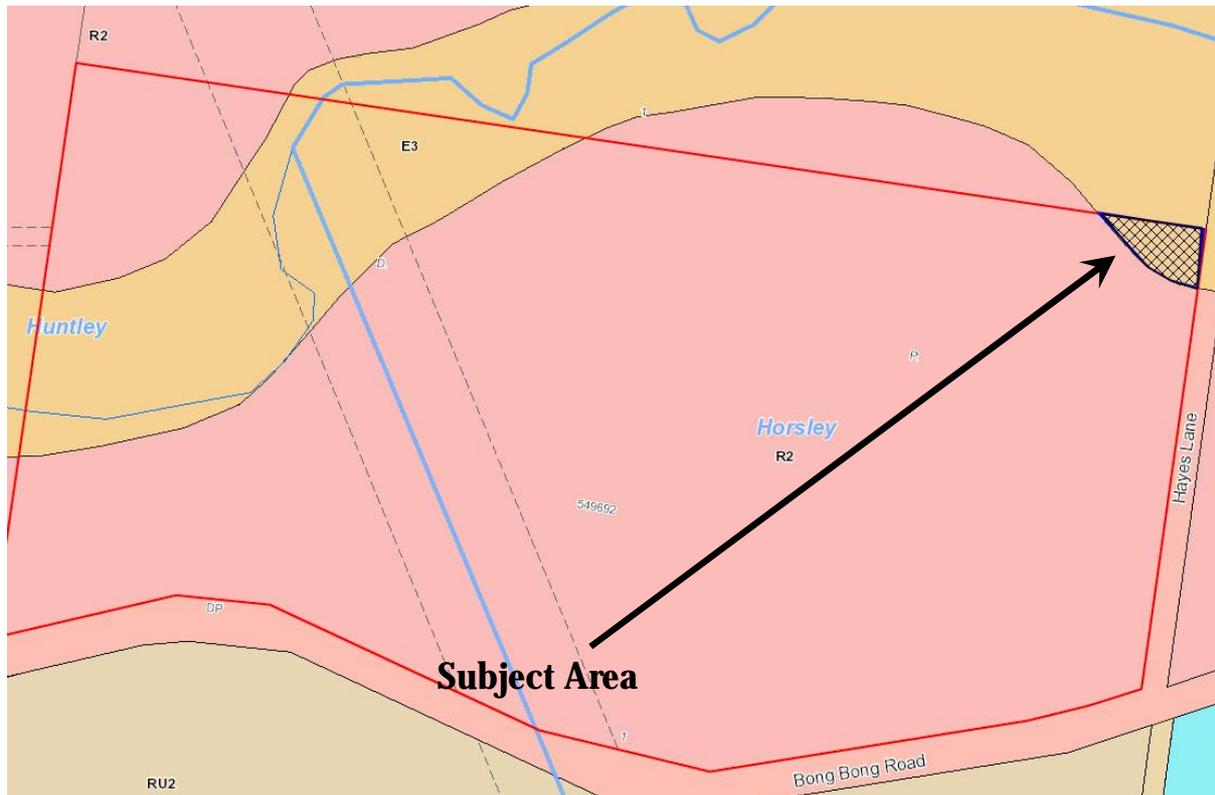


Draft Planning Proposal

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF DRAFT LEP: Proposed Lot 1528 Hayes Lane West Precinct

ADDRESS OF LAND: Part of Lot 1 DP 549692 being 434 Bong Bong Road (and Hayes Lanes) Huntley NSW 2530



BACKGROUND:

As part of the pre-lodgement discussions for Hayes Lane West, it has been identified that a 600m² parcel of land located between proposed Lot 1528 and proposed Road 05 could be rezoned to permit residential development. The land is currently zoned E3 Environmental Management due to the possible 1:100 Annual Recurrence Interval flood extent. If the development application is approved, Road 05 would be raised and will form the boundary of the flood extent, meaning that the land will not be flood affected and could be developed for a dwelling house.

The rezoning of the land to the north of proposed Lot 1528 to R2 Low Density Residential will have a number of minor benefits:

- Provide for the efficient use and development of land, and finish off the subdivision;
- Removing the possibility of future complaints over the non-maintenance of the land;
- An 80m setback to the creek from Road 05 will be retained;
- Allowing one extra lot to be developed, which will have a minor reduction in Stockland development costs and increase the Section 94 contribution to Council;
- Allowing for the re-orientation of Lot 1528, from east-west, to north-south and removing the access from Hayes Lane (a proposed four lane collector road);
- Demonstrating that Council is being pro-active in encouraging the efficient development of West Dapto.

Accordingly, it was recommended that a separate housekeeping draft planning proposal be prepared for the rezoning of the land north of proposed Lot 1528 and the proposed Road 05

in the Hayes Lane West precinct from E3 Environmental Management to R2 Low Density Residential, with a Minimum Lot Size of 300m², floor space ratio of 0.5:1 and Maximum Building Height of 9m (no change), consistent with the adjoining land, and adjusting the flood map affectation to the northern side of Road 05.

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

What is the purpose of the Planning Proposal?

The draft Planning Proposal is for the rezoning a portion of Lot 1 DP549692 from E3 Environmental Management to R2 Low Density Residential with associated changes to the Floor Space Ratios and Minimum Lot Size to enable the efficient residential development of the precinct and to accommodate future Road No. 5 in accordance with the West Dapto master plan.

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

How are the objectives of the Planning Proposal to be achieved? How will the LEP be changed?

1. Rezone Part of Lot 1 DP549692 (nearest to Hayes Lane) from E3 Environmental Management to the following:
 - a) R2 Low Density Residential, with a
 - b) Floor space ratio of 0.5:1, and a
 - c) Minimum lots size of 300m² and
 - d) Adjust the flood restriction to the northern side of proposed Road No. 5.

Part 3: JUSTIFICATION FOR THE PLANNING PROPOSAL:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?	<p>This proposal is a minor planning proposal that facilitates a Neighbourhood Plan within the West Dapto Urban Release Area.</p> <p>West Dapto is an urban release area in planning for over 20 years, there is a vision and master plan that encompasses the subject site and surrounds that identifies the land for residential development. This planning proposal is consistent with the master plan and vision. It is also noted that West Dapto Urban Release Area is a key area of growth in the Illawarra Regional Strategy.</p>
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The planning proposal is the only means of achieving the intended outcome.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy	Illawarra Regional Strategy – Rezoning additional land in West Dapto Urban Release Area is consistent with the Illawarra Regional Strategy.
5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	Wollongong 2022 - West Dapto is one of five key aspirations for Wollongong Council in its Delivery Program, this is reflected in the goals and objectives of the Community Strategic Plan.

	<i>Aspiration:</i> Council will work in collaboration with key agencies to provide the infrastructure needed to support growth within the West Dapto Urban Release Area. This will include improving access infrastructure and local services which are needed to support the additional 17,000 future housing lots within the release area.
6. Is the planning proposal consistent with applicable State Environmental Planning Policies?	Refer to 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

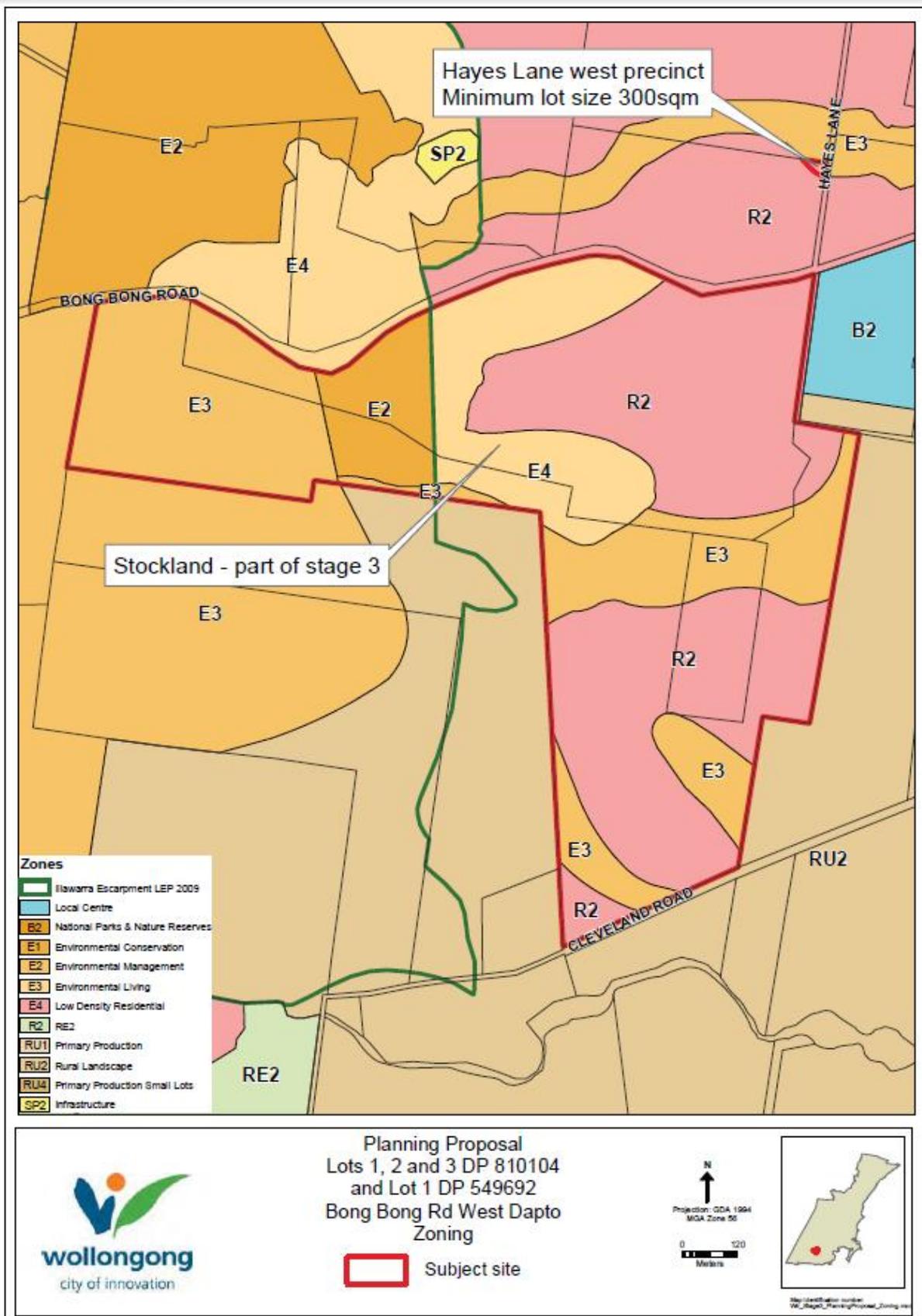
8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	Significant habitat his unlikely on this site given the relatively cleared landscape.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	The land does have partial flood affection however with future upgrades to Hayes Lane and the construction of future Road No. 5 it is highly likely that flood behaviour with be modified and therefore change. Over a small area such as this it is unlikely that any future development will not be able to cater for these changes.
10, How has the planning proposal adequately addressed any social and economic effects?	This planning proposal is considered a housekeeping matter and it is considered that the impacts of the proposal are minimal on a social and economic basis other than it would permit efficient development of the land.

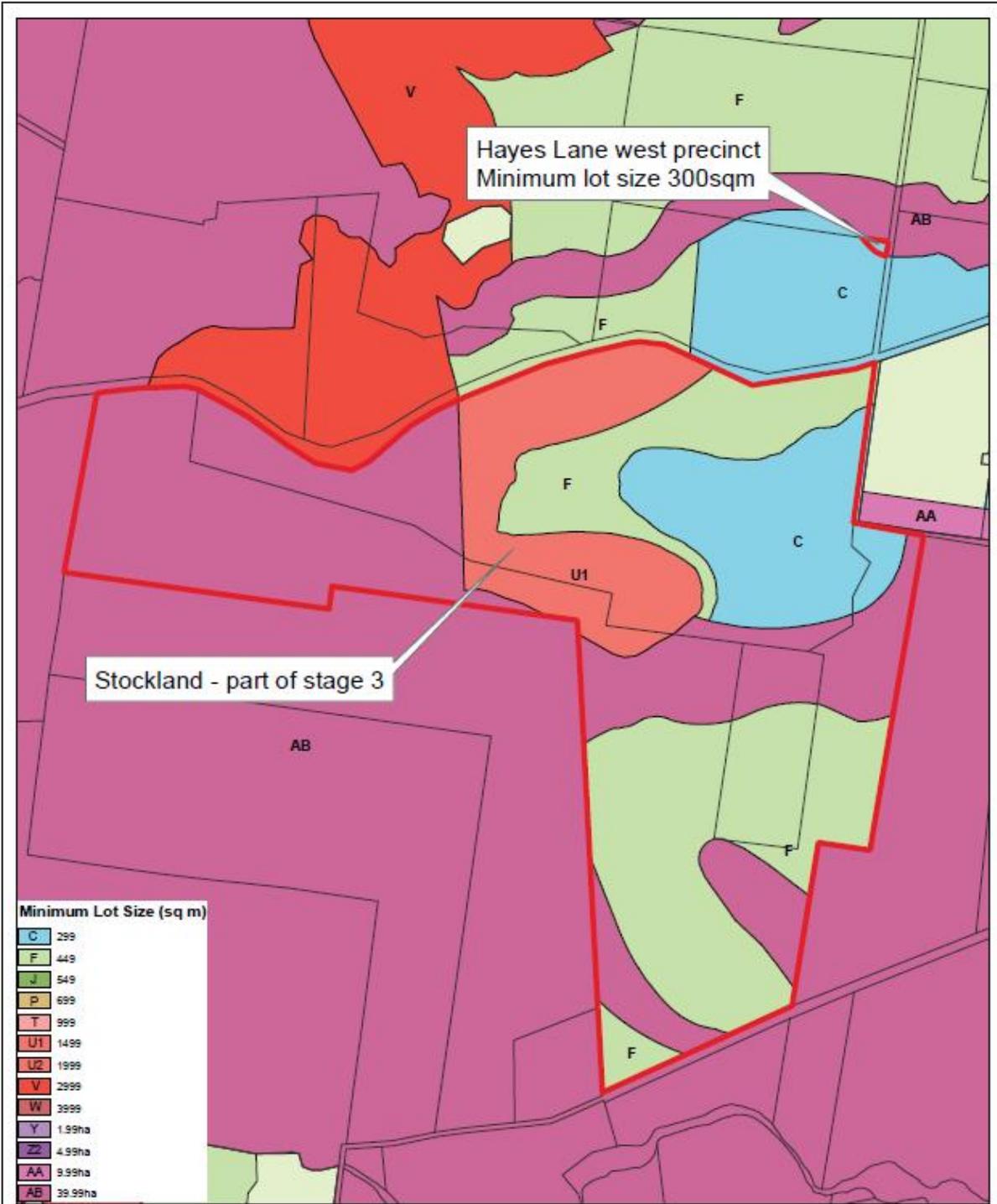
Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	The land is within Stage 1 and 2 of West Dapto Urban Release Area and there are services being rolled out for the area in addition to substantial private works for infrastructure.
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	Consultation with Agencies will need to take place as part of the Gateway determination.

PART 4: MAPS, WHERE RELEVANT, TO IDENTIFY THE INTENT OF THE PLANNING PROPOSAL AND THE AREA TO WHICH IT APPLIES

Proposed Planning Controls –





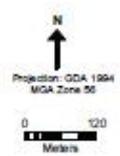
Minimum Lot Size (sq m)

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

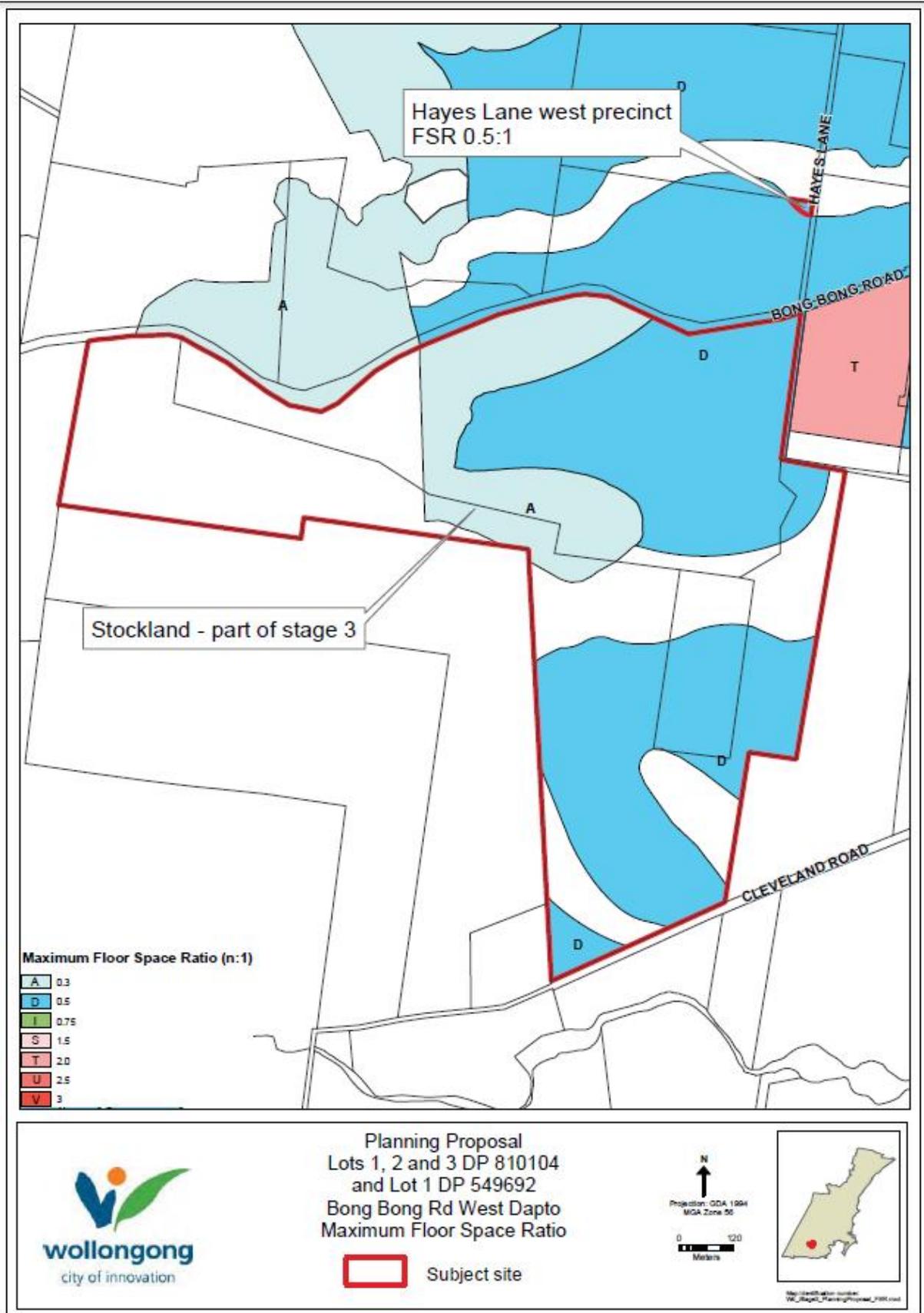


Planning Proposal
Lots 1, 2 and 3 DP 810104
and Lot 1 DP 549692
Bong Bong Rd West Dapto
Minimum Lot Size

Subject site



Map identification number:
100_Regional_Planning/Proposed_Minimum_Lot_Size.mxd



Part 5: 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 *fourteen (14) days*, and include:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *Electronic copy on Council's website;*
- *Notification letters to affected; surrounding property owners and*
- *Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Infrastructure including but not limited to:*
 - *Office of Environment and Heritage*

Part 6: PROJECT TIMELINE

A primary goal of the plan making process is to reduce the overall time taken to produce LEPs. This timeline tentatively sets out expected timelines for major steps in the process. These timeframes are subject to change and are to be used as a guide only. The Minister may consider taking action to finalise the LEP if timeframes approved for the completion of the Planning Proposal are significantly or unreasonably delayed.

#	Action	Estimated Timeframe	Responsibility
1	Anticipated date of Gateway Determination	March 2015	Department of Planning and Environment
2	Anticipated completion of required technical studies	NA	Consultants
3	Government agency consultation	April 2015	Agencies
4	Public exhibition period	April 2015	Council
5	Date of Public Hearing (<i>if applicable</i>)	NA	Council
6	Consideration of submissions	April 2015	Council
7	Assessment of proposal post-exhibition	May 2015	Council
8	Report to Council	May/June 2015	Council
9	Final maps and Planning Proposal prepared	June 2015	Council
10	Submission to Department for finalisation of LEP	June/July 2015	Council
11	<i>Anticipated date RPA will make the LEP</i>	<i>Delete if Council is not the RPA</i>	Council (if under delegation)
12	Anticipated date Council will forward final Planning Proposal to DOP&E for notification	July 2015	Council
13	Anticipated date LEP will be notified	October 2015	<i>Parliamentary Counsel and DOP&I</i>

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
State policies			
SEPP No. 1	Development Standard	Does not apply to Wollongong	
SEPP No. 4	Development Without Consent and miscellaneous Exempt and Complying Development		Clause 6 and parts 3 and 4 of SEPP were repealed by Wollongong LEP 2009
SEPP No. 6	Number of Storeys in a Building		Planning Proposal does not proposed controls for number of storeys.
SEPP No. 14	Coastal Wetlands		NA
SEPP No. 15	Rural Land Sharing Communities	Does not apply to Wollongong	
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	
SEPP No. 21	Caravan Parks		NA
SEPP No. 22	Shops and Commercial Premises		NA
SEPP No. 26	Littoral Rainforests		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		NA
SEPP No. 32	Urban Consolidation (Redevelopment of Urban Land)		NA
SEPP No. 33	Hazardous and Offensive Development		NA
SEPP No. 36	Manufactured Home Estates		NA
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		NA
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	
SEPP No. 50	Canal Estate Development		NA
SEPP No. 52	Farm Dams, Drought Relief and Other Works	Does not apply to Wollongong	
SEPP No. 55	Remediation of Land	Capable of Consistency	
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		NA
SEPP No. 62	Sustainable Aquaculture		NA
SEPP No. 64	Advertising and Signage		NA
SEPP No. 65	Design quality of residential flat development		NA

State Environmental Planning Policy		Compliance	Comment
SEPP No. 70	Affordable Housing (revised schemes)	Does not apply to Wollongong	
SEPP No. 71	Coastal Protection		NA
SEPP	Housing for Seniors or People with a Disability 2004	Capable of Consistency	
SEPP	Building Sustainability Index: BASIX 2004	Capable of Consistency	
SEPP	Major Projects 2005		NA
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 Extractive Industries 2007		NA
SEPP	Infrastructure 2007	Not inconsistent	
SEPP	Temporary Structures 2007		NA
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	Capable of Consistency	
SEPP	Western Sydney Employment Lands 2009	Does not apply to Wollongong	
SEPP	Exempt and Complying Development Codes 2008	Capable of Consistency	
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	
Greater Metropolitan REP No.2	Georges River catchment	Does not apply to Wollongong	

Table B - Checklist of Section 117 Ministerial Directions

Ministerial Direction		Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	NA
1.2	Rural Zones	NA
1.3	Mining, Petroleum Production and Extractive Industries	Applies however the land is identified for future urban release area in the Illawarra Regional Strategy.
1.4	Oyster Aquaculture	NA
1.5	Rural Lands	NA
2. Environment and Heritage		
2.1	Environment Protection Zone	There will be a minor (600m2) reduction in land zoned E3 Environmental Management, with it being rezoned to R2.
2.2	Coastal Protection	NA
2.3	Heritage Conservation	NA
2.4	Recreation Vehicle Areas	NA
3. Housing, Infrastructure and Urban Development		
3.1	Residential Zones	Consistent
3.2	Caravan Parks and Manufactured Home Estates	Consistent
3.3	Home Occupations	Consistent
3.4	Integrating Land Use and Transport	NA
3.5	Development Near Licensed Aerodromes	NA
3.6	Shooting Ranges	NA
4. Hazard and Risk		
4.1	Acid Sulfate Soils	The area is not mapped in the LEP as containing Acid Sulfate Soils
4.2	Mine Subsidence and Unstable Land	NA
4.3	Flood Prone Land	Applies - The land is currently zoned E3 Environmental Management due to the possible 1:100 Annual Recurrence Interval flood extent. If the development application is approved, Road 05 would be raised and will form the boundary of the flood extent, meaning that the land will not be flood affected and could be developed for a dwelling house.

4.4	Planning for Bushfire Protection	Applies – Road 5 will be a permitter road between the riparian vegetation and residential development. Any additional APZs requirement will be considered as part of the DA process.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Planning proposal considered consistent with the Illawarra Regional Strategy 2007.
5.2	Sydney Drinking Water Catchments	NA
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
5.8	Second Sydney Airport: Badgerys Creek	Not applicable to Wollongong
6. Local Plan Making		
6.1	Approval and Referral Requirements	Applies – No approval and referral requirements proposed.
6.2	Reserving Land for Public Purposes	NA
6.3	Site Specific Provisions	NA
7. Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Not applicable