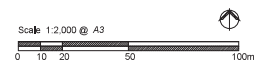
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 Cleveland Road Site 1 Boundary
 Land use zone separation (E4 & R2)
 Proposed concept lot boundaries
 Potential future lot boundaries



Indicative concept for adjoining parcel (Lot 18 on DP3083) - (R2 zone)

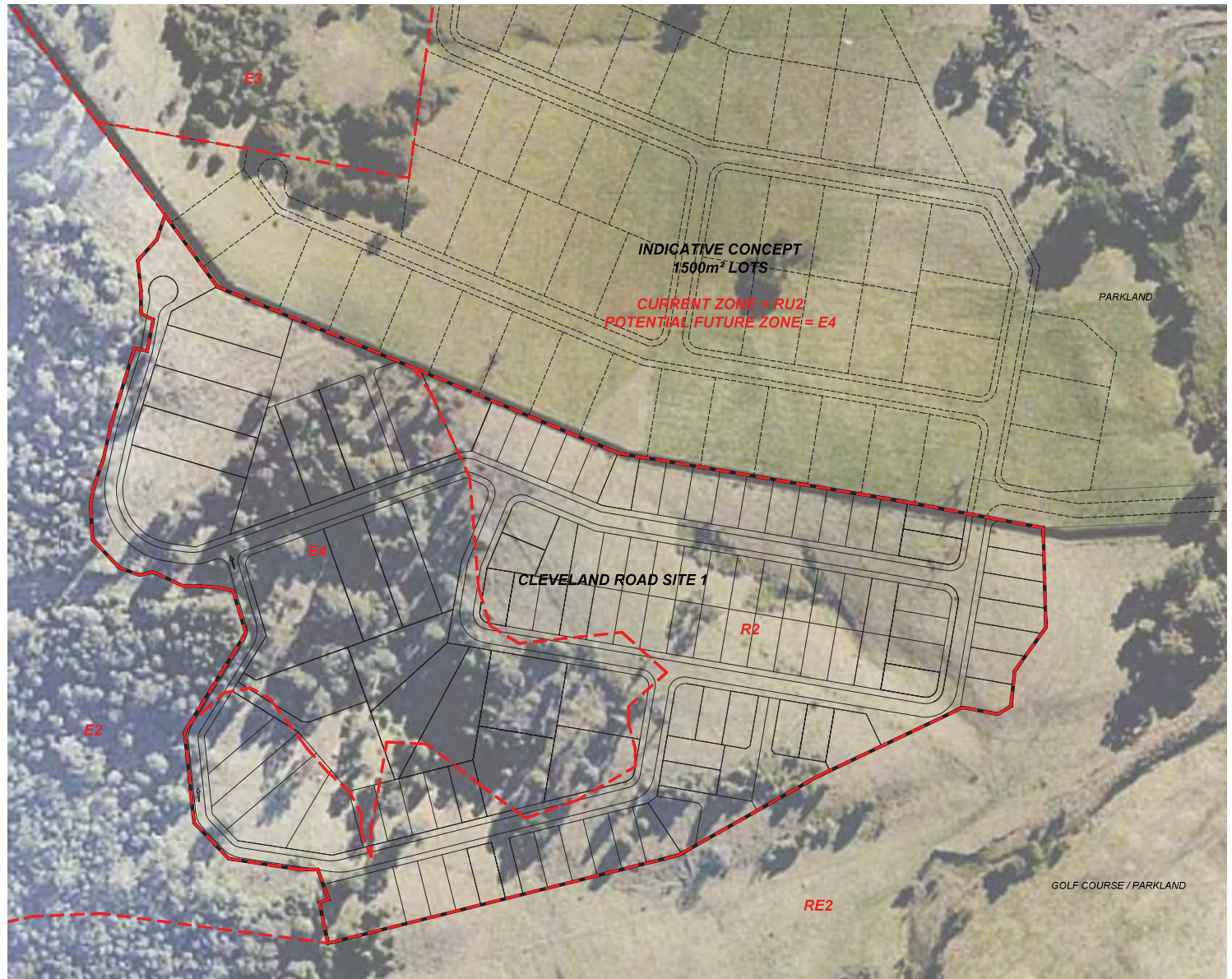


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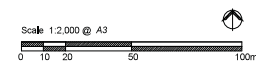
PROJECT NO: SA5180
DATE: 22.07.14
DRAWING NO: PP01
REV: 6

LEGEND

- Cleveland Road Site 1 Boundary
- Land use zone separation (E4 & R2)
- Proposed concept lot boundaries
- Potential future lot boundaries



Indicative concept for adjoining parcel (Lot 18 on DP3083) - (E4 zone)



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PROJECT NO: SAG186
 DATE: 22/07/14
 DRAWING NO: PP02
 REV: 6



WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Floor Space Ratio Map

Maximum Floor Space Ratio (n:1)

A	0.3
D	0.5
I	0.75
S	1.5
T	2.0
U	2.5
V	3

Floor Space Ratio Changes

Cadastral

Cadastral 26.11.14 © Wollongong City Council

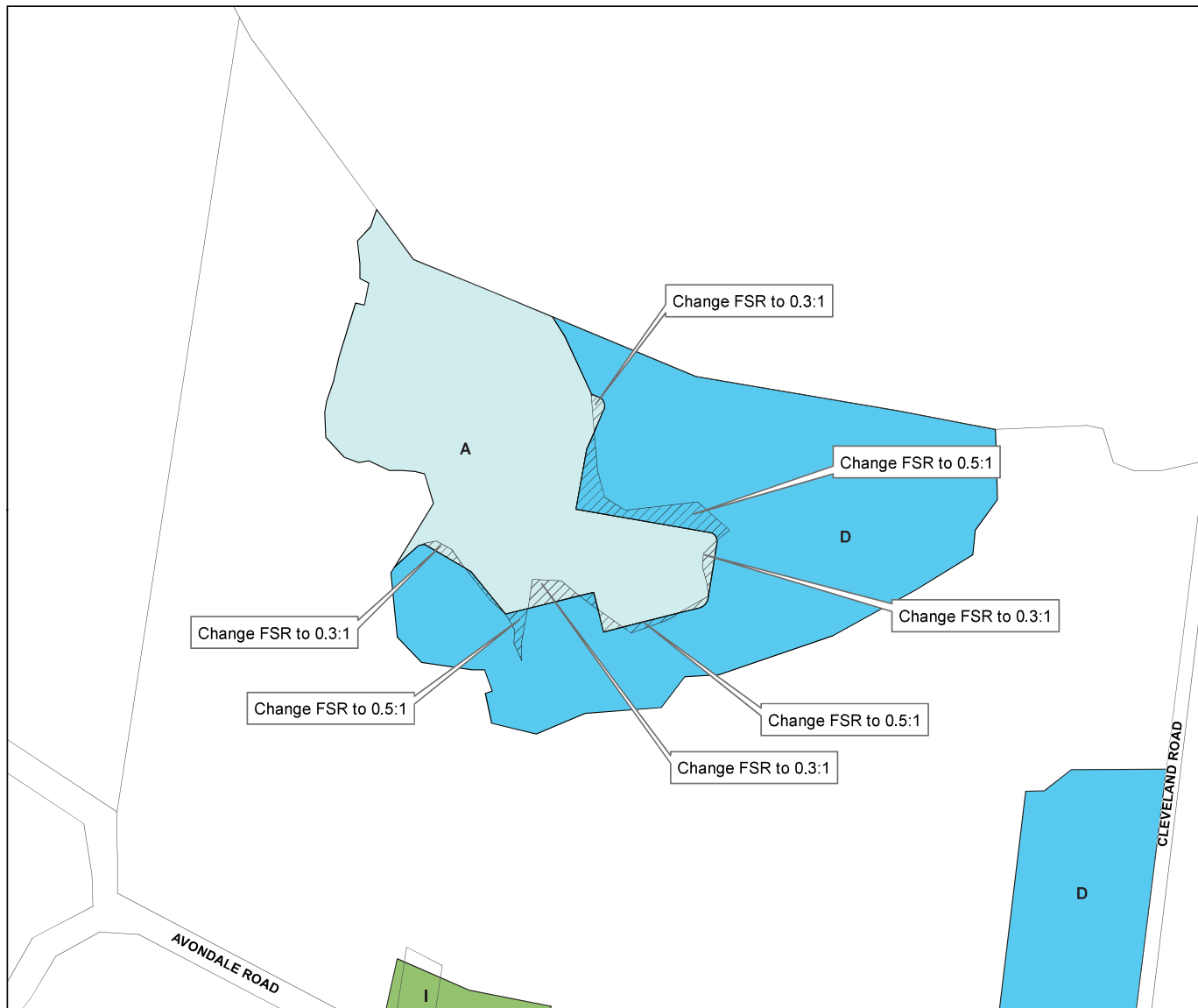


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Kilometers

Projection: GDA 1994
MGA Zone 56

Scale 1:3,000 @ A3

Map Identification number:
AvondaleNtn_PlanningProposal_FSR.mxd





WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Lot Size Map

Minimum Lot Size (sq m)

C	299
F	449
J	549
P	699
T	999
U1	1499
U2	1999
V	2999
W	3999
Y	1.99ha
Z	4.99ha
AA	9.99ha
AB	39.99ha

Minimum Lot Size Changes

Cadastral

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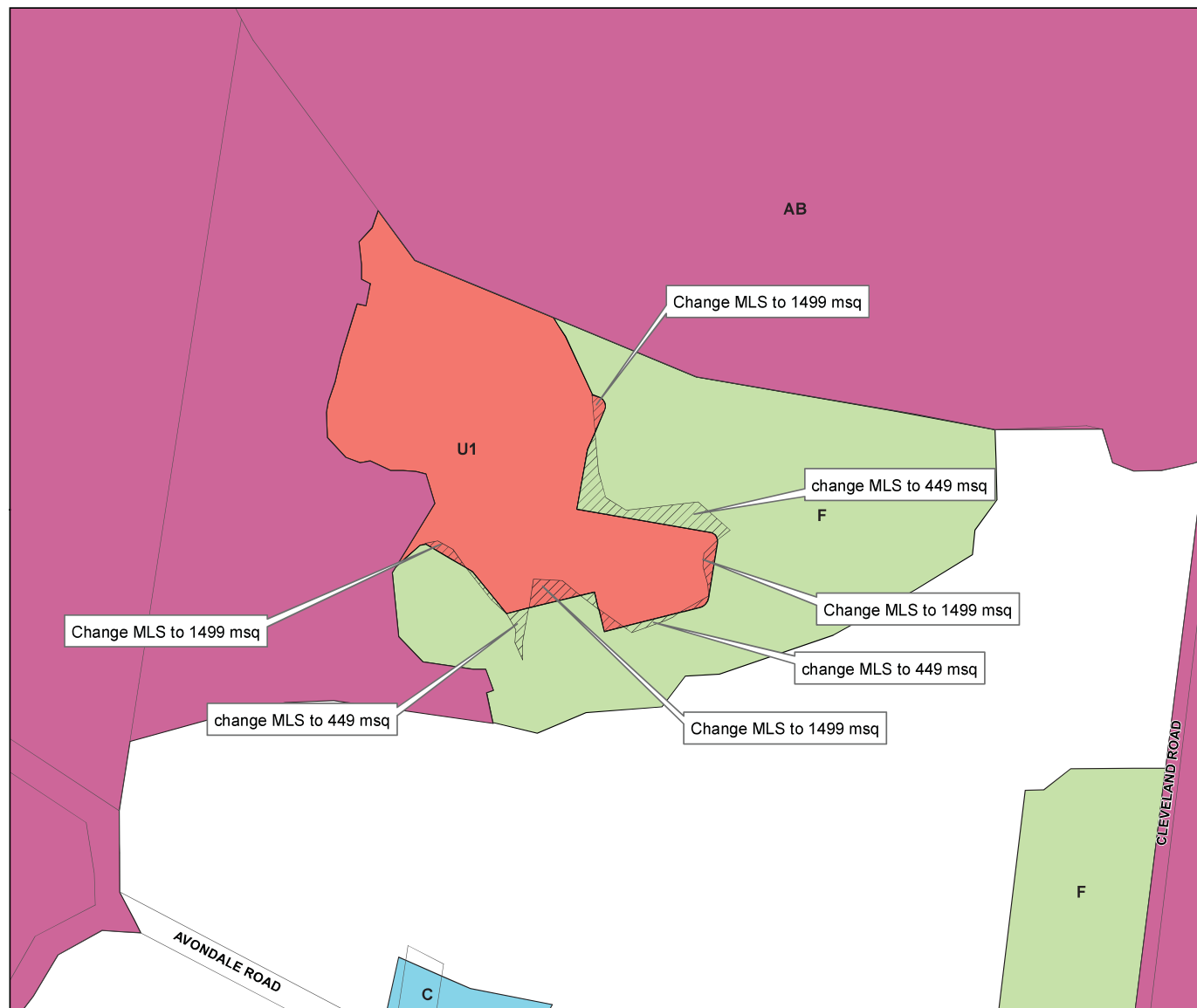


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WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

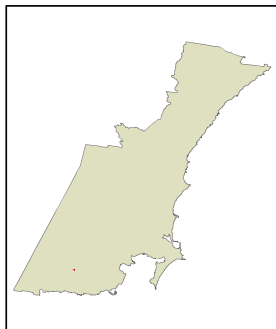
Planning Proposal
Land Zoning Map

Zoning

- E2 Environmental Conservation
- E3 Environmental Management
- E4 Environmental Living
- R2 Low Density Residential
- RE1 Public Recreation
- RE2 Private Recreation
- RU2 Rural Landscape
- Zoning Changes

Cadastral

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Kilometers

Projection: GDA 1994
MGA Zone 56

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