

Draft Planning Proposal

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF DRAFT LEP: Sheaffes Road south, Kembla Grange

ADDRESS OF LAND: Lot 47 DP 751278, Lot 1 DP 657171, Part of Lot 1 DP 1118463, Lot 1 DP 195705, Lot 1 DP 1008723, Lot 2 DP 1008723, Lot 1 DP 818199, Lot 1 DP 607776 and Lot 1 DP 227382, West Dapto Road and Sheaffes Road, Kembla Grange



BACKGROUND:

As part of the development of the West Dapto Release Area, a draft Neighbourhood Plan has been prepared for the Sheaffes Road South precinct, located between Sheaffes Road and West Dapto Road, Kembla Grange. Council on 15 December 2014 resolved to exhibit the draft Neighbourhood Plan. Council also resolved to prepare a draft Planning Proposal to make minor amendments to the LEP, to facilitate improved urban outcomes (Figure 2).

To implement the Neighbourhood Plan amendments are required to the Wollongong LEP 2009 (Figure 3). These changes facilitate the relocation of the town centre from both sides of West Dapto Road to the northern side of West Dapto Road. This would see the southern side of the road rezoned to support medium density residential development.

The Neighbourhood Plan also accommodates a primary school site which is identified as being required in the West Dapto Master Plan. This land is intended to retain its R3 Medium Density Residential zone and will not be nominated on the Land Reservation Acquisition maps.

Please note that Council is the owner of Lot 1 DP 657171, the largest lot in the precinct, and lead the Neighbourhood Planning process.

Adjustments to the residential and environmental boundary

The proposal also identified the need to adjust the boundary between E3 Environmental Conservation and R3 Medium Density zones along the northern watercourse to facilitate the efficient subdivision of the land.

These changes will not be made in this Planning Proposal, as they are better considered once updated flood information from Council's proposed Mullet and Brooks Creek Floodplain Risk Management Plan [due to be completed in late 2021] is available.

Town Centre

The original draft Neighbourhood Plan had the town centre was divided by West Dapto Road. The total area of the land zoned for the town centre within the neighbourhood precinct is 19,800m² to the north of West Dapto Road and 15,350m² on the south of West Dapto Road, the southern portion being outside of the neighbourhood precinct.

As part of the development of the Darkes Road South West Neighbourhood Plan on the south eastern side of West Dapto Road, discussions were held as to whether the town centre should be to one side of West Dapto Road or divided by the road. Council subsequently engaged Urbacity as part of a wider review of West Dapto town centres. The Urbacity report was presented to Council as part of the Stage 3 rezoning proposal on 13 October 2014. It recommended the Darkes Road Town Centre be fully located on the north-western side of West Dapto Road, rather than be divided by the road. This would result in better urban form if designed appropriately and would allow better interface with the public recreation land that would now adjoin the town centre to the west.

The total area now proposed for the town centre which will sit within this neighbourhood is 35,100m². The relocation of the town centre requires a planning proposal that rezones the B2 Local Centre land on the south of West Dapto Road to R3 Medium Density Residential with subsequent changes to the minimum lot size, floor space ratio and height. The planning proposal would also require the land to the north of the current B2 Local Centre to be rezoned from R3 Medium Density Residential to B2 Local Centre (Figure 2). Figure 3 shows the overall Neighbourhood Plan layout as adopted for exhibition.

School Site

As part of the development of the West Dapto master plan (2004-2008), the Department of Education and Communities nominated 2 secondary schools (6ha) and 8 primary schools (2ha) as being required for the release area. To date, the Department of Education and Communities has not secured any sites for schools in West Dapto. One of the primary school sites was nominated to be in the vicinity of Darkes Road.

The consultant that prepared the original draft Neighbourhood Plan proposed a primary school and high school site. The Department of Education and Communities did not support either of the nominated sites. Consequently Council decided to focus on securing at least one primary school site. Following discussions with the Department of Education and Communities, the consultant that was engaged to review the draft Neighbourhood Plan proposed an alternate primary school site (the current location). However, the Department of Education and Communities has not agreed that the school site is suitable and will be

acquired. This Planning Proposal retains the site as R3 Medium Density Residential, though the potential for a school site is still retained in the Neighbourhood Plan for the precinct.

School sites have a large land take and generate significant traffic, therefore their location needs to be identified early in the planning process. Otherwise, the prime residential land will be subdivided for residential lots, and schools will be located in less than desirable locations.

It is noted that Council is currently the land owner of the school site, but that there is no certainty that Council will be the land owner into the future. If the land cannot be secured for a school site, the land will retain its R3 Medium Density Residential zone and likely be developed for housing.

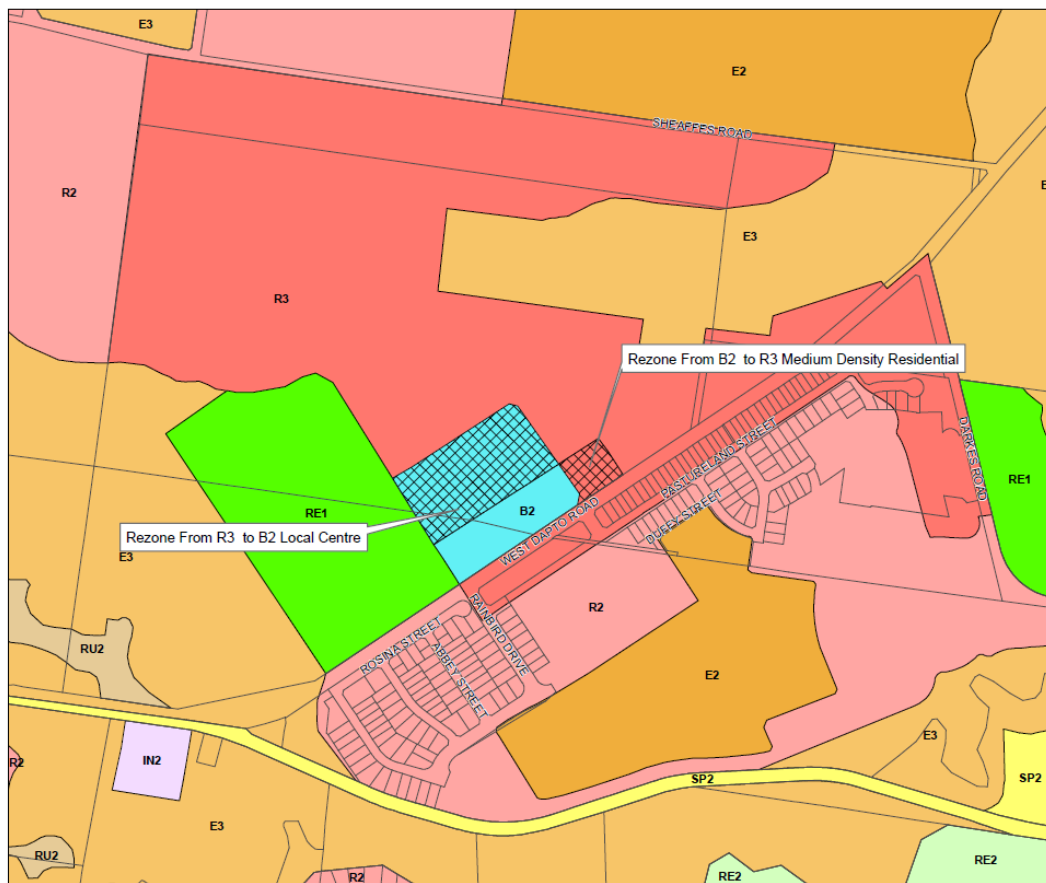
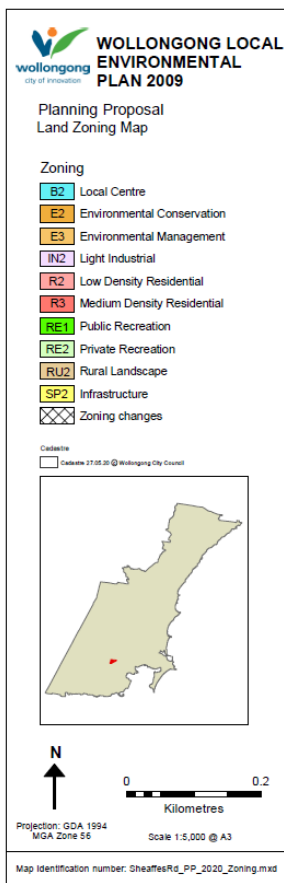


Figure 2

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

What is the purpose of the Planning Proposal?

The draft Planning Proposal would facilitate the implementation of an adopted Neighbourhood Plan for Sheaffes Road and West Dapto Road for the relocation of the town centre from both sides of West Dapto Road to the northern side.

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?

Map amendments:

1. Town Centre: Rezone part Lot 1 DP 657171 and part of Lot 1 DP 1118463 from R3 Medium Density Residential to B2 Local Centre and apply/amend the following controls:
 - a. Floor Space Ratio from 0.75:1 to 2.0:1,
 - b. Height of Building from 13m to 20m,
 - c. Remove Minimum Lot Size controls.
2. Town Centre: Rezone part Lot 1 DP 657171 from B2 Local Centre to R3 Medium Density Residential and apply/amend the following controls:
 - a. Floor Space Ratio of 2:1,
 - b. Height of Building from 20m to 13M,
 - c. Add Minimum Lot Size controls of 299sqm.
3. Other changes: Part Lot 1 DP 657171 and part of Lot 47 DP 1263797 amend Floor Space Ratio from 0.5:1 to 0.75:1
4. Other changes: Part Lot 1 DP 657171, part of Lot 47 DP 1263797 and part of Lot 1 DP 195705 amend Minimum Lot Size from 449sqm to 299sqm:

Details of changes provided in Part 4: Maps

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>West Dapto is an urban release area in planning for over 10 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> <p>This planning proposal is consider necessary to facilitate a Neighbourhood Plan within the West Dapto Urban Release Area. The relocation of the town centre has been subject to a revised study by Urbacity that identifies the suitability of the town centre relocation. The study was undertaken as part of a review of all the centres proposed throughout the West Dapto Release Area.</p>
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	<p>The planning proposal is the only means of achieving the intended outcome.</p>

Section B – Relationship to strategic planning framework

<p>4. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy</p>	<p>Illawarra Regional Strategy – West Dapto is an urban release area in planning for over 10 years and nominated in the Illawarra Regional Strategy as key area of growth for Wollongong and the Illawarra, the planning proposal is consistent with the vision and master plan that encompasses the subject site and identifies the land for residential development.</p> <p>Rezoning additional land in accordance with the land constraints and optimising the efficiency of development in West Dapto Urban Release Area is consistent with the Illawarra Regional Strategy.</p> <p>The planning proposal has considered constraints and sensitivities of the site as per the sustainability criteria such as biodiversity and flooding and is endeavouring to ensure that where possible vegetation is preserved, development is outside of the 1 in 100 year event.</p>
<p>5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?</p>	<p>Wollongong Delivery Program and Operational Plan 2018-2022 - West Dapto is a key aspiration for Wollongong Council in its Delivery Program, this is reflected in the goals and objectives of the Community Strategic Plan.</p>
<p>6. Is the planning proposal consistent with applicable State Environmental Planning Policies?</p>	<p>Refer to Table A – Checklist of State Environmental Planning Policies.</p>
<p>7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?</p>	<p>Refer to Table B – Checklist of Ministerial Directions.</p>

Section C – Environmental, social and economic impact

<p>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?</p>	<p>The precinct does contain ecologically endangered communities along the riparian corridor. The planning proposal retains the existing E3 Environmental Management zone.</p>
<p>9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?</p>	<p>The precinct is partially affected by flooding. The boundary between the residential and E3 Environmental Management zone will not change under this proposal.</p>
<p>10. How has the planning proposal adequately addressed any social and economic effects?</p>	<p>This planning proposal is considered a housekeeping matter because the land is already rezoned as part of the West Dapto Urban Release Area.</p>

	<p>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.</p> <p>The relocation of the town centre to be fully on the western side of West Dapto Road will have better retail outcomes, and reduced traffic / pedestrian conflict issues.</p>
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Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	<p>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.</p>
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	<p>Further consultation with Agencies will need to take place as part of the revised Gateway determination.</p> <p>The Department of Education and Communities has not endorsed the school site, which was subsequently removed from the Planning Proposal. The exhibition of the draft planning proposal will enable formal consultation to occur with agencies.</p>

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



WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Land Zoning Map

Zoning

- B2** Local Centre
- E2** Environmental Conservation
- E3** Environmental Management
- IN2** Light Industrial
- R2** Low Density Residential
- R3** Medium Density Residential
- RE1** Public Recreation
- RE2** Private Recreation
- RU2** Rural Landscape
- SP2** Infrastructure
- Zoning changes

Cadastre
 Cadastre 27.05.20 @ Wollongong City Council

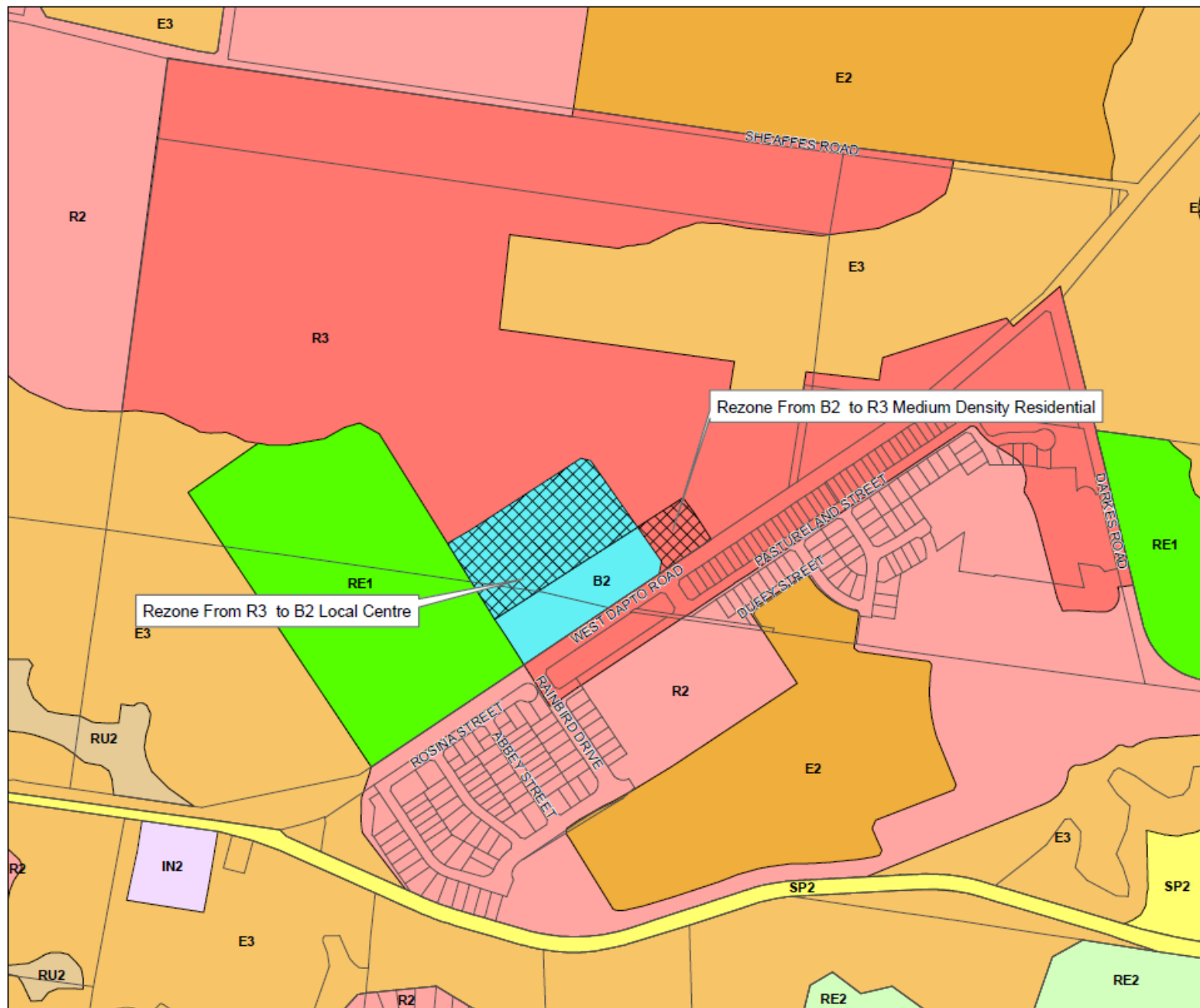


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Kilometres

Projection: GDA 1994
MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number: SheaffesRd_PP_2020_Zoning.mxd





WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Lot Size Map

Minimum Lot Size (sq m)

C	299
F	449
T	999
AA3	9.99
AB2	39.99
	Zoning changes

Cadastral
Cadastral 27.05.20 © Wollongong City Council



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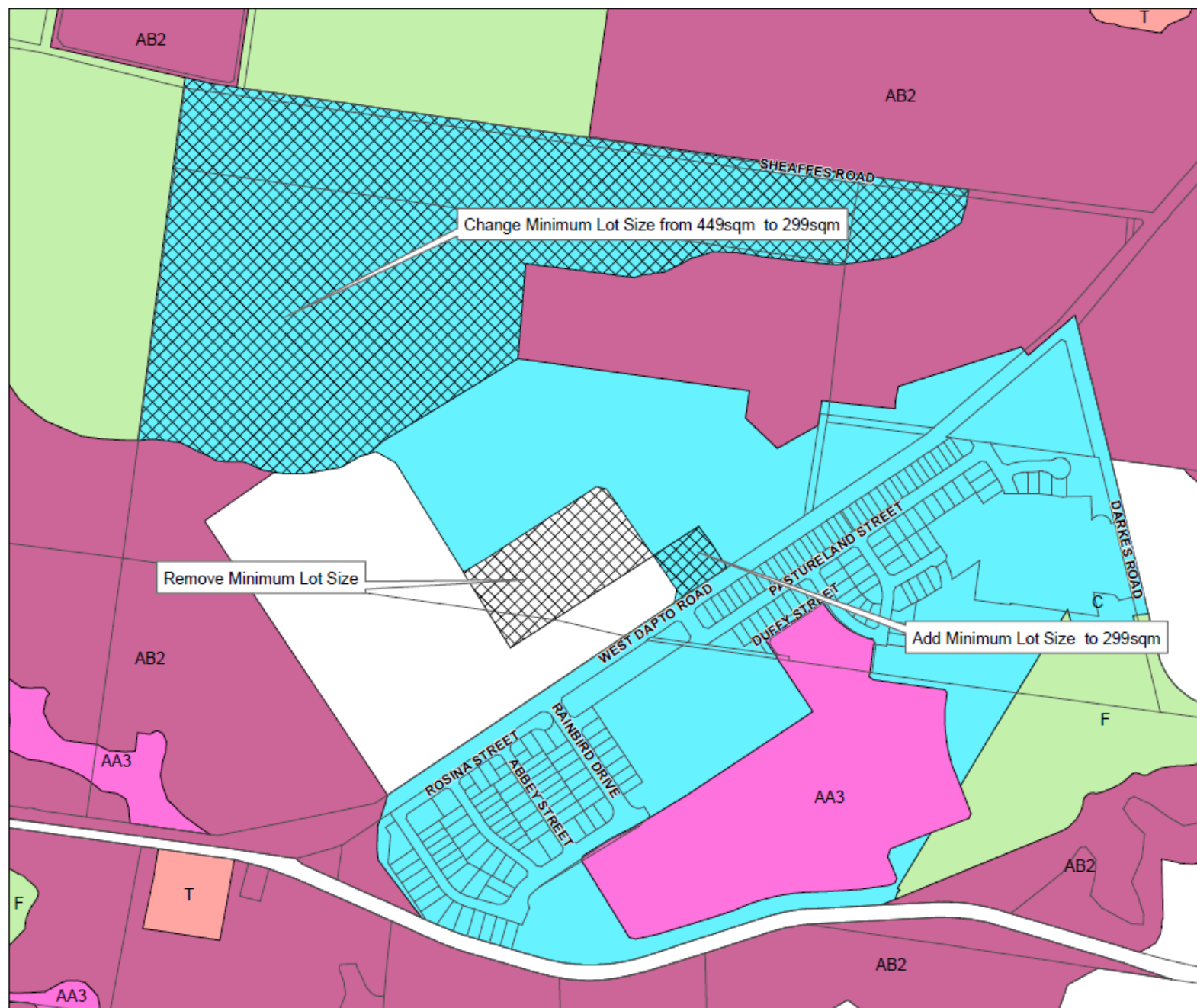
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Projection: GDA 1994
MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:
SheaffesRd_PP_2020_MinLotSize.mxd





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
P	1
Q	1.2
S	1.5
T	2
U	2.5
V	3

☒ Zoning changes

Cadastral

☐ Cadastral 27.05.20 ©Wollongong City Council

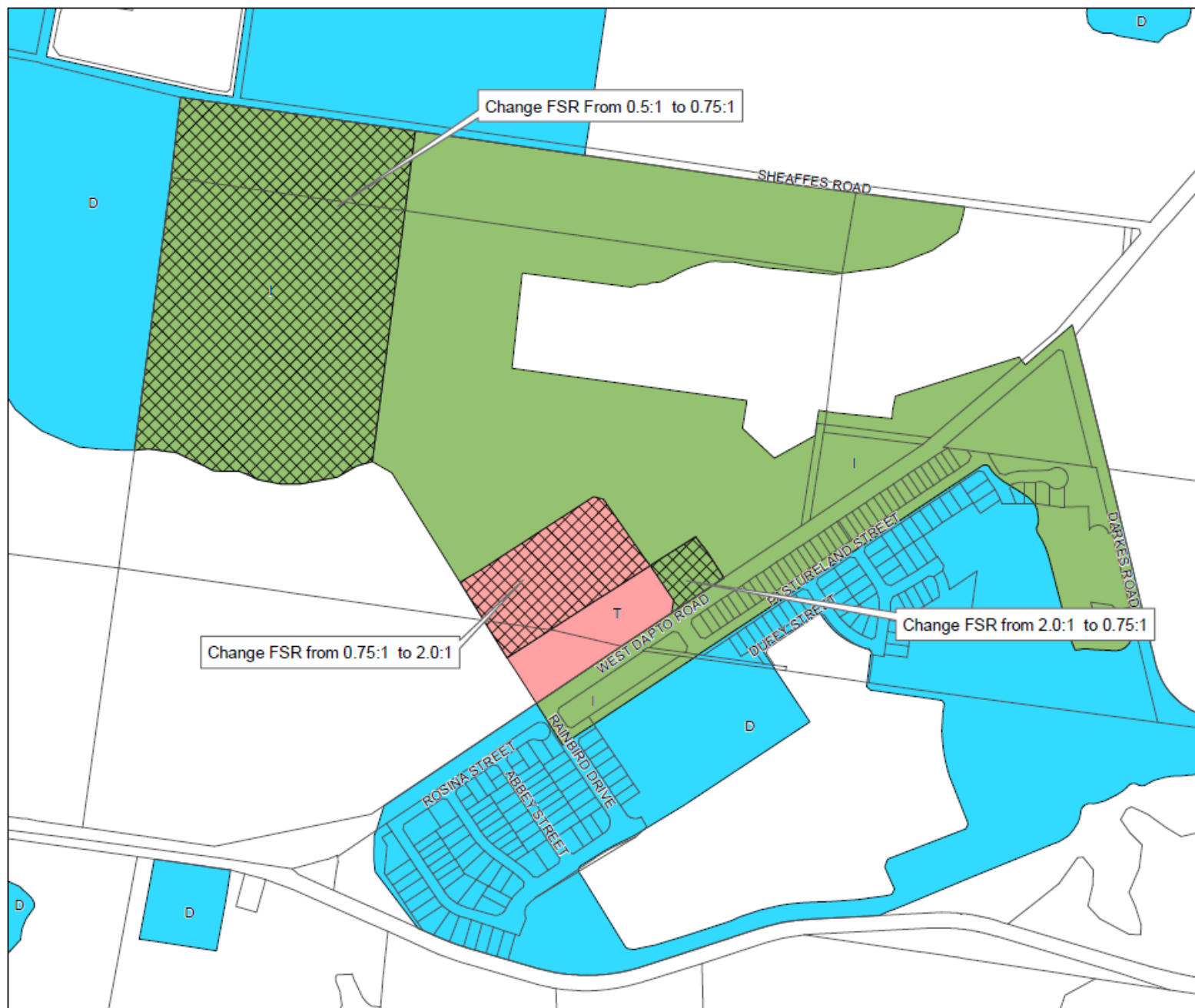


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Projection: GDA 1994
MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:
SheaffesRd_PP_2020_FSR





WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

Planning Proposal Height of Building Map

Maximum Building Height (m)

J	9
N	13
O1	15
O2	16
Q	20
S	24
Zoning changes	

Cadastre
Cadastre 27.05.20 © Wollongong City Council

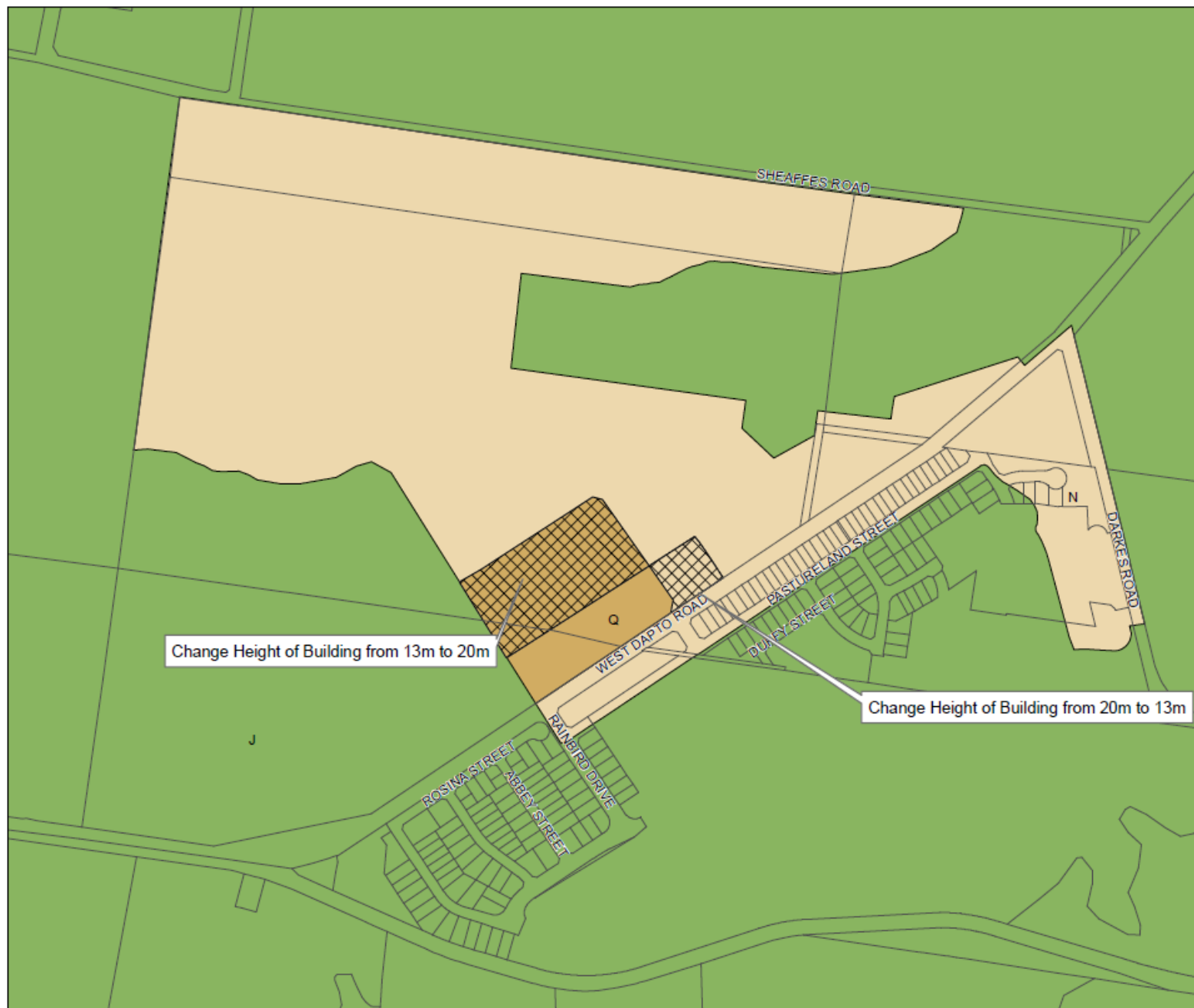


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Kilometres

Projection: GDA 1994
MGA Zone 56

Scale 1:5,000 @ A3

Map Identification number:
SheaffesRd_PP_2020_HOB.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 *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 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:*
 - *Environment Energy and Science*
 - *RMS*
 - *RFS*
 - *Sydney Water*

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	August 2020	Department of Planning Infrastructure and Environment
2	Anticipated completion of required technical studies	NA	NA
3	Government agency consultation	September 2020	Agencies
4	Public exhibition period	October 2020	Council
5	Date of Public Hearing (<i>if applicable</i>)	NA	Council
6	Consideration of submissions	November 2020	Council
7	Assessment of proposal post-exhibition	November 2020	Council
8	Report to Council	December 2020	Council
9	Final maps and Planning Proposal prepared	January 2021	Council
10	Submission to Department for finalisation of LEP	March 2021	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	April 2021	Council
13	Anticipated date LEP will be notified	May 2021	Parliamentary Counsel and DOP&I

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
SEPP No. 1	Development Standard	N/A	
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	
SEPP No. 21	Caravan Parks	N/A	
SEPP No. 33	Hazardous and Offensive Development	N/A	
SEPP No. 36	Manufactured Home Estates	N/A	
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. 55	Remediation of Land	Consistent	Contamination issues have been considered as part of the original rezoning for West Dapto and will be further considered as part of future development Applications.
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)	Does not apply to Wollongong	
SEPP	Aboriginal Land 2019	N/A	
SEPP	Affordable Rental Housing 2009	N/A	
SEPP	Building Sustainability Index: BASIX 2004	N/A	
SEPP	Coastal Management 2018	N/A	
SEPP	Concurrences 2018	N/A	
SEPP	Educational Establishments and Child Care Facilities 2017	N/A	
SEPP	Exempt and Complying Development Codes 2008	N/A	
SEPP	Gosford City Centre 2018	N/A	

State Environmental Planning Policy		Compliance	Comment
SEPP	Housing for Seniors or People with a Disability 2004	N/A	
SEPP	Infrastructure 2007	Consistent	
SEPP	Koala Habitat Protection 2019	N/A	
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	
SEPP	Kurnell Peninsula 1989	Does not apply to Wollongong	
SEPP	Mining, Petroleum Production and Extractive Industries 2007	N/A	
SEPP	Miscellaneous Consent Provisions 2007	N/A	
SEPP	Penrith Lakes Scheme 1989	Does not apply to Wollongong	
SEPP	Primary Production and Rural Development 2019	N/A	
SEPP	State and Regional Development 2011	N/A	
SEPP	State Significant Precincts 2005	N/A	
SEPP	Sydney Drinking Water Catchment 2011	N/A	
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	
SEPP	Three Ports 2013	Does not apply to this site	
SEPP	Urban Renewal 2010	Consistent	
SEPP	Vegetation in Non-Rural Areas 2017	Consistent	
SEPP	Western Sydney Employment Area 2009	Does not apply to Wollongong	
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	

Table B - Checklist of Section 9.1 Ministerial Directions

Ministerial Direction	Comment
1. Employment and Resources	
1.1. Business and Industrial Zones	Consistent. The land subject to rezoning contains (in part) land zoned B2 Local Centre. The centre is proposed to be relocated to the western side of West Dapto Road. The proposed amendments are consistent with the changes adopted under Amendment No.29 for the eastern side of the road and do not reduce the overall area zoned for business uses. This Planning proposal is consistent with the direction and its objectives.
1.2. Rural Zones	Consistent. The land is part of an identified Urban Release Area and is zoned as such. This Planning Proposal does not fundamentally alter the land uses that are currently permitted.
1.3. Mining, Petroleum Production and Extractive Industries	Consistent. The land is part of an identified Urban Release Area and is zoned as such. This Planning Proposal does not fundamentally alter the land uses that are currently permitted.
1.4. Oyster Aquaculture	N/A
1.5. Rural Lands	Consistent. The land is part of an identified Urban Release Area and is zoned as such. This Planning Proposal does not fundamentally alter the land uses that are currently permitted.
2. Environment and Heritage	
2.1. Environment Protection Zone	Consistent. The land is part of an identified Urban Release Area and is zoned as such. This Planning Proposal does not fundamentally alter the land uses that are currently permitted.
2.2. Coastal Protection	N/A
2.3. Heritage Conservation	N/A
2.4. Recreation Vehicle Areas	N/A

Ministerial Direction	Comment
2.5. Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEP	Not applicable to Wollongong
3. Housing, Infrastructure and Urban Development	
3.1. Residential Zones	Consistent. The proposal will facilitate minor adjustments to The R3 zone, which will be adequately serviced, provide flexibility in the type of housing and is consistent with this direction and its objectives.
3.2. Caravan Parks and Manufactured Home Estates	N/A
3.3. Home Occupations	Consistent.
3.4. Integrating Land Use and Transport	Consistent. The site is identified as part of the West Dapto Urban Release Area. The area has been subject to extensive work, designed with consideration for and supporting studies that look at supporting and improving access to housing, jobs, and services by walking (networks of paths) and cycling (cycleway paths) and public transport (designed in road networks). The Neighbourhood Plan that this proposal facilities contains provisions for all three transport methods. The proposal is therefore consistent with direction and its objectives.
3.5. Development Near Licensed Aerodromes	N/A
3.6. Shooting Ranges	N/A
3.7. Reduction in non-hosted short-term rental accommodation period	N/A
4. Hazard and Risks	
4.1. Acid Sulfate Soils	N/A The area is not mapped in the LEP as containing Acid Sulfate Soils.
4.2. Mine Subsidence and Unstable Land	N/A The area is not mapped in the LEP as unstable land.
4.3. Flood Prone Land	Consistent. The proposal does not increase zones for development within flood affected lands.

Ministerial Direction	Comment
4.4. Planning for Bushfire Protection	<p>Consistent. The northern part of the precinct is bush fire prone, from the bushland on the northern side of Sheaffes Road. A Bushfire Protection Assessment has been carried out that identified Sheaffes Road will form part of an APZ which will also need to be considered for proposed lots on Sheaffes Road.</p> <p>The Rural Fire Service will be consulted as part of the process and however it is considered that the proposal is consistent with the direction and its objectives subject to appropriate APZs.</p>
5. Regional Planning	
5.1. Implementation of Regional Strategies	Consistent – will enable progression of an Urban release Area in accordance with the Illawarra Shoalhaven Regional Plan
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. North West Rail Link Corridor Strategy	Not applicable to Wollongong
5.6. Implementation of Regional Plans	Consistent
5.7. Development of Aboriginal Land Council land	N/A
6. Local Plan Making	
6.1. Approval and Referral Requirements	N/A
6.2. Reserving Land for Public Purposes	N/A - The proposal does not identify land for acquisition.
6.3. Site Specific Provisions	N/A
7. Metropolitan Planning	
7.1. Implementation of the Metropolitan Plan for Sydney 2036	Not applicable to Wollongong
7.2. Implementation of the Greater Macarthur Land Release Investigation	Not applicable to Wollongong
7.3. Parramatta Road Corridor urban Transformation Strategy	Not applicable to Wollongong
7.4. Implementation of the North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong

Ministerial Direction	Comment
7.5. Implementation of the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.6. Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to Wollongong
7.7. Implementation of the Glenfield to Macarthur Urban Renewal Corridor	Not applicable to Wollongong
7.8. Implementation of Western Sydney aerotropolis Interim Land use and infrastructure Implementation Plan	Not applicable to Wollongong
7.9. Implementation of Bayside West Precincts 2036 Plan	Not applicable to Wollongong
7.10. Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable to Wollongong