

COUNCIL RESOLUTION EXTRACT FROM MINUTES 27 MAY 2013

DISCLOSURES OF INTEREST

Councillor Martin declared a non-significant, non-pecuniary interest in Items C, 2 and 3 as she is employed by the Department of Planning and Infrastructure and these matters will be dealt with by the Department.

ITEM 2 - WEST DAPTO RELEASE AREA - SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

91 COUNCIL'S RESOLUTION - MOVED Councillor Connor seconded Councillor Brown that -

- 1 The revised Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area (Attachment 6 of the report) be adopted, including the Sheaffes Road North Neighbourhood Plan prepared for land fronting Sheaffes and Paynes Roads, Kembla Grange and associated specific development controls and amendments.
- 2 The adoption of the revised Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area be notified in the local newspapers in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.
- 3 A draft Planning Proposal be prepared to amend the Wollongong Local Environmental Plan 2009 as follows:
 - a The proposed local Parks 3a and 4 within Lot 401 DP 1110562 (landholding 1) be rezoned from R2 Low Density Residential to RE1 Public Recreation as shown on Attachment 5 of the report;
 - b The proposed local Park 3b within Lot 401 DP 1110562 (landholding 1) be rezoned from R2 Low Density Residential to E3 Environmental Management as shown on Attachment 5 of the report;

Minute No.

- c Heritage Map be amended by altering the existing curtilage surrounding item No. 5976 the "Stan Dyke" homestead and outbuildings as outlined in this report and shown on Attachment 7 of the report.
- 4 The draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for a Gateway determination and requesting authorisation for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.
- 5 The draft Planning Proposal be placed on public exhibition for a minimum period of twenty eight (28) days.
- 6 The next update of the West Dapto Release Area Section 94 Development Contributions Plan include the revised local parks as shown on Attachment 5 of the report.

An AMENDMENT was MOVED by Councillor Curran seconded Councillor Takacs that –

- 1 The matter lay on the table.
- 2 The response to Councillor Curran's Request for Information be provided to all Councillors.
- 3 A Councillor Briefing Session be held on this matter.

The AMENDMENT on being PUT to the VOTE was LOST.

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

The MOTION on being PUT to the VOTE was CARRIED UNANIMOUSLY.

ITEM 2

**WEST DAPTO RELEASE AREA - SHEAFFES 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. Chapter D16 requires that a Neighbourhood Plan be prepared and adopted by Council to guide development within the specified neighbourhood/precinct.

Council at its meeting on 29 January 2013 endorsed the draft Neighbourhood Plan that had been submitted for land fronting Sheaffes and Paynes Roads, Kembla Grange for exhibition. The draft Neighbourhood Plan was exhibited from 2 February to 4 March 2013 and three (3) submissions were received. Council at its meeting on 8 April 2013 resolved that the matter be deferred and come back to Council after the issues raised by the NSW Office of Environment and Heritage had been responded to in greater detail.

It is recommended that Council adopt the Neighbourhood Plan as an amendment to Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area with the additional specific development controls and associated amendments outlined in this report. It is also recommended that a draft Planning Proposal be prepared to make minor amendments to the Wollongong Local Environmental Plan 2009 to reflect the Neighbourhood Plan.

Recommendation

- 1 The revised Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area (Attachment 6) be adopted, including the Sheaffes Road North Neighbourhood Plan prepared for land fronting Sheaffes and Paynes Roads, Kembla Grange and associated specific development controls and amendments.
- 2 The adoption of the revised Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area be notified in the local newspapers in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.
- 3 A draft Planning Proposal be prepared to amend the Wollongong Local Environmental Plan 2009 as follows:
 - a The proposed local Parks 3a and 4 within Lot 401 DP 1110562 (landholding 1) be rezoned from R2 Low Density Residential to RE1 Public Recreation as shown on Attachment 5;

- b The proposed local Park 3b within Lot 401 DP 1110562 (landholding 1) be rezoned from R2 Low Density Residential to E3 Environmental Management as shown on Attachment 5;
 - c Heritage Map be amended by altering the existing curtilage surrounding item No. 5976 the "Stan Dyke" homestead and outbuildings as outlined in this report and shown on Attachment 7.
- 4 The draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure for a Gateway determination and requesting authorisation for the General Manager to exercise plan making delegations in accordance with Council's resolution of 26 November 2012.
- 5 The draft Planning Proposal be placed on public exhibition for a minimum period of twenty eight (28) days.
- 6 The next update of the West Dapto Release Area Section 94 Development Contributions Plan include the revised local parks as shown on Attachment 5.

Attachments

- 1 Location and Existing Site Constraints Map.
- 2 Existing and revised EEC and Proposed Open Space Locations.
- 3 Sheaffes Road North Neighbourhood Plan.
- 4 Summary of Submissions.
- 5 Existing and Proposed Open Space Locations.
- 6 Updated Wollongong Development Control Plan Chapter D16 - West Dapto Release Area.
- 7 Proposed Heritage Map amendments.
- 8 Ecological Analysis, Figure 1 – Flora and Fauna Survey Effort and Results.

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 and 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 allowing the development of some 6,676 dwellings.

Wollongong Local Environmental Plan (West Dapto) 2010 Part 6 - Urban Release Areas, Clause 6.2 - Development Control Plan states:

- (1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*
- (2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in sub clause (3) has been prepared for the land.*

Clause 6.2(3) outlines the matters that must be addressed in the site specific Development Control Plan, including transport movement hierarchy, stormwater and water quality management controls.

On 14 December 2010, Council endorsed the adoption of Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area. The Plan came into force on 23 December 2010. More recently Council at its meeting on 26 November 2012 endorsed the adoption of an amended Chapter D16 which was amended as a result of updating the Neighbourhood Plan for the Wongawilli North area. This amended chapter came into force on 8 December 2012.

Chapter D16 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 requirement of clause 6.2(3) of the Local Environmental Plan.

The adoption of a Neighbourhood Plan enables future development applications submitted in accordance with the Plan to comply with Clause 6.2 of Wollongong Local Environment Plan (West Dapto) 2010. Without a Neighbourhood Plan Council is unable to issue any development consent relating to the subject properties.

A Neighbourhood Plan/Masterplan is essential in urban release areas to ensure development occurs in an efficient cohesive manner that encourages integration of development sites, development sequencing and economies of scale. It can ensure appropriate connectivity between developments and other neighbourhood precincts in terms of road and cycleway 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.

The Sheaffes Road North neighbourhood precinct is located on the northern side of Sheaffes Road and the western side of Paynes Road, Kembla Grange (as shown below). The precinct consists of five (5) separate land holdings as indicated in the table below. The total area of the precinct is 61.62ha of which approximately 36.7ha is available to be considered for development. A map showing the location of the neighbourhood precinct and existing site constraints is attached (Attachment 1):

Land holding	Property Details	Total Area	Owner	Zoning
1	Lot 401 DP1110562 - 160 Sheaffes Road, Kembla Grange	44.78ha	Stonehaven Developments	R2 Low Density Residential, R5 Large Lot Residential and E3 Environmental Management
2	Lot 189 DP751278 - 70 Paynes Road, Kembla Grange	10.23ha	Private Resident	R2 Low Density Residential and E3 Environmental Management
3	Lot 1 DP612600 - 202 Sheaffes Road, Dombarton	5.998ha	Private Resident	R5 Large Lot Residential and E3 Environmental Management
4	Lot 1 DP 1010559 - 204 Sheaffes Road, Kembla Grange	2,023m ²	Private Resident	R5 Large Lot Residential
5	Lot 1 DP 795173 - 150 Sheaffes Road, Kembla Grange	4,047m ²	Private Resident	R2 Low Density Residential

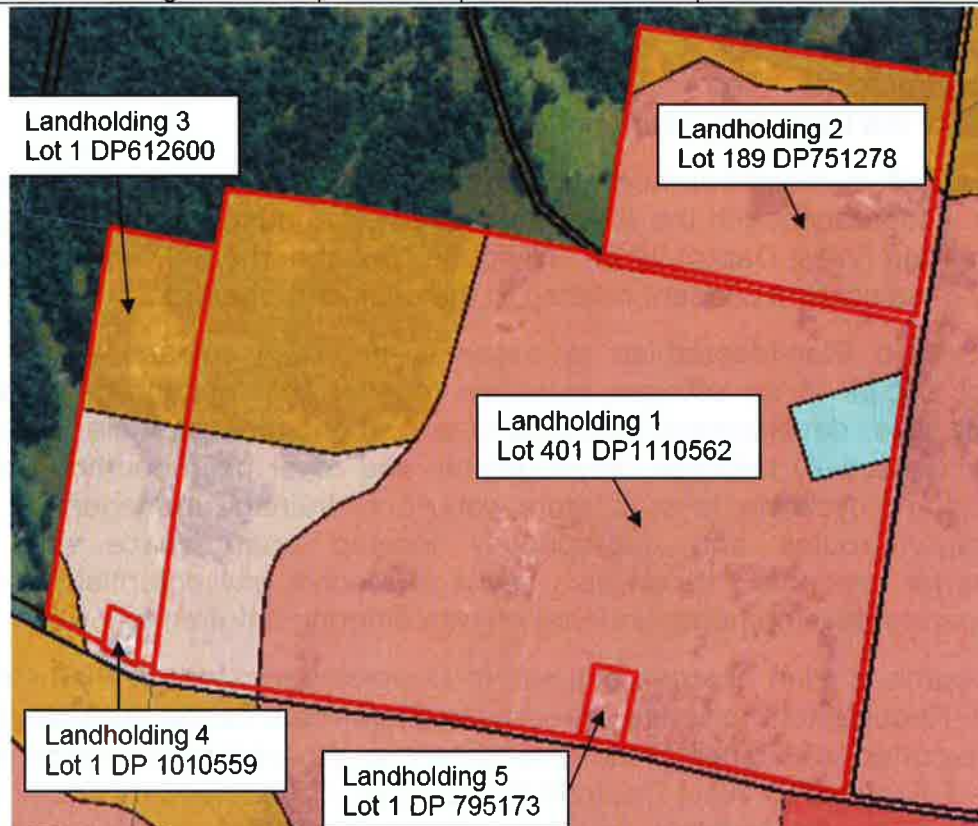


Figure 1.1 Land Holdings Plan and Real Property Descriptions

Within the subject neighbourhood precinct only land holdings 1, 2 and 3 are regarded as having further development potential within their residentially zoned portions. The Neighbourhood Plan provides for a total of 389 lots.

Land holding 4 is 2,023m² in size with a minimum subdivision lot size control of 2,000m² and as such is not considered able to be practically subdivided any further. Land holding 5 is the heritage listed "the West Dapto Public School and residence (former)". The property is 4,047m² in size with a minimum subdivision lot size of 450m² however it is unlikely to be developed due to the heritage listing.

During the preparation of the draft Neighbourhood Plan, a number of meetings were held with the applicant Smec Urban representing Stonehaven Developments, the owners of land holding 1. The initial draft Plan was submitted on 22 February 2012 and following numerous revisions a final draft Plan was lodged on 9 November 2012.

Land holding 1 currently contains a portion of land zoned B1 Neighbourhood Centre known as the proposed Paynes Village. Council at its meeting on 26 November 2012 resolved to submit a final Planning Proposal to the NSW Department of Planning and Infrastructure, which primarily related to amendments around the Wongawilli Village area but also included the removal of Paynes Village and the rezoning of the area to R2 Low Density Residential in accordance with the surrounding zoning. The Planning Proposal is currently being finalised by the NSW Department of Planning and Infrastructure.

The applicant Smec Urban representing the owners of land holding 1 has advised Council that they have notified and provided copies of the draft Neighbourhood Plan to the other land owners within the neighbourhood. The owners of land holdings 2 and 3 have responded to the applicant with no objections to the proposed draft Plan. The owners of land holdings 4 and 5 have not responded. As no additional development is proposed for land holdings 4 and 5 this situation is considered reasonable to continue with the process. All affected landowners within the precinct and those of adjoining properties were formally notified of the public exhibition and invited to comment on the proposal.

The neighbourhood is surrounded by a number of existing rural properties. The properties to the north and west are primarily zoned E3 Environmental Management and form the foothills of the Illawarra Escarpment. The adjoining properties to the east and south are primarily zoned R2 Low Density Residential and are covered by separate Neighbourhood Precincts for which Plans have not yet been lodged for assessment.

The total potential developable site area is approximately 36.7ha consisting of 33.7ha of R2 Low Density Residential and 3ha of R5 Large Lot Residential zoned land consistent with the objectives of the West Dapto Release Area Masterplan and Development Control Plan Chapter D16.

No development applications have been submitted for land within the neighbourhood precinct.

The current Local Environmental Plan development standards that apply to the residentially zoned portions of the neighbourhood are as follows (these standards are also proposed to apply to the B1 Neighbourhood Centre zoned area subject to the current planning proposal to be rezoned R2 Low Density Residential):

R2 Low Density Residential:

- Minimum Lot Size of 450m²;
- Height limit of 9 metres; and
- Floor Space Ratio of 0.5 to 1.

R5 Large Lot Residential:

- Minimum Lot Size of 2,000m²;
- Height limit of 9 metres; and
- No Floor Space Ratio.

The submitted draft Neighbourhood Plan and accompanying report has been assessed and is considered consistent with the relevant provisions of the Wollongong Development Control Plan 2009, Illawarra Regional Strategy and relevant State Policies. The proposal is consistent with the Wollongong Local Environmental Plan (West Dapto) 2010 with the exception of the proposed amendments to a current heritage listing as outlined in this report.

Input from other Council Divisions has been provided and incorporated into the final Neighbourhood Plan. Council's Infrastructure Division has provided input on aspects of traffic access, road design, drainage design principles and landscaping. Comments from Council's Environment team on treatment of riparian corridors and Endangered Ecological Communities (EECs) have also been incorporated. Preliminary advice has been received from the NSW Office of Water (NOW) on riparian corridor treatment and the proposed neighbourhood layout reflects their in principle support.

The draft Neighbourhood Plan (Attachment 3) provides a design that enables land holdings 1, 2 and 3 to be developed with the appropriate level of integration, both internally, with land holdings 4 and 5 as well as the wider release area. This integration relates to the road network; the pedestrian pathway and cycleway networks; drainage management including flood affectation, water quality and onsite detention requirements, as well as appropriate interaction between the uses of residential and E3 Environmental Management zoned land. This integrated approach enables the efficient development of the residential zoned land generating new housing opportunities in West Dapto whilst minimising any environmental impact.

As a Neighbourhood Plan is in most respects a high level Master Plan, further assessment and refinement of specific aspects will occur during assessment of future development applications relating to the subject properties.

The applicant has addressed the relevant physical constraints in the proposed neighbourhood layout and associated report which included bushfire, landform, geotechnical, noise, community and recreation, flooding and drainage, biodiversity, heritage, sustainable transport and the road network.

Council at its meeting on 29 January 2013 considered the draft Sheaffes Road North Neighbourhood Plan, Council resolved that:

The draft Neighbourhood Plan prepared for Sheaffes Road, Kembla Grange be exhibited for a minimum period of twenty eight (28) days as an amendment to Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area for community input.

Council at its meeting on 11 February 2013 resolved to repeal the Wollongong Local Environmental Plan (West Dapto) 2010 and transfer its provisions into the Wollongong Local Environmental Plan 2009.

Council at its meeting on 8 April 2013 considered the exhibited draft Sheaffes Road North Neighbourhood Plan, Council resolved that:

“the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area come back to Council for consideration after the serious concerns raised by the Office of the Environment and Heritage regarding the protection of biodiversity, threatened flora and fauna and endangered ecological communities have been properly responded to and addressed in the staff report and neighbourhood plan.”

Proposal

The draft Neighbourhood Plan was exhibited from 2 February to 4 March 2013. This report provides an overview of submissions received from the exhibition of the Neighbourhood Plan and outlines the amendments made to the draft Chapter D16 of the Wollongong Development Control Plan 2009.

1 Exhibition outcomes

As a consequence of the exhibition three (3) submissions were received, two (2) from public authorities and one (1) from a resident of Wollongong. A summary of submissions and responses is outlined in Attachment 4. The submission from NSW Rural Fire Service was not received until 26 March 2013; three (3) weeks after the exhibition period closed and as such was not included in the previous report to Council. Responses have been provided to each individual point raised by the NSW Office of Environment and Heritage as required by Council's resolution of 8 April 2013. Sections 3.3 and 3.4 below address flooding and drainage, as well as biodiversity issues within the Neighbourhood Plan.

All affected landowners within the precinct and those of adjoining properties were formally notified but no submissions were received from these parties.

No amendments to the draft Neighbourhood Plan are proposed as a consequence of submissions received.

2 Additional Development Controls

The neighbourhood plan layout provides for future residential lots which will have a dual road frontage. It is proposed that the same controls included for the Wongawilli North and Shone Avenue Neighbourhoods be applied to this neighbourhood to promote quality design outcomes by requiring these lots to provide an active frontage to the primary road and vehicular access to be provided from the secondary road frontage (Attachment 6).

3 Other related Development Control Plan and Local Environmental Plan Amendments

3.1 European Heritage

The Neighbourhood Precinct includes two (2) items identified in the Wollongong Local Environmental Plan (West Dapto) 2010 under Schedule 5 Environmental Heritage and proposed to be transferred to the Wollongong Local Environmental Plan 2009. The listing details are as follows:

Suburb	Item name	Address	Property description	Significance	Item No
Kembla Grange	"Stan Dyke" homestead and outbuildings	Sheaffes Road	Lot 1 DP 986796	Local	5976
Kembla Grange	West Dapto Public School and residence (former)	Sheaffes Road	Lot 1 DP 795173	Local	5975

The Neighbourhood Plan does seek to directly alter the "Stan Dyke" home stead and outbuildings heritage item via removal, subject to formal development approval, of a number of outbuildings. The submitted heritage reports conclude "that the existing outbuildings are in a state of severe dilapidation and although some identified in the report are considered to contribute to the rural setting of the subject site, their conservation is ultimately unviable once the use of the existing farm is removed." The former West Dapto Public School and residence is contained in land holding 5 and remains unchanged with all future proposed development and supporting infrastructure located in land holdings 1, 2 and 3. Land holding 1 contains the "Stan Dyke" homestead and this has been incorporated into the proposed future development layout in the following manner:

- A two (2) part curtilage has been defined, an inner and outer heritage curtilage. The inner curtilage has been defined by a new proposed residential lot of 3,724m² and contains the homestead and associated landscaping features. The outer curtilage is primarily contained with the new proposed park.

- Three (3) sides of the park and thus the inner and outer curtilage areas are bounded by existing and proposed roads. The northern boundary of the curtilage adjoins four (4) proposed residential lots that are larger in size than regular allotments and are proposed to remain within the outer curtilage to ensure that future development of these lots appropriately addresses the adjacent homestead.
- The overall curtilage area is proposed to be altered from that which is mapped under the Wollongong Local Environmental Plan (West Dapto) 2010 to that which is shown in the Neighbourhood Plan (Attachment 7).

A draft Conservation Management Report (October 2012) and Statement of Heritage Impact (December 2007) have been prepared by Rappoport Heritage Consultants as well as a specific landscaping plan to detail how the two (2) curtilage parts operate and relate to the homestead.

The overall treatment of heritage items has been assessed and is supported in principle. However, formal approval can only be provided if the Wollongong Local Environmental Plan 2009 is amended. It is recommended that Council prepare a Planning Proposal to amend the curtilage of “Stan Dyke” as shown in Attachment 7.

3.2 Open Space and Recreation

Within the proposed list of new open space for stages 1 and 2 of the release area there is a new Neighbourhood Park planned for within the precinct and a further local park planned adjoining the southern side of Sheaffes Road. The neighbourhood park is proposed as 4ha in size and the local park as 2ha. Both parks are designated as being split evenly between active and passive recreation.

The draft Neighbourhood Plan proposed to replace these two (2) parks with three (3) parks that would enable multiple objectives to be achieved relating to environmental conservation, drainage, heritage, power easement and recreation issues (Attachment 5).

Proposed Park 3a is approximately 2ha in size and is designated to provide a formal active recreation area which is sufficiently sized to accommodate a future sporting field. The layout and proposed use of this area provides for the curtilage for the “Stan Dyke” homestead as discussed above. The Park is proposed to be zoned RE1 Public Recreation.

Proposed Park 3b is approximately 3.23ha in size and is designated to contain a stormwater detention basin, the retained Illawarra Lowlands Grassy Woodland (ILGW) Endangered Ecological Community (EEC) vegetation, the existing riparian corridor and watercourse as well as providing passive and informal active recreation opportunities. The Park is proposed to be zoned E3 Environmental Management.

Proposed Park 4 is approximately 1.6ha in size and is designated to contain a stormwater detention basin and the retained Illawarra Lowlands Grassy Woodland (ILGW) EEC vegetation as well as providing passive and informal active recreation opportunities. The Park is proposed to be zoned RE1 Public Recreation.

The total size of open space areas proposed is 6.8ha consisting of 2ha of formal active and 4.8ha of passive and informal active recreation.

The proposed open space areas, designated uses, ongoing constraints and overall layout has been prepared with input from relevant Council officers and are supported in principle subject to refinement and detailed assessment as part of future development applications.

No objection to the relocation of the open space area was received during the exhibition of the draft Neighbourhood Plan. As well as amending the Development Control Plan, it will be necessary to amend the:

- Wollongong Local Environmental Plan 2009 – by rezoning the proposed Parks 3a and 4 from R2 Low Density Residential to RE1 Public Recreation and proposed Park 3b from R2 Low Density Residential to E3 Environmental Management (to identify the conservation of the EECs). It is recommended that a Planning Proposal be prepared to effect this change.
- West Dapto Release Area Section 94 Development Contributions Plan – to update the recreation facilities and costings in the Plan. It is recommended that this change be incorporated into the next review of the Plan.

3.3 Flooding and Drainage

The neighbourhood is transversed by two (2) existing watercourses, unnamed tributaries of Mullet Creek. The larger watercourse is located in the western most portion of the site in the E3 Environmental Management and R5 Large Lot Residential zoned land and is not directly impacted by proposed development, with the exception of continued stormwater discharge, as the eastern boundary of the E3 and R5 zoning equates to the approximate limit of the 1 in 100 year ARI flood event affectation. The other watercourse transverses the site from north west to south east and exits the site below Paynes road.

The original adopted Mullet and Brooks Creeks Floodplain Risk Management Study and Plan (2010) did not fully encompass the subject neighbourhood. Council's Infrastructure Division engaged the original author to undertake further modelling to extend the area covered to the boundaries of the West Dapto Release Area, the Mullet Creek Flood Extension Study (2011). The results from this additional modelling have confirmed that the areas subject to flood affectation by the 100 year ARI Flood event for the western watercourse are contained within the E3 Environmental Management area.

The results have also provided the boundaries for the riparian/drainage corridor of the second watercourse to ensure that no development is proposed in this area

and the width of the riparian corridor shown in the proposed neighbourhood plan over land holdings 1 and 2 is expected sufficient to convey the current modelled flood event flows.

Within land holding 1 there were also some intermittent watercourses which originate within the site as a result of the flow of surface water across the existing rural paddock.

These will be removed as a consequence of development on the site and future formal drainage lines associated with the future road network will provide for the management of this rainfall. The south eastern area of land holding 1, zoned R2 Low Density Residential is partially affected by very minor flooding in a 1 in 100 ARI event and it is considered that this will be addressed by the proposed drainage system to be finalised as part of future development applications to ensure this area is suitable for residential development.

The applicant has considered the requirement for future on-site detention basins to address the increased runoff due to increased impervious area of future development. Three (3) basin locations, acceptable in principle, have been indicated, one (1) to the western portion of the site adjacent to a new proposed road and two (2) located in the new proposed parks, one (1) in each of parks 2 and 3 (Attachments 2 and 3).

The final detailed arrangements for onsite detention of stormwater and water quality treatment will need to be further considered as part of future development applications and the applicant has been provided advice from Council's Infrastructure Division on the specific matters that will need to be considered.

3.4 Biodiversity

The R2 Low Density Residential and R5 Large Lot Residential zoned portions of the neighbourhood precinct are primarily mapped by Council as "Disturbed Landscapes: Weeds and Exotics (MU56(d) NPWS 2002)" in line with the past and existing agricultural use of the area. However, the R2 Low Density Residential area also contains remnant Illawarra Lowlands Grassy Woodland (ILGW) Endangered Ecological Community (EEC) mapped as MU23 and shown in the attached constraints map (Attachment 1). Attachment 2 compares the 2002 EEC mapping with the updated mapping undertaken in 2012 by Ecological for Council.

Approximately 2.15ha of the 2.77ha (78%) ILGW EEC in the land zoned R2 Low Density Residential is proposed to be conserved in the proposed passive recreation reserve at the corner of Sheaffes and Paynes Roads (Park 3b Attachment 2). In addition, this land is proposed to be rezoned to E3 Environmental Management as part of the preparation of a draft Planning Proposal.

The size of proposed Park 3b was increased as one of the final amendments prior to exhibition and as such the proponents Ecological Analysis and Arborist Reports are based on a smaller park area and therefore make reference to greater removal of ILGW EEC and Hollow-bearing trees than is proposed under the final

Neighbourhood Plan. It was not considered necessary to amend the reports for this variance as the entire site was assessed and sufficient detail provided to assess the impacts of the amended park area. Amendments to the proposed trees for retention and removal are listed within this report.

The applicant has summarised biodiversity issues pertaining to the precinct as follows:

"Only certain areas of the subject land feature vegetation growth. Much of the vegetation has been moderately to heavily disturbed, or is very scattered in its distribution. The proposed subdivision has been designed to largely avoid any those areas of the site contain remnant vegetation patches, to avoid any significant adverse impacts on the vegetation.

Any development which would have potential to impact upon threatened species, populations or endangered ecological communities will be assessed in accordance with legislative requirements.

It is proposed that stewardship or areas of native vegetation apart from the public open spaces of the neighbourhood be the responsibility of individual land owners. The lands have been included in larger lots.

Travers Bushfire and Ecology has prepared an Ecological Constraints Report dated July 2012 and subsequent report dated 22nd October 2012. These reports address matters of Endangered Ecological Communities, threatened fauna species habitat and hollow dependent threatened species habitat.

Moore Trees prepared an arborist report addressing condition of trees. The Neighbourhood Plan reflects the recommendations of Council in considering these reports and achieves a balanced environmental outcome whilst allowing development to occur."

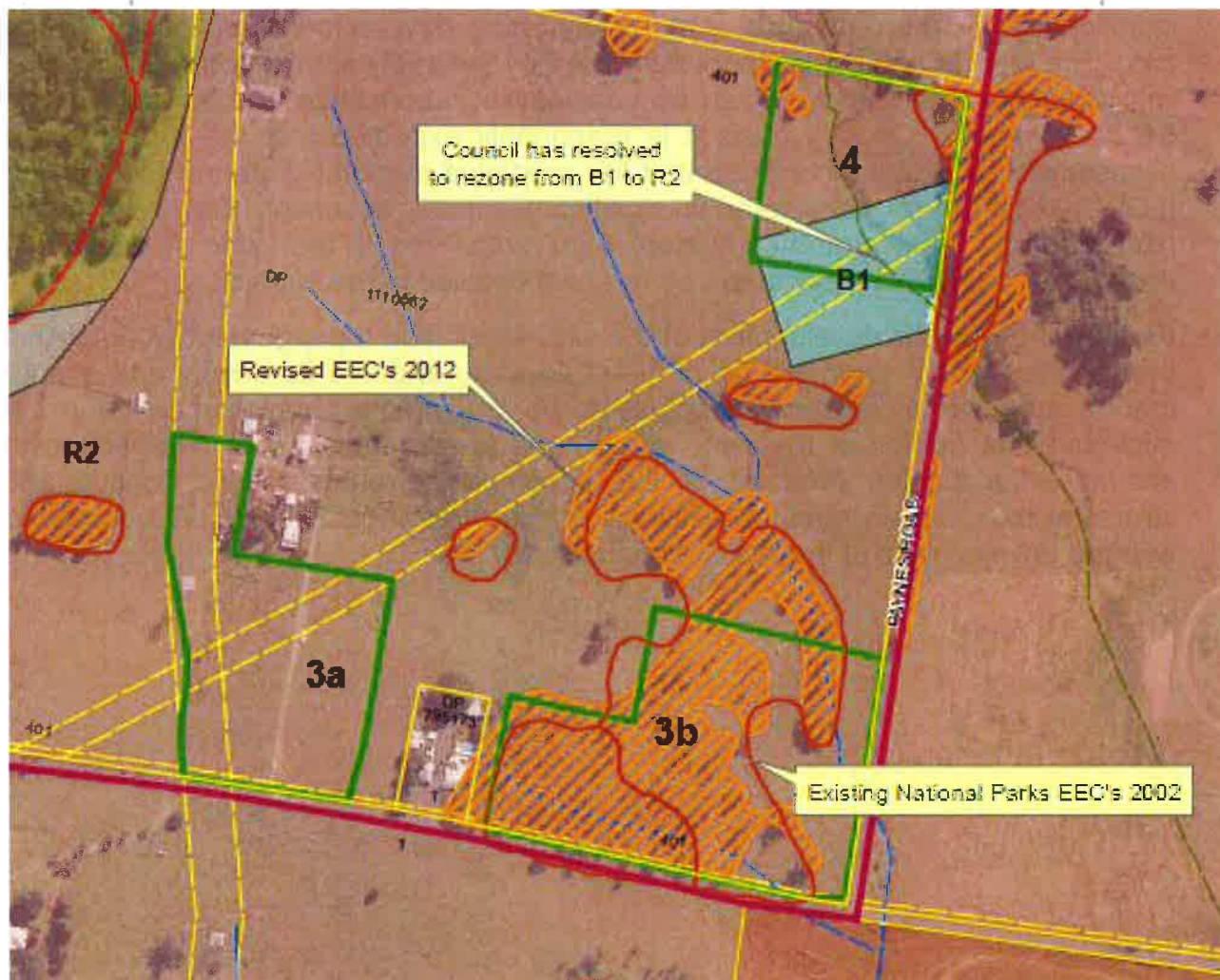
Council officers have inspected the site and assessed the reports submitted by the applicant which detail the review of Ecological Constraints and Watercourse assessments undertaken for the precinct. The following summarises the final proposed outcomes for the key aspects:

Endangered Ecological Communities

The Illawarra Lowlands Grassy Woodland (ILGW) is present as a number of scattered remnants located primarily within the south-eastern portion of the site. Whilst the preferred outcome from a conservation perspective would be for the retention of all remnants of ILGW located on the site, the competing objectives of development, heritage and environmental conservation restrict the opportunity to retain all stands. The retention, restoration and regeneration of the larger, higher quality remnant of ILGW in the south eastern corner of the site within proposed Park 3b as shown below in figure 1.2 (Attachment 2), and the removal of the other outlying remnants, is unlikely to result in a significant impact upon ILGW when considered in accordance with Section 5A (Environmental Planning and Assessment Act 1979) Assessment of Significance. A formal assessment of

significance will be required as part of any future development application on the site. The reports and assessment submitted by the applicant to date in conjunction with Council's assessment would be considered to constitute an informal Section 5A assessment. On this basis it is reasonably expected that the future formal assessment would also conclude that the proposed removal of part of the existing ILGW would not be considered a significant impact, assuming that the impacts related to tree removal and understory disturbance remain the same as detailed in the reports, with amendments to tree removal detailed in this report.

As part of the future development of the site, vegetation management works within the retained ILGW stand will be required so as to improve its quality and ensure that the area is in a condition acceptable to be dedicated to Council in the future. A minimum 2ha portion of the park would need to be retained and revegetated to ensure a functioning remnant of ILGW comprising characteristic floristic and structural integrity will remain. This will ensure that impacts to ILGW associated with the development of the site are minimised.



Legend

- WD_Neighbourhood Boundary
- NP_vegetation_EEC
- 2012 ILGW EEC
- Proposed Open Space 130313

Figure 1.2 Extract from Attachment 2 Existing and Revised EEC and Proposed Open Space Locations

Habitat Trees

The high density of hollow-bearing trees located on the site, as shown in Attachment 8, provides potential important habitat components for a wide array of fauna species, including a number listed as threatened in NSW.

The final proposed subdivision layout indicates that the 36 of 51 identified hollow bearing trees or 71% are proposed to be retained, primarily within the proposed Park 3b, (Attachment 2).

Proposed Treatment of Hollow-bearing Trees

Item	Number	Proportion
To be retained within proposed park	27	53%
Specified Tree references: HT21, HT22, HT23, HT24, HT25, HT26, HT27, HT28, HT29, HT30, HT31, HT32, HT33, HT34, HT35, HT36, HT39, HT40, HT41, HT42, HT43, HT44, HT45, HT46, HT47, HT48, HT49		
To be retained within proposed lots	9	18%
Specified Tree references: HT1, HT5, HT7, HT11, HT12, HT14, HT15, HT16, HT18		
Hollow bearing trees proposed to be removed	15	29%
Specified Tree references: HT02, HT03, HT04, HT06, HT08, HT09, HT10, HT13, HT17, HT19, HT20, HT37, HT38, HT50, HT51		
TOTAL	51	100%

Nest boxes are proposed to be installed in the western areas of the site that are zoned E3 Environmental Management and the proposed open space in the south-eastern corner of the site to provide offsetting for the trees proposed for removal. Those trees to be retained in individual private allotments have been considered and the size of those lots has been set accordingly to enable retention of the trees. It is also proposed that title restrictions on these future lots (also known as 88B restrictions) will be imposed to assist in securing the retention.

Fig Trees

The rear of land holding 5 (the West Dapto Public School and residence (former)) contains a number of large Fig trees, the canopies of which extend across a large portion of the lot to the immediate north of this site. The existing and future extension of the canopies of these trees represents a significant constraint to the development of that area. The proposed lot layout has taken into account this constraint to ensure that the proposed lots can accommodate the future development of dwellings without adverse impacts on these trees. This will be further addressed under a future development application however restrictions on the title of the affected lots may also be required.

Riparian Corridors

As noted previously, within the comments on flooding and drainage there are two (2) main watercourses located within the precinct and a number of intermittent

watercourses originating within land holding 1. The watercourses are categorised as outlined in Wollongong Development Control Plan 2009 (DCP) Chapter E23 Riparian Land Management:

- Category 1 – Environmental Corridor;
- Category 2 – Terrestrial and Aquatic Habitat; and
- Category 3 – Bank Stability and Water Quality.

The Watercourse located to the western portion of the precinct is a category 1, the second watercourse which transverses the site from north west to south east and exits the site below Paynes road is a category 2. The intermittent watercourses located in the south eastern portion of the precinct are category 3.

The Category 1 watercourse is primarily located in land zoned E3 Environmental Management and R5 Large Lot Residential and is proposed to be stabilized and rehabilitated with riparian vegetation. A riparian corridor including vegetated buffers has been defined.

The Category 2 watercourse is primarily a grassed swale in nature as it runs through the existing rural paddocks and has been highly disturbed. This form is proposed to be retained with limited revegetation to be determined as part of a future development application. A riparian corridor has been determined primarily based on the flood extents discussed above.

The Category 3 watercourses are considered highly degraded and are proposed to be removed and replaced with normal urban drainage provided as part of the future road infrastructure.

Under Development Control Plan Chapter D16 Section 6.3.5 the extent of riparian corridors and management activities is limited to the width of the 1 in 100 ARI flood level, which has been typically mapped as the boundary of the E3 Environmental Management and R2 Low Density Residential zone. This control aims to ensure that revegetation and width of riparian corridors is consistent with the Flooding Strategy.

Preliminary, in-principle support has been received from the NSW Office of Water on the proposed riparian corridor treatment and the proposed neighbourhood layout.

Further detailed assessments on flora and fauna and proposals for suitable vegetation treatments would need to be undertaken at development application stage.

Consultation and Communication

External Consultation

The exhibition of the draft Neighbourhood Plan was advertised on Council's website, in the local newspapers and letters were sent to affected and surrounding landowners, relevant State agencies and community groups.

The draft Neighbourhood Plan forms an amendment to the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area. As noted previously the draft Plan was publicly exhibited from 2 February to 4 March 2013 and three (3) submissions were received.

Internal Consultation

Consultation with Council officers from the Environment, Drainage, Property and Recreation, Subdivision, Landscape, Community Services, Traffic and Infrastructure and Works divisions has occurred as part of the assessment of the Neighbourhood Plan and their comments have been incorporated into the final Plan submitted by the applicant. Additional refinement of detailed issues such as park embellishment and detailed drainage design will occur and be assessed as part of any future development applications submitted.

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 Access Neighbourhood Plans.

Financial Implications

The proposed three (3) new local parks are proposed to be included in the West Dapto Section 94 Plan as items of local infrastructure. The acquisition and embellishment costs of these areas are likely to be subject to negotiation of a future Voluntary Planning Agreement (VPA) to accompany a future development application for subdivision. The Neighbourhood Park and the Local Park currently in the West Dapto Section 94 Plan, proposed to be replaced by the three (3) local parks, have a combined estimated cost of \$5 million to be funded by future Section 94 contributions.

Based on the current Section 94 contribution of \$30,000 per residential lot/dwelling it is forecast that the total future income potential from the Sheaffes Road North neighbourhood precinct could be in the order of \$11.67 million.

Conclusion

The Neighbourhood Plan (Attachment 3) prepared for land at Sheaffes and Paynes Roads, Kembla Grange is essential to guide the future development of the Sheaffes Road North precinct. The draft Neighbourhood Plan has been exhibited and three (3) submissions were received. It is recommended that the Neighbourhood Plan be amended and incorporated into Chapter D16 of the Wollongong Development Control Plan 2009 (see Attachment 6). It is recommended that a draft Planning Proposal be submitted to the NSW Department of Planning and Infrastructure to rezone the proposed parks and amend the curtilage of “Stan Dyke”.



Location and existing Site Constraints

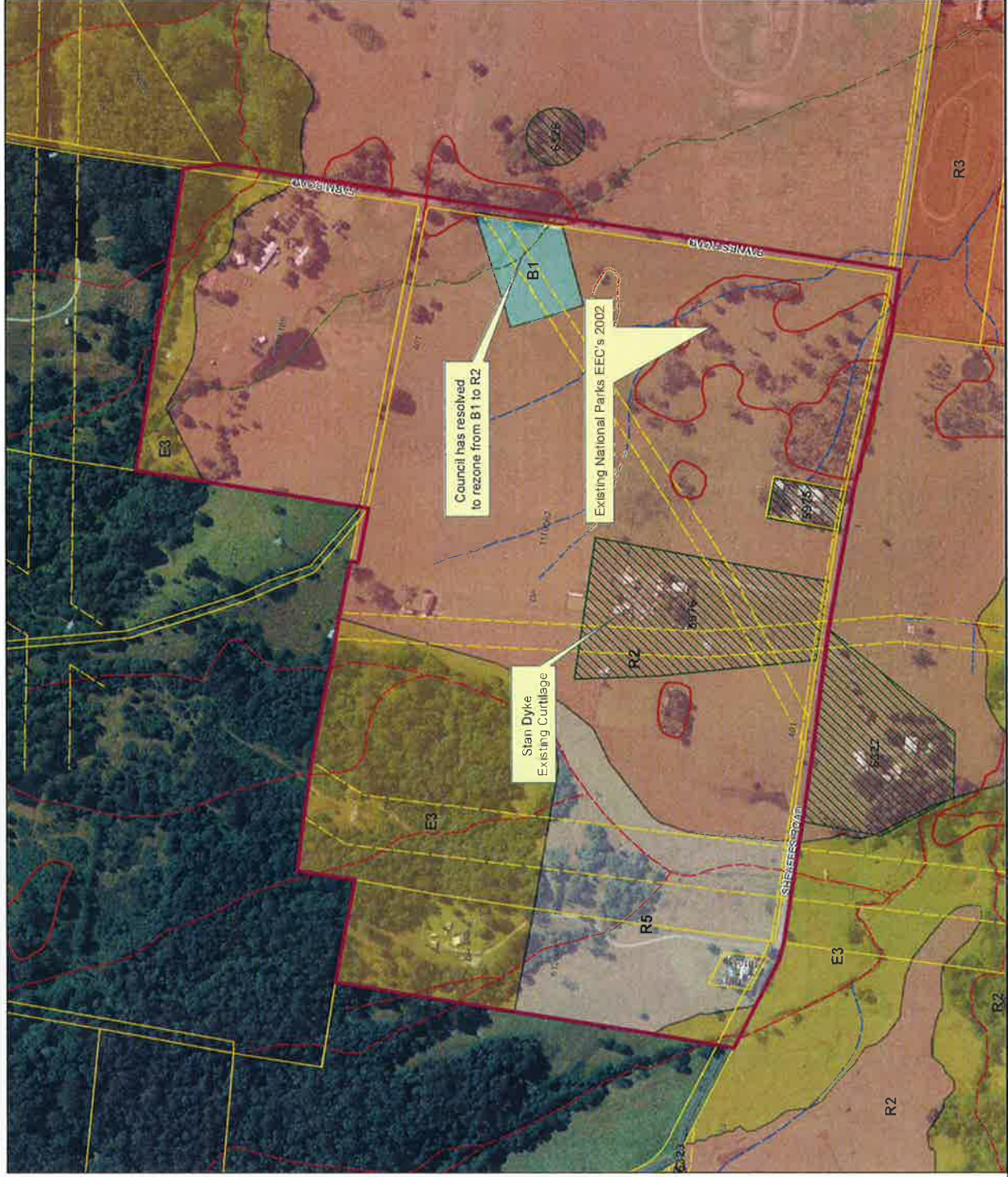
Legend

- WD_Neighbourhood Boundary
- NP_Vegetation_EEC
- Easements
- WD_Heritage
- 0
- 1
- 2
- 3
- Neighbourhood Centre
- Local Centre
- Commercial Core
- Mixed Use
- Enterprise Corridor
- Environmental Conservation
- Environmental Management
- Environmental Living
- Light Industrial
- Heavy Industrial
- Low Density Residential
- Medium Density Residential
- Large Lot Residential
- Public Recreation
- Private Recreation
- Primary Production
- Rural Landscape
- Infrastructure
- Deferred Matter



Scale 1:4500 @ A3

Date of Aerial Photography:	2012
Drawn By:	H Jones
Date:	6/24/2013
On 147 - Stan Dyke All Neighbourhood Plan Open Space Location Map	



Existing and revised EEC and proposed open space locations

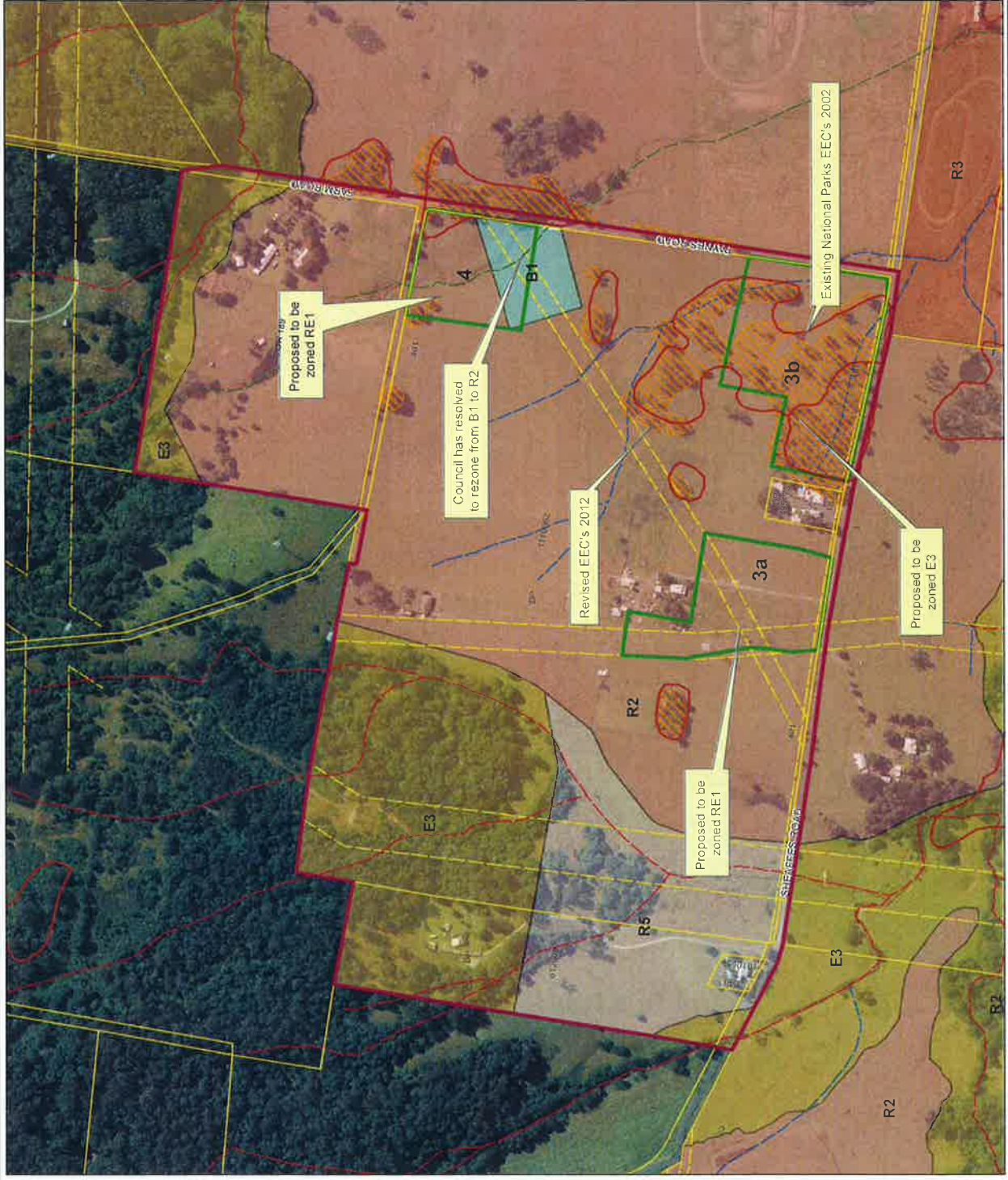
Legend

- WD_Neighbourhood Boundary
- NP_vegetation_EEC
- 2012 ILGW EEC
- Proposed Open Space 130313
- 0
- 1
- 2
- 3
- Esplanades
- Neighbourhood Centre
- Local Centre
- Commercial Core
- Mixed Use
- Enterprise Corridor
- Environmental Conservation
- Environmental Management
- Environmental Living
- Light Industrial
- Heavy Industrial
- Low Density Residential
- Medium Density Residential
- Large Lot Residential
- Public Recreation
- Private Recreation
- Primary Production
- Rural Landscape
- Infrastructure
- Deferred Matter



Scale 1:4500 @ A3

Date of Aerial Photography	2013
Drawn By	H. Jones
Date	27/02/2013
File Path	C:\Users\HJ\Documents\Plan Open Space EEC.mxd



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Organization U.S. Forest Service Division U.S. Forest Service State Idaho County Blaine City Blaine Address 1000 N. 1st St. Phone (208) 333-1111 Fax (208) 333-1111 E-mail blaine@blaine.org	Project Name Blaine Community Center Project Description The Blaine Community Center is a new 10,000-sq-ft facility that will serve as a community center for the town of Blaine. The center will include a gymnasium, a kitchen, a meeting room, and a lounge area. It will also have a parking lot for 20 cars. The center is expected to be completed in the fall of 2001. Project Status Completed Project Manager John Blaine Project Engineer John Blaine Project Architect John Blaine Project Designer John Blaine Project Contractor John Blaine Project Consultant John Blaine Project Inspector John Blaine Project Observer John Blaine Project Recorder John Blaine Project Scribe John Blaine Project Secretary John Blaine Project Assistant John Blaine Project Aide John Blaine Project Helper John Blaine Project Support John Blaine Project Staff John Blaine Project Team John Blaine Project Group John Blaine Project Unit John Blaine Project Division John Blaine Project Department John Blaine Project Section John Blaine Project Branch John Blaine Project Office John Blaine Project Room John Blaine Project Area John Blaine Project Zone John Blaine Project Sector John Blaine Project District John Blaine Project Region John Blaine Project State John Blaine Project Country John Blaine Project World John Blaine
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WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
NSW Office of Environment & Heritage	Unclear what additional survey and assessment work has been undertaken since the original environmental studies for the West Dapto Master Plan relating to Endangered Ecological (EECs), threatened fauna species habitat and hollow dependent threatened species habitat or how this has been incorporated into the draft Plan;	Substantial Site specific survey and assessment work has been undertaken within the Neighbourhood Precinct area as detailed in the attached Ecological Constraints Analysis by Travers Bushfire and Ecology (Attachment 8). The ecological assessment examined the following, as extracted from Section 4 of Travers analysis: - Previous surveys (Undertaken for the Local Environmental Study undertaken for Council in 2006); - Flora species; - Vegetation communities; - State legislative flora matters; - National environmental significance – flora; - Threatened flora species habitat assessment; - Fauna species; - Fauna habitat; - Habitat trees; - Local fauna matters; - State legislative fauna matters; - National environmental significance – fauna; - Threatened fauna species habitat assessment; - Summary of threatened fauna species recorded; - Vegetation connectivity; - Potential ecological impact; and - Potential for better environmental outcomes. The additional survey work included the following, as extracted from Section 2 of Travers analysis: Survey process To determine the likely and actual occurrence of flora species, fauna species and plant communities on the subject site a variety of assessments were undertaken to supplement previous surveys of the area and literature reviews. The methods utilised included: <i>Literature review;</i> <i>Data search - online databases;</i> <i>Aerial photograph interpretation; and</i> <i>Accuracy of identification.</i> Fauna survey methodology

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
		<i>Diurnal birds</i> • Visual observation and call identification of birds; and • Opportunistic bird counts while undertaking other survey work and spotlight surveys. <i>Nocturnal birds</i> • Quiet listening after dusk for calls by individuals emerging from diurnal roosts and throughout the nocturnal survey; • Call-playback techniques; • Spotlighting; • Hollow-bearing tree (HT22) was stag-watched during nocturnal surveys; • Target Owl survey and visual inspection of hollow bearing trees; and • Pre-dawn owl surveys. <i>Arboreal and terrestrial mammals</i> • Spotlighting within the subject site; and • Koala assessment. <i>Bats</i> • Echolocation using Anabat Mk 2 and SD-1 detectors in fixed passive monitoring positions as well as during active monitoring throughout the subject site. <i>Amphibians</i> • Vocal call identification; • Spotlighting; • Opportunistic observation by driving along sealed roads near waterways; • Habitat searches; and • Tadpole capture and analysis. <i>Reptiles</i> • Searches for reptiles in likely localities during diurnal visits to the site; and • Spotlighting of terrestrial habitats. <i>Habitat Trees</i> • Hollow-bearing trees were identified and recorded and numbered within the subject site on a <i>Trimble</i> handheld GPS unit during surveys; • All data such as hollow types, hollow size, tree species, diameter at breast height, canopy spread

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
		and overall height were collected and a metal tag with the tree number placed on the trunk for field relocation purposes. Other habitat features such as nests and significant sized mistletoe for foraging were also noted; and • A summary of hollow-bearing tree results is provided in Table 4.2. 2012 surveys included visual inspection of all hollows by tree climbers to determine the value of habitat trees within the development landscape. Details of actual hollow suitability for fauna use as well as any recorded use following closer inspections are also provided in Table 4.2. Flora survey methodology In November 2007 Travers undertook an inspection of the southern portion of the site (random meander) however the brief report was done primarily as a desktop assessment. <i>On 23rd November 2010</i> • Undertake Atlas of NSW Wildlife database search (DECCW 2010) and EPBC coordinate search; • Random meander through all vegetated portions of the site including targeted searches; • for threatened flora as applicable; • 6 x biometric assessment flora quadrats were undertaken in areas containing native vegetation; and • 2 transects were undertaken in the north-east and south-west portions of the subject site. <i>On 20th June 2012</i> • Undertake Atlas of NSW Wildlife database search (OEH 2012) and EPBC coordinate search; • Random meander through and targeted searches for threatened flora within the forest –rainforest portion of the subject site; and • Undertake condition assessment of all vegetated areas likely to be retained for conservation and open space to assist with the future preparation of a vegetation management plan (VMP). In addition to this site specific work vegetation in the area was also reviewed independently by Council officers and Council’s consultant Ecological Australia as part of the current project for updating vegetation mapping across the West Dapto Urban Release Area. During this

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
		survey work targeted threatened flora surveys were undertaken across this site, including for <i>Chorizema parviflorum</i> , and <i>Pterostylis gibbosa</i> . No records were found.
	The existing site constraints map cites NPWS 2002 for defining and locating vegetation within the draft Plan area. OEH is aware ground truthing of this mapping has recently occurred and recommends this be applied as it is likely to more accurately identify vegetation values;	Council is in the process of completing the “Vegetation Mapping and Conservation Options project for West Dapto Urban Release Area” which involved updated vegetation mapping and ground truthing of existing vegetation areas across all 5 Stages of the West Dapto Urban Release Area using the NSW Biodiversity Certification Methodology. The mapping results along with ground truthing within the proposed Neighbourhood Precinct have been considered in assessing the proposed Neighbourhood Plan and the proposed plan layout as exhibited is supported by Officers from Council's Environment section. It was considered that the flora and fauna impacts expected from the development layout and associated conservation measures could in principle be supported and formal assessment under a future development application would likely find that they could be approved under current legislation. Attachments 1 and 2 show the areas of ILGW EEC within the Neighbourhood Precinct under both the updated mapping and previous NPWS 2002 mapping. Under the previous NPWS 2002 mapping the total ILGW EEC located within the Precinct was estimated at 4.5Ha with 2.6Ha to be retained in Park 3b. Under the updated mapping and ground truthing the total was estimated at 2.77ha with 2.15ha to be retained in Park 3b.
	Vegetation remnants are described by the draft Plan as '<i>moderately to heavily disturbed</i>' or '<i>very scattered</i>'. The Illawarra Lowlands Grassy Woodland (ILGW) EEC present in the area has been largely cleared. The majority of remnant areas are small, highly fragmented and	The proposed Neighbourhood Precinct is part of the West Dapto Urban Release Area and development is proposed within the residentially zoned areas. It is considered that the proposed layout balances the various constraints across the site and is a reasonable outcome in terms of urban development and conservation with 78% of the ILGW EEC proposed to be conserved. It is the opinion of Council's Environment officers that the proposal to actively manage 75% of the existing EEC within a reserve is an adequate outcome for the site

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
	disturbed and as a consequence, all remnant areas are important to be retained and actively managed where possible.	given the constraints placed by the dwelling target of the release area. The component to be conserved includes the better quality part of the existing remnant. Furthermore that removal of grazing along with active management of this EEC is likely to lead to an improvement in condition of this vegetation, which goes toward offsetting the loss of the poorer quality remnant. A detailed Vegetation Management Plan will guide the active management of this EEC. A VMP will detail the ongoing management of the reserve, habitat tree management, protection of riparian zones and long term management of the north western environmental corridor. The proposed approach of creating a large open space reserve (Park 3b) to encompass the largest best quality portion of ILGW EEC, approximately 2.15ha, is considered a sustainable outcome for conservation of the EEC within the future urban character of the Neighbourhood Precinct. This approach allows ILGW EEC to be retained in a consolidated manner under the future care and control of Council which will allow appropriate management to occur.
	Council's report states <i>'high density of hollow-bearing trees located on the site provides potential habitat components for a wide array of fauna species including a number listed as threatened in NSW'</i>, it is not clear whether the ecological assessments included surveys for threatened fauna likely to use these trees.	A total of 51 hollow bearing potential Habitat Trees were identified on the site with 36 (or 71%) proposed to be retained, 27 within the proposed Park 3b and the remaining 9 within proposed residential lots. Nest boxes are proposed to be installed in the western areas of the site that are zoned E3 Environmental management and the proposed Park 3b (open space in the south-eastern corner of the site) to provide offsetting for the trees proposed for removal. Those trees to be retained in individual private allotments have been considered and the size of those lots has been set accordingly to enable retention of the trees outside the building envelope in front or rear yard areas. Refer to pages 1, 2 and 3 for response to this issue.

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
	A search of OEH's databases suggests a number of threatened flora may exist within the draft Plan area. <i>Chorizema parviflorum</i> and <i>Pterostylis gibbosa</i> both occur in woodland vegetation in southern Illawarra, particularly in ILGW EEC. It is not clear if surveys for these and other threatened flora species were undertaken as part of the ecological assessment to inform the draft Plan.	The updated mapping and ground truthing, including targeted threatened flora survey work undertaken by the applicant's consultant Travers Bushfire and Ecology as well as Council Staff and Council's consultant EcoLogical Australia, confirmed that neither of these threatened flora were found to exist with the Neighbourhood Plan area.
	The draft Plan proposes protecting some areas of ILGW EEC vegetation within open space reserves intended for passive recreation. Other areas with habitat trees associated with EEC on larger lots are intended for protection by title covenants. OEH is concerned that these measures will not provide sufficient long term protection and not satisfactorily address any future 'Assessment of Significance' for the loss of ILGW EEC on other parts of the site. Title covenants can assist in protecting threatened species on private land however in the absence of active and sympathetic management the long term survival of isolated remnants is unlikely. The management of	Approximately 2.15ha of the 2.77ha of ILGW EEC in the land zoned R2 Low Density Residential is proposed to be conserved in the proposed passive recreation reserve (Park 3b) at the corner of Sheaffes and Paynes Roads. Of the 36 hollow-bearing trees proposed to be retained only 9 or 25% are proposed to be retained within private allotments. These have been proposed to be retained outside the building envelopes of the allotments, in either front or rear yards so as not to be impacted by dwelling construction. In consultation with Council's environment staff it is considered that these trees do not require any specific active management other than the normal protection from intentional harm measures that apply to any other substantial tree required to be retained within a new development site. It is expected that the specification of dwelling envelopes, and the use of a section 88b instrument will aid in the long term protection of the retained trees. Proposed Park 3b will require a detailed design and potentially a site-specific Plan of Management to be prepared between the applicant and Council as part of the future development application process. No power easements affect this proposed park area. A Power easement affects proposed Park 3a on the western edge.

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
	open space to achieve both biodiversity protection and other potentially conflicting objectives (e.g. Drainage, power easement, heritage and recreation) is considered a significant issue. OEH recommends the application of an E2 zoning together with active management measures to help ensure the protection of high biodiversity value areas.	No ILGW EEC is located with this proposed park area. Assessment by Council Officers from Infrastructure, Environment and Recreation areas has concluded that the park area can be appropriately managed to achieve the proposed functions of Drainage, Passive Recreation and conservation/ management of the ILGW EEC. It is proposed that a Vegetation Management Plan (VMP) be prepared for Park 3b and as part of the future development of the site, vegetation management works within the retained ILGW stand will be required so as to improve its quality and ensure that the area is in a condition acceptable to be dedicated to Council in the future. Proposed Park 3b is currently zoned R2 Low Density Residential and the increased protection proposed by the E3 Environmental Management zoning whilst allowing sufficient opportunity to achieve the other uses of the area is considered appropriate. Under Wollongong LEP 2009 the objectives of the E3 Environmental Management Zone are: • <i>To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values; and</i> • <i>To provide for a limited range of development that does not have an adverse effect on those values.</i> It is considered that the range of uses proposed for this area aligns with these objectives.
	• Council should be satisfied that the draft Plan adequately considers floodplain risk management including the following:	Additional flood modelling work was undertaken in December 2011 by Bewsher consulting to extend the flood extent information and mapping to the western extents of the West Dapto Release Area. This work expands on the Mullet and Brooks Creek Floodplain Risk Management Study and Plan. The outcomes of this work have been considered in the draft Plan layout and drainage strategy. The applicant has also undertaken preliminary Hydraulic Analysis report to support the proposed strategy. Officers from Council's Floodplain management, stormwater and drainage sections have provided advice on the proposed draft plan which has been addressed and incorporated into the drainage strategy reflected in the final plan. They have provided in principle support

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
		to the overall arrangement subject to the normal formal assessment of future development applications for subdivision.
	o Relies on the best available flood information for the area for a full range of flood events up to and including the probable maximum flood (PMF);	As noted above flood modelling undertaken on behalf of Council in 2011 has been utilised as the base for assessment of these issues.
	o overland flows in large floods up to the PMF;	As noted above flood modelling undertaken on behalf of Council in 2011 has been utilised as the base for assessment of these issues.
	o Impacts of development on flood behaviour and any management measures to mitigate adverse flood impacts;	The Neighbourhood Plan has been developed with a drainage strategy to address the impacts of development and the resulting increased impervious surfaces as well as existing offsite flows coming into/through the development area. The required water quality and quantity measures have been considered such as Gross Pollutant Traps (GPTs) and detention basins which are shown on the Neighbourhood Plan.
	o Impacts of flooding on the safety of future residents including access routes and access requirements during times of flood;	Council has planned Flood Access Routes adopted within the West Dapto Section 94 Plan and DCP Chapter D16 – West Dapto Release Area. The New Roads 2 and 3 as well as existing Sheaffes Road are proposed to be accessible for emergency services to access the proposed development area in a 1 in 100 year flood event. It is not proposed that Residents utilise these routes for evacuation. The timing of the implementation. This design criteria for the will form part of access.
	o Implications of climate change and cumulative development impacts on flooding and estimated flood planning levels;	The Mullet and Brookes Creek Floodplain Risk Management Study and Plan was revised to Include Climate Change Flood Risk Issues in April 2009. As such any implications are already considered in the base study data.
	o Flood risk management sections of Council's DCP Chapter E13 and other Council policies;	These DCP Chapters and the Mullet and Brookes Creek Floodplain Risk Management Study and Plan have been considered where relevant in the assessment by Council officers however a detailed submission by the applicant to the matters prescribed in DCP Chapter E13 is

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
		required as part of future development applications per normal process.
	o Ensure the draft plan is consistent with the principles of the Floodplain Development Manual (2005) and the outcomes of Mullet Creek Floodplain Risk Management Study and Plan.	A key purpose of the additional flood modelling work undertaken in December 2011 by Bewsher consulting was to ensure that Council had sufficient information to ensure that development proposed under Neighbourhood Plans could be assessed and recommended for adoption in DCP Chapter D16 that was consistent with the issues identified in the Mullet Creek catchment. As this information was available during the development/assessment of the propose Neighbourhood Plan is it considered that the Plan and drainage strategy is reasonably consistent with the adopted principles for managing flooding and drainage in the Mullet Creek Catchment.
NSW Rural Fire Service	• Notes that the subject lots are mapped as bush fire prone and will be subject to requirements of Section 79BA of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fires Act 1997.	Noted.
	• No objections to the proposal on the provision that any future development is appropriately designed to comply with Planning for Bushfire Protection 2006 (PBP 06) and AS3959 2009 Construction of buildings in bushfire prone areas.	An updated Bushfire Protection assessment was undertaken in 2011 having regard for Planning for Bushfire Protection 2006.
	• Noted that the Bush fire consultant's report was not forwarded with the	The referral to NSW RFS was a general referral including the exhibition documents and contained an invitation to the Service to advise if they were intending

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
	referral however the Neighbourhood Plan makes mention of a report by Travers Environmental having regard for Planning for Bushfire Protection 2001. Any subdivision as a result of the proposal being approved will need to comply with the requirements of Planning for Bush Fire Protection 2006.	to make a submission and if any additional information was required or if any queries were raised for them to contact Council to discuss. Unfortunately the Service did not raise any request for additional information and the submission was only received on 26 March 2013 more than 3 weeks after the exhibition period concluded.
	• It is suggested that these requirements be considered in the planning stages. This includes the provision of the following bush fire protection measures: ○ An assessment of the level of hazard posed to future development by the land or adjacent land and how the hazard may change as a result of development. ○ The provision of Asset Protection Zones in accordance with Appendix 2 of <i>Planning for Bush Fire Protection 2006</i>. ○ The provision of access in accordance with	• An updated Bushfire Protection assessment was under taken in 2011 having regard for Planning for Bushfire Protection 2006. A formal referral to NSW RFS for future development applications is required under the Rural Fires Act. ○ The assessment has examined the level of hazard to the future development proposed and the required future management of Asset Protection Zones (APZs). ○ The report specified APZs in accordance with Appendix 2 of <i>Planning for Bush Fire Protection 2006</i> which has been incorporated into the Neighbourhood Plan Layout. APZs are primarily to be located within the public road reserves and for the small area without a perimeter road the lots are enlarged to allow the APZs to be included within the private lots. ○ The report concluded that the provision of access complied with Section 4.1.3 of PBP 2006. The majority of the development area had

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Submitter	Issue(s) raised	Response / Comments
	Section 4.1.3 or 4.2.7 of <i>Planning for Bush Fire Protection 2006</i>. This includes the provision of perimeter roads. ○ The provision of water supply for fire fighting purposes in accordance with Section 4.1.3 or 4.2.7 of <i>Planning for Bush Fire Protection 2006</i>.	perimeter roads save for a small section as noted above. ○ The report noted that Water supply and access to roadside water hydrants and / or water tanks would have to be provided as part of the future development and could be assured by a condition of future development council consent.
	● Advised that perimeter roads should be provided to the whole development especially those blocks that are adjacent to the areas marked as E3 – Environmental Management.	A section of approximately 260m along the western interface between the E3 Environmental Management and R2 Low Density Residential boundary is the only area that does not have a perimeter road. A perimeter road in this location is not considered reasonable as the existing power easement and subdivision layout, accommodating other constraints, did not practically allow lots to be created that would front a perimeter road. In addition the existing dwelling house on the site proposes to retain ownership of the E3 land and the layout allows the R2 portion of the new lot to encompass this dwelling and be directly adjoining to the E3 Land. The E3 land area is highly accessible from new proposed and existing roads from the south, west and north.
Resident	● Heritage listed property known as "Stream Hill" owned by Council has been omitted from the Plan.	The Stream Hill property including its curtilage is listed as a heritage item in the Wollongong LEP (West Dapto) 2010. Stream Hill is located in a separate Neighbourhood precinct located south west of the subject precinct. Consideration of any proposed development impacts on Stream Hill will be required to be addressed as part of the development of a Neighbourhood Plan for that precinct.

WEST DAPTO RELEASE AREA – SHEAFFES ROAD NORTH NEIGHBOURHOOD PLAN

Submitter	Issue(s) raised	Response / Comments
	• Poses the following questions relating to Stream Hill: - o What is accurate date of the buildings on the site? - o How much of the original building including foundations still exists? - o What action is Council proposing to preserve the site? - o What will be the Curtilage around the homestead? - o What are Council's plans for the surrounding land? • No reference to Stream Hill is contained with the draft documents exhibited, although development on the north side of Sheaffes Road will impact on Stream Hill, protection from future development area of the curtilage etc.	A copy of the submission has been referred to Council Property Section and Heritage Officer to address the specific questions raised.



Legend

- WD_Neighbourhood Boundary
Essentials
Proposed Open Space 130213
WD_Heritage
0
1
2
3
Neighbourhood Centre
Local Centre
Commercial Core
Mixed Use
Enterprise Corridor
Environmental Conservation
Environmental Management
Environmental Living
Light Industrial
Heavy Industrial
Low Density Residential
Medium Density Residential
Large Lot Residential
Public Recreation
Private Recreation
Primary Production
Rural Landscape
Infrastructure
Develoed Winter
Former Proposed Open Space



Scale 1:4500 @ A3

Date of Aerial Photography 2012

Dimitris Kiforidis, M. Sc.

Date: 07-05-2013
On ref: 314461342 Magnificus.com Main Open Space 2m x 4

