

Draft Planning Proposal - West Dapto Neighbourhood Plan Amendments

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF DRAFT LEP: West Dapto Neighbourhood Plan Amendments

ADDRESS OF LAND:

Darkes Road South West Precinct (Figure 1.0): 105 Darkes Road, Kembla Grange (Lot 202 DP1192033), 109 Darkes Road, Kembla Grange (Lot 1 DP 795839 and Lot 3 DP1008723), 141 Darkes Road, Kembla Grange (Lot 1 DP770451), Lot 111 West Dapto Road, Kembla Grange (Lot 111 DP718106), Lot 4 West Dapto Road, Kembla Grange (Lot 4 DP1008723), Lot 201 West Dapto Road, Kembla Grange (Lot 201 DP1192033), and Lot 3 Darkes Road, Kembla Grange (Lot 3 DP1008723).

Sheaffes Road North Precinct (Figure 1.0): 160 Sheaffes Road, Kembla Grange (Lot 401 DP 1110562), 70 Paynes Road, Kembla Grange (Lot 189 DP 751278), 202 Sheaffes Road, Dombarton (Lot 1 DP 612600), 204 Sheaffes Road, Dombarton (Lot 1 DP 1010559), and 150 Sheaffes Road, Kembla Grange (Lot 1 DP 795173).

DESCRIPTION OF LAND:

Both precincts are located in Stage 1 & 2 of the West Dapto Urban Release Area.

Darkes Road South West Neighbourhood Precinct: The Darkes Road South West Neighbourhood Precinct is located to the north of the existing suburb of Horsley. The total area of the precinct is approximately 50.1 ha, which includes a potential developable area of approximately 38.7 ha. The precinct is bordered by Darkes Road along the eastern boundary and West Dapto Road along the western boundary. Robins Creek and the Wongawilli Colliery railway line border the southern edge of the precinct. The precinct is a mixture of grazing land and open woodland (a large portion of which is proposed to be conserved). The site contains a heritage item, which has been damaged by fire.

Sheaffes Road North Precinct: The Sheaffes Road North Neighbourhood Precinct is located to the north of the existing suburb of Horsley. The total area of the precinct is approximately 61.62 ha, which includes a potential developable area of approximately 36.7 ha. The precinct is a mixture of grazing land and open woodland (a large portion of which is proposed to be conserved). The site contains two heritage items, which are proposed to be conserved.

BACKGROUND:

Both precincts form part of Stage 1 & 2 of the West Dapto Urban Release Area.

Darkes Road South West Precinct: On 17 April 2013 the Neighbourhood Plan for the Darkes Road South West Precinct was lodged with Council. The draft plan was revised several times to accommodate large areas of an Endangered Ecological Community the final draft plan was lodged with Council on 16 October 2013. The precinct contains 10.4ha of remnant Illawarra Lowlands Grassy Woodland (ILGW) Endangered Ecological Community mapped as 'Coastal Grassy Red Gum Forest (MU23 Bioregional Assessment NPWS 202)'. As a result, the original Neighbourhood Plan was amended so that approximately 72% of the ILGW EEC would be retained in the proposed 'Ridge Park'. Ridge Park is to be rezoned E2 Environmental Conservation under this planning proposal, which is considered to afford a high level of protection to the existing EEC. The plan was reported to Council on 25 November 2013, where it was endorsed for public exhibition.

Council at its meeting on 24 March 2014 adopted the Darkes Road South West Neighbourhood Plan as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 and authorised the preparation of a draft planning proposal to amend the

Wollongong Local Environment Plan 2009. It is noted two of the officer recommendations that were sent to Council were to amend the Wollongong Local Environment Plan 2009 as follows:

- *The R3 Medium Density Residential and R2 Low Density Residential Zone boundary within Lot 1 DP 795839 be realigned to follow the proposed road network as shown on Attachment 8 with the R3 Medium Density Residential zoned land having an FSR of 0.75:1, Minimum Lot Size of 300m² and Building Height Limit of 13m and the R2 Low Density Residential land having an FSR of 0.5:1, Minimum Lot Size of 450m² and Building Height Limit of 9m;*
- *The Minimum Lot Size Map be amended for the eastern end of the site to allow for a minimum lot size of 2000m² and the boundary between the 300m² and 450m² minimum lot size be amended to contain all R3 Medium Density Residential zoned land in the precinct and follow the indicative road layout as shown on Attachment 8.*

Council resolved to accept the two recommendations above at its meeting on 24 March 2014. The Minimum Lot Size for the R2 Low Density Residential zoned land within the precinct however was recently reduced from 450m² to 300m² under Amendment 1 to the Wollongong Local Environment Plan (West Dapto) 2010 to enable increased housing yield and to promote more residential development around the proposed Darkes Road Town Centre. As part of the assessment of this planning proposal it has been identified that the recommendation to again change the Minimum Lot Size for the R2 Low Density Residential zoned land within the precinct from 300m² to 450m² was an error and should not have been included in officer recommendations to the Councillors. The resolution to again increase it to 450m² has therefore been removed from this planning proposal. Given that Council had previously resolved to reduce the Minimum Lot Size for the land zoned R2 Low Density Residential within the precinct to 300m², it was considered unnecessary in this instance to send this minor amendment back to Council for deliberation (see explanation of the provisions of the planning proposal below in part two of this report).

Council officers proposed that the expanded Ridge Park be zoned E3 Environmental Management with no minimum lot size. Council resolved to rezone Ridge Park to E2 Environmental Conservation with no minimum lot size. E2 zoned land within Wollongong generally has a minimum lot size restriction and as such the planning proposal seeks to introduce a 10ha minimum lot size requirement for Ridge Park. The requirement of the 10ha restriction will have negligible impact on Council's resolution as E2 zoned land essentially has no development potential.

Sheaffes Road North Precinct: On 22 February 2012 the Neighbourhood Plan for the Sheaffes Road North Precinct was lodged with Council. The precinct also contains remnant ILGW EEC of which 78% (within the land zoned R2 Low Density Residential) is proposed for retention in the proposed passive recreation reserve at the corner of Sheaffes and Paynes Road. This reserve is to be rezoned E3 Environmental Management under the Planning Proposal. The Precinct contains 2 items of European Heritage Significance, identified in the Wollongong Local Environment Plan 2009 under Schedule 5 Environmental Heritage. The curtilage of the 'Stan Dyke' homestead is proposed for alteration under this Planning Proposal, as well as the removal of various dilapidated outbuildings associated with the core homestead. Council endorsed the Sheaffes Road North Neighbourhood Plan for public exhibition on 29 January 2013.

Council at its meeting on 27 May 2013 adopted the Sheaffes Road North Neighbourhood Precinct as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 and authorised the preparation of a draft planning proposal to amend the Wollongong Local Environment Plan 2009 as indicated below in Part 2 of this report.

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

What is the purpose of the Planning Proposal?

To amend the Wollongong Local Environment Plan 2009, to facilitate improved development outcomes, consistent with the approved Neighbourhood Plans, including changes to zoning, an existing heritage item's curtilage, minimum lot size, building height, and floor space ratio, to allow development of the two precincts as urban release areas (residential, commercial, open space, environmental and employment land uses).

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?**

The following amendments to the Wollongong LEP 2009 are proposed:

Darkes Road South West Precinct

- a) Amend the Zoning Map by:
 - i. The proposed 'Ridge Park' passive open space recreation area within Lots 201 & 202 DP1192033, Lot 4 DP 1008723, Lot 1 DP 795839 and Lot 3 DP 1008723 be rezoned from part R2 Low Density Residential and RE1 Public Recreation to E2 Environmental Conservation;
 - ii. The R3 Medium Density Residential and R2 Low Density Residential zone boundary within Lot 1 DP 795839 be realigned to follow the proposed road network with the R3 Medium Density Residential zoned land having a floor space ratio of 0.75:1, minimum lot size of 300m² and building height limit of 13 metres and the R2 Low Density Residential land having a floor space ratio of 0.5:1, minimum lot size of 300m² and building height limit of 9 metres;
- b) Amend the Minimum Lot Size Map by:
 - i. Making corresponding changes to introduce a minimum lot size on the land proposed to be zoned E2 Environmental Conservation of 10 hectares.
 - ii. Make corresponding changes to introduce a minimum lot size of 300m² on the land proposed to be zoned R2 Low Density Residential and R3 Medium Density Residential.
 - iii. at the eastern end of the site to allow for a minimum lot size of 2000m² and the boundary between the 300m² and 450m² minimum lot size be amended to contain all R3 Medium Density Residential zoned land in the precinct and follow the indicative road layout;
- c) Amend the Floor Space Ratio Map by making corresponding changes to allow for a floor space ratio of 0.5:1 for land zoned R2 Low Density Residential, 0.75:1 for land zoned R3 Medium Density Residential and no floor space ratio restriction for land zoned E2 Environmental Conservation.
- d) Amend the Height of Buildings Map by making corresponding changes to allow for a maximum building height of 9m for land zoned R2 Low Density Residential, 13m for land zoned R3 Medium Density Residential and 9m for land zoned E2 Environmental Conservation.
- e) Amend Clause 4.1 Minimum Subdivision Lot Size to include subclause (4D) to read 'Despite subclause 3, Council may consent to a development application for subdivision in an Urban Release Area which results in an inconsistency with the Lot Size Map where it has endorsed a Neighbourhood Plan under Clause 6.2, and the subdivision is consistent with the endorsed Neighbourhood Plan'.

Refer to figures 1.0, 2.0, 3.0, 4.0 and 5.0

Sheaffes Road North Precinct

- f) Amend the Zoning Map by:
 - i. Rezoning the proposed local Parks 3a and 4 within Lot 401 DP 1110562 (landholding 1) from R2 Low Density Residential to RE1 Public Recreation;
 - ii. Rezoning the proposed local Park 3b within Lot 401 DP 1110562 (landholding 1) from R2 Low Density Residential to E3 Environmental Management;

- g) Amend the Minimum Lot Size Map by removing the minimum lot size requirement for land zoned RE1 Public Recreation and imposing a 39.99ha minimum lot size requirement on the land zoned E3 Environmental Management.
- h) Amend the Floor Space Ratio Map by removing the maximum floor space ratio restriction for land zoned RE1 Public Recreation and E3 Environmental Management.
- i) Amend the Height of Buildings Map by removing the 9m maximum building height for land zoned RE1 Public Recreation.
- j) Amend the Heritage Map by altering the existing curtilage surrounding item No. 5976 the "Stan Dyke" homestead and outbuildings

Refer to figures 1.0, 6.0, 7.0, 8.0, 9.0 and 10.0

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?	Yes - both precincts are within the West Dapto Release Area which is identified in the Illawarra Regional Strategy as being of regional significance. A Neighbourhood Plan is required to be developed prior urban development occurring. The Neighbourhood Planning process may identify the need to amend the LEP to achieve improved development outcomes. <i>Darkes Road South West Precinct</i> Council at its meeting on 25 November 2013 endorsed the draft Darkes Road South West Neighbourhood Plan for public exhibition. The Neighbourhood Plan was on exhibition between 30 November 2013 and 31 January 2014 giving the community an opportunity to provide comment. Council at its meeting on 24 March 2014 adopted the Darkes Road South West Neighbourhood Plan as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 and authorised the preparation of a draft planning proposal to amend the Wollongong Local Environment Plan 2009 as indicated above in Part 2 of this report. <i>Sheaffes Road North Precinct</i> Council endorsed the Sheaffes Road North Neighbourhood Plan for public exhibition on 29 January 2013. The Neighbourhood Plan was on exhibition between 2 February 2013 and 4 March 2013 giving the community an opportunity to provide comment. Council at its meeting on 27 May 2013 adopted the Sheaffes Road North Neighbourhood Precinct as an amendment to the Wollongong Development Control Plan 2009 Chapter D16 and authorised the preparation of a draft planning proposal to amend the Wollongong Local Environment Plan 2009 as indicated above in Part 2 of this report.
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The planning proposal is necessary to facilitate changes to the Wollongong LEP 2009 necessary as a result of the endorsement of Darkes Road South West and Sheaffes Road North Neighbourhood Plans by Council at their meetings on 24 March 2014 and 27 May 2013. The planning proposal is considered the best way of achieving the stated objective of preparing a plan for these portions of the West Dapto Release

	Area. The controls only sit within the LEP and cannot be modified in any other manner.
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Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?	Yes – the proposal is consistent with the urban development outcomes stipulated in the Illawarra Regional Strategy (2007) for the West Dapto Urban Release Area. The West Dapto Urban Release Area is the final remaining large greenfield release area within the Wollongong Local Government Area.
5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	The planning proposal is consistent with the overall vision contained in the Wollongong Community Strategic Plan 2022. The development of the West Dapto Release Area is a key outcome. The planning proposal intends to provide for an increased variety of housing choice, which is consistent with the plan and supports the West Dapto Urban Release Area in a sustainable manner.
6. Is the planning proposal consistent with applicable State Environmental Planning Policies?	Refer to Table A – Checklist of State Environmental Planning Policies.
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	Refer to Table B – Checklist of Ministerial Directions.

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	The planning proposal and neighbourhood plans have the potential to impact on endangered ecological communities (EEC's). <i>Darkes Road South West Precinct</i> The majority of the Darkes Road South West precinct is mapped on Council records as 'Disturbed Landscapes: Weeds and Exotics (MU56(d) Bioregional Assessment NPWS 2002)'; however, the precinct also contains 10.4 ha of the Illawarra Lowlands Grassy Woodland (ILGW) Endangered Ecological Community. The original draft neighbourhood plan proposed the retention of only 3.63 ha (35%) of the EEC. After negotiations between the applicant and Council staff, the plan was amended so as to retain 7.45 ha (72%) of the EEC, which is to be located within the proposed 'Ridge Park'. Ridge Park was originally intended to be 3.6ha in size, however it was amended to have an increased overall site area of approximately 10.3 ha, to better support the ILGW EEC. Ridge Park is to be rezoned E2 Environmental Conservation under this planning proposal. It is noted that Council Officers recommended an E3 Environmental Management zone for Ridge Park, to allow for environmental conservation whilst still allowing sufficient opportunity to achieve other land uses in the area; however, Council resolved to rezone the land E2 Environmental Conservation. The majority of the existing EEC is currently zoned R2 Low Density Residential. The proposed retention of 72% of the EEC and the increased protection afforded to the EEC by the
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	E2 Environmental Conservation zoning is considered appropriate to ensure adequate environmental conservation within the area. The neighbourhood plan was considered by Council's Environment Team who considered that the proposed removal of a small portion of the EEC would be unlikely to result in significant impact upon ILGW when considered in accordance with Section 5A of the Environmental Planning and Assessment Act 1979 Assessment of Significance. <i>Sheaffes Road North Precinct</i> The R2 zoned portion of the Sheaffes Road North precinct also contains remnant Illawarra Lowlands Grassy Woodland (ILGW) Endangered Ecological Community (EEC). Approximately 78% of the ILGW EEC in the R2 zoned land is proposed for retention. In addition, this land is proposed to be rezoned to E3 Environmental Management under this planning proposal. The neighbourhood plan was also considered by Council's Environmental Scientists who again considered that the proposed removal of a small portion of the EEC would be unlikely to result in significant impact upon ILGW when considered in accordance with Section 5A of the Environmental Planning and Assessment Act 1979 Assessment of Significance. The Sheaffes Road North Precinct also contains a large number of hollow-bearing habitat trees, which provide potential habitat for a wide array of fauna species. 71% of the identified hollow-bearing trees are proposed for retention. Nest boxes are proposed to be installed within the precinct to offset the trees proposed for removal.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	Parts of the neighbourhood precincts have also been identified by Wollongong City Council as being subject to flood affectation during major storm events and being bushfire prone. <i>Darkes Road South West Precinct</i> Bushfire and Evacuation Solutions prepared a bushfire report for the Darkes Road South West precinct in accordance with the requirements of Planning for Bushfire Protection 2006. The report was provided to Council in the submitted documentation for the neighbourhood plan. The report was reviewed by the NSW Rural Fire Service who provided comment in relation to the following matters ➤ Asset Protection Zone (APZ) widths ➤ Construction requirements for development on bushfire prone land ➤ The requirement for a Bush Fire Safety Authority to be issued by the NSW RFS under section 100B of the Rural Fires Act 1997 for any future subdivision of the land. APZ's are to be contained within the public road reserve and front setbacks of adjoining residential dwellings. Additional controls relating to required APZs and construction standards for development in bush fire prone areas, as well as a map clearly indicating the applicable Bushfire Attack Levels have been included within Section 5.4 of Councils Wollongong Development

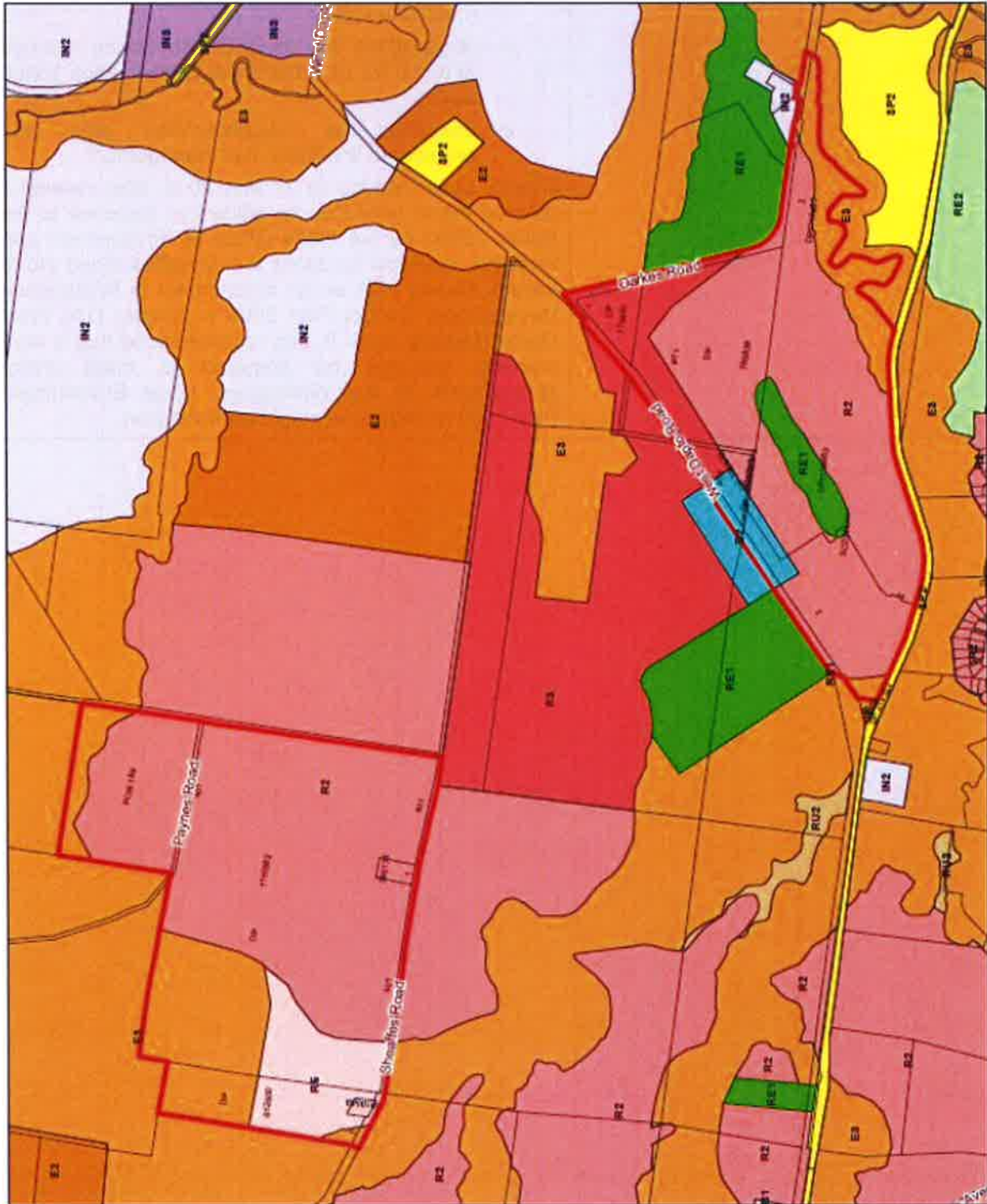
	Control Plan 2009 Chapter D16 – West Dapto Release Area, to be considered at each stage of development in the precinct. The southern boundary of the Darkes Road South West neighbourhood precinct borders Robbins Creek. The flood planning area (1 in 100 year ARI flood extent) is located predominately outside of the precinct. Where the flood planning level reaches within the precinct, it has typically been mapped as the boundary of the E3 Environmental Management and R2 Low Density Residential Zone to ensure that each allotment can be provided a building envelope that is positioned above the relevant flood level. <i>Sheaffes Road North Precinct</i> The Sheaffes Road North precinct is traversed by an existing watercourse along its western portion. The watercourse is located within the E3 Environmental Management and R5 Large Lot Residential zoned land and as such is not affected by the proposed development. The 1 in 100 year ARI flood level does not extend from this watercourse into the R2 Low Density Residential zoned land. The south eastern portion of the precinct is zoned R2 Low Density Residential is partially affected by minor flooding in a 1 in 100 ARI storm event. It is considered that this will be addressed by the proposed drainage system to be finalised in future development applications. The NSW Rural Fire Service also provided comment with regard to the Sheaffes Road North precinct. Comments provided indicated that the plan was supported in principle, subject to future development being appropriately designed to comply with Planning for Bushfire Protection 2006 (PBP 06) and AS3959 2009 Construction of buildings in bushfire prone areas.
10, How has the planning proposal adequately addressed any social and economic effects?	<i>Darkes Road South West Precinct</i> An Aboriginal Archaeological Survey Report was compiled and lodged in support of the Darkes Road South West neighbourhood plan which considered three previously recorded archaeological sites and three potential archaeological deposits. The Neighbourhood Plan was reviewed by the NSW Office of Environment and Heritage and it was advised that an Aboriginal Heritage Impact Permit (AHIP) may be required if future development is determined to impact on the identified archaeological sites. This will be determined at development application stage. To address the comments provided by the NSW Office of Environment and Heritage, additional controls have been added to Section 5.4 of the Neighbourhood Plan within Chapter D16 – West Dapto Release Area, to require additional site investigations and consultation with the local Aboriginal community. The Darkes Road South West precinct also includes one item of European Heritage significance, identified within the Wollongong Local Environment Plan 2009 under schedule 5 Environmental Heritage. The neighbourhood plan originally proposed the removal of the heritage item due to its apparent state of disrepair;

	however, Council's Heritage Officer deemed it premature to reduce the existing curtilage of the item at the neighbourhood plan stage of the development. All impacts on significant features related to the heritage listing will be subject to further detailed assessment as part of the development application stage. <i>Sheaffes Road North Precinct</i> The Sheaffes Road precinct contains two items of European Heritage significance as identified in the Wollongong Local Environmental Plan 2009 under Schedule 5. The Neighbourhood Plan proposes to alter the existing curtilage of one of the heritage items, being the "Stan Dyke" homestead and associated outbuildings. This alteration will require the removal of a number of dilapidated outbuildings that are ancillary to the main homestead. The overall treatment of heritage item has been assessed by Council's Heritage Officer and is supported in principle. However, formal approval can only be provided if the Wollongong Local Environmental Plan 2009 is amended.
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Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	Public utility infrastructure can be provided, however the precincts are not sufficiently serviced by water, sewerage, electricity and communication services in their current state. Satisfactory arrangements with relevant agencies will need to be made prior to development of the neighbourhood precinct.
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	The Gateway Determination will stipulate the required consultation with public authorities. <i>Both Precincts</i> Preliminary consultation has been carried out prior to the assessment of the draft planning proposal, with submissions received from the NSW Office of Environment and Heritage and the NSW Rural Fire Service for both neighbourhood precincts. Preliminary, in-principle support was also received from the NSW Office of Water on the proposed riparian corridor treatment and precinct layout for the Sheaffes Road North plan. The NSW RFS provided in-principle support and provided comments with regard to: ➤ Asset Protection Zone (APZ) widths. ➤ Construction requirements for development on bushfire prone land ➤ The requirement for a Bush Fire Safety Authority to be issued by the NSW RFS under section 100B of the Rural Fires Act 1997 for any future subdivision of the land. ➤ The requirement to satisfy the provisions of Planning for Bushfire Protection 2006. <i>Sheaffes Road North Precinct</i> The NSW Office of Environment and Heritage provided detailed comments with regard to the Sheaffes Road North precinct. Council at its meeting on 8 April 2013 resolved that the Neighbourhood Plan be deferred and come back to Council after all of the issues raised by

	the NSW Office of Environment and Heritage had been responded to in greater detail. Issues raised related to the following matters: ➤ Clarification on survey and assessment work that has been undertaken with regard to Endangered Ecological Communities, especially within the Sheaffes Road North precinct, since the development of the original West Dapto Master Plan. ➤ Potential issues with vegetation mapping. ➤ Importance of maintaining the majority of the remaining EEC's. ➤ Suggestions that all EEC's should be rezoned to be on E2 Environmental Conservation zoned land. ➤ Ensuring the neighbourhood plan had considered floodplain risk management. Council at its meeting on 27 May 2013, after viewing a detailed report from Council officers in response to the issues raised by the NSW Office of Environment and Heritage, resolved to adopt the Sheaffes Road North neighbourhood plan as an amendment to Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area. It also recommended that a draft planning proposal be prepared to make minor amendments to the Wollongong Local Environment Plan 2009 to reflect the neighbourhood plan.
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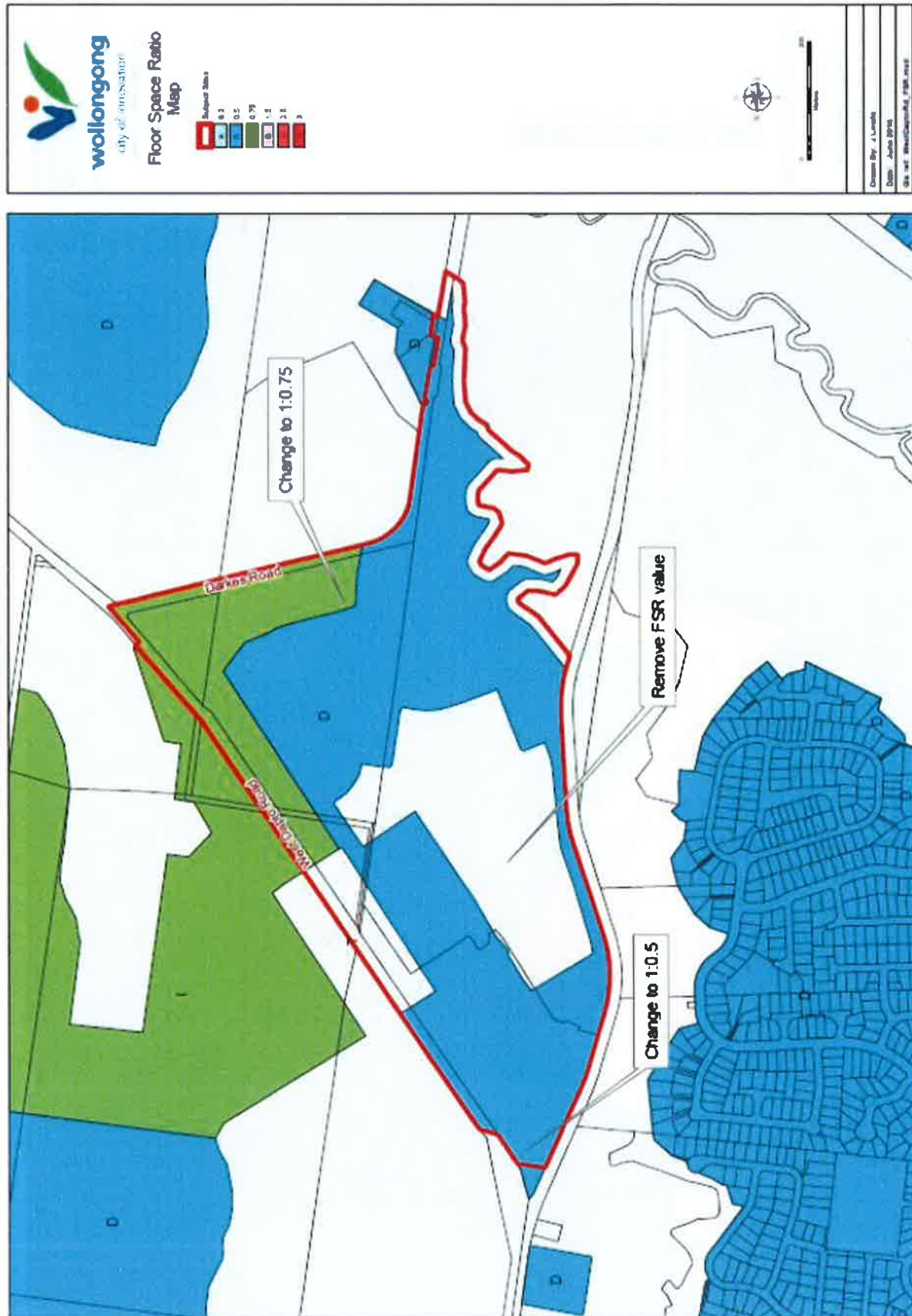
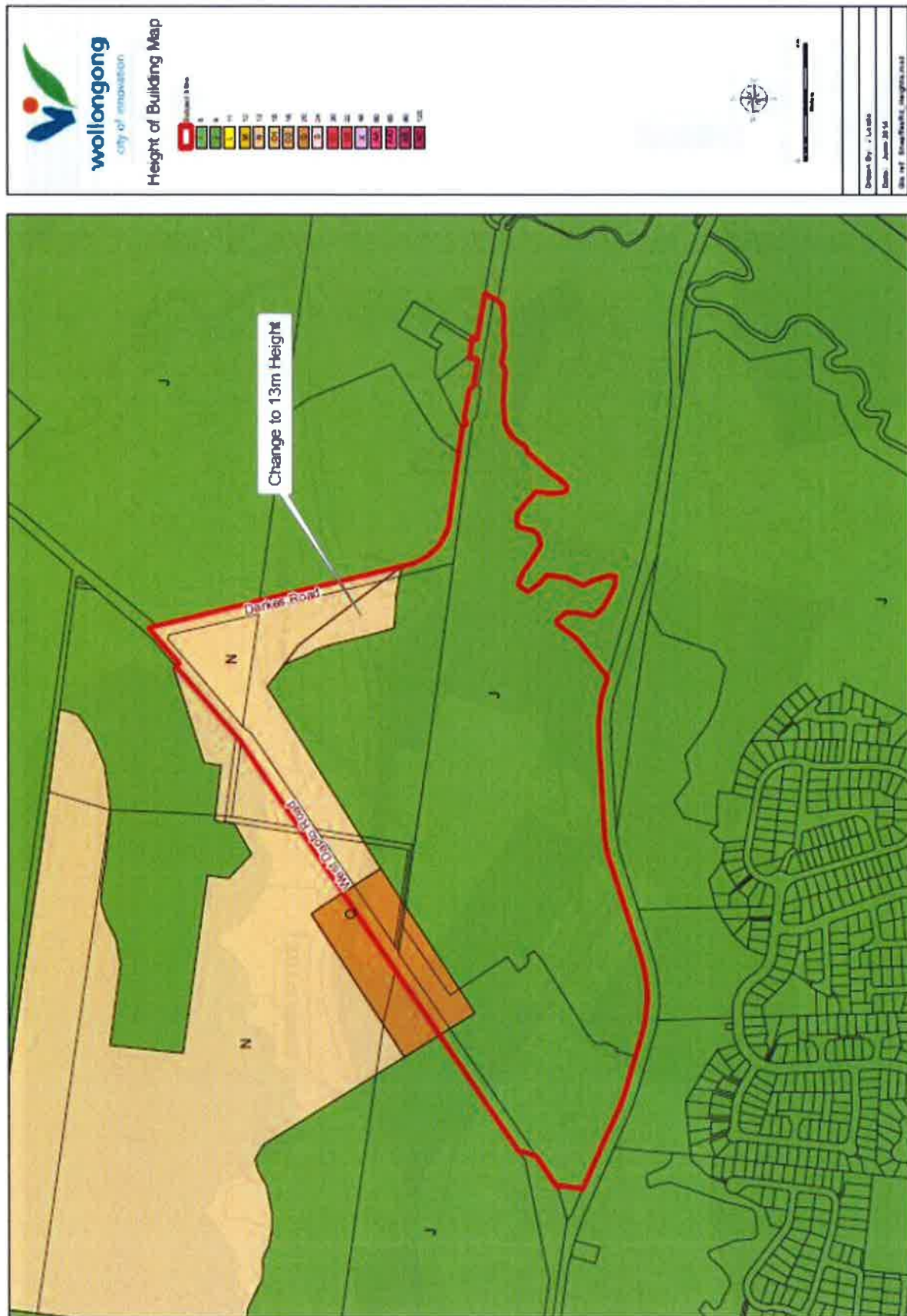


Figure 2.0 Proposed FSR - Darkes Rd



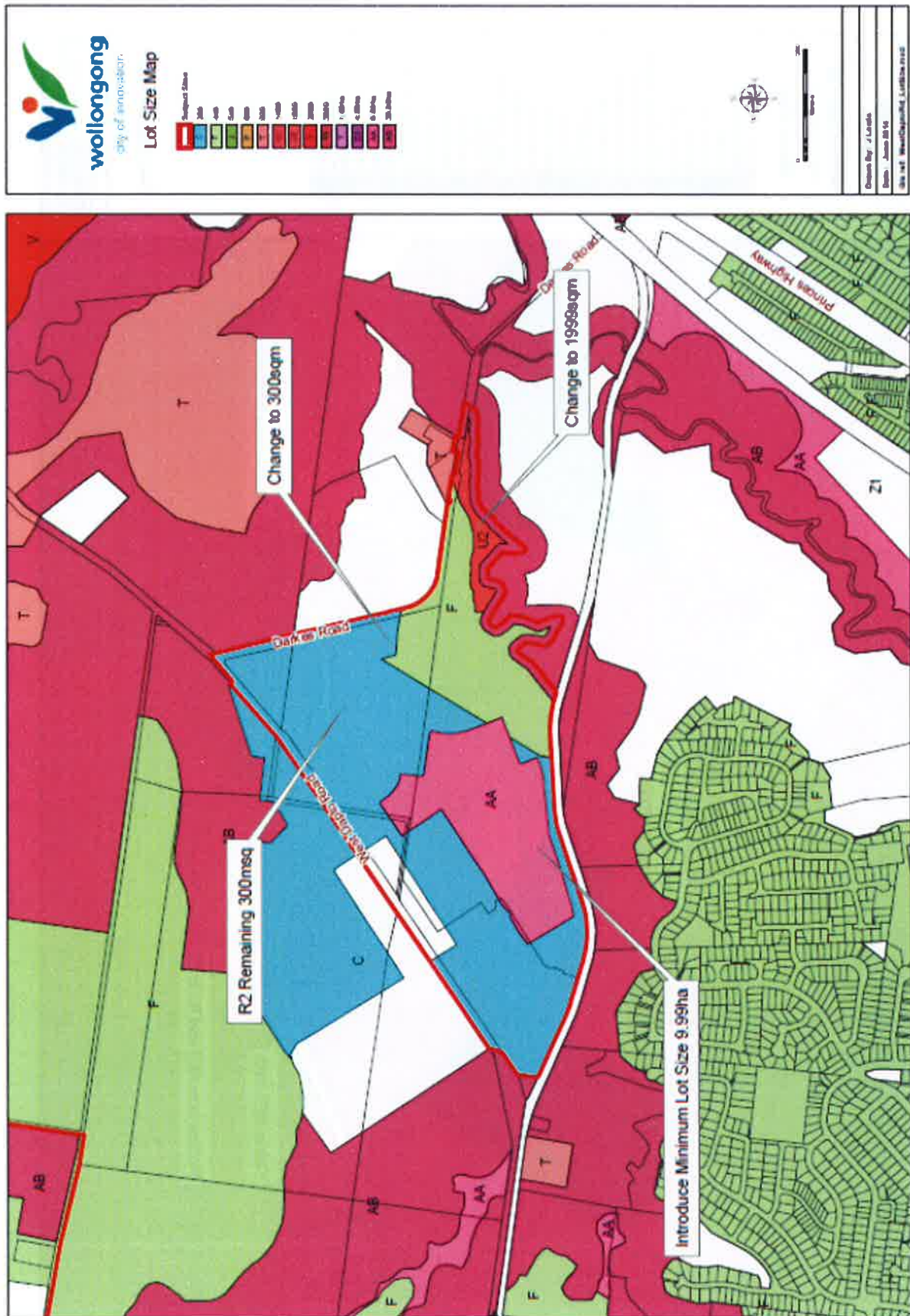


Figure 4.0 Proposed Minimum Lot Size – Darkes Rd

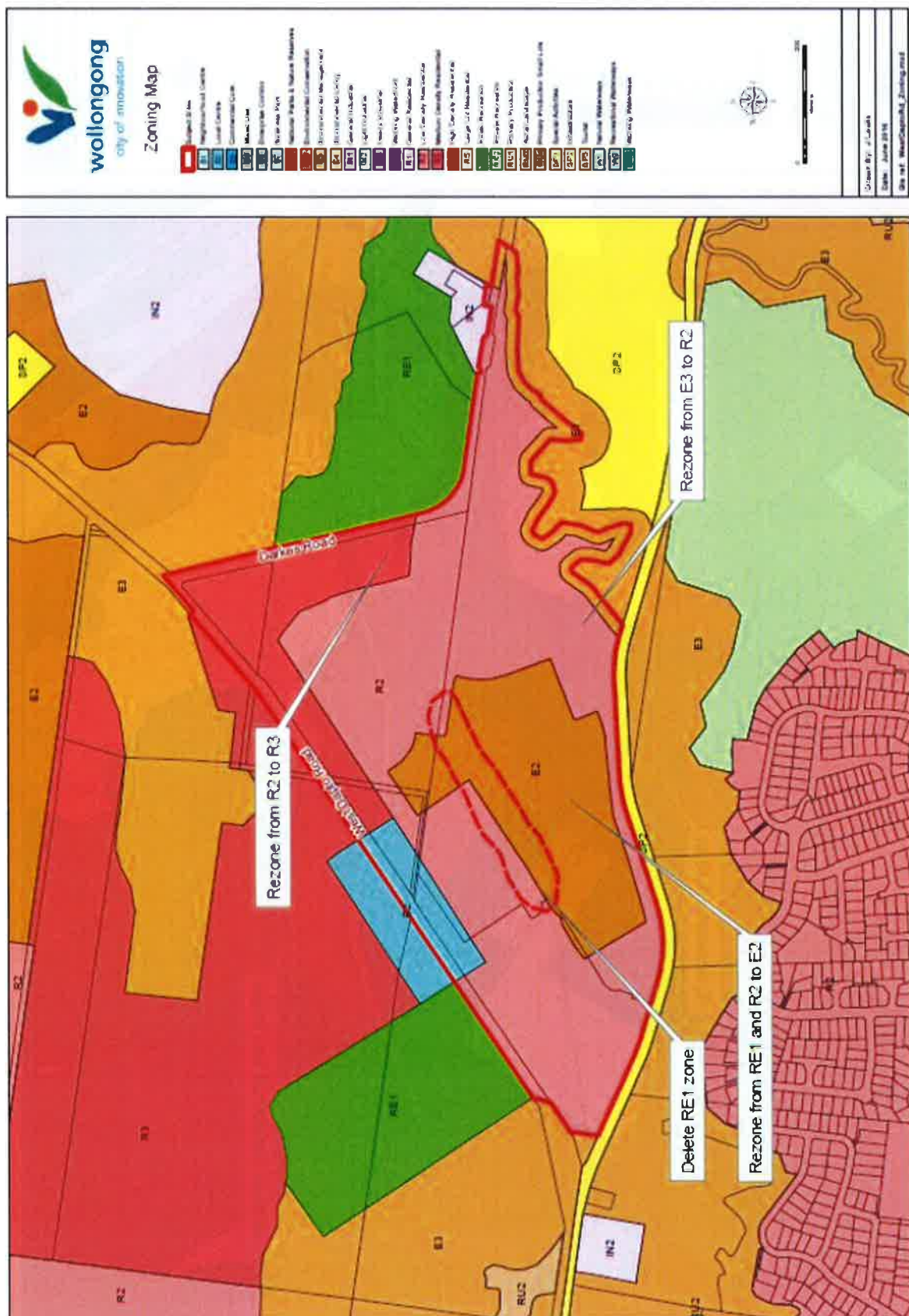


Figure 5.0 Proposed Zoning Map - Darkes Rd

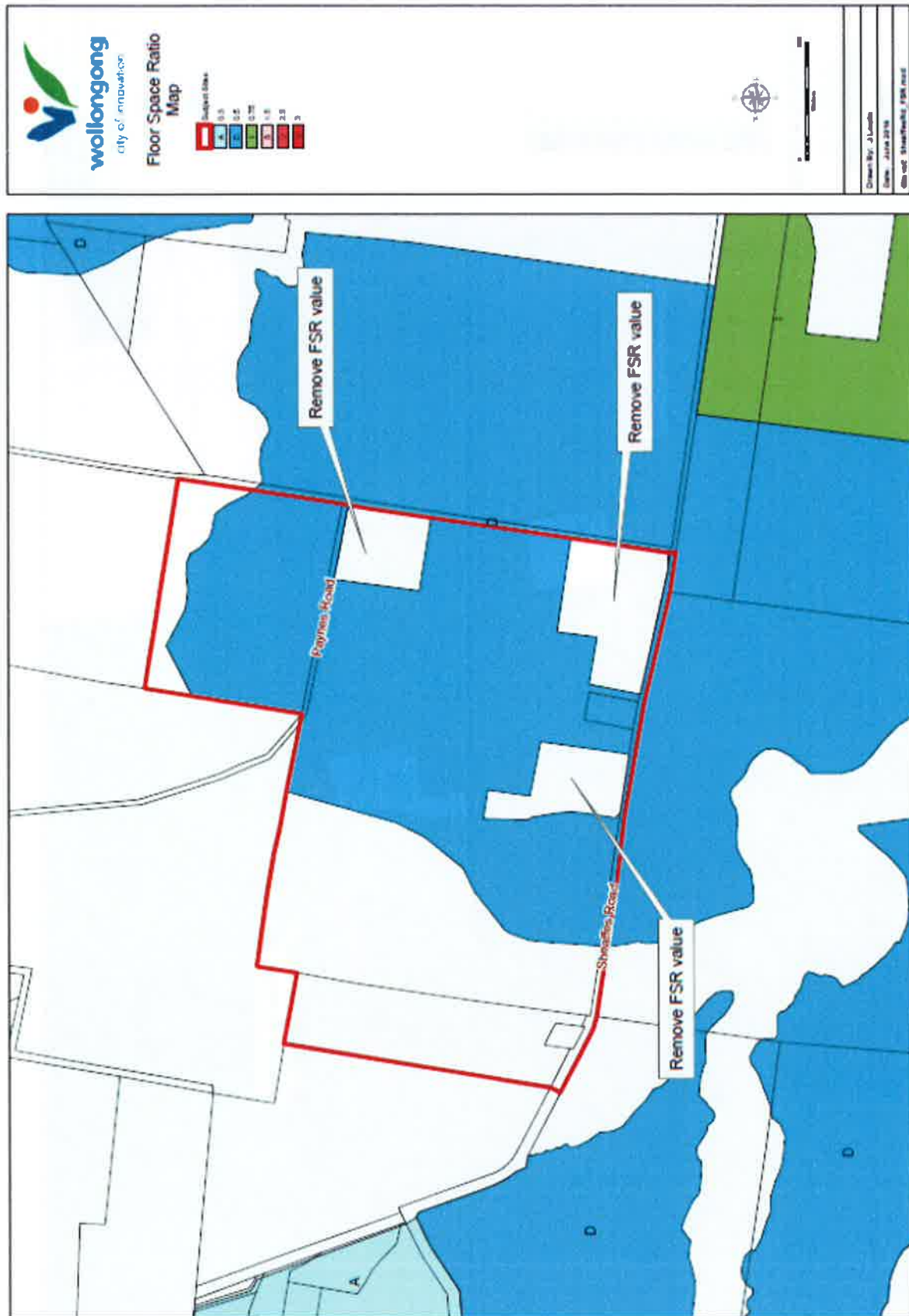


Figure 6.0 Proposed FSR - Sheaffes Rd



Figure 7.0 Proposed Height Limits - Sheaffes Rd

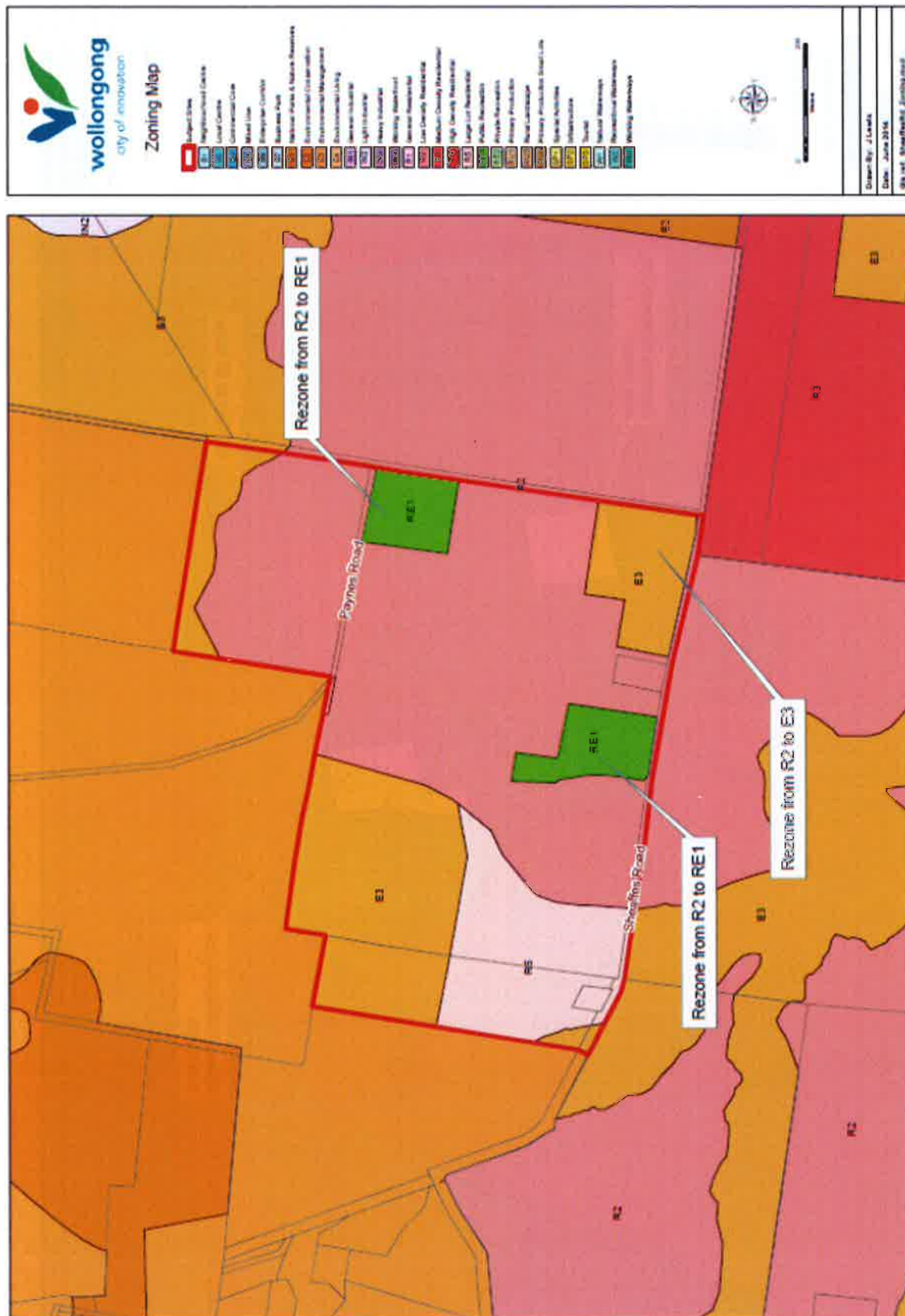




Figure 10.0 Proposed Heritage Curtilage - Sheaffers Rd

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 surrounding and nearby property owners; and*
- *Notification letters to relevant State agencies and other authorities nominated by the NSW Department of Planning and Infrastructure.*

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	2 months	Department of Planning and Environment
2	Government agency consultation	21 days	Agencies
3	Public exhibition period	4 weeks	Council
4	Date of Public Hearing (<i>if applicable</i>)	N/A	Council
5	Consideration of submissions	2 weeks	Council
6	Assessment of proposal post-exhibition	2 weeks	Council
7	Report to Council	2 months	Council
8	Final maps and Planning Proposal prepared	2 weeks	Council
9	Submission to Department for finalisation of LEP	1 week	Council
10	<i>Anticipated date RPA will make the LEP</i>	<i>Unknown</i>	Council (if under delegation)
11	Anticipated date Council will forward final Planning Proposal to DOP&I for notification	Unknown	Council
12	Anticipated date LEP will be notified	Feb/March 2015	<i>Parliamentary Counsel and DP&E</i>

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
State policies			
SEPP No. 1	Development Standard	N/A	N/A
SEPP No. 4	Development Without Consent and miscellaneous Exempt and Complying Development	N/A	Clause 6 and parts 3 and 4 of SEPP were repealed by Wollongong LEP 2009.
SEPP No. 6	Number of Storeys in a Building		N/A
SEPP No. 14	Coastal Wetlands		N/A
SEPP No. 15	Rural Land Sharing Communities	Does not apply to Wollongong	N/A
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	N/A
SEPP No. 21	Caravan Parks		N/A
SEPP No. 22	Shops and Commercial Premises		N/A
SEPP No. 26	Littoral Rainforests		No littoral rainforests identified by the policy in the Wollongong LGA.
SEPP No. 29	Western Sydney Recreational Area	Does not apply to Wollongong	N/A
SEPP No. 30	Intensive Agriculture	N/A	N/A
SEPP No. 32	Urban Consolidation (Redevelopment of Urban Land)	N/A	Not applicable to non-urban land pursuant to Schedule 1 – Land to which this policy does not apply. The sites are greenfield land releases.
SEPP No. 33	Hazardous and Offensive Development	N/A	N/A
SEPP No. 36	Manufactured Home Estates	N/A	N/A
SEPP No. 39	Spit Island Bird Habitat	Does not apply to Wollongong	N/A
SEPP No. 41	Casino/Entertainment Complex	Does not apply to Wollongong	N/A
SEPP No. 44	Koala Habitat Protection	Yes	The precincts constitute 'potential koala habitat', but do not constitute 'core koala habitat' as defined in SEPP 44. No formal plan of management is required in accordance with Part 3 of the

No action required

State Environmental Planning Policy		Compliance	Comment
			Policy.
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	N/A
SEPP No. 50	Canal Estate Development	N/A	N/A
SEPP No. 52	Farm Dams, Drought Relief and Other Works	Does not apply to Wollongong	N/A
SEPP No. 55	Remediation of Land	Yes	SEPP 55 – Remediation of Land applies to sites which are suspected of contamination. Further assessment will be undertaken at development application stage by Council's Environmental Scientists.
SEPP No. 56	Sydney Harbour Foreshores and Tributaries	Does not apply to Wollongong	N/A
SEPP No. 59	Central Western Sydney Economic and Employment Area	Does not apply to Wollongong	N/A
SEPP No. 60	Exempt and Complying Development	N/A	N/A
SEPP No. 62	Sustainable Aquaculture	N/A	N/A
SEPP No. 64	Advertising and Signage	N/A	N/A
SEPP No. 65	Design quality of residential flat development	N/A	N/A
SEPP No. 70	Affordable Housing (revised schemes)	Does not apply to Wollongong	N/A
SEPP No. 71	Coastal Protection	N/A	N/A
SEPP	Housing for Seniors or People with a Disability 2004	N/A	N/A
SEPP	Building Sustainability Index: BASIX 2004	N/A	N/A
SEPP	Major Projects 2005	N/A	N/A
SEPP	Development on Kurnell Peninsular 2005	Does not apply to Wollongong	N/A
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	N/A
SEPP	Mining, Petroleum Production and Extractive Industries 2007	N/A	N/A
SEPP	Infrastructure 2007	Yes	Potential acoustic impacts from the adjoining private rail line to some of the proposed residential allotments in the Darkes Road South West Precinct. Rail Noise and Vibration Intrusion Report

State Environmental Planning Policy		Compliance	Comment
			provided as part of the neighbourhood plan which takes into account SEPP (Infrastructure) 2007 and the Department of Planning and Infrastructure's <i>Development Near Rail Corridors and Busy Roads – Interim Guidelines, 2008</i> . Noise attenuation measures are recommended in the report. Further assessment to occur at development application stage.
SEPP	Temporary Structures 2007	N/A	N/A
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	N/A
SEPP	Rural Lands 2008	Does not apply to Wollongong	N/A
SEPP	Affordable Rental Housing 2009	N/A	N/A
SEPP	Western Sydney Employment Lands 2009	Does not apply to Wollongong	N/A
SEPP	Exempt and Complying Development Codes 2008	N/A	N/A
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	N/A
Deemed SEPPS(former Regional Plans)			
Illawarra REP 1	Illawarra	Repealed within Wollongong	N/A
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	N/A
Greater Metropolitan REP No.2	Georges River catchment	Does not apply to Wollongong	N/A

Table B - Checklist of Section 117 Ministerial Directions

Ministerial Direction		Comment
Employment and Resources		
1.1	Business and Industrial Zones	N/A
1.2	Rural Zones	N/A – no rural zoned land is to be affected by the planning proposal.
1.3	Mining, Petroleum Production and Extractive Industries	N/A
1.4	Oyster Aquaculture	N/A
1.5	Rural Lands	N/A
Environment and Heritage		
2.1	Environment Protection Zone	The planning proposal applies to areas covered by environmental zones; however the planning proposal is consistent with the Illawarra Regional Strategy, which identifies the area as being part of an urban release area. As part of the two neighbourhood plans work has been undertaken to refine habitat boundaries and vegetation boundaries. The planning proposal protects a large portion of the existing, significant stands of vegetation. The planning proposal seeks to maximise development on existing cleared land, allowing for better environmental outcomes. The work undertaken on the planning proposal has considered the objective of this direction and devised an appropriate conservation outcome, in accordance with the Illawarra Regional Strategy.
2.2	Coastal Protection	N/A

2.3	Heritage Conservation	The two precincts contain items of built and environmental heritage, and potential for Aboriginal heritage. Further study was undertaken as part of the Darkes Road South West neighbourhood plan to identify the areas of potential Aboriginal heritage significance. The neighbourhood plan was reviewed by the NSW Office of Environment and Heritage and it was advised that an Aboriginal Heritage Impact Permit (AHIP) may be required if future development is determined to impact on the identified archaeological sites. This will be determined at development application stage. Aboriginal heritage items have not been mapped in the planning proposal due to sensitivity of mapping Aboriginal heritage items. A number of European heritage items are also located within the two precincts. Derelict outbuildings have been removed and the existing curtilage of one of the items within the Sheaffes Road North precinct has been altered. No impact on the heritage item in the Darkes Road North Precinct is proposed as part of the planning proposal.
2.4	Recreation Vehicle Areas	N/A
Housing, Infrastructure and Urban Development		
3.1	Residential Zones	The planning proposal involves the creation of new residential zones. This will provide for a wide variety of housing types. The planning proposal would amend Wollongong Local Environment Plan 2009, which already contains clauses requiring infrastructure provision prior to development occurring. Interagency groups are progressing ongoing discussions regarding servicing and access for the West Dapto Urban Release Area, of which the two neighbourhood precincts are a part of.
3.2	Caravan Parks and Manufactured Home Estates	N/A
3.3	Home Occupations	The planning proposal will comply.
3.4	Integrating Land Use and Transport	The planning proposal considers the integration of land use and transport. Smaller lot sizes are proposed along main road links in order to maximise the potential access to future public transport routes. Significant road upgrades are proposed as part of the ongoing development of the West Dapto Release Area which will ensure improved access to various forms of transport in and out of each precinct.
3.5	Development Near Licensed Aerodromes	N/A
3.6	Shooting Ranges	N/A
Hazard and Risk		

4.1	Acid Sulfate Soils	There are some minor acid sulphate soils within the subject precincts. They are however of only minor significance. Further assessment of acid sulphate soils at development application stage will ensure that development within both precincts will avoid significant adverse environmental impacts.
4.2	Mine Subsidence and Unstable Land	N/A
4.3	Flood Prone Land	Small portions of both precincts are affected by flood prone land. Council's 100 year ARI flood extent mapping indicates that only a small number of lots will be impacted by minor flood affectation within the Sheaffes Road North precinct as a result of this planning proposal. Flooding impacts to future dwellings on these lots will be minimised with further prescriptive control assessment at development application stage which will ensure appropriate flood engineering. The planning proposal is considered to be consistent with the NSW Government's Flood Prone Land Policy and also the principles contained in the Floodplain Development Manual 2005. The precinct plans and draft zonings have considered the flood risk. Clause 7.3 of the Wollongong Local Environmental Plan 2009 provides suitable controls on flood liable land.
4.4	Planning for Bushfire Protection	The two neighbourhood precincts both contain portions of bushfire prone land. Residential lots are to be burdened by certain construction requirements where applicable, and APZ's will be maintained within road reserves and front setbacks. Bushfire Hazard reduction will therefore not be prohibited within APZ's. The planning proposal has considered the requirements of Planning for Bushfire Protection 2006.
Regional Planning		
5.1	Implementation of Regional Strategies	The planning proposal will enable development of the two precincts as part of the West Dapto Urban Release Area in accordance with the Illawarra Regional Strategy.
5.2	Sydney Drinking Water Catchments	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N/A

5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A
5.8	Second Sydney Airport: Badgerys Creek	N/A
Local Plan Making		
6.1	Approval and Referral Requirements	The planning proposal complies with the direction and does not envisage additional approval or referral requirements.
6.2	Reserving Land for Public Purposes	The planning proposal complies with this direction.
6.3	Site Specific Provisions	The planning proposal does not contain unnecessary site specific provisions.
Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	N/A

