



planning consultants

Planning Proposal

Proposed amendment to Wollongong Local Environmental Plan 2009
Land Zoning, Height of Building, Minimum Lot Size and Floor Space
Ratio Maps.

Cleveland Road, Cleveland

Prepared for: Cleveland Developments Pty Ltd and Cleveland Group Pty Ltd
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1. Checklist of all State Environmental Planning Policies
2. Checklist of all section 9.1 Ministerial Directions.
3. Correspondence from Wollongong City Council in relation to the original Planning Proposals

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Abbreviations

AHIP	Aboriginal Heritage Impact Permit
AS	Australian Standard
ASS	acid sulfate soils
BC Act	Biodiversity Conservation Act 2016
Council	Wollongong City Council
DA	development application
DCP	development control plan
DFP	DFP Planning Pty Limited
DPIE	NSW Department of Planning, Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	environmental planning instrument
EPBC	<i>Environment Protection and Biodiversity Conservation Act, 1999</i>
HIS	heritage impact statement
LEP	local environmental plan
LGA	local government area
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	NSW National Parks and Wildlife Service
PAD	potential archaeological deposit
REP	regional environmental plan
RFS	NSW Rural Fire Service
RF Act	<i>Rural Fires Act 1997</i>
RMS	NSW Roads and Maritime Services
SEPP	state environmental planning policy
SIS	species impact statement
WM Act	<i>Water Management Act 2000</i>
WSUD	water sensitive urban design

1 Introduction

1.1 Commission

DFP has been commissioned by Newquest Property Pty Ltd to prepare a Planning Proposal in respect of the land along Cleveland Road, Cleveland (known as Cleveland Road Precinct).



Figure 1 Aerial image of site boundary

The Planning Proposal seeks to amend Wollongong Local Environment Plan (WLEP) 2009 to modify the land zoning map, minimum lot size map, height of building map, floor space ratio map, land acquisition map and acid sulphate, riparian lands and flood planning map within the Cleveland Road Precinct.

This will result in the amendment of the WLEP Land Zoning Map from the current RU2 Rural Landscape and E2 Environmental Conservation, to a mix of:

- R2 Low Density Residential;
- R3 Medium Density Residential;
- RE1 Public Recreation;
- E2 Environmental Conservation;
- E3 Environmental Management;
- B2 Local Centre; and
- B6 Enterprise Corridor.

Amendments to the Minimum lot size map, height of building map, floor space ratio map, land acquisition map and acid sulphate soils, riparian lands and flood planning map are shown in the Urban Design Report and Supporting Information to this Planning Proposal.

The Planning Proposal recognises the continued growth and significant transformation of the West Dapto area (including Cleveland), towards a residential area with recreational and retail facilities. The previous strategic planning work undertaken for West Dapto, which culminated in West Dapto Vision 2018, identified the need for community facilities, retail and residential opportunities to ensure the growth of Cleveland/ West Dapto and to ensure residents and visitors to Cleveland/ West Dapto have sufficient access to a variety of amenities.

This Planning Proposal reinforces the vision within West Dapto Vision 2018, *“The communities will be healthy, sustainable and resilient with active and passive open space accessible by walkways, cycleways and public transport. To support these new communities, local centres will provide shopping services, community services and jobs while employment lands will facilitate further opportunities for the region”*.

1 Introduction

1.2 Purpose of this Statement

Two planning proposals were submitted to Wollongong City Council (Council) for two precincts, one north of Cleveland Road (March 2019) and one to the south of Cleveland Road (August 2018). The planning proposals each contained their own neighbourhood plan illustrating a potential subdivision layout. Council issued comments in relation to both planning proposals and observed that they need to be coordinated. This report and supporting information provide a comprehensive planning proposal that covers all land and addresses the comments made by Council.

The purpose of this report is to provide Council and the Department of Planning, Industry and Environment (DPIE) with the necessary information to assess the Planning Proposal and for the Minister to make a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), and 'A Guide to Preparing Planning Proposals' prepared by the NSW DPIE.

1.3 Supporting Documentation

This Planning Proposal has been prepared by DFP based on information referred to herein a site inspection undertaken on 8 January 2020. This Planning Proposal should be read in conjunction with:

1. The draft LEP Maps to amend Wollongong LEP 2009, prepared by Craig and Rhodes
2. Indicative Neighbourhood Plan, prepared by Craig and Rhodes
3. Urban Design Report, prepared by DFP Planning
4. Floodplain Risk and Water Cycle Management Plan, prepared by Rienco Consulting
5. Flora and Fauna Assessment, prepared by Eco Logical Australia
6. Riparian Assessment, prepared by Eco Logical Australia
7. Overarching Vegetation Management Plan, prepared by Eco Logical Australia
8. Bushfire Strategic Study, prepared by Eco Logical Australia
9. Interim Heritage Report, prepared by Biosis
10. Phase 1 Preliminary Site Investigation, prepared by ADE Consulting Group

1.4 Summary of Conclusions and Recommendations

This report concludes that the proposal to rezone the land to allow for urban development:

- is consistent with the Illawarra Shoalhaven Regional Plan;
- is consistent with the principles in West Dapto Vision 2018;
- is consistent with the local planning strategies / local strategic plan; and
- is not inconsistent with relevant SEPPs and section 9.1 Directions.

Furthermore, the indicative neighbourhood plan for the site demonstrates that environmental factors can be adequately addressed and subject to more detailed assessment at the DA stage.

Accordingly, we recommend that Council endorse this Planning Proposal and forward it to the Minister for Gateway Approval.

2 Background

2.1 Consultation Meetings

The following consultation has been undertaken to prepare this Planning Proposal.

Council comments from previous Cleveland Road North and South proposed Planning Proposals.

Council has provided commentary on both the PP 2018/9 Cleveland South Planning Proposal and PP 2019/2 Cleveland North Planning Proposal. Comments raised by Council have been addressed within this planning proposal. This Planning Proposal supersedes both PP2018/9 and PP 2019/2.

Items raised by Council related to:

- Development needs to consider the principles of West Dapto Vision 2018
- Road layout to be consistent with the neighbourhood plan (aligning north and south sites)
- Proposed road hierarchy to be shown on plans
- Indicative bus stop locations to be shown on plans
- Cycleways to be shown on plans
- Inclusion of all waterways/ floodway's within Water Cycle Management Study
- Consistency with Section 9.1 Ministerial Directions
- No rezoning of R2 land within floodway areas
- Consolidate / minimise detention basins
- Additional Aboriginal Heritage assessment required
- Development within 'proximity area or coastal wetlands'" not supported
- Wherever possible retain areas of vegetation identified on the Natural Resource Sensitive Lands – Biodiversity Map (WLEP, 2009)

A full copy of the letters from Council are attached at **Appendix 3**.

Natural Resource Access Regulator (NRAR)

Consultation was undertaken by Rienco Consulting with the Natural Resources Access Regulator (NRAR) to determine watercourse identification and Riparian Corridor Assessment. The areas of discussion are shown in **Figure 2** below.

2 Background

Areas of Existing Mapped Watercourse with Planning Outcome

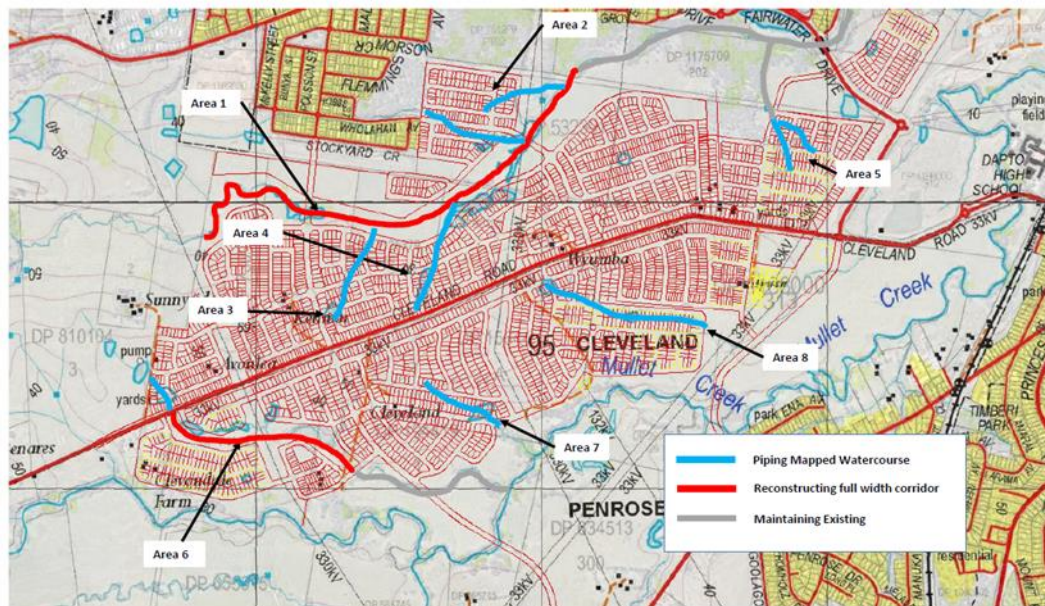


Figure 2 Map for discussion with NRAR

NRAR provided advice on 14 September 2020 as discussed below:

- Area 1 – Support reconstruction and rehabilitation of 3rd order watercourse, should extend to boundary of site. Riparian corridor to comply with 3rd order requirement of NRAR Riparian Corridor Guidelines.
- Area 2 – Support piping of 1st and 2nd order watercourses.
- Area 3 – Piping of watercourse is generally accepted.
- Area 4 – Piping of watercourse is generally accepted.
- Area 5 – Piping of watercourse is generally accepted.
- Area 6 – Piping of upstream watercourses from dam is generally accepted. South of Dam is 2nd order stream. Further assessment and protection of riparian areas is required for south of the dam and should extend to the boundary of the site and provide connectivity to Mullet Creek. Riparian corridor to comply with the requirements of NRAR Riparian Corridor Guidelines.
- Area 7 – Piping of the upstream watercourse from the dam is generally accepted. Further assessment and protection of riparian areas is required for downstream of the dam and should extend to the boundary of the site and provide connectivity to Mullet Creek. Riparian corridor to comply with the requirements of NRAR Riparian Corridor Guidelines.
- Area 8 – Reconstruction of the open channel watercourse with no riparian is generally accepted for the upstream 1st order watercourse. Further assessment and protection of riparian areas is required downstream and should extend to the boundary of the site and provide connectivity to Mullet Creek. Riparian corridor to comply with the requirements of NRAR Riparian Corridor Guidelines.
- Watercourses to the south of the site - The report should be extended to assess and define the management of riparian corridors and stream treatments for the entire site area.
- Maintain existing watercourses - The report should be extended to assess and define the management of riparian corridors and stream treatments for the entire site area.

2 Background

- Identification of detention basin sites - NRAR recommends that the planning documents provide clear mapping of flood infrastructure requirements to provide greater clarity to the proposed development. This will reduce the potential pressure on approved riparian outcomes caused by the retrofitting of flood detention infrastructure at the development application stage.
- Ownership of Riparian Corridors - NRAR recommends that all riparian corridors should be in public ownership to ensure the long-term protection and management of these environmentally significant areas within the landscape. Private ownership of riparian corridors has proven to result in a significant increase in unauthorised activities by private landholders within watercourses.

A full copy of the letter from Natural Resource Access Regulator is included with the Planning Proposal application.

3 Site Context

3.1 Site Description

The overall site consists of 18 individual lots and forms an irregular in shape. The site has an area of approximately 351ha (excluding existing roads) or 366ha (including existing roads). The site bound by existing development to the north and Mullet Creek to the south, rural lands to the west and Mullet Creek/ Dapto High School to the east (**Figure 3**).

There are three threatened ecological communities (TEC) listed under the Biodiversity Conservation Act (2016) (BC Act) including

- Illawarra Lowlands Grassy Woodland;
- Swamp Oak Floodplain Forest; and
- Freshwater Wetlands.

Portions of these communities also meet the condition thresholds for listing under the Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act) including:

- Illawarra and South Coast Lowland Forest and Woodland (critically endangered); and
- Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland (endangered).

Other vegetation located on the site consists of:

- Coastal Grassy Red Gum Forest;
- Planted natives;
- Fig Trees;
- Exotic cover, and
- Exotic pasture.

South of the site is Mullet Creek which is classified as a Crown Waterway, however the Crown land lies outside of the property boundary.

The site comprises 1st, 2nd, 3rd and 4th order water courses as well as wetlands and man-made dams. This includes Reed Creek which passes through the rear of the lots north of Cleveland Road.

Cleveland House is a locally significant heritage item and located on Lot 1 DP 194419. To the north is a former railway line alignment on Lot 100 DP 1086479 and Lot 310 DP 1188000.

Topography of the site varies. On the eastern half and southern edge of the site the topography is characterised by gentle slopes. The western half comprises three (3) knolls that slope towards natural waterways within the site or Cleveland Road.

Two major overhead power transmission lines traverse the site in a north-south orientation. Easements are located under the transmission lines as well as over the gas main.

The 18 separate allotments as described in **Table 1** (see also **Figure 3**).

Table 1 Site Description		
Property Address	Lot / DP	Approximate Area (Ha)
334 Cleveland Road	1 / 730326	20.7485
290 Cleveland Road	2 / 730326	21.1890
196 Cleveland Road	59 / 1125379 & 1 / 156208	16.3008 18.0945

3 Site Context

Table 1 Site Description

Property Address	Lot / DP	Approximate Area (Ha)
148 Cleveland Road	1 / 532391	40.5680
Bong Bong Road	100 / 1086479	1.0247
144 Cleveland Road	200 / 803810	20.1481
138 Cleveland Road	201 / 803810	0.0873
Cleveland Road	1 / 999485	0.0112
Cleveland Road	310/1188000	2.1793
Fairwater Drive	402 / 1254873	20.9435
Fairwater Drive	401 / 1254873	13.8549
Cleveland Road	312 / 1188000	16.7502
129 Cleveland Road	313 / 1188000	53.7908
Cleveland Road	A / 156446	40.6248
273-275 Cleveland Road	1 / 194419	36.9426
353 Cleveland Road	1 / 741423 & 1 / 1126171	24.9852 3.2356
TOTAL		351.479

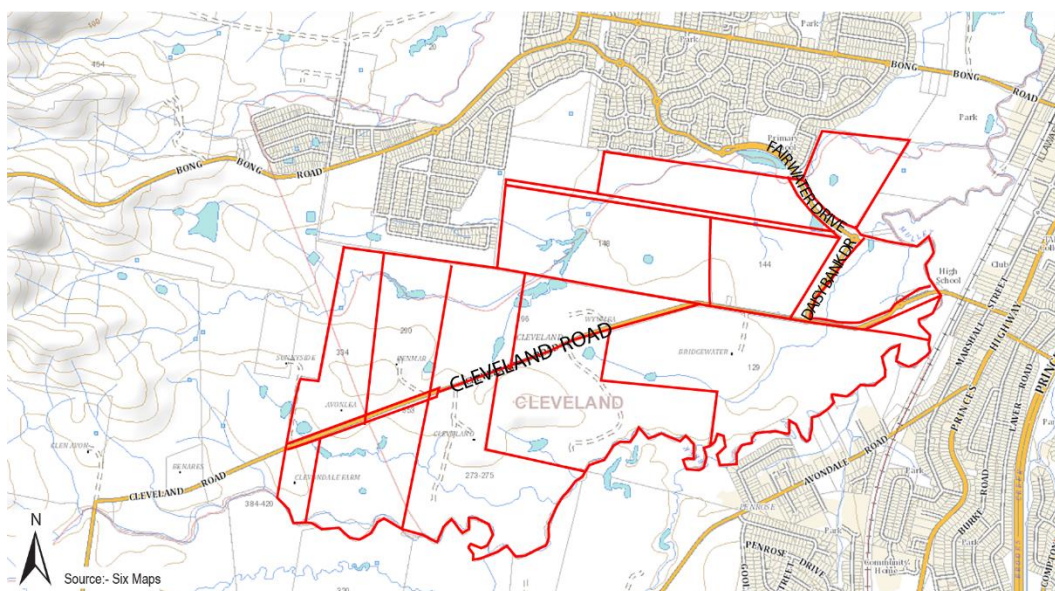


Figure 3 Site Location

3 Site Context



Figure 4 View of site from Brooks Reach



Figure 5 View of site from Brooks Reach

3 Site Context

3.2 Surrounding Development

Dapto, a regional centre, is situated to the north east of the site and comprises retail, commercial, industrial, recreational and residential uses.

Bong Bong is a new town currently under transition, situated north west of the site. A residential suburb is established, and further residential development is under construction. Retail is also proposed at a local level but is not yet constructed.

Mullet Creek runs along the southern and eastern boundary of the site, with rural properties adjoining the creek to the south.

Dapto High School is located to the east of Mullet Creek, and north of Cleveland Road.

Dapto Public School is located north of Fairwater Drive. Fairwater Drive provides an alternate route to Dapto via Sierra Drive and Bong Bong Road.

West of the site is also rural properties with the Illawarra escarpment further afield.



Figure 6 Emu Park looking towards site (Brooks Reach)

3 Site Context



Figure 7 Brooks Reach looking towards site



Figure 8 Residential development north of site

4 Concept Proposal

4.1 Proposed Development

The proposed development comprises:

- Rezoning to allow future subdivision of the site into approximately 3000 lots comprising low density, medium density residential, local centre and enterprise corridor lots.
- Retaining environmental land including watercourses and riparian corridors.
- Provision for the creation of public recreation land.
- Vehicular access via Fairwater Drive, Fowlers Road and Cleveland Road.
- Amendment of Wollongong Local Environmental Plan 2009 land zoning, minimum lot size, height of building, floor space ratio map, acid sulphate, riparian lands and flood planning and land acquisition maps.

The key development statistics of the concept proposal are detailed in **Table 2**.

Table 2 Development Statistics	
Number of existing lots	18
Combined area of existing lots	Approximately 351 ha (excluding current road reservations) Approximately 366ha in total.
Indicative number of proposed lots	Approximately 3000
Proposed area of residential land	208.70ha
Proposed area of business land	12.13ha
Proposed area of recreational land	66.39ha
Proposed area of environmental land	79.03ha
Indicative Dwellings per Ha	Approximately 15 dwellings/ha

The following subsections provide a more detailed description of the concept proposal.

4.2 Neighbourhood Plan

A neighbourhood plan has been prepared taking into consideration the heritage, ecological, bushfire and flooding constraints of the site. Further discussion on site constraints is detailed in **Sections 5.3 to 5.9** below. Further analysis of the site constraints and the vision for the site is detailed within the Urban Design Report.

The intent of the neighbourhood plan was to determine the unconstrained land for future development, identify suitable land for an open space network and to inform the proposed amendments to land zones and height of building, lot size, floor space ratio development standards. Refer **Figure 9**.

4 Concept Proposal



Figure 9 Neighbourhood Plan (prepared by DFP Planning, using Craig and Rhodes layout)

5 Environmental Considerations

5.1 Ecological

Eco Logical has undertaken Flora and Fauna study, assessed the riparian corridors and prepared an overarching Vegetation Management Plan.

Figure 10 below illustrates the areas mapped under WLEP 2009 as Natural Resource Sensitivity – Biodiversity Map. Small sections of these mapped area are impacted by the proposed zones.

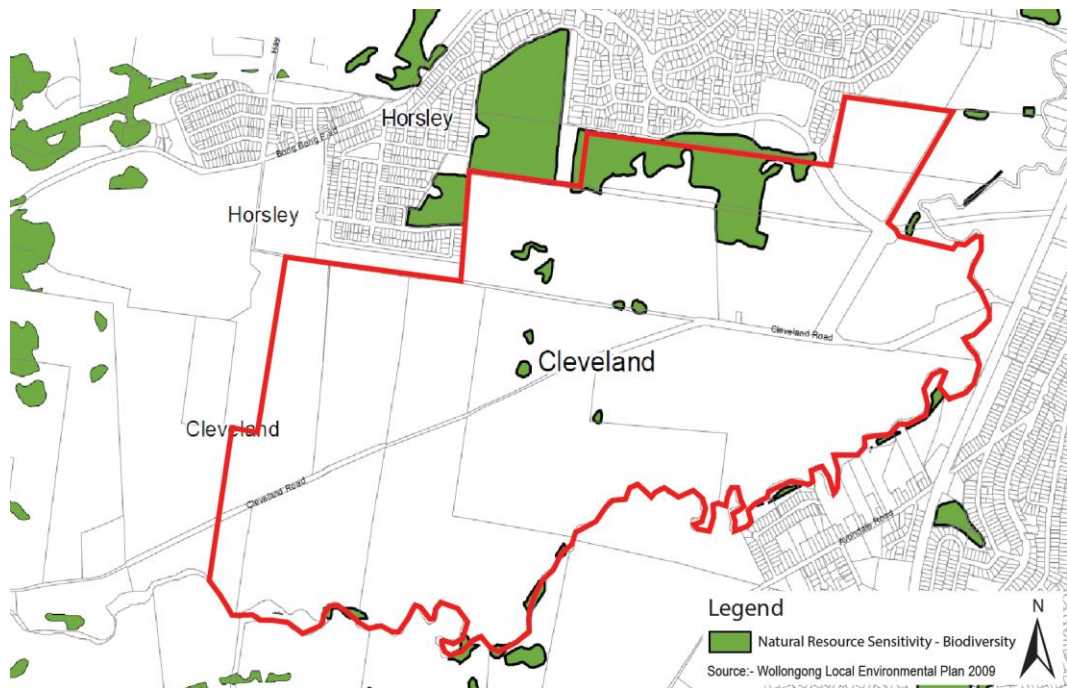


Figure 10 Natural Resource Sensitivity – Biodiversity Map

Parts of the study area are mapped under the Biodiversity Values Map and Coastal Wetlands mapped under the Coastal Management SEPP as shown in **Figure 11**. Parts of these mapped areas will be impacted by the proposal.

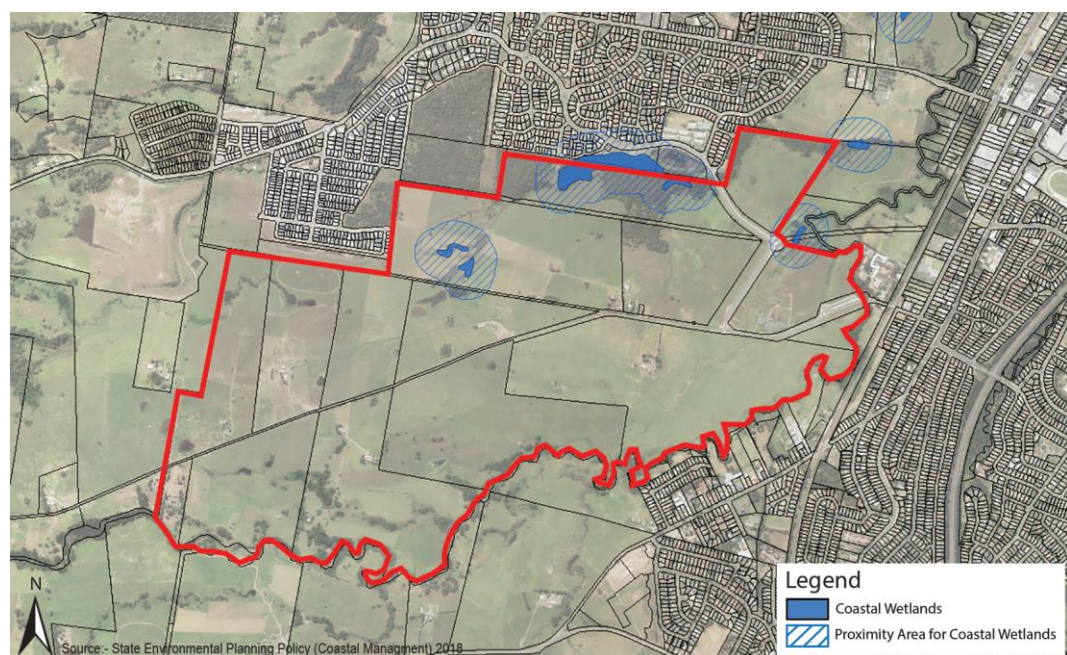


Figure 11 Coastal Management SEPP – Coastal Wetland

5 Environmental Considerations

Flora and fauna

Eco Logical undertook a field survey across the study area and identified a range of ecological values. **Figure 12** is an extract from the Flora and Fauna assessment listing the vegetation communities validated on the site.

ELA field validated name	Plant Community Type ID and Scientific Name	Vegetation community (NPWS 2002)	Condition	BC Act	EPBC Act	Area (ha)
Coastal Grassy Red Gum Forest	838 Forest Red Gum - Thin-leaved Stringybark grassy woodland on coastal lowlands, southern Sydney Basin Bioregion	Coastal Grassy Red Gum Forest MU23	Good	E	CE	3.08
			Moderate	E	Condition threshold not met	0.62
			Poor	E	Condition threshold not met	2.78
			Derived Native Shrub	E	Condition threshold not met	2.26
			Scattered Paddock Trees	E	Condition threshold not met	0.45
Lowland Woollybutt-Melaleuca Forest	1326 Woollybutt - White Stringybark - Forest Red Gum grassy woodland on coastal lowlands, southern Sydney Basin Bioregion and South East Corner Bioregion	Lowland Woollybutt-Melaleuca Forest MU24	Good	E	CE	5.16
			Moderate	E	Condition threshold not met	0.94
			Poor	E	Condition threshold not met	1.11
			Derived Native Shrub	E	Condition threshold not met	0.65
			Scattered Paddock Trees	E	Condition threshold not met	0.27
Coastal Swamp Oak Forest	1232 Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion	Coastal Swamp Oak Forest MU36	Good	E	E	5.80
			Moderate	E	E	1.00
			Poor	E	Condition threshold not met	2.34
Freshwater wetland	1071 <i>Phragmites australis</i> and <i>Typha orientalis</i> coastal freshwater wetlands of the Sydney Basin Bioregion	Floodplain Wetland MU54	Good	E	Not listed	0.80
Planted native cover	-	-	-	-	-	1.33
Fig Tree	-	-	-	-	-	0.13
Exotic cover	-	-	-	-	-	9.00
Exotic pasture	-	-	-	-	-	326.38
Farm Dams	-	-	-	-	-	-
Total area						364.09

Figure 12 Vegetation communities

There are three threatened ecological communities (TEC) listed under the Biodiversity Conservation Act (2016) (BC Act) including:

- Illawarra Lowlands Grassy Woodland (17.32ha);
- Swamp Oak Floodplain Forest (9.14ha); and
- Freshwater Wetlands (inclusive of some dams) (0.8ha).

Portions of these communities also meet the condition thresholds for listing under the Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act) including:

- Illawarra and South Coast Lowland Forest and Woodland (critically endangered); and
- Coastal Swamp Oak (*Casuarina glauca*) Forest of New South Wales and South East Queensland (endangered).

Collectively these communities total 27.26ha or about 7.5% of the study area.

Exotic pasture from past farming practices forms the largest vegetation zone across the study area comprising 326.38ha (90%) of the total area.

The total impact to the critically endangered communities arising from the developable area of the planning proposal is 0.01ha (100m²).

The total impact to the threatened ecological communities is 3.192ha comprising:

- Illawarra Lowlands Grassy Woodland - 1.43ha or 8% of the total 17.32ha.
- Swamp Oak Floodplain Forest - 1.292ha or 14% of the total 9.14ha; and
- Freshwater Wetlands (inclusive of some dams) – 0.47ha or 59% of the total 0.8ha.

The direct impacts to threatened ecological community represents of 3.192ha of the total 27.26ha or about 12% of the combined area of the communities.

5 Environmental Considerations

Eco Logical has assigned a value (very high, high, moderate, low) to all ecological constraints and mapped the constraints relative to the neighbourhood plan (refer **Figure 13**).

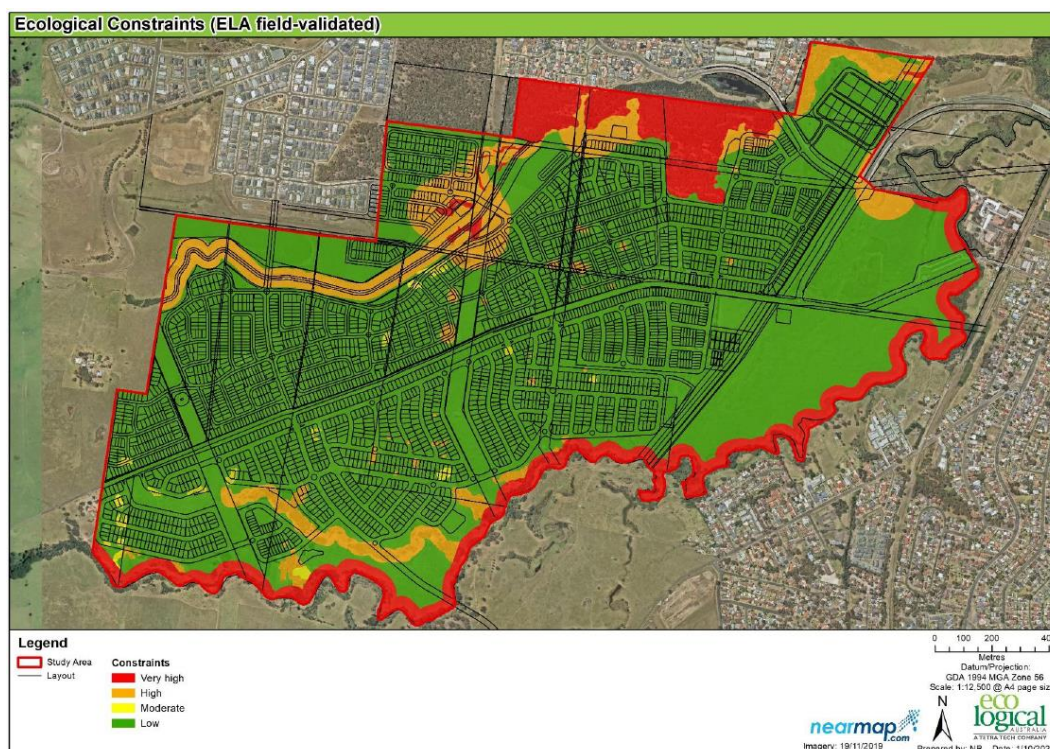


Figure 13 Constraints Mapping by Eco Logical

Most the direct impacts relate to small, isolated patches of vegetation. Eco Logical notes that most of the large, good condition patches will be retained which is evident in the mapped constraints in **Figure 13**. Note that some of the high constraint land in the above image relates to the proximity area to coastal wetlands and is not necessarily vegetated where impacts are proposed.

Eco Logical also notes that the Illawarra Lowlands Grassy Woodland endangered ecological community (EEC) is a listed entity for a Serious and Irreversible Impact (SII) under the BC Act. As noted above 1.43ha or 8% of the total area of Illawarra Lowlands Grassy Woodland (17.32ha) is proposed to be removed. At the DA stage, the consent authority will need to assess what impacts are occurring as part of the future development and assess whether they consider the development will have SII on Illawarra Lowlands Grassy Woodland EEC.

Eco Logical has stated that the development footprint presented in this planning proposal has used the avoid, minimise and mitigate principles to retain areas of higher constraint and ecological value and concentrate development in cleared areas.

The Flora and Fauna Report outlines the potential approval pathways such as Biodiversity Certification, preparation of a Biodiversity Development Assessment Report and an EPBC Act referral that will be required as part of future DAs.

Riparian

The study area also contains several first, second and third order streams, as well as Mullet Creek, which is a fourth order stream. Potential habitat for threatened species includes remnant vegetation, farm dams, freshwater wetlands and hollow bearing trees.

The Natural Resources Access Regulator (NRAR) administers the NSW Water Management Act 2000 (WM Act) and is required to assess the impact of any proposed work on waterfront land. This includes the bed and bank of any river, lake or estuary and land within 40m of the highest bank.

5 Environmental Considerations

NRAR's Guidelines for controlled activities on waterfront land – Riparian corridors (NRAR, 2018) outline the need for a Vegetated Riparian Zone (VRZ) adjacent to the channel to provide a transition zone between the terrestrial environment and the watercourse. This vegetated zone helps maintain and improve the ecological functions of a watercourse whilst providing habitat for terrestrial flora and fauna.

Field validation of the watercourses was undertaken by Eco Logical to determine which watercourses were not considered a 'river' under the Water Management Act 2000 (WM Act), being those with no defined bed or banks, and which watercourses were considered a river and required further investigation and implementation of riparian corridors. Watercourses defined as rivers or creeks had varying riparian and aquatic value and ranged from good to poor condition.

Riparian corridors will consist of an inner and outer Vegetation Riparian Zone (VRZ). The inner 50% of the VRZ must be maintained and vegetated with fully structured native riparian vegetation communities.

Where the proposed development encroaches into the outer VRZ, an offset must be provided elsewhere on the site at a ratio of 1:1. Eco Logical has calculated that there is a total encroachment of 0.92ha in the outer VRZ using the WM Act method. Eco Logical calculates there is a total of 1.95ha of land available that could be revegetated as offset for encroachment areas.

NRAR and Council have different setback requirements for riparian corridor widths. The NRAR requirements have been incorporated into the proposal. Top of bank and riparian corridor widths are identified within the Riparian Assessment prepared by Eco Logical.

The Riparian Assessment identifies several areas of encroachment into the outer half of the VRZ, including Asset Protection Zones. Offset areas are provided for these encroachments.

Coastal Wetlands

Parts of the site (along Reed Creek) are mapped as Coastal Wetlands and Proximity to Coastal Wetlands under the SEPP (Coastal Management) 2018. Note of the mapped coastal wetlands are impacted. The R2 zone is proposed over parts of the proximity areas including proposed lots and roads. One of the roads is the connector road identified in the West Dapto Vision 2018.

The Coastal Management SEPP has been addressed in the Flora and Fauna Assessment and Consolidated Riparian Assessment both prepared by Eco Logical.

Clause 11 (1) of the Coastal Management SEPP, relevantly, states that development consent must not be granted to development on land identified as "proximity area for coastal wetlands" unless the consent authority is satisfied that the proposed development will not significantly impact on:

- a. the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or
- b. the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

Under clause 10(1) development within the coastal wetlands or proximity to coastal wetlands is designated development and will require an Environmental Impact Assessment at DA stage. This requires more detailed investigations to ascertain if there are impacts as noted in items 'a' and 'b' above. The DA will also need to demonstrate avoidance and mitigation measures to minimise impacts to the adjacent wetland.

5 Environmental Considerations

Vegetation Management Plan (VMP)

Eco Logical has prepared an Overarching VMP outlining VMP boundaries (**Figure 14**) based on riparian corridors and the requirements for future VMPs. Detailed VMPs will be prepared in accordance with the overarching VMP and will form part of future DAs for subdivision. These will outline specific aims, objectives and indicators and will cover a five-year period, prior to hand over to Wollongong City Council or other land owner.

VMP boundaries may vary at detail design stage of future development applications.

Broad objectives of future VMP's are to:

- By the end of Year 5, reduce exotic species cover to <5% within each VMP area.
- No new exotic species established in each VMP area in Years 1-5.
- Characteristic diversity of indigenous plant species from each stratum established.

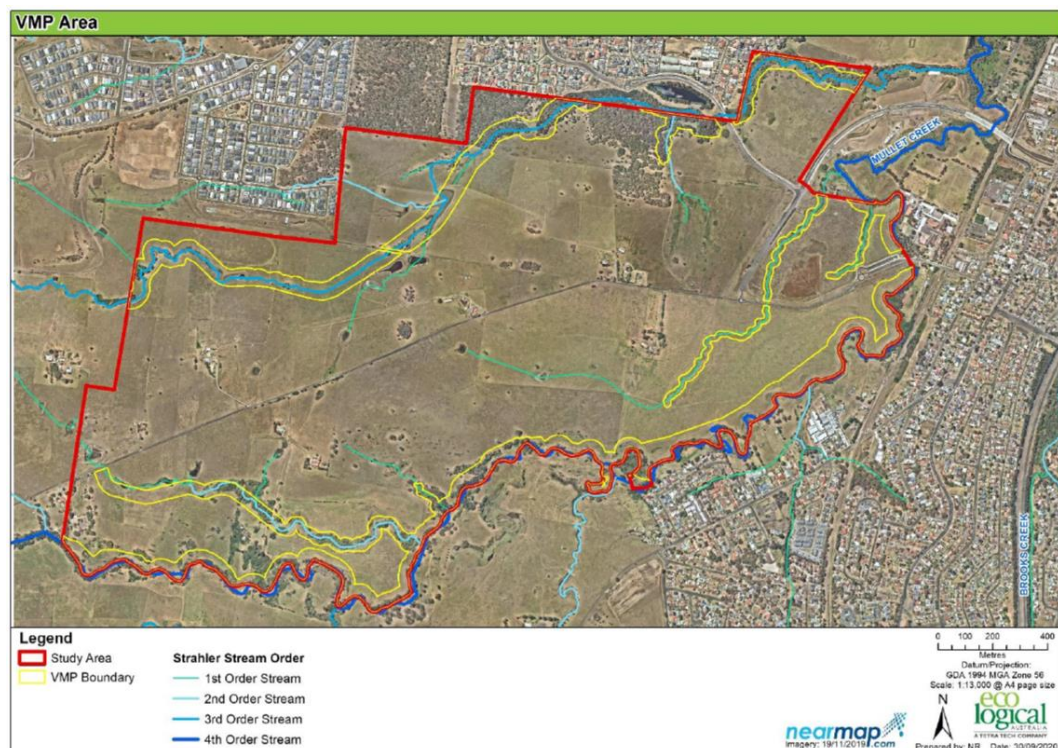


Figure 14 Location of Vegetation Management Plan boundaries

Site Management Principles for future VMPs are recommended and relate to:

- Temporary construction fencing
- Pre-clearance and earthworks supervision
- Soil preparation
- Pest control
- Erosion and sediment control
- Assisted regeneration

Weed Management Principles for future VMPs recommended relate to:

- Weed control techniques
- Management of weed waste
- Herbicide use

5 Environmental Considerations

Due to the high density and abundance of weed species in the VMP area, primary weed control is required. Following primary weed control, maintenance weed control will occur for a period of five years to ensure exotic species do not encroach into the VMP area.

5.2 Heritage

European

Cleveland House, located on Lot 1, DP 194419 is listed as having 'Local' heritage significance (Item No.5950 in Schedule 5 of WLEP 2009). It is located along the Mullet Creek corridor and is proposed for retention within the open space network (RE1 zone).

- If impact cannot be avoided, then Biosis recommends that a Historical Heritage Assessment and a Statement of Heritage Impact (SoHI) be prepared for Cleveland House to determine suitable heritage controls. The Planning Proposal does not propose any work to Cleveland House and this recommendation is relevant to future development applications.
- If impacts can be avoided a Heritage Management Plan be prepared for Cleveland House.

It is also recommended that existing vegetation that lines Cleveland House and surrounding creek be retained to create a visual barrier between Cleveland House and future development. These recommendations are readily achievable because the house is located in the proposed RE1 Zone and vegetation is capable of being retained to provide the visual barrier between the urban area and the setting of Cleveland House.

The former tramway alignment on the northern edge of the site will also be retained. The neighbourhood plan provides an opportunity for the former tramway alignment to form part of the road/ pedestrian or cycleway network at future DA stages which is an outcome consistent with the West Dapto Vision 2018.

Aboriginal

Biosis has previously undertaken several heritage assessments for the North and South precincts.

For the Southern precinct Biosis completed an Aboriginal Due Diligence Assessment (ADDA) and Historical Heritage Assessment (HHA).

For the Northern precinct Biosis is currently completing an Aboriginal Cultural Heritage Assessment (ACHA) including consultation with the Aboriginal community.

Biosis has prepared an Interim Heritage Assessment which is a comprehensive report detailing the results of previous assessments and those currently underway and outlines the Aboriginal and historical constraints known to exist within the study area, and the recommendations provided in the ADDA and HHA completed for the South precinct, and the ACHA currently underway for the North precinct

Aboriginal Heritage Information Management System identifies 18 sites within the study area, of these 16 are artefacts, one is an Aboriginal Ceremony and Dreaming site (52-25-3831) and one was deemed to be not a valid site (52-5-0585). These sites are illustrated in **Figure 15**.

5 Environmental Considerations

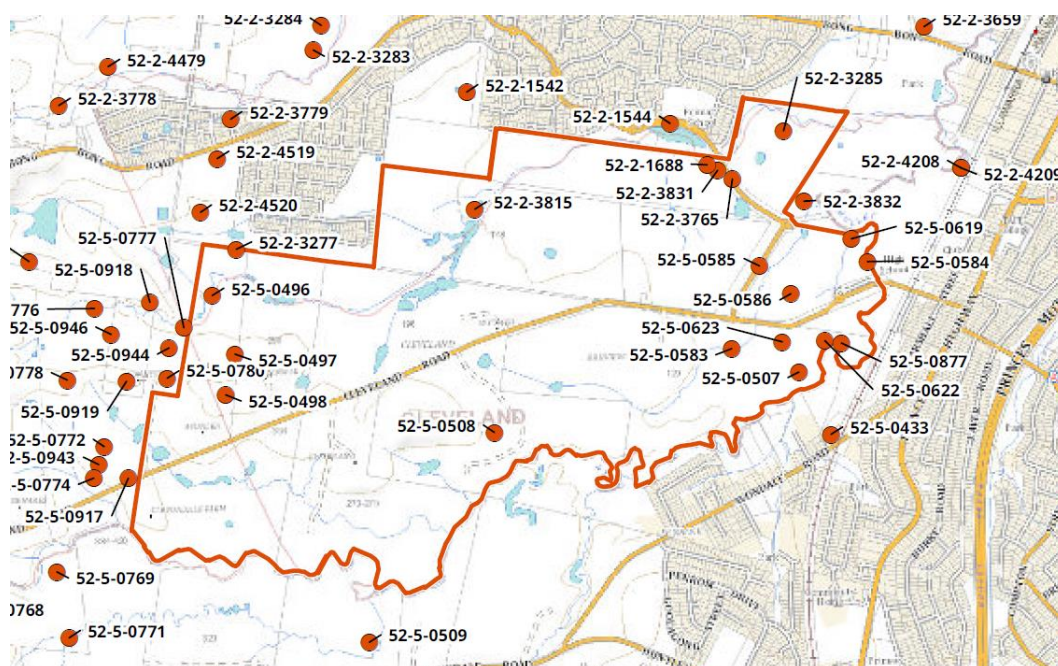


Figure 15 Extract of AHIMS sites from Interim Heritage Report (Biosis)

Figure 16 illustrates the results of the Biosis works to date the areas which are impacted by the developable footprint represented by the planning proposal and neighbourhood plan.



Figure 16 To be updated

Biosis has several recommendations for impacted sites, surface artefacts, PAD sites and relics. These relate to further archaeological assessment, further archaeology survey, Aboriginal Heritage Impact Permits (AHIP), collection of surface artefacts, test excavations, avoidance of sites, Cultural Heritage Management Plans and continued consultation with registered Aboriginal stakeholders. The recommendations are matters that are most appropriately addressed in conjunction with future DAs.

5 Environmental Considerations

The Aboriginal community has been consulted regarding lots to the north of Cleveland Road and arrangements are being made for consultation to commence for lots to the south of Cleveland Road.

5.3 Flood

A Floodplain Risk and Water Cycle Management Plan has been prepared by Rienco Consulting.

Rienco has prepared a hydraulic model of the flood constraints as requested by WCC.

Figure 17 is the pre-development 1% AEP flood extent. The darker shade is the extent modelled by Rienco using ground survey. The lighter shade is that reflected in the Mullet Creek Flood Model Update (2018).

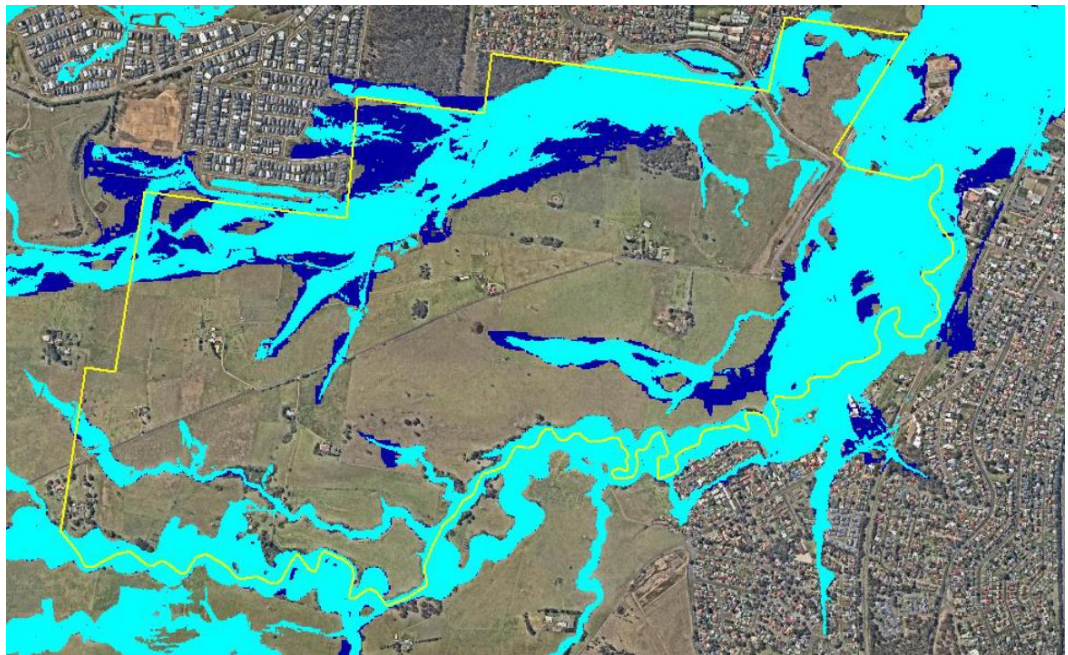


Figure 17 Pre development 1% AEP Flood Extents (comparison of Rienco vs WCC)

TUFLOW modelling was undertaken to simulate the post development scenario. Hydraulic modelling was also undertaken for the 1% AEP and PMF design events resulting in no inundation to lots as shown in **Figure 18** below.

5 Environmental Considerations

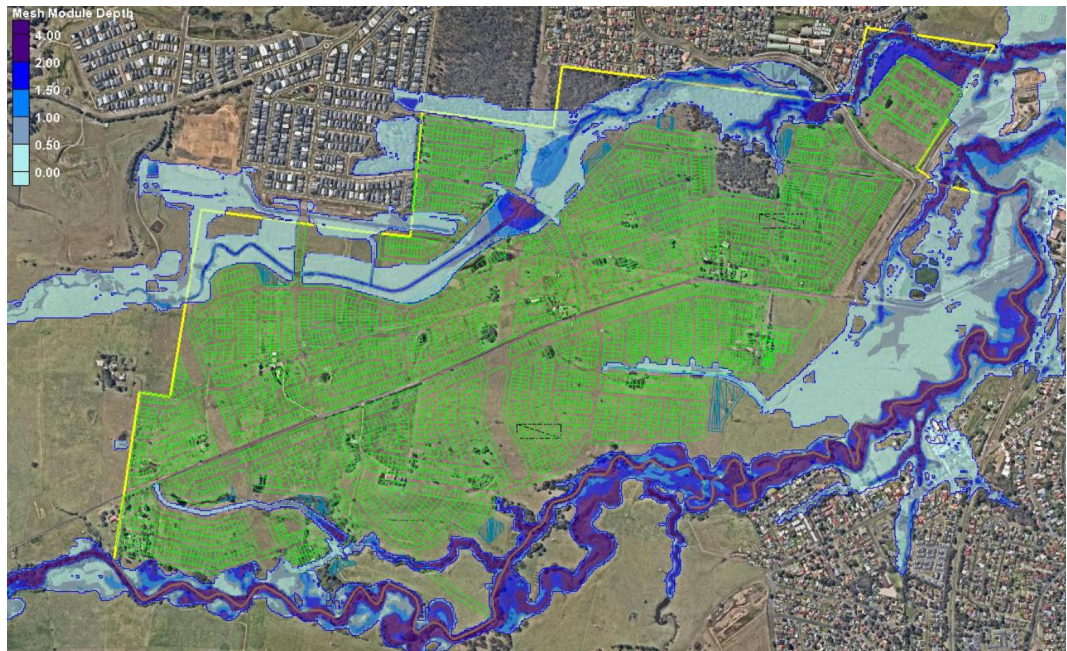


Figure 18 Post development flood extents and depths

No proposed residential or business lots are contained within the post development flood extent.

Rienco concludes that future residential development can readily meet the requirements of Wollongong Council's LEP (2009) Clause 7.3.

5.4 Stormwater Quality

Rienco has also developed WSUD measures with sufficient detail to convey the design intent only. Further detailed design will be documented as part of future DAs. During detailed design, the proposed WSUD measures may require some changes to suit detailed local issues.

The OSD strategy proposed in this report caters for the entire land that is the subject of the rezoning, which is appropriate. The only 'upslope catchment areas' that are not subject to OSD is runoff from those areas that are already within the stream. WCC's OSD policy has no requirement for online stream flow retardation, or OSD. Each detention basin caters for about 250 lots.

Figure 19 indicates the proposed catchment areas in red and proposed OSD basins in blue.

5 Environmental Considerations



Figure 19 Post development catchment plan for WSUD Measures (Rienco)

5.5 Traffic

Vehicular access from the west of the site is provided by Cleveland Road. Vehicular access from the east of the site is via Daisy Bank Drive/ Fairwater Drive, Daisy Bank Drive/ Fowlers Road or Cleveland Road.

To the north, current vehicular connectivity is via Fairwater Drive and Fowlers Road.

Two future north/ south connections are identified in West Dapto Vision 2018. The future north south roads will connect Bong Bong Road in Bong Bong to Avondale Road in Penrose through the subject site. These north-south connections have been accommodated in the neighbourhood plan.

West Dapto Vision 2018 and Draft West Dapto Contributions Plan 2020 both show the future main road structure / hierarchy. An extract from the draft Contributions Plan is provided in **Figure 20** and relevantly illustrates the following:

- A new Section 7.11 sub arterial road on the eastern part of the site with a signalised intersection at Cleveland Road. The neighbourhood plan makes provision for this road.
- A new Section 7.11 sub arterial road in the western part of the site being the Brooks Reach Huntley Link including signalised intersections which are accommodated in the neighbourhood plan.
- A major collector road mid-way on the northern side of Cleveland Road connecting into Brooks Reach including signalised intersections which are accommodated in the neighbourhood plan.
- The Plan also shows the upgrade of Cleveland Road.

5 Environmental Considerations

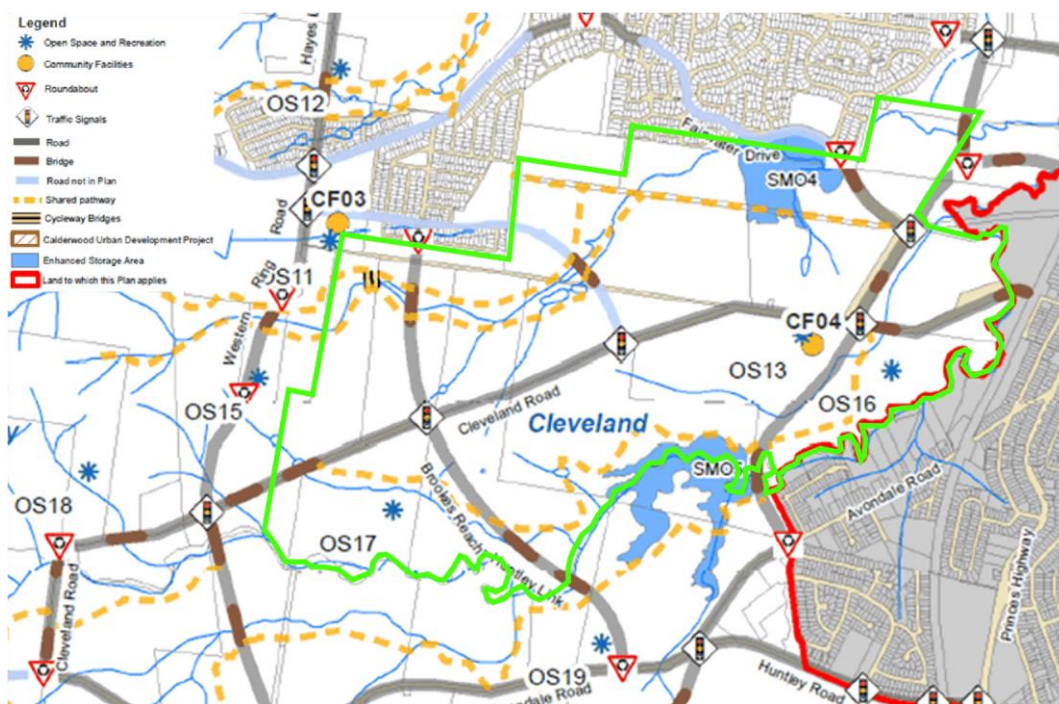


Figure 20 Extract from the Draft West Dapto Contributions Plan 2020

The neighbourhood plan is consistent with the Draft West Dapto Contributions Plan 2020 and West Dapto Vision 2018.

Bitzios has prepared a Traffic Impact Assessment Report which has reviewed the neighbourhood plan against:

- West Dapto Vision 2018
- Draft West Dapto Development Contributions Plan 2020
- Traffic / road design related sections in Chapters D16 and B2 of the Wollongong Development Control Plan

Their assessment has found that the proposed neighbourhood plan is generally consistent with the above strategic documents and policies.

They have also modelled the traffic volumes for the neighbourhood plan based on expected yields (dwelling lots and commercial floor area based on the proposed FSR for the B2 and B6 zones). Council's WOLSH TRACKS model has been used and updated with inputs for the proposal. The traffic volumes have been forecast for 2036. The performance of the network and intersections was found to be satisfactory.

Bitzios has also reviewed the public transport arrangements and indicative bus stop locations which provided for in the neighbourhood plan, with bus stops within a 400m walking catchment. Their report also documents the pedestrian and cycle way network of the Neighbourhood Plan which is consistent with the Council's strategy and road designs in the DCP.

Bitzios notes that future design work is required to examine sight distances for the 50km/hr zones in the residential areas. They have noted that if there are inappropriate sight distances this might need to be managed with 40km/hr speed limits together with appropriate traffic calming devices or some priority controlled intersections being designed as roundabouts. This is a detailed matter that can occur with future DAs.

5 Environmental Considerations

5.6 Views

The indicative neighbourhood plan allows views from the site to the escarpment to the west and north. The western edge of the site is approximately 1km from the Illawarra Escarpment (as mapped under WLEP 2009) and the distance separation does not result in a negative impact to the escarpment. The future urban area will be visible from the escarpment which is an outcome consistent with the West Dapto Release Area which will transform the rural character to an urban character.

As the site would be transitioning from a rural landscape to a residential context in keeping with the West Dapto Urban Release Area. Open space areas and future landscaping would reduce the visual impact of the proposed future development.

The indicative neighbourhood plan has considered focal points of the site and has been designed to maintain views to and from visually prominent areas of the site. These areas are shown in the Urban Design Report prepared by DFP Planning.

5.7 Bushfire

The Bushfire Strategic Study prepared by Eco Logical outlines the bushfire protection measures (BPM) required based on the neighbourhood plan.

Asset Protection Zones (APZ)

Planning for Bushfire Protection (PBP) has been used to determine the width of APZ for the proposed development using the vegetation and slope data. The Overarching VMP and the future vegetation that will occur along the riparian corridors has also been factored into the APZ calculation.

The required APZs are contained wholly within the site.

The APZ are contained partly within the riparian corridors (E2, E3 or RE1 Zones), the perimeter roads adjacent the open space / riparian corridors and in some locations the APZ might extend into the front setback of the proposed lots.

Final APZ requirements will be dependent on the eventual location of the development footprint and building envelopes, as a more detailed assessment of slope, vegetation and bushfire attack is required for each individual allotment and this finer level assessment can occur as part of future DAs.

Eco Logical recommends that development associated with employment lands be treated as residential lands for strategic planning (i.e. a greater APZ has been applied for planning purposes).

APZs are determined based on vegetation type, and slope. Preliminary APZs prepared by Eco Logical are shown in **Figure 21** which is extract from their report.

5 Environmental Considerations

Transect	Slope	Vegetation	PBP Residential required APZ ¹	PBP SFPP required APZ ²	Comment
1	Downslope >0 to 5 degrees	Low Hazard (riparian)	14 m	47 m	APZ along western boundary to be formed as part of lot subdivision design, including perimeter road layout.
2-3	All upslopes and flat land	Grassland	10 m	36 m	APZ along western boundary to be formed as part of lot subdivision design, including perimeter road layout.
4-7	Downslope >0 to 5 degrees	Forest	29 m	79 m	Further refinement of APZ could be undertaken based on management plan for riparian corridor
8	All upslopes and flat land	Grassland	10 m	36 m	APZ along northern boundary to be formed as part of lot subdivision design, including perimeter road layout.
9 & 10	All upslopes and flat land	Woodland	12 m	42 m	APZ along western boundary to be formed as part of lot subdivision design, including perimeter road layout.
11	Downslope >0 to 5 degrees	Forest	29 m	79 m	APZ along northern boundary to be formed as part of lot subdivision design, including perimeter road layout.
12	Downslope >0 to 5 degrees	Woodland	16 m	50 m	APZ along northern boundary to be formed as part of lot subdivision design, including perimeter road layout.
13-15	Downslope >0 to 5 degrees	Forest	29 m	79 m	APZ along northern boundary to be formed as part of lot subdivision design, including perimeter road layout.
16-21	Downslope >0 to 5 degrees	Low Hazard (riparian)	14 m	47 m	APZ along riparian corridor can be included within open space or perimeter roads.
22-27	Downslope >0 to 5 degrees	Forest	29 m	79 m	Further refinement of APZ could be undertaken based on management plan for riparian corridor.
28-37	Downslope >5 to 10 degrees	Forest	36 m	93 m	Further refinement of APZ could be undertaken based on management plan for riparian corridor.

¹ Minimum APZ required by PBP 2019 acceptable solution for residential development (Table A1.12.2).

² Minimum APZ required by PBP 2019 acceptable solution for residential development (Table A1.12.1).

Figure 21 APZ requirements

Vegetation management within the subject site, including the APZ is to achieve the specifications of an Inner Protection Area as described in Section 4.14 of the Bushfire Strategic Study.

Access provisions, utilities and emergency management procedures are to be further assessed with future subdivision applications.

5.8 Contamination

The previous planning proposals (north and south of Cleveland Road) each had their own contamination assessment. ADE Consulting Group was engaged to prepare a comprehensive Preliminary Site Investigation for the whole of the site area as per Council's comments.

They have reviewed the two previous reports and carried out a site inspection. The results of the analysis has identified potential areas of environmental concern (PAEC) that could pose a potential risk to human health or the environment. They relate to past activities, dams, stockpiles, fill material, treated timber power poles, storage sheds (i.e. materials that could previously have been stored) a storage tank (previous use is unknown), past use of pesticides or herbicides or asbestos.

The also noted possible leachates from the coal emplacement to the west of the site and leachate contamination of waterways.

ADE has mapped these PAEC which is reproduced in **Figure 22**. The mapping identifies the isolated pockets of PAEC. The potential contamination relating to leachates, pesticides or herbicides is not mapped. The management of pesticides or herbicides is not unusual and generally not an obstacle for rezoning of land from rural to urban purposes. The other isolated pockets of potential contaminants can be readily managed through the DA process.

5 Environmental Considerations

ADE recommends further assessment in order to adequately identify potential contamination and these can be prepared as part of future DAs.

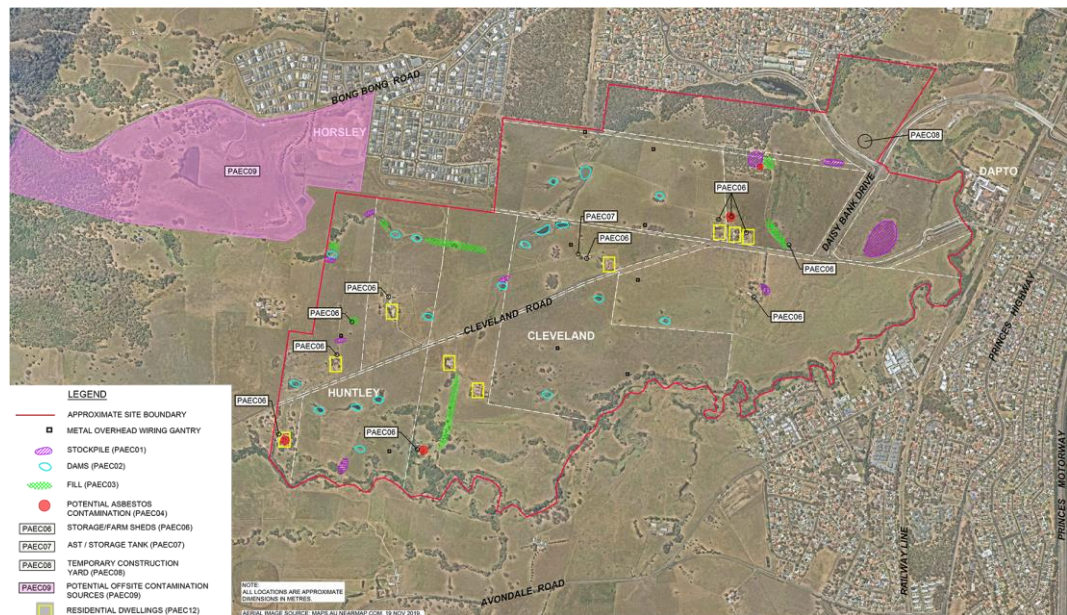


Figure 22 Areas of Concern identified by ADE Consulting Group

6 Matters Required by section 3.33 of the EP&A Act

6.1 Introduction

Section 3.33 of the EP&A Act relates to Planning Proposals and specifically, the matters that are to be addressed in a Planning Proposal. Specifically, section 3.33 states:

- “(1) *Before an environmental planning instrument is made under this Division, the planning proposal authority is required to prepare a document that explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument (the planning proposal).*
- (2) *The planning proposal is to include the following:*
- (a) *a statement of the objectives or intended outcomes of the proposed instrument,*
 - (b) *an explanation of the provisions that are to be included in the proposed instrument,*
 - (c) *the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1),*
 - (d) *if maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument,*
 - (e) *details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.*
- (3) *The Planning Secretary may issue requirements with respect to the preparation of a planning proposal.”*

The following subsections of this Planning Proposal address the requirements of section 3.33 of the EP&A Act.

6.2 Part 1 - Objectives or Intended Outcomes (section 3.33(2)(a))

6.2.1 Objectives and Outcomes

The intended objective or outcome of this Planning Proposal is:

- To rezone current RU2 Rural Landscape and E2 Environmental Landscape to a range of zones to accommodate future residential subdivision, village centres, employment, recreation land and open space as part of the Urban Release Area.
- Provide land for future housing stock and choice in the West Dapto area.
- Retain and enhance the natural environmental features on the site.
- Provide connectivity between Cleveland, Bong Bong, Horsey and Avondale.
- Retain historical features of the site for future adaption in open space networks.
- Provision of land for pedestrian/ cycle network providing connectivity through the site and the wider pedestrian/ cycle network.

6.3 Part 2 - Explanation of Provisions (section 3.33(2)(b))

6.3.1 Proposed Permissibility

The proposed outcome will be achieved through the amendments to Wollongong Local Environmental Plan 2009 as outlined in **Tables 3 to 5** below. Proposed Maps are also shown in **Section 6.5** of this report.

Proposed Land Zones

Table 3 provides a breakdown of the proposed amendments to Land Zoning Map within each existing lot.

6 Matters Required by section 3.33 of the EP&A Act

Table 3 Proposed Land Zone

Property Address	Current zoning	Proposed zoning
334 Cleveland Road (1 / 730326)	RU2 Rural Landscape	R2 Low Density Residential & E3 Environmental Management
290 Cleveland Road (2 / 730326)	RU2 Rural Landscape	R2 Low Density Residential & E3 Environmental Management
196 Cleveland Road (59 / 1125379 & 1 / 156208)	RU2 Rural Landscape	R2 Low Density Residential & E3 Environmental Management.
148 Cleveland Road (1 / 532391)	RU2 Rural Landscape	R2 Low Density Residential & E3 Environmental Management.
Bong Bong Road (100 / 1086479)	E2 Environmental Conservation	E2 Environmental Conservation
144 Cleveland Road (200 / 803810)	E2 Environmental Conservation and RU2 Rural Landscape	R2 Low density Residential, R3 Medium Density Residential & E2 Environmental Conservation.
138 Cleveland Road (201 / 803810)	RU2 Rural Landscape	R2 Low Density Residential
Cleveland Road (1 / 999485)	RU2 Rural Landscape	R2 Low Density Residential
Cleveland Road (310/1188000)	E2 Environmental Conservation and RU2 Rural Landscape	R2 Low Density Residential, E2 Environmental Conservation, R3 Medium Density Residential & B2 Local Centre.
Fairwater Drive (402 / 1254873)	E2 Environmental Conservation and RU2 Rural Landscape	R2 Medium Density Residential, E2 Environmental Conservation and B2 Local Centre.
Fairwater Drive (401 / 1254873)	E2 Environmental Conservation and RU2 Rural Landscape	E2 Environmental Conservation, B2 Local Centre and B6 Enterprise Corridor.
Cleveland Road (312 / 1188000)	RU2 Rural Landscape	RE1 Public Recreation
129 Cleveland Road (313 / 1188000)	RU2 Rural Landscape and RE1 Public Recreation	R2 Low Density Residential, R3 Medium Density Residential, E3 Environmental Management and B2 Local Centre
Cleveland Road (A / 156446)	RU2 Rural Landscape	R2 Low Density Residential and E3 Environmental Management

6 Matters Required by section 3.33 of the EP&A Act

Table 3 Proposed Land Zone

Property Address	Current zoning	Proposed zoning
273-275 Cleveland Road (1 / 194419)	RU2 Rural Landscape	R2 Low Density Residential, R3 Medium Density Residential & E3 Environmental Management.
353 Cleveland Road (1 / 741423 & 1 / 1126171)	RU2 Rural Landscape	R2 Low Density Residential and E3 Environmental Management

Proposed Minimum Lot Size

Table 4 provides a breakdown of the proposed amendments to the Minimum Lot Size Map against proposed land zones

Table 4 Proposed Minimum Lot Size

Zone	Minimum lot size
R2 Low Density	349m ²
R3 Medium Density Residential	249m ²
B2 and B6 zoned land	699m ²
RE1 Public Recreation – Local open space	1-2ha (maximum walking catchment 400-600m)
RE1 Public Recreation – Neighbourhood open space	2-4ha (maximum walking catchment 2km via road or pedestrian/ bicycle networks)
E2 Environmental Conservation	39.99ha (as per current controls)
E3 Environmental Management	39.99ha (as per current controls)

Proposed Height of Building and Floor Space Ratio

Table 5 provides a breakdown of the proposed amendments to the Height of Building and Floor Space Ratio development standards against the proposed land zones

Table 5 Proposed Height of Building

Zone	Maximum building height	Floor Space Ratio
R2 Low Density	9m	0.5:1
R3 Medium Density Residential	12m	0.75:1
B2 and B6 zoned land north of Fairwater Drive	B2 – 22m B6 – 16m	2.5:1 2:1
B2 South of Fairwater Drive	12m	2:1

6 Matters Required by section 3.33 of the EP&A Act

6.4 Part 3 – Justification (section 3.33(2)(c))

6.4.1 Section A – Need for the Planning Proposal

6.4.1.1 Question 1 – Is the planning proposal a result of an endorsed Local Strategic Planning Statement, strategic study or report?

The proposal has been prepared in response to the vision for West Dapto as set out in the Wollongong Local Strategic Planning Statement adopted by Council on 29 June 2020 to grow and develop a series of connected communities, integrating waterways, riparian land, natural and cultural heritage with the new urban form.

6.4.1.2 Question 2 – Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Rezoning the site is the best option to achieve development of the site whilst still conserving environmental areas and providing recreational land for future public use. The proposal is consistent with the Wollongong Local Environmental Plan objectives of the R2 Low Density, R3 Medium Density, B2 Local Centre, B6 Enterprise Corridor, RE1 Public Recreation, E2 Environmental Conservation and E3 Environmental Management zones as discussed in the tables below:

Table 6 The proposal's consistency with WLEP 2009 objectives for the R2 zone

Objective	Comment
To provide for the housing needs of the community within a low-density residential environment.	<p>The concept plan provides low density residential lots in accordance with this objective as it will extend the existing R2 zoning which is currently present north and west of the site.</p> <p>In keeping with the surrounding zones the majority of the residential zoned land is proposed as R2 Low Density and is proposed with similar lot sizes and the same building height and FSR as adjoining R2 zones.</p>
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	<p>The proposed R2 land also provides large open space with easements for overhead electricity transmission lines.</p> <p>The land use table of the current R2 zone will apply including other land uses that support the day to day needs of future residents.</p>

Table 7 The proposal's consistency with WLEP 2009 objectives for the R3 zone

Objective	Comment
To provide for the housing needs of the community within a medium density residential environment.	<p>The concept plan allows residential lots is in accordance with this objective as it will provide R3 zoning in locations adjoining or adjacent to business, recreation or environmental land uses in keeping with the R3 zoned land at Dapto, R3 zoned land west of the site on Bong Bong Road and R3 zoned land further north of the site along West Dapto Road/ Sheaffes Road. Similar building height and FSR controls are proposed.</p>
To provide a variety of housing types within a medium density residential environment.	<p>The proposal will provide the option of various housing typologies with varying lots sizes. The various lot sizes will allow for detached dwelling houses and dual occupancies of various sizes.</p>
To enable other land uses that provide facilities or services to meet the day to day needs of residents.	<p>The land use table of the current R3 zone will apply including other land uses that support the day to day needs of future residents.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 8 The proposal's consistency with WLEP 2009 objectives for the B2 zone

Objective	Comment
To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.	The concept plan proposes B2 Local Centres at the intersections of Fairwater Drive/ Daisy Bank Drive and Daisy Bank Drive/ Cleveland Road. The provision of two (2) B2 zones allows for multiple uses to be accommodated within the development including retail and business-related uses. The facilities will support both the immediate residents by way of local retail or commercial services, employment opportunities, presenting a work/ life balance and the ability to support the local economy. Visitors to the area can also benefit from the B2 Local Centres, particularly retail uses when visiting the proposed recreational areas or residential areas.
To encourage employment opportunities in accessible locations.	The B2 Local Centres are accessible from Fowlers Road and Fairwater Drive to the north and Cleveland Road to the west, with Daisy Bank Drive separating the 2 centres. The positioning of the B2 Local Centres ensures they are easily accessible not only from the development site, but also from Dapto, Horsley, Bong Bong and Avondale.
To maximise public transport patronage and encourage walking and cycling.	The location of the B2 zones on the major roads will allow them to be readily serviced by future bus routes.
To allow for residential accommodation and other uses while maintaining active retail, business or other non-residential uses at the street level.	The proposed areas of the B2 Local Centre are considered large enough in area to allow for retail at ground level and residential accommodation at higher levels. Future DAs will provide detailed design of proposed built form and uses in these areas.

Table 9 The proposal's consistency with WLEP 2009 objectives for the B6 zone

Objective	Comment
To promote businesses along main roads and to encourage a mix of compatible uses.	The proposed B6 land is accessed via Fairwater Drive and Fowlers Road. The location is considered easily accessible to residents and visitors. The super lots are capable of being subdivide into various lot sizes to ensure a mix of uses can be achieved.
To provide a range of employment uses (including business, office, retail and light industrial uses).	The exact uses to occupy the B6 zoned land are subject to future DAs, however, the B6 zoned land permits a variety of uses with consent which provide a range of employment opportunities, such as (but not limited to) business premises, centre based child care facilities, hardware and building supplies, hotel or motel accommodation, light industries, office premises registered clubs, service stations.
To maintain the economic strength of centres by limiting retailing activity.	N/A – No specific use is being sought as part of this Planning Proposal.
To encourage activities which will contribute to the economic and employment growth of Wollongong.	The exact uses to occupy the B6 zoned land are subject to future DAs, however, uses permitted in the B6 zone can contribute to the economic and employment growth of Wollongong.
To allow some diversity of activities that will not— (a) significantly detract from the operation of existing or proposed development, or (b) significantly detract from the amenity of nearby residents, or (c) have an adverse impact upon the efficient operation of the surrounding road system.	Land proposed for B6 zoning does not detract from the amenity of nearby resident as E3 zoned land creates a buffer from nearby existing and proposed residential properties. Fairwater Drive separates the B6 zoned land from the minimal R3 zoned land to the south west. The main vehicular entry is proposed via a signalised intersection off Fairwater Drive and a secondary left in, left out access proposed off Fowlers Road. A Traffic Study prepared by Bitzios supports the proposed road network, traffic generation from the proposed B6 zoned land and intersection locations.

6 Matters Required by section 3.33 of the EP&A Act

Table 10 The proposal's consistency with WLEP 2009 objectives for the E2 zone

Objective	Comment
To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.	Existing forest vegetation has been retained in the concept plan within the E2 zoned land. The E2 zoned land retains the aesthetic values through the implementation of perimeter roads and avoidance of rear fences dividing the E2 land and residential lands.
To prevent development that could destroy, damage or otherwise have an adverse effect on those values.	A small portion of E2 land is proposed to be rezoned to R2 Low Density Residential. The area is currently cleared land and does not contain any vegetation. The proposed rezoning of part of the E2 land does not negatively impact the E2 zoned land. There is sufficient land available to undertake enhancement works to the current vegetated areas.
To retain and enhance the visual and scenic qualities of the Illawarra Escarpment.	The land is not located on the Illawarra Escarpment nor mapped as part of the Illawarra Escarpment under WLEP 2009 and development of the site does not negatively impact the scenic qualities of the escarpment.
To maintain the quality of the water supply for Sydney and the Illawarra by protecting land forming part of the Sydney drinking water catchment (within the meaning of <i>State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</i>) to enable the management and appropriate use of the land by Water NSW.	The land does form part of the Sydney Drinking Water catchment which is also one of the main water suppliers for the Illawarra.

Table 11 The proposal's consistency with WLEP 2009 objectives for the E3 zone

Objective	Comment
To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.	<p>This Planning Proposal proposes large areas of E3 zoned land surrounding natural water courses and has been designed to incorporate riparian areas adjacent to the waterways. Waterways and riparian areas will be restored in accordance with the Vegetation Management Plan prepared by Eco Logical. Discussions have commenced with Natural Resource Access Regulator regarding wetlands and wetland buffers, waterways to remain as part of this proposal, waterways which can be piped and waterways ways which can be removed (man-made/ redundant). Refer to Section 2.2 of this report.</p> <p>Flooding of the waterways has also been investigated and the proposed layout has been designed to minimise any flood affection outside of the E2, E3 zoned land. Refer to the Floodplain Risk and Water Cycle Management Plan prepared by Rienco.</p>
To provide for a limited range of development that does not have an adverse effect on those values.	Works within the proposed E3 zoned land relate to environmental; protection works as outlined in the Vegetation Management Plan prepared by Eco Logical.

Whilst this Planning Proposal is not seeking approval for the neighbourhood plan, a neighbourhood plan has been provided to demonstrate consistency with the DCP provisions. Key DCP objectives are addressed in **Table 12**.

6 Matters Required by section 3.33 of the EP&A Act

Table 12 Assessment of DCP Objectives

DCP Control	Assessment/Comment
Chapter B2 – Residential Subdivision	
<p>6 Subdivision Design</p> <p>1. The design of any residential subdivision must include a land suitability assessment, addressing the following issues where relevant:</p> <ul style="list-style-type: none"> • Existing land use. • Flooding. • Bushfire. • Topography, geotechnical constraints, contamination constraints. • Biodiversity (Ecologically Endangered Communities, bushland, significant trees, habitat). • Known or likely heritage sites, including Indigenous heritage cultural issues. • Existing road network. • Street frontage and access. • Available utilities & services and existing easements. • Need for community and recreation facilities. • Visual character. • Noise impacts (e.g. from the main roads, industrial areas or public and private railways). <p>2. Subdivisions comprising 4 lots or more must demonstrate the following where applicable:</p> <ul style="list-style-type: none"> • Proposed road layout and hierarchy. • Proposed public transport, bicycle and pedestrian routes. • Proposed drainage management concepts. • Proposed buffers to heritage items. • Riparian corridors, buffers and proposed future use and ownership. • Proposed Asset Protection Zone requirements. 	<p>This proposal does not seek approval for subdivision design; however, a layout has been proposed to identify the suitability of the land, including flood, bushfire, ecological and heritage constraints. The proposed zoning plan has been prepared incorporating the finding of specialist consultants and constraints such as APZs riparian corridors and flood land. Proposed residential and business zoned land is free from naturally occurring constraints.</p> <p>The following reports/ plans have been prepared to support this Planning Proposal:</p> <ul style="list-style-type: none"> • Road Hierarchy • Bicycle path • Flora and Fauna • Heritage Report • Riparian corridors • Bushfire APZ
<p>6.6 Superlots in residential subdivisions for integrated housing or medium density housing</p> <p>Objectives</p> <p>(a) To ensure large residue lots or super lots for future dual occupancy or medium density housing are well planned and are strategically placed to reflect future traffic management conditions and other environmental conditions.</p> <p>(b) To encourage large residue lots to be earmarked for medium density housing early in the residential subdivision process.</p>	<p>Three (3) areas of R3 Medium Density zoned land are proposed. These areas are located to either business zoned land, recreational zoned land or both</p>
<p>7. Major residential subdivisions</p> <p>Objectives</p> <p>(a) To ensure the staging of a major residential subdivision is well planned and that all relevant roads, drainage and other infrastructure services are provided for each stage in the subdivision.</p> <p>(b) To ensure the staging of the development minimises any potential adverse noise or amenity conflicts, arising from construction equipment and plant operating on later subdivision stages upon residents in early release stages.</p>	<p>To be detailed at future DA stage</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 12 Assessment of DCP Objectives

DCP Control	Assessment/Comment
<p>8 Public reserves and open space</p> <p>Objectives</p> <p>a) To ensure the provision and embellishment of public open space is consistent with Council's planned requirements, to meet the recreational needs of the community.</p> <p>b) To provide public open space (i.e. both active and passive) within reasonable proximity for all residential lots within existing urban areas and new release areas.</p> <p>c) To preserve remnant native bushland including endangered ecological communities within public open space buffers, where possible.</p> <p>d) To limit the amount of land proposed to be dedicated to Council for public open space, to only lands zoned RE1 Public Recreation, under the relevant LEP or other lands previously identified by Council as being required for public open space.</p> <p>e) To minimise costs of on-going maintenance of public open space.</p>	<p>Draft West Dapto Development Contributions Plan (2020) identifies the following infrastructure for Cleveland:</p> <ul style="list-style-type: none"> • Active open space including 12 netball courts and 8 tennis courts • 3 x active and passive open spaces including 3 x informal playing fields • Active (2ha) formal playing fields x 6 and 2ha passive open space • Passive open space including embellishment <p>The proposed neighbourhood plan and rezoning reflects the proposed open space requirements in the draft contributions plan.</p> <p>Riparian corridors provide good access for all residential lots.</p> <p>This objective is achieved through retention of riparian corridors which incorporate generous width to provide a buffer from the future urban areas.</p> <p>The RE1 zoned land is intended for public ownership. The E3 and E2 zoned land is also intended for public ownership consistent with other riparian corridors in the West Dapto area.</p>
<p>9. Pedestrian and bicycle networks</p> <p>Objectives</p> <p>(a) To ensure residential subdivisions provide safe and convenient pedestrian and bicycle linkages to facilities and services within the surrounding locality.</p> <p>(b) To ensure the road network adequately caters for the safety of pedestrians, cyclists and motorists through the provision of adequate sight lines at critical locations such as intersections, driveway crossings, bus stops and crossing points.</p> <p>(c) To ensure all pedestrian footpaths, and shared paths are designed in accordance with relevant Australian Standards and AUSTROADS.</p> <p>(d) To ensure all pedestrian footpaths and shared paths are designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles.</p>	<p>An indicative Neighbourhood Plan has been prepared identify the intended cycle way/ pedestrian network. Pedestrian and cycle networks are to be detailed at future DA stages.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 12 Assessment of DCP Objectives

DCP Control	Assessment/Comment
13.1 Road connectivity, permeability and legibility Objectives (a) To establish a legible and well-connected road network that promotes safe pedestrian and bicycle movement as well as convenient vehicular access. (b) To provide improved road, pedestrian and bicycle connections linking residential areas with public reserves, business centres, public services and facilities.	An indicative Neighbourhood Plan has been prepared identify a road network. Road design, pedestrian and cycle networks are to be detailed at future DA stages.
13.2 Road hierarchy and design requirements Objectives (a) To provide a defined hierarchy of roads, in order to provide an acceptable level of access, safety and convenience for all road users.	The proposed road network consists of Collector Roads, Local Roads and access roads. A proposed road hierarchy plan for the neighbourhood plan has been identified by Bitzios.
14 Bushfire protection Objectives (a) Proposed residential subdivisions designed to minimise the potential bush fire hazard risk to prevent future loss of, and damage to life, property and the environment due to bushfires. (b) Residential subdivision designed to minimise the siting of future dwellings away from ridge tops and other steeply sloping land, especially upslope lands, within saddles or narrow ridge crests. (c) Proposed residential subdivisions designed to provide an efficient and safe road network which minimises potential bottle-necks. (d) Minimise the impact of fire protection measures on vegetation, fauna, views, watercourses and soil erosion, amenity and safe access. (e) Ensure each residential subdivision upon bush fire prone land is designed to provide satisfactory asset protection zones (APZ) between areas of potential hazard and development.	Asset Protection Zones (APZ) are proposed adjoining riparian lands. APZ widths have been determined by Eco Logical based on the slope of land and vegetation type. The neighbourhood Plan has been designed to minimise the APZ requirements on future lots and this will be further refined at DA stage.
15 Stormwater drainage Objectives (a) Minimise stormwater drainage run-off impacts upon downstream properties. (b) Limit post development discharges to pre-development levels. (c) Provide a sustainable stormwater drainage and water quality environment incorporating both natural and man-made landscape features and which is aesthetically pleasing. (d) To encourage water sensitive urban design initiatives for larger residential subdivisions, in order to maintain or enhance the water quality in watercourses.	Stormwater drainage is capable of meeting the objectives at future DA stages.

6 Matters Required by section 3.33 of the EP&A Act

Table 12 Assessment of DCP Objectives

DCP Control	Assessment/Comment
16 Riparian land management Objectives (a) Protect urban creeks and riparian corridors and their native ecology from further degradation and improve their environmental function. (b) Maintain or enhance the stability of the bed and banks of a watercourse. (c) Minimize 'edge effects' at the riparian corridor / urban interface by the provision of a suitable riparian corridor width and create borders with perimeter road systems and pedestrian/cycle paths. (d) To ensure riparian land management measures are compatible with floodplain risk management objectives.	Riparian lands are located in the proposed E2 Environmental Conservation and E3 Environmental Management zones. A Riparian Assessment Report and Vegetation Management Plan has been prepared to rehabilitate the Riparian areas.

6.4.2 Section B – Relationship to Strategic Planning Framework

6.4.2.1 Question 3 – Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Illawarra Shoalhaven Regional Plan

The planning proposal is consistent with the relevant Directions and Actions of the Region Plan. **Table 13** demonstrates the consistency of the planning proposal in relation to the Regional Plan's Directions.

Table 13 Illawarra Shoalhaven Regional Plan

Direction 2.2 Support housing opportunities close to existing services, jobs and infrastructure in the region's centre	
Action	Consistency
2.2.1 Investigate the policies, plans and investments that would support greater housing diversity in centres	The identified centres in the region relevant to the site are Dapto (Regional), Shellharbour (Major Regional) and Wollongong (Metro). The proposed R2 Low Density and R3 Medium Density zoned land will provide approximately an additional 3000 residential allotments close to the identified centres. The R3 zone will provide an opportunity for housing diversity close to the B2 local centres.
Direction 2.3 Deliver housing in new release areas best suited to build new communities, provide housing choice and avoid environmental impact	
2.3.1 Coordinate infrastructure delivery to support West Lake Illawarra and Nowra - Bomaderry release areas	This planning proposal includes road infrastructure to support the connectivity of the site to Bong Bong, Horsley, Dapto and future connection to Avondale.
Direction 2.4 Identify and conserve biodiversity values when planning new communities	
2.4.1 Finalise biodiversity certification for West Dapto	A Biodiversity Certification application has been lodged for West Dapto and is still under assessment. The planning proposal should not be delayed or deferred pending the biodiversity certification as the planning proposal has considered biodiversity and retained significant vegetation in the riparian corridors consistent with the objective of conserving biodiversity values.

6 Matters Required by section 3.33 of the EP&A Act

Table 13 Illawarra Shoalhaven Regional Plan

Direction 3.2 Enhance community access to jobs, goods and services by improving connections between centres and growth areas

3.2.2 Improve access to centres, particularly in the northern corridor, to encourage development	Development of the Cleveland Road area provides connection from Cleveland to Bong Bong, Horsley and Dapto. The proposal also incorporates employment opportunities accessible to both the residents of the future development and surrounding areas.
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Direction 3.3 Build socially inclusive, safe and healthy communities

3.3.1 Review and update the Neighbourhood Planning Principles	An indicative layout has been provided to assist with understanding the planning proposal. Road and lot layout, other than existing roads are subject to further DA.
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Direction 3.4 Protect the region's cultural heritage

3.4.1 Conserve heritage sites when preparing local planning controls	'Cleveland House' is retained as part of this Planning Proposal.
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Direction 5.1 Protect the region's environmental values by focusing development in locations with the capacity to absorb development

5.1.1 Avoid, minimise and mitigate the impact of development on significant environmental assets	Significant environmental assets greater than 5Ha in area have been protected within the proposed E2 Environmental Conservation and E3 Environmental Management zoned land.
5.1.4 Create a consistent approach to protect important riparian areas in planning and development controls	E3 Environmental Management and E2 Environmental Conservation zones are proposed around waterways and riparian areas. A Riparian Report and Vegetation Management Plan has been prepared by Eco Logical to restore the riparian lands.

Direction 5.2 Build the Illawarra-Shoalhaven's resilience to natural hazards and climate change

5.2.1 Apply contemporary risk management to coastal and other hazards	Wollongong Council has already investigated the potential impacts of climate change on design flood behaviour through the subject site. Council's Mullet Creek Flood Model Update (2018) includes a sensitivity analysis on flood modelling considering the impacts of climate change in West Dapto. The report found that the land is relatively insensitive to climate-changed increases in rainfall intensity and well within the 0.5m freeboard for Flood Planning Levels. It is therefore concluded that there is no climate change flood-related impediment to the rezoning of the land.
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Direction 5.4 Secure the health of coastal landscapes by managing land uses and water quality

5.4.1 Protect sensitive estuaries and coastal lakes	Correspondence has been undertaken with Natural Resource Access Regulator. Waterways which were advised to be retained, have been retained within the proposed E2 Environmental Conservation and E3 Environmental Management zoned land.
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6.4.2.2 Question 4 – Will the planning proposal give effect to a council endorsed local strategic planning statement or any other endorsed local strategy or strategic plan?

Wollongong Local Strategic Planning Statement (LSPS)

The Wollongong LSPS was adopted by Council on 29 June 2020 and appears on the Department of Planning Industry and Environment's website as a 'final' LSPS.

The LSPS utilises a number of strategic plans and documents including the West Dapto Release Area. The LSPS has drawn upon the West Dapto Release Area Vision 2018 (discussed below).

In terms of Jobs and Economic Growth, the LSPS identifies two town centres and an unspecified number of village centres in West Dapto. This is discussed further in response to the West Dapto Vision 2018.

6 Matters Required by section 3.33 of the EP&A Act

In terms of Housing, West Dapto is planned to provide 19,500 dwellings over 40-50 years and is recognised as a key housing supply area for many years. The LSPS gives recognition to West Dapto Vision 2018 being:

“West Dapto will grow and develop as a series of integrated and connected communities. Set against the spectacular Illawarra Escarpment and a landscape of riparian valleys, these communities will integrate the natural and cultural heritage of the area with the new urban form.

The communities will be healthy, sustainable and resilient with active and passive open space accessible by walkways, cycleways and public transport. To support these new communities, local centres will provide shopping services, community services and jobs while employment lands will facilitate further opportunities for the region.

West Dapto will be supported by a long-term strategy to oversee the timely implementation of infrastructure to deliver sustainable and high-quality suburbs with diverse housing choices.”

One of the key actions is the preparation of a housing strategy by Council and one of the housing priorities is for the West Dapto Release Area to continue to provide low density housing, with pockets of medium density housing and the planning proposal is consistent with this vision by proposing mostly low density zones with three pockets of medium density (R3) zone located near town centre or recreation / open space.

The LSPS contain visions and actions in relation to Inclusive and Connected Communities addressing community/social infrastructure, recreation and heritage. The Planning Proposal responds to the broad vision by providing connected open space network, recreation zones, incorporation of heritage and the ability to provide community (social) infrastructure in the residential or local business zones.

In terms of climate change, Council has already investigated the potential impacts of climate change on design flood behaviour through the subject site by including sensitivity analysis in the Mullet Creek Flood Model Update (2018). As noted earlier the Update found that West Dapto is relatively insensitive to climate-changed increases in rainfall intensity and well within the 0.5m freeboard for Flood Planning Levels.

In terms of Protect the Natural Environment, the LSPS notes that the West Dapto Biodiversity Assessment has been completed. The riparian corridors and the escarpment are also key elements in the natural environment. The riparian corridor and their environmental attributes are protected through the use of the E2 and E3 zones. The site is not within the escarpment and some 1km from edge of the escarpment as mapped under WLEP 2009 and the planning proposal has no impact on the escarpments environmental values.

The visions and key actions of connectivity of high conservation vegetation and riparian areas is achieved. Management of flooding and bushfire is also incorporated into the neighbourhood planning and proposed zones.

The Enabling Infrastructure and Transport section of the LSPS relates to all types of infrastructure (rail, road, buses, pedestrian and cycling, water, sewer, health, stormwater and electricity supply). There are not key actions directly relating to West Dapto. The road and cycling network is consistent with the West Dapto Vision and the road network has considered potential bus route(s). Existing electricity and future stormwater infrastructure is incorporated in to the neighbourhood planning.

The West Dapto Release Area is identified as a Key Locality and references to the West Dapto Vision 2018 which is addressed below and the LSPS also notes that the West Dapto Release area “*will continue to be developed, including the provision of community and recreational facilities.*”

6 Matters Required by section 3.33 of the EP&A Act

Illawarra Escarpment Strategic Management Plan 2015

The Illawarra Escarpment Strategic Management Plan 2015 was endorsed by the then Department of Planning and Environment on 1 December 2015. As stated in Section 2.1 of the IESMP 2015 the Wollongong LEP 2009 boundary “is the trigger used for consideration of Illawarra Escarpment issues in land use planning proposals. The site is not mapped under WLEP 2009 as being within the Illawarra escarpment.

West Dapto Vision 2018

The West Dapto Vision 2018 describes the role of West Dapto as follows:

Direction 2.3 of the Regional Plan confirms that the major regional release areas of West Lake Illawarra (which includes West Dapto) and Nowra- Bomaderry will continue to be the long-term focus for greenfield housing in the region. It is therefore crucial that continued attention is given to appropriate structure and infrastructure planning for West Dapto.

Wollongong City Council estimates the West Dapto Urban Release Area will provide about 19,500 dwellings and an additional population of about 56,500 people once fully developed over 50-plus years.

The release area will also provide local employment opportunities, community and recreational facilities and the conservation of sensitive sites.

Future urban development west of Dapto will strengthen the Dapto town centre as a regional township and centre for employment. In line with the regional direction to encourage and facilitate “flexible employment lands”, businesses and employers will have the option to base themselves within the physical and economic landscape of the release area.

The 2008 Structure Plan

The existing five stages of the urban release area are reflected in the revised structure. Stages 1 and 2 were rezoned for urban development in 2010 and include Kembla Grange to Wongawilli and the area west of Horsley. Stage 3 of the urban release area is Cleveland.

The Vision contains eight Planning Principles that are intended to guide land use planning decisions associated with the urban release area. Each of those principles are addressed in the Tables below.

Table 14 Transport Principles	
Road Network	
Principle 1 – Supportive land use patterns	Consistency/ comment
1.1 Plan higher residential densities and mixed land use in and adjacent to town and village centres and major public transport nodes to reduce reliance on the private car and reduce overall road network requirements and costs.	Proposed R3 land adjoins or is adjacent to recreational, environmental and business land uses.
1.2 Plan the co-location of compatible land uses to reduce reliance on the private car and reduce overall road network requirements and costs.	Proposed recreational, environmental and business zoned land are co-located where possible
Principle 2 - A safe, connected and legible road network for all users	Consistency/ comment
2.1 Provide a road network based on the modified grid layout to maximise accessibility and efficiency.	<p>The road network aligns with the hierarchy/ structure of the West Dapto Vision to connect with the surrounding areas.</p> <p>The concept plans demonstrate how the internal (local) road network can be designed as a grid layout.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 14 Transport Principles

Road Network

<i>2.2 Implement a clear hierarchy of road types that meets relevant transport requirements and road function, creating a highly legible road network for all users.</i>	A hierarchy of roads are proposed including Connector Roads such as Cleveland Road and Fairwater Road, local roads and access roads.
<i>2.3 Ensure the major road network supports the town and village centres hierarchy within West Dapto.</i>	Business related uses are located at Major intersections of the proposed development, being, Fairwater Drive/ Fowlers Road intersection and Daisy Bank Drive/ Cleveland Road intersection generally consistent with the Structure Plan.
<i>2.4 Ensure a balanced and integrated road system, catering not only for the private car but for freight, public transport (buses), pedestrians and cyclists.</i>	A cycleway network is indicated throughout the site. Roads are designed to incorporate pathways. Road reservations are in accordance with Council requirements.
<i>2.5 Implement driveway access restrictions and manage on-road parking on the higher-order roads (access-denied roads) to improve traffic efficiency and pedestrian/ cyclist safety and amenity.</i>	Cycleways are located away from the connector road network consistent with the cycle network 2018 illustrated in West Dapto Vision 2018.
<i>2.6 Implement intersection designs appropriate to the road types, surrounding land use and environment.</i>	Intersection design consist of signalised intersections, 't' intersections, crossroad intersections and roundabout. Additional access into the B6 zoned land incorporates a left in, left out design.
<i>2.7 Ensure built form controls on adjacent properties deliver active frontages to maximise passive surveillance and personal safety in the road environment.</i>	Perimeter roads have been designed into the layout, allowing for future active frontages to all open space areas and the road network, increasing passive surveillance opportunities.
<i>2.8 Ensure roads and intersections are designed to meet relevant standards and best practice guidelines.</i>	The concept plan has had regard to the design of intersections which can be further examined with future DAs.

Principle 3 – Design roads to compliment the environment

Consistency/ comment

<i>3.1 Ensure roads fit with the landform (topography), complement local character/land use and minimise visual, ecological and noise impacts.</i>	Indicative Road layout has been designed to maintain where possible the natural topography, ecological values and character of the site.
<i>3.2 Ensure road alignments take advantage of views and visual stimuli for the motorist to enhance legibility, sense of place and create a positive experience in movement.</i>	Fairwater Drive, Daisy Bank Drive and Cleveland Road (eastern side) have view corridors to recreational open space. Several internal local roads adjoin or have direct views into recreational open space or environmental land. Cleveland Road has views of the escarpment.
<i>3.3 Consider the role of road networks in structuring precincts, including both transport and community needs to maximise liveability and quality urban outcomes.</i>	Provision of intersections along Fowlers Road/ Fairwater Drive and Daisy Bank Drive/ Cleveland Road creates an informal separation of land use types.
<i>3.4 Incorporate Water Sensitive Urban Design (WSUD) into transport infrastructure design and consider options to increase permeability of hard surfaces.</i>	Capable of being achieved at future DA stages

6 Matters Required by section 3.33 of the EP&A Act

Table 14 Transport Principles	
Road Network	
Principle 4 – Quality Infrastructure	Consistency/ comment
4.1 Use robust and durable materials, quality finishes and ancillary infrastructure with neat, uncomplicated designs that minimise maintenance requirements and discourage vandalism.	Capable of being achieved at future DA stages
4.2 Consider the use of innovative technologies in road and transport infrastructure design, construction and operation.	Capable of being achieved at future DA stages
Principle 5 – Road network to support sustainable transport outcomes	Consistency/ comment
5.1 Staging of additional car-based infrastructure to encourage public/ active transport and maximise use of existing infrastructure.	Capable of being achieved at future DA stages
5.2 Use an established 15% transport mode shift target when planning for road network requirements within West Dapto to reduce car dependence.	Capable of being achieved at future DA stages
5.3 Ensure that roads are designed to provide a high level of safety, access and amenity for pedestrians, cyclists and public transport (bus) services.	Capable of being achieved at future DA stages
Public Transport	
Principle 1 – Supportive land use patterns	Consistency/ comment
1.1 Plan residential land use and higher residential densities close to town, village centres and major public transport nodes.	R3 Medium Density zoned land is proposed adjacent to propose business, recreation and environmental lands.
1.2 Locate major generators of travel demand in, or close to, accessible centres that are well serviced by public transport.	Discussion with Council/ bus operator required at future subdivision stage.
1.3 Ensure plans allow for a variety of land uses around public transport nodes and in centres so that services are centralised.	Capable of being achieved at future DA stages
Principle 2 - Effective bus network, service provision & integration	Consistency/ comment
2.1 Provide coordinated, frequent and reliable bus services to destinations within and surrounding West Dapto.	N/A
2.2 Create an efficient, seamless travel experience through integrated ticketing, minimising transfer times and intuitive and easily accessible service information.	N/A
2.3 Ensure street networks are interconnected and allow access for bus services.	Cleveland Road and Daisy Bank Drive would likely form part of the major bus route network. Discussion with Council/ bus operator required at future subdivision stage. The indicative layout proposes a road network to be detailed at future DA stages will allow access for bus services.

6 Matters Required by section 3.33 of the EP&A Act

Table 14 Transport Principles

Road Network

2.4 Ensure the bus network is highly accessible and services the majority of residences, town and village centres, employment areas, sporting facilities and Dapto Railway Station.

N/A

2.5 Incorporate bus priority measures as necessary to ensure highly efficient, prioritised bus transport.

N/A

Principle 3 - Quality infrastructure

Consistency/ comment

3.1 Provide comfortable, attractive, safe and secure buses and bus-related infrastructure with clear timetable/ service information, catering for all users, including disabled/ elderly.

N/A

3.2 Ensure pedestrian and cycle links to bus stops are of a high standard (refer also Active Transport Principles).

Capable of being achieved at future DA stages

3.3 Encourage the use of innovative and efficient public transport technology.

N/A

Principle 4, 5 and 6

N/A – Planning Proposal for rezoning

Active Transport

Principle 1 - Supportive land use patterns

Consistency/ comment

1.1 Plan residential land use close to town and village centres and major public transport nodes, with higher residential densities adjacent to these locations to maximise walking and cycling catchments.

Proposed R3 Medium Density zoned land is proposed adjoining or adjacent to village centres and recreational/ open space areas.

1.2 Encourage careful siting and co-location of land uses to maximise walking and cycling options.

Environmental lands are co-located with riparian zones, including walkways and cycleways.

1.3 Promote shared parking across uses in town/village centres to encourage walking when undertaking multiple activities. Avoid fragmented parking to maximise use of spaces and improve walkability through more compact town centre layouts and fewer driveway crossings.

The indicative layout offers opportunity for shared parking at the village centre located at Cleveland Road/ Daisy Bank Drive intersection and adjoining recreational area.

Principle 2 - Connected, functional pedestrian & cycle network

Consistency/ comment

2.1 Provide a convenient and legible movement network for pedestrians (including those with disabilities) and cyclists, ensuring excellent connectivity and directness between residences and attractors such as schools, shops, public transport nodes, sports ovals and employment centres.

Capable of being achieved at future DA stages

2.2 Include footpaths/shared paths on all roads in the road hierarchy except laneways and minor access streets (refer to Roads Principles).

Indicative road layout shown. Detailed road design including footpaths/ shared paths to be detailed at future DA stages.

6 Matters Required by section 3.33 of the EP&A Act

Table 14 Transport Principles

Road Network

2.3 Take advantage of easements, riparian areas and open spaces to create convenient pedestrian and cycle links (or short-cuts) that maximise accessibility between different precincts /land uses.	Indicative layout plan shows a pedestrian/ cycleway network through the site. Detailed design of cycleways and integration with the wider cycleway network are to be detailed at future DA stages.
2.4 Implement a directional (often referred to as way finding) strategy to provide clear and coordinated information for access to facilities and services within the West Dapto Urban Release Area and surrounds.	Capable of being achieved at future DA stages
2.5 Provide safe and secure bicycle parking or storage facilities at key destinations in town and village centres, sports ovals, community facilities, transport interchanges and key open space areas.	Capable of being achieved at future DA stages
2.6 Encourage bicycle parking and end-of-trip facilities as part of the development of employment and commercial land uses.	Capable of being achieved at future DA stages
2.7 Ensure the West Dapto cycleway network integrates with the surrounding regional cycle routes.	Indicative cycleway shown. Detailed design of cycleways and integration with the wider cycleway network are to be detailed at future DA stages.

Principle 3 - Attractive and safe environment

Consistency/ comment

3.1 Design streets using current 'best practice' to provide a high level of pedestrian and cyclist amenity and safety, creating public space where people want to be.	Indicative road layout has been prepared. Detailed design of roads, pathways, cycleways are to be detailed at future DA stages.
3.2 Provide convenient and safe road crossing points, traffic calming (where appropriate) and tree planting to enhance the pedestrian and cycle environment.	Indicative road pattern identifies signalised intersections, roundabouts, left in/ left out intersections and traffic calming devices on longer stretches of road.
3.3 Ensure built form controls on adjacent properties deliver active frontages to maximise passive surveillance and accessibility to/ from the path network.	Perimeter roads are proposed adjacent to all open space areas
3.4 In high pedestrian demand areas such as town and village centres, further increase pedestrian amenity and safety through path widening, driveway access controls and other site-specific actions to improve pedestrian priority.	Capable of being achieved at future DA stages
3.5 Incorporate Crime Prevention Through Environmental Design (CPTED) principles in the planning of walking and cycling facilities.	Capable of being achieved at future DA stages
3.6 Consider innovative technologies for lighting key off-road paths, including solar lighting and luminescent pathway materials.	Capable of being achieved at future DA stages
3.7 Construct pedestrian and cycle infrastructure according to current 'best practice', with attractive and durable materials and well-designed landscaping treatments (refer also to Roads Principles).	Capable of being achieved at future DA stages.
3.8 Incorporate supporting infrastructure such as seats, bike rails, shade structures, bubblers and viewing/ rest areas into the active transport network where appropriate.	Capable of being achieved at future DA stages

6 Matters Required by section 3.33 of the EP&A Act

Table 14 Transport Principles

Road Network

Principle 4 - Promotion of active transport

Consistency/ comment

4.1 Encourage significant employment-generating developments to implement workplace travel plans.

This planning proposal proposes 6.47Ha of B2 Local Centre land and 4.67Ha of B6 Enterprise Land. Footpaths, cycleways and bus stops will form part of future DAs within the road layout and surrounds.

4.2 Prepare household travel information packs for new homebuyers.

Capable of being achieved at future DA stages

4.3 Support active transport community events and promotions.

Capable of being achieved at future DA stages

4.4 Support the establishment of bike share services.

Capable of being achieved at future DA stages

Table 15 Water Management Principles

Principle 1 - Integration of floodplain and stormwater management

Consistency/ comment

Integrate floodplain and stormwater management into the urban development process.

Capable of being achieved at future DA stages. Proposed residential lands are located outside of the flood area.

Principle 2 - Improved water quantity management

Consistency/ comment

Improve the management of water quantity relating to urban development inclusive of stormwater, wastewater, water supply and recycled water.

Capable of being achieved at future DA stages

Principle 3 - Sustainable floodplain development

Consistency/ comment

Create sustainable development around and within the floodplain.

Capable of being achieved at future DA stages

Principle 4 - Preservation of floodplain function and natural corridors

Consistency/ comment

Preserve the natural function of the floodplain, natural waterways and riparian corridors.

Where advised by Natural Resource Access Regulator waterways have been retained within the proposed E2 Environmental Conservation and E3 Environmental Management zone. Rehabilitation of riparian areas are to be undertaken in accordance with the Vegetation Management Plan prepared by Eco Logical. All proposed Residential and Business zoned land has been designed outside of flood affected land.

Principle 5 – Protection from flooding

Consistency/ comment

Protect people and property from flooding in a strategic way.

Indicative residential lots on the neighbourhood plan been identified in the Floodplain Risk Management Plan (FRMP) as being flood free in the 1% AEP design flood. The FRMP notes that the floodway is being augmented such that all lots are flood free and as such no floodway is proposed to be rezoned to R2 Low Density Residential,

Further flood analysis will be required at future DA Stages.

6 Matters Required by section 3.33 of the EP&A Act

Table 15 Water Management Principles

Principle 6 - Protect water quality	Consistency/ comment
<i>Protect water quality of surface and groundwater from urban development and any adverse effects on water quality to downstream watercourses and Lake Illawarra.</i>	Capable of being achieved at future DA stages.
Principle 7 - Integrate stormwater with the environment	Consistency/ comment
<i>Integrate stormwater management into the natural and urban landform in an unobtrusive way.</i>	Capable of being achieved at future DA stages
Principle 8 - Efficient and sustainable infrastructure	Consistency/ comment
<i>Provide efficient and sustainable stormwater infrastructure for the urban release area.</i>	Capable of being achieved at future DA stages
Principle 9 - Preserve/enhance the environment	Consistency/ comment
<i>Preserve the natural environment and enhance where possible in keeping with stormwater quantity and quality management objectives and targets.</i>	Where advised by Natural Resource Access Regulator waterways have been retained within the proposed E2 Environmental Conservation and E3 Environmental Management zone. Rehabilitation of riparian areas are to be undertaken in accordance with the Vegetation Management Plan prepared by Eco Logical. In addition, bushfire Asset Protection Zones are proposed adjoining riparian areas.
Principle 10 - Promote liveability using water	Consistency/ comment
<i>Promote liveability and amenity for the community by using water in all environments.</i>	Capable of being achieved at future DA stages

Table 16 Conservation Principles

Environmental Conservation	
Principle 1 – Prioritise areas that offer high environmental value for conservation	Consistency/ comment
<i>Consider information that identifies areas of threatened ecological communities or stands of habitat greater than 4ha (considered to present high environmental value in terms of habitat size and location) and avoid impacts as a result of land use changes to these areas.</i>	Areas of environmental value greater than 4Ha with existing vegetation have been retained within the proposed E2 zone. Additional areas for revegetation in accordance with the Vegetation Management Plan prepared by Eco Logical are proposed in the E3 zone adding to the overall environmental values of the site.
Principle 2 – Connectivity of habitat areas	Consistency/ comment
<i>Connecting patches of habitat that have high biodiversity value will provide opportunity for ecological migration over time as well as opportunity for improvement to habitat quality and values. These are more commonly known as biodiversity corridors providing strategic connection of larger and better condition patches of vegetation either by re-establishing continuous native vegetation cover or designing stepping stones of habitat that traverse local corridors.</i>	Provision of E3 zoned land adjoining the E2 land to the north provides further connectivity of environmental lands. The revegetation of the riparian corridors provides an opportunity for improved habitat quality and quantity as well as ecological migration north and west of the site.

6 Matters Required by section 3.33 of the EP&A Act

Table 16 Conservation Principles

Principle 3 – Protect Environmental Values	Consistency/ comment
<i>3.1 Provide complimentary land uses alongside conservation sites to assist in improving and protecting the ecological function of the site and enhancing its resilience.</i>	Provision of E3 Environmental Management Land is proposed adjacent to the E2 Environmental Conservation land, providing further ecological connectivity through the site.
<i>3.2 Secure areas that present high environmental value as areas for conservation and long-term management (ideally through a bio certification process).</i>	NRAR recommends that all riparian corridors should be in public ownership to ensure the long-term protection and management of these environmentally significant areas within the landscape. This recommendation has been adopted as shown in the Proposed Land Ownership Plan.
<i>3.3 The Biodiversity Strategy (BCS) will provide the direction and framework while the Biodiversity Conservation Strategy Structure Plan (BCSSP) will outline the actions to guide the implementation of conservation measures.</i>	The planning proposal should not be delayed of deferred pending the biodiversity certification as the planning proposal has considered biodiversity and retained significant vegetation in the riparian corridors consistent with the objective of conserving biodiversity values.
Heritage Conservation	
Principle 1 – Prioritise the Conservation of Heritage Items and sites of Aboriginal Heritage Significance	Consistency/ comment
<i>Listed heritage items and sites of Aboriginal, cultural and/or archaeological significance should be retained and conserved within new development areas with appropriate curtilages and visual settings. Development planning should account for the significance of sites and places and consider retention of key sites that contribute to the historic setting of newly developing neighbourhoods.</i>	<p>An AHIMS search found 16 artefacts and 1 ceremonial and dreaming site located on the site. Biosis is undertaking further investigations and is currently undertaking an Aboriginal Cultural Heritage Assessment (ACHA) for the site.</p> <p>Biosis has made several recommendations of impact sites, surface artefacts, PAD sites and relics.</p> <p>Cleveland house, located on Lot 1, DP 194419 is listed as having 'Local' heritage significance (Item No.5950 in Schedule 5 of WLEP 2009) and is proposed for retention within the RE1 zone.</p>
Principle 2 – Respect the Cultural Landscape	Consistency/ comment
<i>2.1 The West Dapto Urban Release Area has a rich and diverse history of Aboriginal and non-Aboriginal occupation. The area retains a range of key landscape elements, landforms, natural features such as creeks and ridgelines, important views and visual connections.</i>	Natural waterways are being retained where advised by Natural Resource Access Regulator (NRAR) and enhanced with formalised riparian corridors and revegetated in accordance with the Vegetation Management Plan prepared by Eco Logical.
<i>2.2 It has historic road and transport corridors that are important and unique aspects of the area, contributing to its character and significance by telling the story of development. Proposed development should be guided by an understanding of, and respect for, significant features of the natural landform and the historic setting. New communities should be assisted to understand and appreciate the unique visual and physical connections between places and features within and outside of their development areas.</i>	Opportunity exists in future DAs to adapt the historic railway line to the north of the site with the cycleway and pedestrian network.

6 Matters Required by section 3.33 of the EP&A Act

Table 16 Conservation Principles

Principle 3 – Embed Local History and Character in New Communities	Consistency/ comment
<i>3.1 Developments should strive to feature historic sites and places of significance to provide a unique sense of identity and character for developing neighbourhoods.</i>	Cleveland house, located on Lot 1, DP 194419, listed as having 'Local' heritage significance (Item No.5950 in Schedule 5 of WLEP 2009) will remain as part of the neighbourhood plan and proposed is located within the proposed RE1 zone.
<i>3.2 The adaptation and re-use of historic buildings in an appropriate manner that provides for their conservation and integration into new developments is encouraged. The use of historically relevant street names, integration of interpretation and the celebration of aspects of a site's indigenous and post-settlement history are encouraged to ensure that the rich history of the area is celebrated and recognisable in the identity of developing communities.</i>	Adaption and re-use of Cleveland House does not form part of this Planning Proposal and will be subject to future DA. Incorporation of the historic railway line to the north of the site with the cycleway and pedestrian network will be subject to future DA.

Table 17 Open Space and Recreation Principles

Principle 1 - Functionality	Consistency/ comment
<i>1.1 Appropriate size and flexible footprint for multiple functions and uses (Hierarchy of facilities).</i>	Two main areas of recreational areas are proposed, with the larger neighbourhood recreational space (sporting fields) located to the east of the site, adjacent to B2 local centre, R3 Medium Density Residential and E3 Environmental Management zones. A smaller local recreational area is proposed to the south/ south east of the site.
<i>1.2 Open space and recreation outcomes are not compromised by other competing functional elements. For example, flooding and water management, traffic and road infrastructure, cultural heritage and biodiversity.</i>	Capable of being achieved at future DA stages
Principle 2 - Accessibility	Consistency/ comment
<i>2.1 Walkable distances from residential areas, universal design principles used for facilities with a focus on 'play' and diverse experience (resident catchments).</i>	Proposed recreation areas and open space network are readily accessible from proposed residential zoned land.
<i>2.2 There is a well-distributed network of accessible (in both location and design), attractive and useable public open spaces and natural areas within the existing and future neighbourhoods of West Dapto.</i>	Recreation areas are proposed in RE1 Public Recreation zoned land to the east and south west the site. Additional open space is provided to the north and south of the site in E2 Environmental Conservation and E3 Environmental Management zones comprising waterways and vegetated areas. Cycleways and pedestrian routes are capable of being located within the open space/ recreation network.
Principle 3 – Connectivity, movement and flow	Consistency/ comment
<i>3.1 Connected spaces with shared paths to other facilities, places of interest and centres (open or riparian corridors, heritage sites and urban bushland).</i>	A pedestrian/ cycleway network throughout the site is capable of being provided to connect the recreational and open space areas.

6 Matters Required by section 3.33 of the EP&A Act

Table 17 Open Space and Recreation Principles

<p><i>3.2 The open space areas are highly connected to create a network of open space with a range of functions to complement the existing landscape features.</i></p>	<p>Open space and recreation areas are connected along the south of the site. Open space is connected through the north of the site. Open space in the form of RE1 Public Recreation, E2 Environmental Conservation and E3 Environmental Management land occupies 21.3% of the site.</p>
Principle 4 – Value and amenity	Consistency/ comment
<p><i>4.1 Future uses complement and add to existing values (an active play facility may jeopardise a threatened ecological community, water management may restrict active use etc.).</i></p>	<p>Capable of being achieved at future DA stages</p>
<p><i>4.2 That public open space and natural areas will provide opportunity for interaction filling a variety of recreational, sporting, play, the physical and social needs of the community.</i></p>	<p>Capable of being achieved at future DA stages</p>
<p><i>4.3 Hierarchy and Catchments The vision for Cleveland is a District Community Centre and Neighbourhood Active (organised outdoor sports 2-4Ha) and Passive Recreation space (unorganised or structured outdoor sport, play and interaction space, vegetation, artwork and interactive space).</i></p>	<p>Approximately 66ha of public recreation space is proposed.</p>

Table 18 Community and Education Facilities Principles

There are nine principles to be considered in the planning of the West Dapto Urban Release Area community and education facilities.

Principle 1 – Healthy, diverse and resilient	Consistency/ comment
<p><i>Community facilities contribute to quality of life to support healthy, diverse and resilient community.</i></p>	<p>Capable of being achieved at future DA stages</p>
Principle 2 - Efficient	Consistency/ comment
<p><i>Making efficient use of resources through shared or co-located facilities and multiple use agreements (multi-purpose community hubs) with flexible design that can respond, expand and adapt as needs change.</i></p>	<p>Capable of being achieved at future DA stages</p>
Principle 3 – Safety, security and adding to civic identity and sense of place	Consistency/ comment
<p><i>Promote safety, security and provide focal points adding to civic identity and sense of place through clustering community facilities.</i></p>	<p>Capable of being achieved at future DA stages</p>
Principle 4 – Self-sufficient and resilient community	Consistency/ comment
<p><i>Community facilities provide opportunity for self-sufficiency to build capacity and social capital and to actively contribute to community resilience.</i></p>	<p>Capable of being achieved at future DA stages</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 18 Community and Education Facilities Principles

Principle 5 – Vibrant and accessible	Consistency/ comment
<i>Placing facilities in convenient central locations, adjacent to open space which contribute to the vibrancy of the development, are accessible and allow for overflow activities such as children's play.</i>	Capable of being achieved at future DA stages.
Principle 6 – Equitable	Consistency/ comment
<i>Provide equitable access for all sections of the population, through the distribution, design and policies of facilities.</i>	Capable of being achieved at future DA stages
Principle 7 – Diversity	Consistency/ comment
<i>Community facilities promote diversity and encourage people from culturally and linguistically diverse backgrounds to participate in the social and economic life of the community.</i>	Capable of being achieved at future DA stages
Principle 8 – Viable and sustainable	Consistency/ comment
<i>Developing sustainable funding, ownership, governance, management and maintenance arrangements, including private partnership arrangements where community benefit is achieved.</i>	N/A to the planning proposal and subject to other government agencies
Principle 9 – Vibrant and accessible	Consistency/ comment
<i>9.1 Council to work with the state government and non-government schools' sector to promote best-practice education outcomes for the community of West Dapto. This will include sharing data and integrating asset solutions, such as opportunity for shared and joint-use facilities.</i>	This Planning Proposal does not propose a site for a school site. Educational establishments are permitted with consent in the R2 under SEPP (Educational Establishments and Child Care Facilities) 2017.
<i>9.2 Planning for the provision of education is important for West Dapto's growing community. In NSW, the Department of Education provides funds and regulates education services for NSW students from early childhood to secondary school. Council will continue to work with the Department to promote best-practice education outcomes for the community of West Dapto.</i>	N/A

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Table 19 Town Centre Principles

As a new release area, there is an opportunity to ensure that the ideal treatments are made to establish sustainable, appealing and functional residential living as well as commercial and light industrial areas providing employment, social and cultural opportunities with sufficient flexibility to cater for the future populations needs.

The town centres of West Dapto will fill diverse roles, functions and mixed uses. Configurations will reflect the town centre hierarchy with a focus on pedestrian priority. Supported with a decision process (zoning, neighbourhood planning, etc.), appropriate locations will promote the social and economic functions and outcomes sympathetic to character and 'place'.

Principle 1 – Hierarchy	Consistency/ comment
<p><i>Village Centres</i></p> <p><i>The study, West Dapto further review of release area centres and controls (Urbacity, 2014), noted the role of villages, as a lower order centre, is to "provide a convenient alternative to the supermarket-based town centre for daily goods and services with a focus on amenity for housing density and improved public transport use".</i></p>	<p>The use of land within each village centre and enterprise corridor land will be subject to future DA.</p>
Principle 2 – Movement Sensitive	Consistency/ comment
<p><i>2.1 Movement sensitive means movement (accessibility, location etc.) will be a key consideration for co-location of a mix of destinations (or land uses) within a centre. Centres will provide activities, attractions and services within walking distance. The community hub will create a focal point within the neighbourhood for multiple activities to be undertaken and different daily needs (i.e. live, work, play) to be met in the one location.</i></p>	<p>Capable of being achieved at future DA stages</p>
<p><i>2.2 Centres must also be supported and surrounded by a network of connected streets, paths and cycle ways, providing opportunities for active transport and convenient access to public transport. The network will link centres with open space and recreation areas.</i></p>	<p>Capable of being achieved at future DA stages</p>
Principle 3 – Diversity and Identity	Consistency/ comment
<p><i>3.1 Centres will facilitate a diverse range of activities by prioritising spaces for people of all ages that become vital to the social fabric of a neighbourhood where people gather, meet friends and family and engage in social activities.</i></p>	<p>Capable of being achieved at future DA stages.</p>
<p><i>3.2 Especially important for new centres is creating a vision that encourages diversity while shaping and reflecting a centre's character. Centres will be diverse from each other (through hierarchy, features and visions). The vision capitalises on existing features of heritage, environment (vegetation, topography etc.) and contributes to a new theme expressing the centre's role in the urban residential landscape.</i></p>	<p>Capable of being achieved at future DA stages.</p>
<p><i>3.3 Within the structure plan the site is nominated as having a town/ village centre.</i></p>	<p>Two (2) village centres are proposed.</p>

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Table 20 Housing Principles

Principle 1 – Encourage housing diversity	Consistency/ comment
<i>1.1 Diversity can be delivered through different products at different stages of planning by promoting and providing a range of density and lot size and shapes to offer a range of choice to better meet changing community needs. Mixture of density low to high, single dwellings, dual occupancy, town houses and apartments in appropriate locations should all be considered at neighbourhood planning and subdivision design stages.</i>	Both Medium and Low-Density Residential zones are proposed. This provides for a range of potential density, lot shapes and sizes.
<i>1.2 Promote increased densities and innovative design types close to town and village centres and transport infrastructure where possible.</i>	Proposed Medium Density zoned land is proposed adjacent to business related zones recreational areas and the open space network.
Principle 2 – Promote housing affordability	Consistency/ comment
<i>Residential neighbourhoods cater for a variety of demographic and socio-economic characteristics. Promoting housing mixture is one tool that provides opportunity for more affordable housing options and reduces housing stress.</i>	Proposed minimum lot size identifies a variety of proposed minimum lot sizes. A variety of lot sizes, the minimum proposed being 249m ² provides opportunity at future DA stages to provide affordable and diverse housing options.
Principle 3 – Establish sustainable, energy efficient, appealing and functional residential living	Consistency/ comment
<i>Target an increased use and uptake of renewable energy through housing and neighbourhood design. Seek to promote best practice design excellence in housing provision and neighbourhood planning.</i>	Capable of being achieved at future DA stages
Principle 4 – Creating local amenity and a sense of place	Consistency/ comment
<i>This principle is about designing safe, healthy and active neighbourhoods with interactive interfaces between residences, the streets and surrounds. It is about ensuring there is connection between housing and the streets, parks and activity areas they adjoin and interface other uses.</i>	Perimeter Roads have been designed in the indicative layout plan to provide active frontages to Environmental open spaces and recreational areas. Perimeter roads also provide passive surveillance to the open space recreation lands.
<i>Encouraging and supporting housing design that responds to place. Creating site responsive built form and lot layouts that consider existing features and landscape context, natural landform and surrounding land uses. Manage housing growth to protect and promote the conservation values that contribute to concepts of 'place' in West Dapto.</i>	Capable of being achieved at future DA stages
Principle 5 – Housing transition to the Illawarra Escarpment	Consistency/ comment
<i>Reduce housing density on the fringe of the urban release area to provide delineation to the housed urban areas and a buffer to the Escarpment and important environmental features.</i>	N/A

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Table 21 Employment Principles

Principle 1 – Support local sustainable employment	Consistency/ comment
<i>1.1 Facilitate maximum local employment opportunities.</i>	Based on the proposed FSRs approximately 39,000m ² of B2 Local Centre is possible south of Cleveland Road, 60,000m ² of B2 Local Centre at the Fairwater Drive/ Fowlers Road intersection and approximately 61,190m ² of B6 Enterprise zoned land is possible which provides local employment opportunities
<i>1.2 Maintain an aspirational target for job creation.</i>	Provision of 2 local centres and an enterprise corridor will provide ample employment opportunities for local residents.
<i>1.3 Support a variety of employment opportunities accessible to the whole community.</i>	Capable of being achieved at future DA stages
<i>1.4 Employment containment to reduce commuting out of the release area and region.</i>	12.13ha of employment land is proposed to provide job opportunities.
Principle 2 – Attract, facilitate and support industries, enterprises and business to locate in West Dapto	Consistency/ comment
<i>2.1 Explore planning flexibility to cater for changing employment forms.</i>	Proposed B2 Local Centre and B6 Enterprise Corridor zones permit multiple uses with consent which provides for flexibility in changing employment forms at future DA stage.
<i>2.2 Incentivise employment generating activities.</i>	Capable of being achieved at future DA stages
Principle 3 – Ensure Town & Village centre employment outcomes are prioritised	Consistency/ comment
<i>3.1 Land use decisions associated with West Dapto's Town and Village centres are to ensure employment outcomes are a priority consideration.</i>	Employment lands are proposed at key intersections at Fairwater drive/ Fowlers Road and Daisy Bank Drive/ Cleveland Road. Two (2) village centres and one on enterprise zone are proposed and their zoning will allow for a variety of land sizes employment opportunities.
<i>3.2 Encourage provision of professional services jobs in addition to retail jobs in the release area town and village centres.</i>	Capable of being achieved at future DA stages
Principle 4 – Protect existing employment land	Consistency/ comment
<i>4.1 Maintain existing zoned employment land within the release area to ensure a supply of employment lands is provided over time and is available to take advantage of when employment generating opportunities are presented.</i>	No existing employment land is located on the site.
<i>4.2 Create a strategy to enable appropriate interim uses of employment areas that also allows for gradual intensification over time.</i>	Capable of being achieved at future DA stages
Principle 5 – Take advantage of and encourage employment innovations	Consistency/ comment
<i>Planning decisions to anticipate, be responsive to and cater for innovative employment solutions.</i>	Capable of being achieved at future DA stages

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Table 21 Employment Principles

Principle 6 – Improve employment opportunities whilst ensuring development is of a high standard	Consistency/ comment
<i>6.1 Compatibility with residential and sensitive land-use as well as natural conservation outcomes for the urban release area.</i>	The B6 Enterprise corridor zone is separated from existing and proposed residential areas by the environment zoned land. The B2 Local Centre zones are lower key/impact zones and can function adjacent to residential zones (as proposed).
<i>6.2 Apply merit-based approach when assessing employment generating activities</i>	N/A
<i>6.3 Encourage development for employment which provides a range of goods and services without adversely affecting the amenity, health or safety of any adjoining area.</i>	Capable of being achieved at future DA stages
Principle 7 – Ensure a high level of accessibility to employment Hubs	Consistency/ comment
<i>7.1 To encourage location of high intensity employment areas within walking distance of existing or proposed public transport services.</i>	B2 Local Centre zoned land is proposed to the north west of the site at the intersection of Fairwater Drove/ Fowlers Road and at the intersection of Daisy bank Drive/ Cleveland Road. Both proposed B2 areas are in accessible locations that should be readily capable of being serviced by future bus routes.
<i>7.2 To encourage location of appropriate industrial and low intensity non-retail employment areas adjoining major arterial roads to take advantage of accessibility and exposure.</i>	The B6 Enterprise Corridor zoned land is proposed to the north west of the site with access off both Fairwater Drive and Fowlers Road.

Illawarra Regional Biodiversity Strategy

A network of regional biodiversity corridors has been mapped as part of the Illawarra Regional Biodiversity Strategy. The site is not mapped as being located within the regional biodiversity corridor as shown in **Figure 23**.

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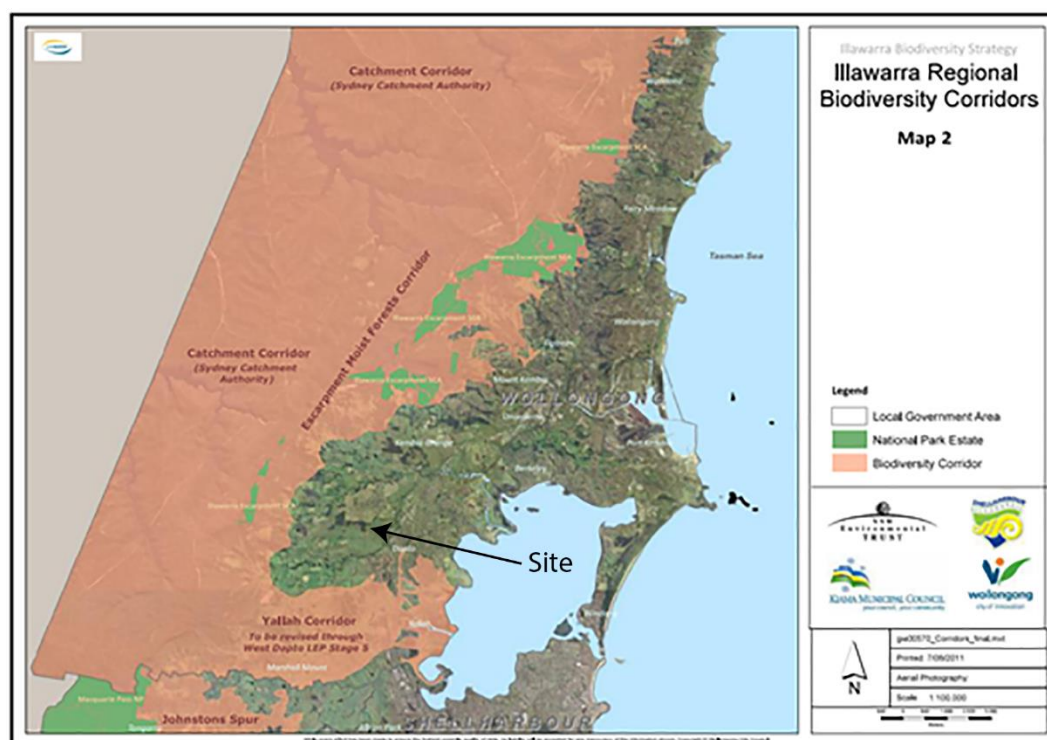


Figure 23 Illawarra Regional Biodiversity Corridor Map 2

Source: Illawarra Biodiversity Strategy Volume 1

Economic Development Strategy 2019-2029

The Economic Development Strategy 2019-2029 was prepared by Wollongong City Council and examined strategies to improve jobs growth and identified the following three key strategic objectives:

1. *Jobs target – generate 10,500 new jobs in the next decade to reduce the jobs deficit. This will be more than double the 4,998 net new jobs created in the decade to 2018.*
2. *Lifting median incomes – focus on generating new jobs in industries that are higher-paying, have a greater share of full-time jobs and are expected to grow in the future.*
3. *Targeted sectors align with talent pool – align the target industries with Wollongong's existing talent pool, in particular commuters and graduates of the UOW, to create more local job opportunities for residents.*

This Planning Proposal proposed two (2) village centres and one (1) enterprise corridor. In total 12.13ha of land is proposed as employment land contributing to the objective of this strategy as the employment land will create additional jobs and employment capability in the local and wider area.

6.4.2.3 Question 5 – Is the planning proposal consistent with applicable State Environmental Planning Policies?

A checklist of all SEPPs is provided in **Appendix 1** which identifies which SEPPs are most relevant to this Planning Proposal. The relevant SEPPs are discussed in turn below

SEPP (Infrastructure) 2007

Clause 104 of SEPP (Infrastructure) 2007 relates to traffic generating development and Schedule 3 of the SEPP identifies the types of traffic generating development to be referred to Roads and Maritime Services (RMS). Schedule 3 includes the subdivision of 200 or more allotments where the subdivision includes the opening of a public road. Clause 104 only relates to the determination of DAs. Nevertheless, it is expected that the

6 Matters Required by section 3.33 of the EP&A Act

planning proposal will be referred to the RMS and the consideration of traffic impacts on the road network has been considered in the Traffic Study prepared by Bitzios.

Division 5 of SEPP (Infrastructure) 2007 relates to Electricity transmission or distribution networks and contains provisions relating to exempt development, development without consent and notification requirements for certain works. The provisions primarily relate to works that might be carried out relating to this infrastructure and is not a matter relevant to the planning proposal.

There are currently three (3) transmissions line corridors traversing the site. The transmissions line easements proposed to be retained are contained in the R2 zone, E2 and E3 zones.

SEPP (Koala Habitat Protection) 2019

The majority of the site proposed as residential or employment land has largely been previously cleared due to the rural nature of the land. Eco Logical has prepared a Fauna and Fauna Report and confirmed due to past clearing the proposed residential and employment lands do not meet the criteria for core koala habitat.

A Koala Assessment Report will need to be prepared consistent with the Koala Habitat Protection Guide at the DA stage.

SEPP No. 55 Remediation of Land

SEPP 55 applies to the state and is relevant to the planning proposal. this application. Clause 2 sets out the objects of the policy:

- (1) *The object of this Policy is to provide for a State-wide planning approach to the remediation of contaminated land.*
- (2) *In particular, this Policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:*
 - (a) *by specifying when consent is required, and when it is not required, for a remediation work, and*
 - (b) *by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and*
 - (c) *by requiring that a remediation work meet certain standards and notification requirements.*

Clause (6) of SEPP 55 was repealed on 17 April 2020 and it previously related to contamination and remediation to be considered in zoning or rezoning proposals. Whilst the provision has been removed from the SEPP, contamination has still been considered as part of this planning proposal. A Preliminary Site Investigation has been prepared by ADE Consulting for the whole of the site area as per Council's comments which has been discussed in **Section 5.10** of this report. The potential areas of environmental concern identified by ADE Consulting can be readily managed through the DA process.

SEPP (Coastal Management) 2018

As discussed in Section 5.1, part of the site is mapped as Coastal Wetland and Proximity Area to Coastal Wetlands under the SEPP. The Coastal Management SEPP has been addressed in the Flora and Fauna Assessment and Consolidated Riparian Assessment both prepared by Eco Logical.

Clause 11 (1) of the Coastal Management SEPP, relevantly, states that development consent must not be granted to development on land identified as "proximity area for

6 Matters Required by section 3.33 of the EP&A Act

coastal wetlands” unless the consent authority is satisfied that the proposed development will not significantly impact on:

- a. the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or
- b. the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.

Under clause 10(1) development within the coastal wetlands or proximity to coastal wetlands is designated development and will require an Environmental Impact Assessment at DA stage. This requires more detailed investigations to ascertain if there are impacts as noted in items ‘a’ and ‘b’ above. The DA will also need to demonstrate avoidance and mitigation measures to minimise impacts to the adjacent wetland.

6.4.2.4 Question 6 – Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 directions)?

A checklist of all section 9.1 Directions is provided in **Appendix 2** which identifies which local planning directions are relevant to this Planning Proposal. The relevant Directions are discussed in turn below.

Table 22 Compliance with Section 9.1 Directions	
Direction	Response
1. Employment and Resources	
1.1 Business and Industrial Zones 1.1 Business and Industrial Zones Objectives (1) The objectives of this direction are to: <ol style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified centres. (4) A planning proposal must: <ol style="list-style-type: none"> (a) give effect to the objectives of this direction, (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Secretary of the Department of Planning and Environment. 	<p>Two (2) B2 Local Centre Zones and one (1) B6 Enterprise Corridor Zone are proposed.</p> <p>West Dapto Vision 2018 contains 8 principles relating to employment land which are addressed in Section 6.4.2.2 of the Planning Proposal.</p> <p>The location of the employment zone is well located being on Fowlers Road with good access to the Princes Highway or M1 Freeway. The location adjacent to 2 major roads makes offers less amenity for residential purposes. The B6 zone together with the B2 zones will facilitate the provision of services to the growing residential population as well as encourage employment growth.</p> <p>The West Dapto Vision 2018 identifies a village centre at “Fowlers” being generally in the location of the village centres proposed in the Planning Proposal.</p>
1.2 Rural Zones (1) The objective of this direction is to protect the agricultural production value of rural land. (4) A planning proposal must: <ol style="list-style-type: none"> (a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village). 	<p>The Direction applies; however the subject land has been identified for future urban release and identified accordingly in the Illawarra Regional Strategy.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 22 Compliance with Section 9.1 Directions

Direction	Response
<p>(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p>	
2. Environment and Heritage	
2.1 Environment Protection Zones	
<p>(1) The objective of this direction is to protect and conserve environmentally sensitive areas.</p> <p>(4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>(5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p> <p>(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:</p> <p>(a) justified by a strategy which:</p> <p>(i) gives consideration to the objectives of this direction,</p> <p>(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) is of minor significance.</p>	<p>The intended purpose of this Planning Proposal retains the majority of the E2 zoned land.</p> <p>Minor areas of the E2 zoned land area proposed to be rezoned to R2 Low Density Residential R3 Medium Density Residential, B6 Enterprise corridor. Approximately 2.54Ha of E2 land is proposed for rezoning, all of which contains no significant vegetation. Approximately 3.99Ha of RU2 land is proposed to be rezoned to E2, north of the B6 zone to offset the E2 area being rezoned.</p> <p>Refer to Section 6.4.2.2 of this report for consistency with the Illawarra Shoalhaven Regional Strategy</p> <p>The proposed rezoning of land provides significant amount of E2 Environmental Conservation and E3 Environmental Management zoned land. These lands will be revegetated through the implementation of a Vegetation Management Plan (VMP) including the restoration of riparian corridors.</p> <p>Whilst open rural/ pastureland as existing will be reduced, the enhancement to the quality of biodiversity within the Environmental land through the proposed rezoning achieves a better outcome for environmental protection.</p> <p>Reports by Eco Logical support the proposed E2 and E3 zones along with identifying the works required as part of the VMP.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 22 Compliance with Section 9.1 Directions

Direction	Response
2.2 Coastal Management (1) The objective of this direction is to protect and manage coastal areas of NSW. Where this direction applies (2) This direction applies to land that is within the coastal zone, as defined under the Coastal Management Act 2016 - comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area - and as identified by the State Environmental Planning Policy (Coastal Management)2018. When this direction applies	<p>The Direction applies to coastal wetland mapped under SEPP (Coastal Management) 2018. There are three patches of coastal wetlands mapped under the SEPP which affect the site.</p> <p>The coastal wetland is defined in clause 6 of the SEPP (Coastal Management) to also include the proximity area to coastal wetland and the Direction therefore applies. The Planning Proposal includes some impacts in the mapped area of proximity area to coastal wetland and is discussed in Section 5.1 of the Planning Proposal report. .</p>
2.3 Heritage Conservation (1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. (2) This direction applies to all relevant planning authorities. (3) This direction applies when a relevant planning authority prepares a planning proposal. (4) A planning proposal must contain provisions that facilitate the conservation of: <ul style="list-style-type: none"> (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. 	<p>Cleveland house, located on Lot 1, DP 194419 is listed as having 'Local' heritage significance (Item No.5950 in Schedule 5 of WLEP 2009) and is proposed for retention within the open space network. Biosis recommends that an updated Historical Heritage Assessment and a Statement of Heritage Impact (SoHI) be prepared which can be undertaken with a future DA.</p> <p>The historic tramway alignment corridor to the north of the site will also be retained.</p> <p>Biosis has several recommendations for impact sites, surface artefacts, PAD sites and relics. These relate to further archaeological assessment, further archaeology survey, Aboriginal Heritage Impact Permits (AHIP), collection of surface artefacts, test excavations, avoidance of sites, Cultural Heritage Management Plans and continued consultation with registered Aboriginal stakeholders.</p>
2.6 Remediation of Contaminated Land (1) The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities. (4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless: <ul style="list-style-type: none"> (a) the planning proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after 	<p>AED Consulting Group has prepared a Preliminary Site Investigation report which has been discussed in Section 5.8 of this report. Management of potential areas of environmental concern can be addressed at DA stage.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 22 Compliance with Section 9.1 Directions

Direction	Response
<p>remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</p> <p>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose.</p> <p>In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</p> <p>(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</p>	
3. Housing, Infrastructure and Urban Development	
<p>3.1 Residential Zones</p> <p>(1) The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services,</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p> <p>(4) A planning proposal must include provisions that encourage the provision of housing that will:</p> <p>(a) broaden the choice of building types and locations available in the housing market, and</p> <p>(b) make more efficient use of existing infrastructure and services, and</p> <p>(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and</p> <p>(d) be of good design.</p> <p>(5) A planning proposal must, in relation to land to which this direction applies:</p> <p>(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</p> <p>(b) not contain provisions which will reduce the permissible residential density of land.</p>	<p>The Planning Proposal will allow for future residential subdivision of the site into approximately 3000 new lots. Lots will range in sizes and final lot sizes will be determined at DA stage. A range of lot sizes will allow for a range of housing typologies.</p> <p>The site currently has access to Dapto and Horsley through newly constructed infrastructure via the extension of Fowlers Road/ Daisy Bank Drive, which connects to Cleveland Road.</p> <p>Reports have been prepared reading the environmental constraints on the site (waterways, riparian corridors, bushfire) as well as heritage. The proposed zones have been guided by the constraints of the site, which also guided the indicative layout to determine the edge of developable land.</p>
<p>3.4 Integrating Land Use and Transport</p> <p>(1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight.</p>	<p>Btizios has prepared a Traffic Impact Assessment Report which has addressed these matters and is discussed in Section 5.5 of this Planning Proposal report.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 22 Compliance with Section 9.1 Directions

Direction	Response
4. Hazard and Risk	
4.1 Acid Sulfate Soils (1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Where this direction applies (2) This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.	<p>Part of the site (north east) is mapped as Class 5 Acid Sulphate Soils.</p> <p>Further assessment of acid sulphate soils will be undertaken at DA stage.</p>
4.3 Flood Prone Land (1) The objectives of this direction are: (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land. (2) This direction applies to all relevant planning authorities that are responsible for flood prone land within their LGA. (4) A planning proposal must include provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas). (5) A planning proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation, Rural or Environmental Protection Zones to a Residential, Business, Industrial, Special Use or Special Purpose Zone. (6) A planning proposal must not contain provisions that apply to the flood planning areas which: (a) permit development in floodway areas, (b) permit development that will result in significant flood impacts to other properties, (c) permit a significant increase in the development of that land, (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services, or (e) permit development to be carried out without development consent except for the purposes of agriculture (not including dams, drainage canals, levees, buildings or structures in floodways or high hazard areas), roads or exempt development.	<p>A Floodplain Risk and Water Cycle Management Plan has been prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.</p> <p>The Planning Proposal does not propose residential or business zone land that is within the flood planning area established through the Neighbourhood Plan process.</p> <p>The planning proposal does not propose:</p> <ul style="list-style-type: none"> • Development in floodway areas. • Development that will result in significant flood impacts to other properties. • A development which will result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services. • Development to be carried out without development consent. • Significant increase in the development of that land. <p>Refer to the Floodplain Risk and Water Cycle Management Plan Report prepared by Rienco.</p>
4.4 Planning for Bushfire Protection (1) The objectives of this direction are: (a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) to encourage sound management of bush fire prone areas.	<p>The Planning Proposal has been prepared having regard to bushfire constraints. Eco Logical has prepared a Bushfire Strategy in accordance with Planning for Bushfire Protection 2019.</p> <p>The proposed extent of R2, R3 and B6 land include a perimeter road for APZ</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 22 Compliance with Section 9.1 Directions

Direction	Response
<p>(4) In the preparation of a planning proposal the relevant planning authority must consult with the Commissioner of the NSW Rural Fire Service following receipt of a gateway determination under section 3.34 of the Act, and prior to undertaking community consultation in satisfaction of Schedule 1, clause 4 of the Act, and take into account any comments so made,</p> <p>(5) A planning proposal must:</p> <ul style="list-style-type: none"> (a) have regard to Planning for Bushfire Protection 2019, (b) introduce controls that avoid placing inappropriate developments in hazardous areas, and (c) ensure that bushfire hazard reduction is not prohibited within the APZ. <p>(6) A planning proposal must, where development is proposed, comply with the following provisions, as appropriate:</p> <ul style="list-style-type: none"> (a) provide an Asset Protection Zone (APZ) incorporating at a minimum: <ul style="list-style-type: none"> (i) an Inner Protection Area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ, within the property, and (ii) an Outer Protection Area managed for hazard reduction and located on the bushland side of the perimeter road, (b) ..., (c) contain provisions for two-way access roads which links to perimeter roads and/or to fire trail networks, (d) contain provisions for adequate water supply for firefighting purposes, (e) minimise the perimeter of the area of land interfacing the hazard which may be developed, (f) introduce controls on the placement of combustible materials in the Inner Protection Area 	<p>purposes. APZ location and width were assessed and identified by Eco Logical. Refer to Bushfire Assessment Report.</p> <p>Two way roads are provided includes the perimeter roads.</p> <p>Water supply will be provided as part of the future subdivision works and will need to be in place prior to subdivision certificates achieving consistency with this Direction.</p> <p>The subdivision design illustrated in the Neighbourhood Plan demonstrates that the road provide the separation from the bushfire hazard for the majority of the subdivision layout.</p>
5. Regional Planning	
5.10 Implementation of Regional Plans	
<p>(1) The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>(2) This direction applies to land to which a Regional Plan has been released by the Minister for Planning.</p> <p>(4) Planning proposals must be consistent with a Regional Plan released by the Minister for Planning.</p> <p>(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Secretary of the Department of Planning and Environment (or an officer of the Department nominated by the Secretary), that the extent of inconsistency with the Regional Plan:</p> <ul style="list-style-type: none"> (a) is of minor significance, and (b) the planning proposal achieves the overall intent of the Regional Plan and does not undermine the achievement of its vision, land use strategy, goals, directions or actions 	<p>Refer to Section 6.4.2.2 of this Planning Proposal for assessment against Illawarra Shoalhaven Regional Plan.</p>

6 Matters Required by section 3.33 of the EP&A Act

Table 22 Compliance with Section 9.1 Directions

Direction	Response
6. Local Plan Making	
6.1 Approval and Referral Requirements (1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. (4) A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act.	This Planning Proposal requires referral to Natural Resources Access Regulator and preliminary advice has been received and adopted in the Neighbourhood Plan as discussed in Section 2.2 .
6.2 Reserving Land for Public Purposes (1) The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. Where this direction applies (4) A planning proposal must not create, alter or reduce existing zonings or reservations of land for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).	The Proposed Land Acquisition Plan identifies land proposed for acquisition by Council, being the RE1 zoned land located in the south west part of the site.
6.3 Site Specific Provisions (1) The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.	This Planning Proposal does not include any proposed site or development specific provisions.

6 Matters Required by section 3.33 of the EP&A Act

6.4.3 Section C – Environmental, Social and Economic Impact

6.4.3.1 Question 7 – 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?

Much of the site has already been cleared. Areas verified as having environmental value, including endangered communities have been retained within the proposed E2 zone and increased with the introduction of E3 zoned land. The ecological communities will be enhanced by the rehabilitation of riparian corridors.

The draft zoning plan has regard for these biodiversity constraints and opportunities including:

- A broad riparian corridor would be retained along creek lines within the site;
- The primary constraint area of vegetation in the north of the site would be retained in the E2 – Environmental Conservation zone;
- Other areas of vegetation are incorporated into various E3 – Environmental Management zones.

6.4.3.2 Question 8 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

In addition to the ecological effects, Section 4.0 of this report has addressed the other potential environmental effects including:

- Heritage
- Flooding
- Stormwater quality
- Traffic
- Views
- Bushfire
- Contamination

Refer to relevant discussion in **Section 5**.

6.4.3.3 Question 9 – Has the planning proposal adequately addressed any social and economic effects?

This Planning Proposal provides social and economic benefits through the provision of land for varying housing stock land sizes, employment land, recreational land and open space.

Employment opportunities at future subdivision and development application stages are anticipated from construction of infrastructure, dwellings and commercial buildings and long-term employment opportunities within the village centres and enterprise zones once constructed.

The future population will have good connections to the existing Dapto town centre and will generate additional trade for the services in that centre. In addition, the proposal will have direct connection to the site of the future Bong Bong town centre which will provide additional population within its trade catchment providing additional economic support for the future town centre.

6 Matters Required by section 3.33 of the EP&A Act

Rehabilitation of riparian areas offers both employment opportunities and social benefits to the public through the future provision of active transport in the form of pedestrian and cycleway networks.

Provision of recreational areas provide social benefits through proposed future sporting facilities for the development and wider community.

6.4.4 Section D – State and Commonwealth Interests

6.4.4.1 Question 10 – Is there adequate public infrastructure for the planning proposal?

The site is not currently serviced by sewer or potable water. Future development will require expansion to Sydney Water's sewer infrastructure and drinking water system.

Three power lines and associated easements traverse the site. The two 60m wide power line easements to the west of the site are to remain. Investigations with service providers will need to be undertaken regarding undergrounding of the remaining powerlines.

A gas easement traverses the eastern end of the site in a north- south direction.

Optus cables were observed on Lot 1 DP 194419. Telstra Lines and optical fibre are located along Cleveland Road and Daisy Bank Drive.

A sewer main traverses the site in two locations, one towards the eastern boundary and one towards the north-west boundary.

6.4.4.2 Question 11 – What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

This Planning Proposal will require public notification. Relevant government authorities will be notified during the exhibition period.

6.5 Part 4 – Mapping (section 3.33(2)(d))

Draft LEP Maps are included in the Urban Design Report and provided separately with the Planning Proposal Documentation.

6.6 Part 5 - Community Consultation (section 3.33(2)(e))

Whilst it is a requirement to undertake statutory consultation relating to a Draft LEP, we are of the opinion that this need not be extensive or prolonged and should not exceed 14 days, although this will be for Council and DPIE to determine.

6.7 Part 6 – Project Timeline

The timeline for assessment, consultation and determination of this Planning Proposal will be for Council and DPIE to determine.

7 Conclusion

This Planning Proposal has been prepared on behalf of Newquest Property Pty Ltd to rezone land in the Cleveland Precinct from predominantly rural and environment land to permit urban development including residential, business, recreation and environmental zones.

The Planning Proposal has been prepared based verification of environmental, bush fire, flooding and heritage constraints and the proposed zones have been applied to take into account those constraints.

A Neighbourhood Plan has been developed which is based on the road hierarchy of the West Dapto Vision 2018 and draft West Dapto Development Contributions Plan 2020 and the relevant components of the Chapters B2 and D16 (to the extent necessary at this stage in the planning process) of the Wollongong DCP.

This report and accompanying material have been prepared in accordance with section 3.33 of the EP&A Act and relevant Departmental guidance.

This report concludes that the proposal to:

- is consistent with the relevant regional plan
- is consistent with the local planning strategies / local strategic plan;
- is not inconsistent with relevant SEPPs and section 9.1 Directions.

Accordingly, we recommend that Council endorse this Planning Proposal and forward it to the Department of Planning, Industry and Environment for the issue of a Gateway determination.

State Environmental Planning Policies

The following table provides a checklist of the relevant SEPPs applying to the land or the Planning Proposal. Discussion of the SEPPs relevant to the Planning Proposal is provided in Section 6.4.2.3 of the Planning Proposal report.

Table 23 Consistency with applicable State Environmental Planning Policies	
SEPP	Relevant to Planning Proposal
SEPP (Aboriginal Land) 2019	No
SEPP (Activation Precincts) 2020	No
SEPP (Affordable Rental Housing) 2009	No
SEPP (Building Sustainability Index: BASIX) 2004	No
SEPP (Coastal Management) 2018	No
SEPP (Concurrences and Consents) 2018	No
SEPP (Educational Establishments and Child Care Facilities) 2017	No
SEPP (Exempt and Complying Development Codes) 2008	No
SEPP (Gosford City Centre) 2018	No
SEPP (Housing for Seniors or People with a Disability) 2004	No
SEPP (Infrastructure) 2007	Yes
SEPP (Koala Habitat Protection) 2019	Yes
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	No
SEPP (Kurnell Peninsula) 1989	No
SEPP (Major Infrastructure Corridors) 2020	No
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	No
SEPP No 19 – Bushland in Urban Areas	No
SEPP No 21 – Caravan Parks	No
SEPP No 33 – Hazardous and Offensive Development	No
SEPP No 36 – Manufactured Home Estates	No
SEPP No 47 – Moore Park Showground	No
SEPP No 50 – Canal Estate Development	No
SEPP No 55 – Remediation of land	Yes
SEPP No. 64 – Advertising and Signage	No
SEPP No 65 – Design Quality of Residential Apartment Development	No
SEPP No 70 – Affordable Housing (Revised Schemes)	No
SEPP (Penrith Lakes Scheme) 1989	No
SEPP (Primary Production and Rural Development) 2019	No

Table 23 Consistency with applicable State Environmental Planning Policies

SEPP	Relevant to Planning Proposal
SEPP (State and Regional Development) 2011	No
SEPP (State Significant Precincts) 2005	No
SEPP (Sydney Drinking Water Catchment 2011)	No
SESPP (Sydney Region Growth Centres) 2006	No
SEPP (Three Ports) 2013	No
SEPP (Urban Renewal) 2010	No
SEPP (Vegetation in Non-Rural Areas) 2017	No
SEPP (Western Sydney Aerotropolis) 2020	No
SEPP (Western Sydney Employment Area) 2009	No
SEPP (Western Sydney Parklands) 2009	No

Directions under section 9.1

The following table provides a checklist of the relevant section 9.1 Directions. Discussion of the section 9.1 Directions relevant to the Planning Proposal is provided in Section 6.4.2.4 of the Planning Proposal report.

Table 24 Compliance with section 9.1 Directions	
Direction	Relevant to Planning Proposal
1. Employment and Resources	
1.1 Business and Industrial Zones	Applicable
1.2 Rural Zones	Applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not Applicable
1.5 Rural Lands	Not Applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Applicable
2.2 Coastal Management	Applicable
2.3 Heritage Conservation	Applicable
2.4 Recreation Vehicle Areas	Not Applicable
2.5 Application for E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not Applicable
2.6 Remediation of Contaminated Land	Applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Applicable
3.2 Caravan Parks and Manufactured Home Estates	This Planning Proposal does not propose to make caravan parks permissible in any of the proposed zones
3.3 Home Occupations	Wollongong LEP 2009 already contains provisions regarding home occupations that will apply.
3.4 Integrating Land Use and Transport	Applicable
3.5 Development Near Regulated Airports and Defence Airfields	Not Applicable
3.6 Shooting Ranges	Not Applicable
3.7 Reduction in non-hosted short term rental accommodation period	Not Applicable
4. Hazard and Risk	
4.1 Acid Sulfate Soils	Applicable
4.2 Mine Subsidence and Unstable Land	Not Applicable
4.3 Flood Prone Land	Applicable

Table 24 Compliance with section 9.1 Directions

Direction	Relevant to Planning Proposal
4.4 Planning for Bushfire Protection	Applicable
5. Regional Planning	
5.1 Implementation of Regional Strategies (Revoked 17 October 2017)	Applicable
5.2 Sydney Drinking Water Catchments	Not Applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not Applicable
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not Applicable
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008)	Not Applicable
5.7 Central Coast (Revoked 10 July 2008)	Not Applicable
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	Not Applicable
5.9 North West Rail Link Corridor Strategy	Not Applicable
5.10 Implementation of Regional Plans	Applicable
5.11 Development of Aboriginal land Council land	Not Applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Applicable
6.2 Reserving Land for Public Purposes	Applicable
6.3 Site Specific Provisions	Not Applicable
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	Not Applicable
7.2 Implementation of Greater Macarthur Land Release Investigation	Not Applicable
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not Applicable
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not Applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not Applicable
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not Applicable
7.8 Implementation of the Western Sydney Aerotropolis Plan	Not Applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	Not Applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not Applicable
7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Not Applicable

APPENDIX 3

Correspondence from Council

PP-2019/2 – Cleveland North

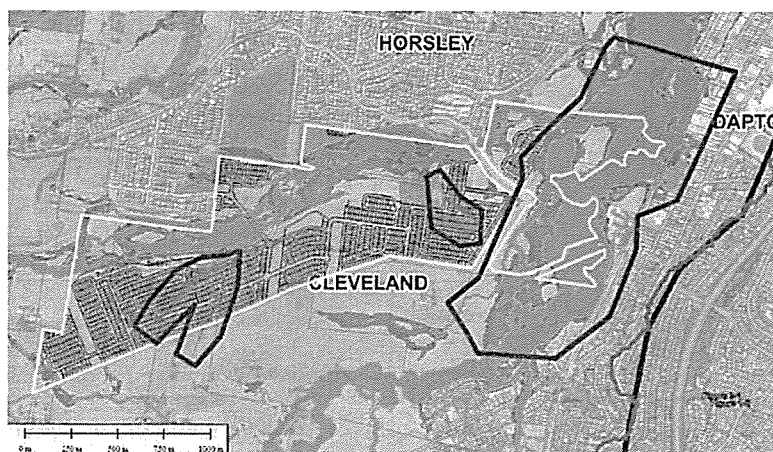
Traffic

- The development needs to be considered in the context of the draft S7.11 Plan and draft West Dapto Structure Plan.
- The road layout of the proposed Rezoning Plan and Neighbourhood Plan for the southern side of Cleveland Road do not appear to be consistent with the proposed rezoning and Neighbourhood Plan to the north of Cleveland Road (same consultants). This would result in offset intersections and increased vehicular friction. To address this issue consideration should be given to how the subject proposal integrates with the wider Stage 3 development area, and Neighbourhood plans on both sides of Cleveland Road should be aligned.
- Future road NR46/NR47 does not carry through from Brooks Reach as proposed in the draft S7.11 Plan (on exhibition).
- The future road leading to intersection IN37 with Cleveland Road does not line up with the road layout to the south of Cleveland Road (refer above general comments about integration with other sites). This road and intersection needs to align as per the draft S7.11 Plan. It should be noted that the design for Cleveland Road is 50% complete.
- The type of intersection controls would need to be justified through transport studies and in consultation with Council for any S7.11 funded roads (Cleveland Road). As an example, near to the proposed Fowlers Village centre, pedestrian demands may require signals at 4 way intersections.
- The proposed road hierarchy must be shown on the plans.
- Indicative bus stop locations need to be shown on the plans in accordance with NSW bus operator guidelines for bus stop spacing, showing development accessibility to the stops (ie within 400m of a bus stop)
- The Rezoning Plan and Neighbourhood Plan must show riparian cycleway routes as per the layouts in the S7.11 plan
- The transmission easements could be used for convenient pedestrian/cycle connections to/from riparian cycleway links.
- It is noted that there are some lots shown which would result in the creation of back fences which are not supported, as these areas have very little passive surveillance and could attract anti-social behaviour.
- Should the rezoning be approved; DA's would need to be submitted with further detailed assessments of traffic impacts, car parking, site servicing/manoeuvring etc.
- The proponent should consider the structure plan & planning principles contained within the West Dapto Vision Document and the S7.11 Plan.

Stormwater

The information submitted in support of this proposal has been reviewed and there are a range of issues that need to be resolved before the planning proposal can be supported:

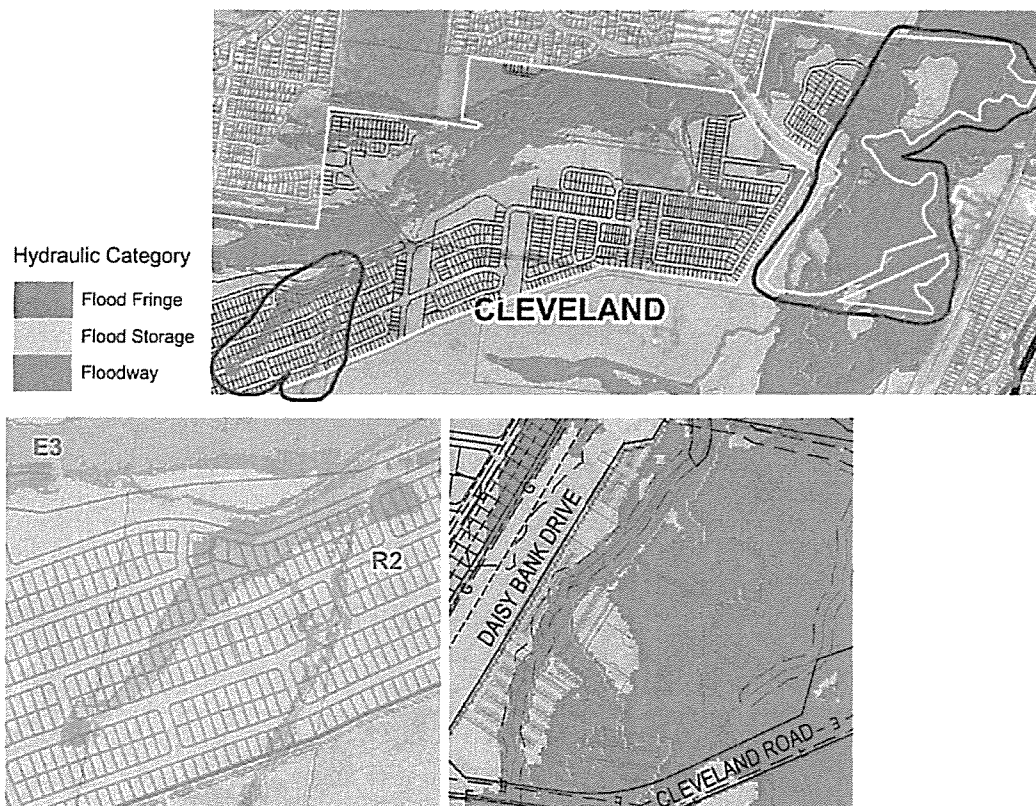
- 1 Insufficient information has been provided to enable a full assessment of the planning proposal. The following matters need to be addressed to enable a full assessment:
 - 1.1 A number of watercourses/floodways within the planning proposal site have been excluded from the Water Cycle Management Study (WCMS). The WCMS shall be amended to include all watercourses/floodways within the full extent of the planning proposal site that were modelled in Council's adopted Mullet Creek Review Flood Study dated 2018. In particular, the WCMS model extent shall be amended to include the watercourses/floodways encircled in blue in the image below.



- 1.2 The WBNM model parameters used by Cardno in the WCMS are inconsistent with those used in Council's adopted Mullet Creek Flood Study Review dated 2018. The WCMS and modelling shall be amended such that all input parameters are consistent with those used in Council's adopted study.
 - 1.3 A plan is required showing a comparison between Cardno's modelled flood levels and flood levels from Council's adopted study for the 1% AEP and PMF event for the entire model extent. This information must demonstrate that the flood levels being predicted by the Cardno WCMS are consistent with Council's adopted study.
 - 1.4 The WCMS shall be amended to include plans showing the existing Flood Planning Area (FPA) extent, existing Flood Risk Precincts (i.e. High, Medium, and Low as defined in Section 6.3 of Chapter E13 of the Wollongong DCP2009, note this must include all areas within 10 metres from top of bank of a creek/watercourse being mapped as High Flood Risk Precinct), and existing floodway extents (as mapped in the 2018 Mullet Creek Flood Study Review) for all watercourses/floodways within the model extent, as amended to address item 1 above.
 - 1.5 Clarification on which batter slopes have been used for conceptual sizing of on-site detention basins. In this regard, batter slopes must not exceed 1 in 6 to ensure good open space outcomes and provision for access/maintenance.
- 2 Based on a review of the information provided, the issues listed below have been identified. It appears that significant changes to the proposed lot layout and zoning will be required to resolve these issues:
- 3 The planning proposal is inconsistent with the Section 9.1 Ministerial Directions (Section 4.3 – Flood Prone Land). In particular:
 - 3.1 The planning proposal is inconsistent with Direction 4.3(5). The planning proposal rezones land within the flood planning areas from Rural to a Residential Zone.

- 3.2 The planning proposal is inconsistent with Direction 4.3(6)(a),(b),(c),&(d). The planning proposal would permit a range of development uses (i.e. those permitted within Zone R2 and RE1) within a floodway area, and permit a significant increase in the development of the land that is within a Floodway Area, High Flood Hazard, and Flood Planning Area (as noted above). The planning proposal may also result in a substantially increased requirement for government spending on flood mitigation measures, due to inappropriate development within floodway areas.
- 3.3 In order to be consistent with the Section 9.1 Directions, the proposal will need to be amended such that there is no re-zoning of land that is within the Flood Planning Area.
- 3.4 Should Council's strategic planning officers be of the view that a proposal that is inconsistent with the Section 9.1 Ministerial Directions should be supported in this instance, then it is strongly recommended that any such proposal not be supported until after it has been clearly demonstrated how the future development would be undertaken in a way that satisfies Council's DCP and LEP (refer below).
- 4 It is proposed to re-zone land (for the purposes of R2 – Residential and RE1 – Public Recreation) within existing floodway areas as mapped in Council's adopted Mullet Creek Flood Study Review (dated 2018). Refer to image below showing the mapped floodway areas (Figure B-34 of Council's adopted study) and locations where land is proposed to be re-zoned within the floodway areas (circled in blue). It is noted that large portions of these areas would also likely be categorised as High Hydraulic Hazard. The majority of permitted uses within the R2 and RE1 zones are uses that are not compatible with the flow conveyance function or flood hazard of a floodway area. It is also noted that the proposal as described and shown in the WCMS and general arrangement plan indicates filling, roads, residential lots, car parking areas, and earth berms within the existing watercourse channels and mapped floodway areas. These uses are also not compatible with the flow conveyance function and flood hazard of the floodway areas. In this regard, this proposal is contrary to Objectives 1(a),(c),(d),&(e) of Clause 7.3 of the Wollongong LEP2009, and is therefore not supported. The planning proposal shall be amended to ensure that uses not compatible with the flow conveyance function and flood hazard will not be permitted within the floodway areas.

Floodway Areas:



- 5 It is proposed to re-zone land that is within High Hydraulic Hazard areas and land that is within 10 metres from the top of bank of the creeks/watercourses. These areas are categorised as High Flood Risk Precinct, as per Section 6.3 of Chapter E13 of the Wollongong DCP2009. It is also proposed to re-zone land that is within existing floodway areas (as noted above). Intensification of use within the High Flood Risk Precinct and floodway areas is contrary to the objectives in Chapter E13 of the Wollongong DCP2009 (in particular objective 6.4.1d), and is therefore not supported. As per objective 6.4.1(d) the planning proposal shall be amended to allow for the conversion of the High Flood Risk Precinct and Floodway areas to natural waterway corridors.

Objective 6.4.1(d) of Chapter E13:

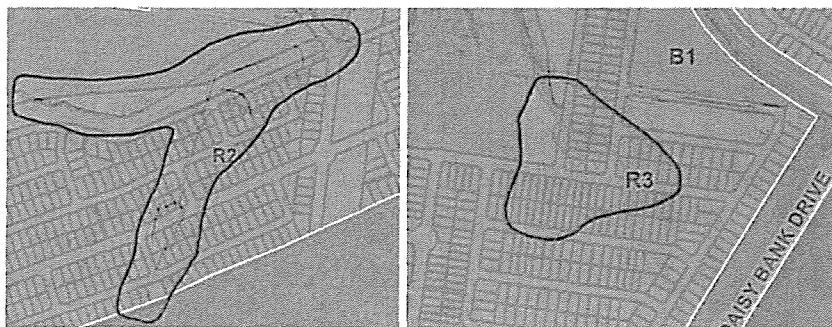
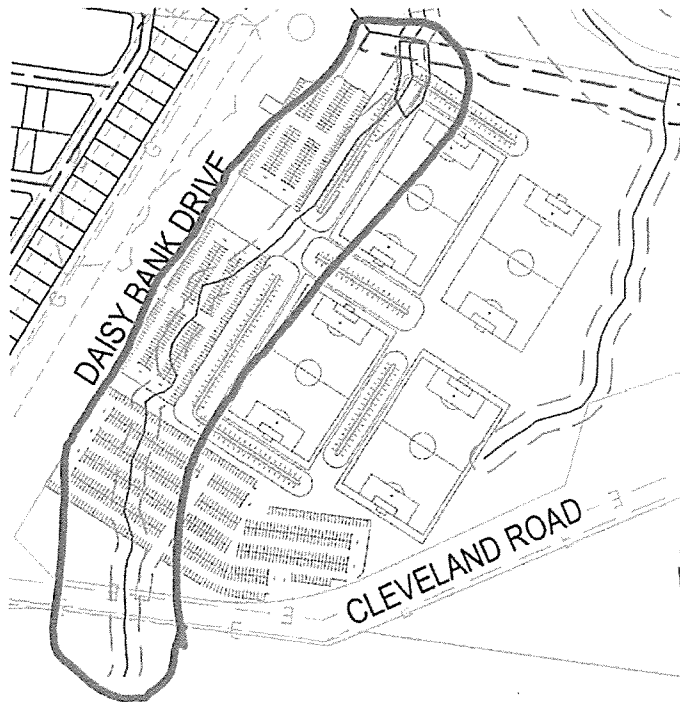
To prevent any intensification of the use of High Flood Risk Precinct or floodways, and wherever appropriate and possible, allow for their conversion to natural waterway corridors.

The WCMS shall be amended to include a plan accurately delineating the top of bank, 10 metre offset from top of bank, 100 year ARI high hazard areas (as per Figure L2 of the NSW Government Floodplain Development Manual dated 2005), and floodway areas (as mapped in Council's adopted Mullet Creek Flood Study Review dated 2018) for all watercourses/floodways within the planning proposal site, overlain on the existing and proposed zoning boundaries. This information must demonstrate that the planning proposal will not intensify the use of the High Flood Risk Precinct or floodway areas, and that the proposal will allow for the conversion of these areas to natural waterway corridors.

- 6 The submitted information including WCMS and general arrangement plan indicates future development of the re-zoned areas would require filling within the floodplain, however insufficient information has been provided to demonstrate whether this could be achieved in compliance with the requirements of Clause 7.3 of the Wollongong LEP2009, and Chapters E13 and Chapter D16 of the Wollongong DCP2009, in a way that provides acceptable outcomes to Council and the community (in relation to landform modifications, sustainability/usability/maintainability of the finished landform, creation of public assets, and riparian outcomes). The following additional information shall be provided to demonstrate how development within the floodplain (i.e. Probable Maximum Flood extents) would be undertaken as a result of the re-zoning:
- 6.1 Conceptual cut/fill plan for all required earthworks within the floodplain, for the full extent of works including transitions to natural ground levels.
 - 6.2 Conceptual finished surface level contours (0.25 m interval) for all areas where changes to existing surface levels would be required to facilitate future development.
 - 6.3 Details and location for all compensatory excavation works to maintain existing flood plain storage capacity.
 - 6.4 Detailed cut/fill volume and flood storage calculations, demonstrating that the land could be developed in a way that will ensure no net removal of floodplain storage capacity.
 - 6.5 Pre and post development modelling and impact mapping demonstrating no increase in flooding elsewhere as a result of the conceptual earthworks, for all flood events.
 - 6.6 It should be noted that it is not acceptable to rely on increased flood levels due to elevated manning's n values (e.g. revegetation) and/or blockage of hydraulic structures (e.g. proposed bridges) to provide compensatory flood storage. The compensatory flood storage volume shall be achieved via excavation, to ensure no net removal of existing plain storage capacity, as required by Clause 6.3.4(4) of Chapter D16 of the Wollongong DCP2009. In this regard, a net cut/fill balance (or cut surplus) must be demonstrated below the existing flood level for each event (incl. 1, 2, 5, 10, 20, 50, 100yr ARI, and PMF event).
 - 6.7 All finished surface levels within excavated areas must be free draining (i.e. no permanent ponding).
- 7 The future development intended to be facilitated by the planning proposal involves filling of existing watercourse channels, which is contrary to the requirements of Section 10.3.7 of Chapter E14 of the Wollongong DCP2009. Refer to the image below showing areas filling of existing watercourses would be required to facilitate the intended development. As per Section 10.3.7 of Chapter E14 of the WDCP2009, modifications to watercourses are generally not permitted, as they

adversely impact on a number of watercourse functions (incl. hydraulic function, channel pattern/form, long-term channel stability, aesthetic appearance, aquatic and bankside habitat diversity, and water quality). The reduction in development potential as a result of not modifying a watercourse is not considered justification for such modification. The planning proposal shall be amended such that filling of watercourses will not be required to develop the re-zoned land.

Locations where filling of watercourses proposed:



- 8 In connection with the above, the proposal to fill/pipe the watercourses is also not supported from an asset management view point. Previous discussions with Council's floodplain management engineers and asset management engineers have indicated that Council is not supportive of inheriting the significantly sized public underground stormwater infrastructure that is required to drain catchments of this size. The planning proposal shall be amended to maintain open channel conveyance in the existing watercourse/floodway areas.
- 9 The 'Home of Football' site as shown on the General Arrangement Plan (incl. car parking, earth berms, filling of watercourse, significant earthworks, within a floodway area) is contrary to the requirements of Council's DCP (incl. Chapters D16 and E13) and LEP (incl. Clause 7.3).
- 10 An excessive number of detention basins are proposed. The lot layout and stormwater concept design shall be amended to enable consolidation of detention basins to as few as possible and allow multi-purpose use of the detention storages where possible, to ensure good planning and open space outcomes.

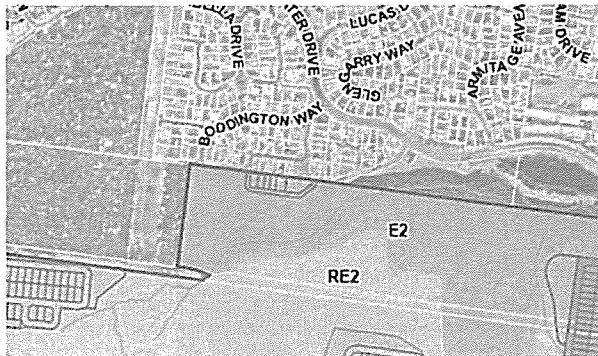
- 11 The conceptual road layout does not appear to enable natural drainage paths to be maintained without significant changes to the landform. The concept layout needs to be amended to avoid a situation where there will be road sags where stormwater overflows into the adjacent private lots.
- 12 The conceptual OSD design calculations appear to rely on segregation and diversion of significant upslope catchment areas from urban development within the low point of those catchments. This is unlikely to be achievable in a way that is acceptable to Council. The calculations and conceptual OSD sizing shall be amended based on allowance for the full upslope catchment areas to drain into the detention storages.

Development Assessment

Cleveland North

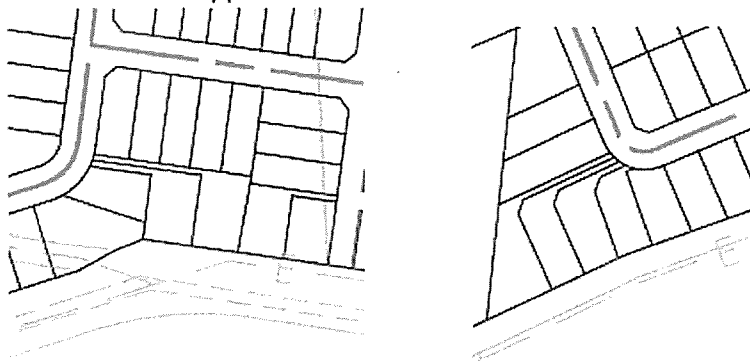
The proposal does not align with the structure plan in terms of low and medium density zoning?

- Consideration of the coastal wetlands mapped areas should be incorporated into the design. Earthworks may trigger Part 2, Div 1 Coastal SEPP.
 - Buk earthworks plan should be considered now to determine amount of cut and fill required to facilitate the subdivision and housing.
- Residential area is shown within the area mapped as E2 in future zoning plan.



This area should remain as E2 as it is within an area mapped as Natural resources sensitivity.

- The subdivision pattern includes a lot of battle-axe type lots, or those accessed from a handle. This is not supported within a new subdivision.



How will the electricity easement be treated? One lot at the eastern end encroaches within the easement. Small scale landscaping would enhance outlook across easement for adjacent lots.

Geotechnical

We have compared known geotechnical information for this area and for the land above roughly the 18m natural contour there are no known geotechnical constraints which would adversely impact upon the development concept. Routine geotechnical advice would be required to support the engineering design for this area.

The land below the 18m contour however has significant geotechnical constraints. This includes all of the proposed B1 and R3 zoned land and some R2 land. This land has a thin crust over soft saturated sediments of highly variable depth known to range from 5m to 18m over very short distances. It is also variably sandy, silty or clayey. To overcome this constraint Fairwater Drive from Reed Creek to Daisy Bank Drive as well as Daisy Bank Drive from Fairwater Drive to Cleveland Road were innovatively constructed as floating roads with substantial strategically located drainage and subsurface drainage installed to maintain equilibrium soil moisture and hence uniform support for these roads. That is why the surface levels are as they are. Any development which alters the groundwater conditions could lead to rapid deterioration of these roads. Intricate drainage in the development area will be required to ensure ground moisture conditions are maintained while earthworks should be minimised. Structures in this area may all have to be piled. The small low density residential area north of Fairwater Drive could developed as planned if designed as floating infrastructure provided geotechnical guidance of construction is able to minimise earthworks which would break through the existing crust.

This land will be difficult to develop but not impossible.

Heritage

Aboriginal Heritage

The development site contains a range of recorded Aboriginal sites, as well as identified Potential Archaeological Deposit (PAD) sites, many of which will be directly impacted by the proposed development footprint outlined in the Planning Proposal.

The development is supported by a "Aboriginal Due Diligence Assessment" prepared by Biosis. The Due Diligence process is not considered the appropriate level of consideration for the Planning Proposal and is inadequate to support the progression of the planning proposal. It is noted that the Due Diligence Process is intended only as a defence against the liabilities under the National Parks and Wildlife Act 1974 and is not intended to provide an assessment of the appropriateness of a Planning Proposal in terms of Aboriginal Cultural Heritage Impact.

The Due Diligence report recommends that additional archaeological assessment and the preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) is required, yet it recommends the deferral of this additional assessment until the DA stage. This is not considered an appropriate response. The additional archaeological assessment and community consultation required to inform the ACHAR will provide valuable information in relation to the extent and nature

of the archaeological resource, as well as the cultural significance of the proposed development site to the Aboriginal Community.

It is noted that the previous assessment undertaken by AMBS "Aboriginal Heritage Management Plan: West Dapto Release Area" assessed the proposed development area as including areas of high archaeological significance requiring further investigation. Further, the development site, included areas of cultural significance and was found to contain known aboriginal sites through previous archaeological research. Further to this, the OEH position on this strategic assessment was that even areas of assessed "low" archaeological value required additional assessment on a site by site basis. It is therefore appropriate and necessary that the Aboriginal Cultural Heritage significance of the site is assessed through the ACHAR process and that the outcomes of the additional archaeological assessment recommended by Biosis in the numerous PAD sites be used as a basis for considering with greater refinement the implications of the archaeological and cultural significance of the site to the Aboriginal Community.

This will also ensure that more recent findings of archaeological work undertaken in the vicinity of the site can be considered and utilised to understand a more refined picture of the Aboriginal Occupation and use of the West Dapto Release area and should inform the designation of appropriate land use zones and the arrangement of appropriately designed development footprints.

It is noted that the proposal includes a proposed small pocket of residential land on existing E2 land to the south of Selwyn Place (on the north side of the E2). This area should be carefully considered for potential impacts on Environmentally sensitive land and careful consideration given to the potential for this area to contain Aboriginal scar trees. This point is highlighted as Aboriginal Scar Trees have been identified within the adjacent bushland areas that make up this E2 portion.

The applicant should be requested to undertake the additional Aboriginal Archaeological and Cultural Heritage investigations recommended by Biosis in order to inform the final Planning Proposal and the final development footprint.

The Planning Proposal should also be referred to the former Office of Environment and Heritage for comment in relation to the Aboriginal Heritage Impacts of the proposal and any commentary should be referred for additional comment. The Planning Proposal should will need to be notified in a culturally appropriate manner to the local Aboriginal Communities following receipt of the ACHAR for Cultural heritage comments and input given the direct impacts on recorded Aboriginal sites and the potential impacts on identified PAD sites.

Post-European Heritage Comments

The proposed development site includes the former route of a railway line which linked a colliery to the Dapto Smelter Site at Kanahooka and which formed part of the Wollongong Harbour Scheme when they planned to place a Harbour in Lake Illawarra. This railway alignment is listed in part as item 61069. The section of former tramway alignment through the development area provides a unique opportunity to retain and interpret this lineal transport route as a pedestrian/cycle connection from the existing Stockland development area and Bong Bong Town Centre to the west through to the proposed Village Centre at the eastern end of the development site. This could provide a positive opportunity to interpret this industrial heritage linkage through the area.

The developer should be asked to consider the significance and archaeological value of this section of tramline and the potential for its adaptive re-use as a pedestrian/cycle link. This should also be considered within the context of Council's planned cycleway/pedestrian network in consultation with the West Dapto Planning Team.

I note that this route is currently zoned E2 and consideration should be given to whether this is the appropriate zone for the parcels that make up this former railway route, given the former industrial heritage of this linear feature, and given the opportunity to provide a cycle/pedestrian route along this area. A RE1 zoning may be more appropriate.

Aside from this feature, the development site appears to contain little evidence of significant historic occupation and enterprise aside from a few early farm buildings (pre-1948) within Lot 1 DP156208. The history of these building's should be considered.

I would request a site inspection to the development site to inspect the former route of the tramline.

OTHER GENERAL COMMENTS

I note that the proposed development includes a proposal to rezone a portion of E2 land to RE2 (Private Recreation). This proposal should be carefully considered and the likely potential use of this area properly understood. The current proposal appears to provide almost complete separation between the E2 and E3 portions of the site which does not seem a logical or connected environmental outcome for the site?

I note that the proposal includes a proposed minimum lot size of 300 sq m for all low density residential areas and 249 sq m for all medium density areas. I remain concerned that these small lot sizes are not well justified and will lead to poor housing product outcomes. Consideration should be given to varying minimum lot sizes across the area to provide a mix of housing products.

Environment

Planning Proposal PP-2019/02 is not supported in its current state. The following amendments are required:

1. The proposed zoning of *RE2 – Private Recreation* abutting the proposed E2 zone is not supported. This area is currently zoned E2, and provides an important buffer, and area for potential expansion of the Swamp Oak Floodplain Forest and Illawarra Lowlands Grassy Woodland. The area should remain E2.
2. The proposed zoning of a small area of R2 – Low Density Residential north of the E2 that abuts the houses on Selwyn Grove is not supported. This would result in additional impacts on the vegetation, be subject to high bushfire risk and have extensive ongoing impacts on the sensitive vegetation for the life of the development. The area should remain E2.
3. The proposal does not demonstrate a transition on the western fringe from the residential areas to the escarpment area, with 300m² lot size proposed. The minimum lot size is to be revised along the western fringe to allow for smoother transition to the escarpment landscape.
4. The proposed realignment of the Category 2 watercourse in the central-east of the site is not supported. The proposal is to be redesigned to allow for the natural alignment of the mapped

Category 2 watercourse. The required riparian width of 30m each side of the watercourse, as per Chapter 23 of Councils DCP 2009, is also to be provided.

5. The proposal has followed the requirements of the *Water Management Act 2000*. However, whilst it acknowledges the requirements of Chapter E23 of Wollongong DCP 2009, and largely meets the corridor widths specified, there are some watercourses that are proposed to be developed or realigned, or have inadequate corridor widths. This is to be revised to meet the objectives and requirements outlined in Chapter E23 of Wollongong DCP 2009.
6. Lands that have been mapped as “proximity area for coastal wetlands” have been zoned R2 – low density residential, and subsequently, the indicative lot layout shows development occurring within the “proximity area for coastal wetlands”. This is not supported and the proposal is to be redesigned to ensure the “proximity area for coastal wetlands” and fully included within the E3 zones.
7. Areas proposed for OSD or stormwater treatment are to be zoned E3. The current proposal to zone those proposed areas as R2 opens up opportunity for residential in future and subsequent encroachment into the E3 zones.
8. Bushfire – there are several locations that show the proposed APZ encompasses almost entire lots, leaving no space for a dwelling. Further, it is noted that the proposed APZ is measured from the ‘threat’ rather than from the ‘asset’. This method of determining the location of the APZ is not supported. However, the report does demonstrate that the site can accommodate the proposed development in regards to bushfire protection, and the finer details of the location of the APZ can be addressed at the subsequent subdivision stages and simultaneously with the Riparian VMP. It is stressed that the primary intent of the riparian corridor is to restore natural function and vegetation and that as per Chapter 23 of Councils DCP 2009 “Any bush fire Asset Protection Zone (APZ) is required to be located and managed outside the required riparian corridor”.
9. The proposal will result in impacts to areas of vegetation identified on the Natural Resource Sensitive Lands – Biodiversity map (WLEP, 2009). The majority of these impacts appear to be on relatively small and scattered vegetation patches which despite their small and disparate nature, hold ecological and amenity value, particularly where the trees are large, mature and hollow-bearing. The proponent is to revise the proposal to allow for the retention of these patches wherever possible.
10. The proponent proposes that restoration of aquatic and riparian vegetation and habitat will be achieved through the preparation and implementation of a Vegetation Management Plan (VMP). This VMP should detail the methodology for restoring the riparian corridor, which currently contains a mix of cleared land, weeds and exotics and native vegetation. This plan will rehabilitate any retained areas of native vegetation and revegetate areas which currently do not contain any native species. It is proposed that this will meet the requirements of NRAR (2018) *Guidelines for controlled activities on waterfront land*, Clause 7.4 of the Wollongong LEP, and Chapter 23 of Wollongong DCP 2009. It will be a Council requirement that the riparian corridor restoration VMP be submitted to Council as a whole, and not in stages. It is recommended that a Voluntary Planning Agreement be entered into between Council and the developer(s) regarding the restoration of the riparian zones and implementation of the VMP, and to provide certainty regarding the desired environmental outcomes in the face of multiple landowners and extended time frames.

11. Council accepts the findings and recommendations of the Preliminary Site Investigation. Further site investigations and reports in the form of a Detailed Site Investigations and Remedial Action Plans will be required by Council at the subdivision stage of the proposed development, addressing all areas of concern identified in the PSI and anything additional that is encountered.

Recreation

Council is in receipt of two planning proposals PP-2018/9 (1,000 lots) and PP-2019/2 (1,250 lots) within the Stage 3 Cleveland Precinct in the West Dapto Urban Release Area (WDURA). The combined neighbourhood proposals are shown in Appendix A. Cleveland Road is envisaged as the central organising element whilst the riparian corridors will act as the boundary extent to the study area.

Based on the general industry standard of 3 persons per dwelling for new release areas, this would result in an estimated population of 6,750. For comparative purposes, this is similar to Thirroul Suburb (6,483 persons in 2018¹). Adding Cleveland West and Stocklands proposal would see 4,000 lots or approximately 12,000 residents.

The West Dapto Vision 2018 is

“West Dapto will grow and develop as a series of integrated and connected communities. Set against the spectacular Illawarra Escarpment and a landscape of riparian valleys, these communities will integrate the natural and cultural heritage of the area with the new urban form.

The communities will be healthy, sustainable and resilient with active and passive open space accessible by walkways, cycleways and public transport.

The Vision also outlines a set of four inter-related principles for the planning of open space and recreation in West Dapto. These are:

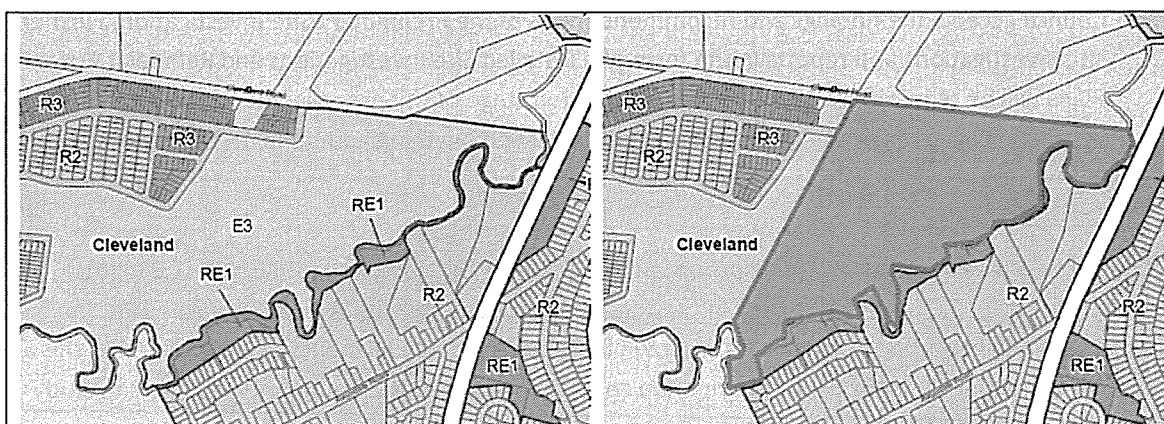
- Functionality;
- Accessibility;
- Connectivity, movement and flow; and
- Value and amenity.

Of prime concern to Council is the zoning of land east of Daisy Bank Drive and transmission easement which has been earmarked for a District and neighbourhood parks. This land in future will provide significant recreation and community facilities for the entire West Dapto area.

The planning proposal has identified this area as E3 Environmental Management. This area must be zoned as RE1 Public Recreation.

Proposed	Recreation Services Recommendation
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¹ Profile ID, Wollongong Community Atlas (Accessed August 2019)



Upon review of both proposals, there are a number of other serious issues identified including:

- Inadequate consideration of the equitable distribution of open space and recreation and the failure to zone appropriate land RE1 for public recreation purposes;
- Failure to provide a variety of open space in accordance with the West Dapto Vision including active recreation and sporting needs
- Proposed recreation nodes under transmission easements
- Multiple examples of poor urban design outcomes
- The failure to explore and create an integrated network of green infrastructure;
- Failure to properly identify stormwater management in the Cleveland South proposal
- Proposed multiple trapezoidal OSD basins that are poorly defined and size not determined.
- Poor integration between north and south proposals and a failure to consider connectivity with neighbouring areas;
- A lack of supporting information, justification and necessary evidence to allow the proper assessment of both proposals with regards to open space and recreation; and

In summary, it is evident that each planning proposal has been considered in isolation and has not properly considered the cumulative impact of their proposal. As a result, Recreation Services does not support the planning proposals in their current form and recommends Council pursue improved integrated outcomes (including adequate planning for open space and recreation) that will realise the principles and vision as established in Council's *West Dapto Vision 2018*.

More specifically, Recreation Services requests the applicant to provide an updated planning proposal that integrates planning for the north and south side of Cleveland Road supported by the following studies:

- Social impact assessment/ recreational demand assessment that examines the social, cultural, recreational needs of the area;
- Urban design study justifying and demonstrating the:
 - quantity, quality, distribution and accessibility of open space that will enable the delivery of multifunctional spaces that promote healthy lifestyles
 - Protection and enhancement of priority green or riparian corridors that create a network of walking trails, cycle paths and high quality open spaces
 - Restoration and enhancement of natural areas and access to them
 - Increased planting along gas and power easements and roads

- Physical and functional connections between different green spaces to create an interlinked system
- Vision for the area that aligns with Council's West Dapto Vision
- Consideration of life-cycle costs, management and maintenance of proposed green space
- Consideration of open space and recreational facilities in surrounding residential areas or planned areas.
- Relationship of proposed medium density with open space
- Impact of proposed utility servicing burdening council land.

Appendix B Examples of poor urban design


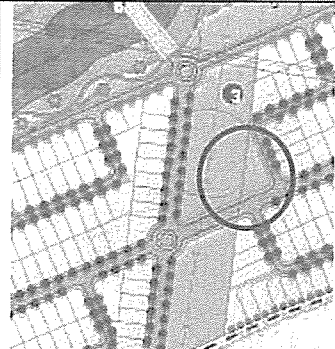
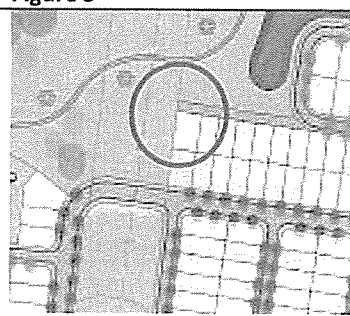
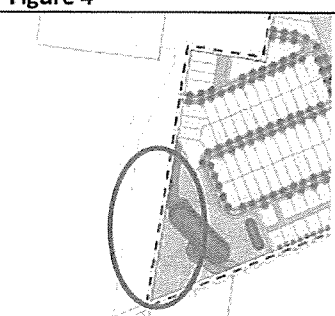
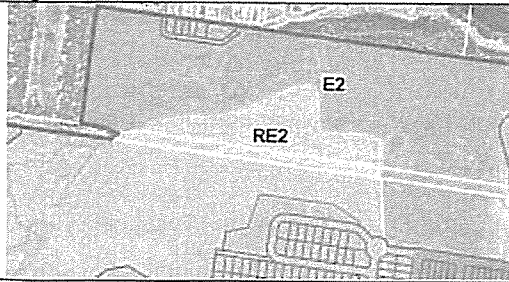
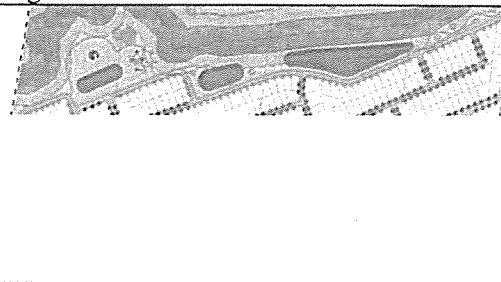
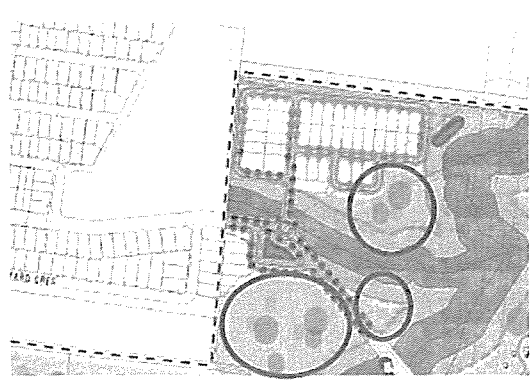
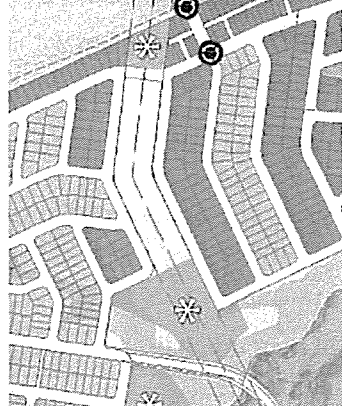

<p>Figure 1</p>  <p>Three isolated residential lots north of boundary road creating unnecessary rear fences facing onto future open space.</p>	<p>Figure 2</p>  <p>Green space shown adjacent to easement.</p>
<p>Figure 3</p>  <p>Road terminating into open space and boundary road not connecting</p>	<p>Figure 4</p>  <p>Example of a lack of proper consideration of neighbouring western property.</p>
<p>Fig 5</p>  <p>RE2 parcel of land proposed without justification. Conflicts with potential consolidation of E2 land to east and west. It is not clear how this lot would be accessed.</p>	<p>Fig 6</p>  <p>Proposed multiple basins which act as barrier to riparian corridor and restrict access to movement</p>

Fig 7	Fig 8
	
Multiple areas of open space proposed – lack definition or purpose	Recreational 'nodes' proposed under electricity transmission easements
Fig 9	
	
Additional dwellings proposed within the proposed natural area.	

Appendix C - Performance criteria for provision of open space

The following performance criteria are provided for the applicant's consideration.

Local Park Requirements

Size and Gradient- Local parks require a minimum area of zero point five (0.5) to two (2) hectares with a particular emphasis on the provision of a range of recreational opportunities. The minimum provisions for informal ball sports (kick about areas) should be 40m wide x 60m long with a maximum gradient of 5% and minimum of 2%.

Frontage requirements - Local parks must be located on residential streets and not adjacent to main roads. The park should have direct residential frontage with four road frontages.

Passive Surveillance- residential dwellings must be orientated to overlook neighbourhood parks to allow passive surveillance and deter anti-social activities.

Connectivity - to achieve active transport outcomes in the WDURA it is essential that Local Parks are connected with pathways and shared paths to ensure pedestrians and cyclists can safely access open space.

Equal Access paths- Entry points and at least one route within the internal pathway network linking key park features must achieve equitable access as per AS 1428.

Play spaces - within the local park play spaces should provide play equipment and experiences that provide a range of opportunities for play. Play spaces should be planned to be inclusive.

Youth spaces – park designs are required to respond to the progression of children to youth and include facilities such as ball courts and skate elements.

Amenities - Provision of infrastructure such as toilets is not required as most visitors are able to return to their homes if necessary.

Park Lighting - none required. Street lighting only.

Emergency and Maintenance Vehicles – Maintenance and emergency access must be provided.

Urban Greening- Tree planting is a major focus of Local Parks with garden bed provision confined to focal areas only. Significant feature tree planting is required with the aim of establishing canopy and shaded pathway networks, recreational spaces, and play spaces with 30% of the park provided with natural shade.

Picnic nodes - picnic areas with tables and a variety of seating areas through the Park

Note: It is not acceptable to provide parks all the same size. Each must be thought about in its own context and complimentary nature to other offerings. For additional guidance please refer to Council's Draft Open Space Design and Technical Manual.

Landscape

Cleveland Road North

We do not support the location of the proposed residential block adjacent to Purrengully.

Open Space Hierarchy

The applicant should demonstrate catchment radius for any proposed local parks.

The applicant should not that transmission easements primary function is for the distribution of power. The use of these spaces are extremely limited and are not considered as suitable spaces for recreational nodes.

They can however they can be utilised to link open space via shared pathways.

The applicant should demonstrate site of any proposed local parks and demonstrate achievement of active recreational opportunities such as modified sportfields, multi purposed courts. Proposed treatments are mostly passive.

Open Space categories

The applicant is to note that local parks must be located in high visible locations to allow for passive surveillance. The park should have direct residential frontage with four road frontages. The treatment of the edge of the park must integrate the park into the street network defining entry points. Parks should have active edges with the provision of pathways or shared pathways to enable passive surveillance.

In this regard the proposed open spaces indicated on this planning proposal are not supported in their current form.

Local parks should be developed in consideration of the following.

Local Park Requirements

Size and Gradient- Local parks require a minimum area of zero point five (0.5) to two (2) hectares with a particular emphasis on the provision of a range of recreational opportunities. The minimum provisions for informal ball sports (kick about areas) should be 40m wide x 60m long with a maximum gradient of 5% and minimum of 2%.

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Picnic nodes - picnic areas with tables and a variety of seating areas through the park

Natural Areas

The West Dapto Urban Release Area presents opportunities to improve and enhance Natural areas such as riparian environments and E3 (Environmental Management) are an important community asset.

They provide opportunities to learn about flora and fauna and appreciate and enjoy the environment. The primary purpose of natural areas is conservation however balanced passive (informal) recreation is a key secondary function of natural areas in urban settings.

Activities such as walking, running and cycling can be integrated, creating varied experiences enhanced by the diversity of landforms and site features. The creation of appropriate shared pathway and footpath networks will increase access and create activity nodes for passive surveillance, encouraging social interaction in a natural setting.

Subdivision design must provide good connectivity to streets and pathway networks, with the majority of the natural area having road frontages to allow for passive surveillance.

It is recommended there is some form of activation in the E2 area. A footpath or trail network within this area could create a passive recreational opportunity.



We do not support the additional dwellings proposed within the proposed E2 zoning.

Pathways

Cleveland north does not have a legible shared pathway network linking the proposed open space areas.

All neighbourhood and local parks must be linked to the shared pathway network. Walking and cycling is a very important component of active transport in the West Dapto transport system to achieve a sustainable, healthy and active community. Creating attractive walking routes will contribute greatly to the health and vitality of communities. Applicant must demonstrate shared

pathway and pathway connections. Shared pathway network does not match planned section 94 routes.



Stormwater infrastructure

If storm water and flood plain management infrastructure are integrated into open space it must be demonstrated that all aspects of public access risk analysis, safety and aesthetics have been achieved in the design. This requires that water management functions are assessed and graded for their ability to safely accommodate public interaction.

The proposed location of detention basins appear to be acting as barriers to the open space. The detention basins are occupying a large proportion of the open space and may impede its intended function.

The number of detention basins are problematic.

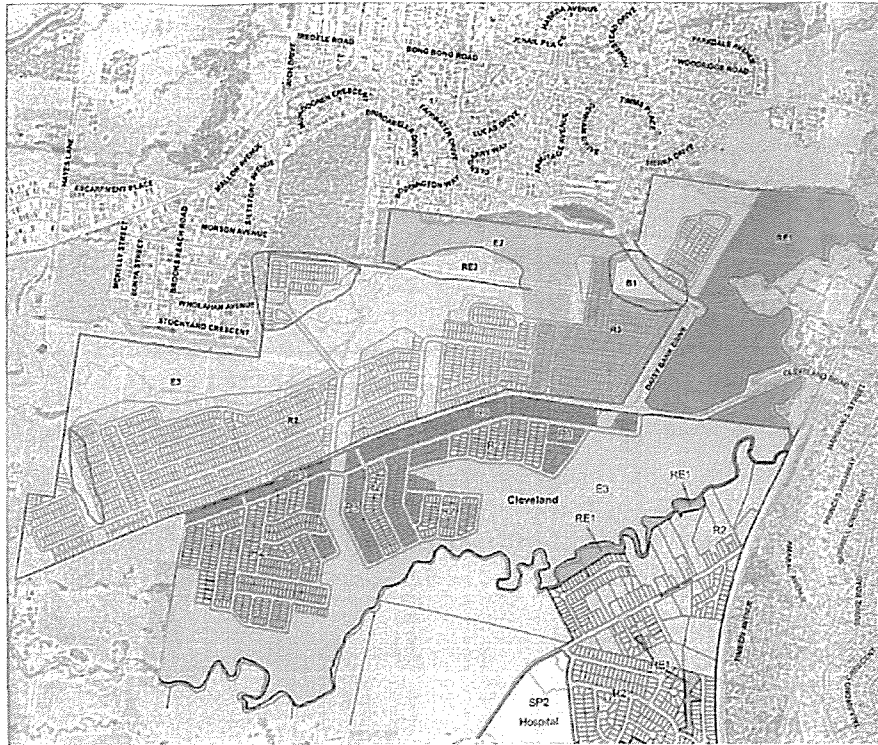
If the proposed subdivision water management infrastructure is intended to be dual purposed with open space activities (eg an informal ball sports area within a detention basin) there are specific requirements that must be provided:

- Side slope gradients cannot exceed 16 percent
- Informal ball sports area gradient cannot exceed 5 percent
- Informal ball sports minimum available area to be 40m x 60m. Any stormwater infrastructure such as outlets, weirs, and swales must be located outside this proposed area so as not to impede usage.
- Informal ball sport area to be provided with adequate subsurface drainage.

The preservation of the natural waterways and riparian corridors also provides an important community asset that could provide passive recreational opportunities. Low impact recreation such

An aerial photograph of a residential development. The image shows a grid-like street pattern with numerous small, rectangular building footprints. A prominent water feature, possibly a pond or a small lake, is located in the lower-left quadrant of the image. The surrounding area includes some undeveloped land and a parking lot in the foreground. The overall layout suggests a planned community or a new housing project.





Cleveland Road South Planning Proposal PP-2018/9

Area Covered by Planning Proposal

The Planning Proposal should be extended west to include the property outlined in pink below;

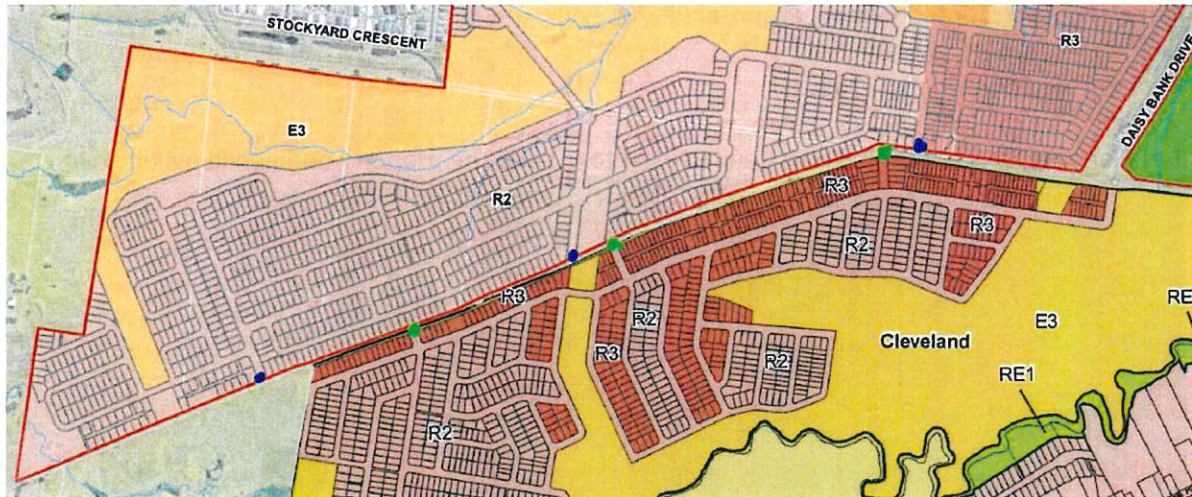


Integration with structure plan and Cleveland Road (North) Planning Proposal PP-2019/2

The Structure Plan shows a connecting road from Brooks Reach, traversing through the site, which is not on the draft Neighbourhood Plan, and another connecting road from Daisy Bank Drive also not on the draft Neighbourhood Plan. These are outlined in pink below.



There are also variations between the proposed Neighbourhood Plans for the north of Cleveland Rd (Blue dots) and the southern side of Cleveland Road (lime dots). This would result in offset intersections, with unnecessary duplication of traffic signals/intersection controls. The two Planning Proposals need to be coordinated to achieve a holistic outcome. Council will also consider its timing for road infrastructure within this precinct.



Social

Increased density may suppress the cost of housing however this is also reliant on other factors such as infrastructure including access to shops, parks, and other amenities.

School

With the population proposed, consideration should be given to where a school could be considered in the Cleveland Road precinct. This would require a 2hectare site.

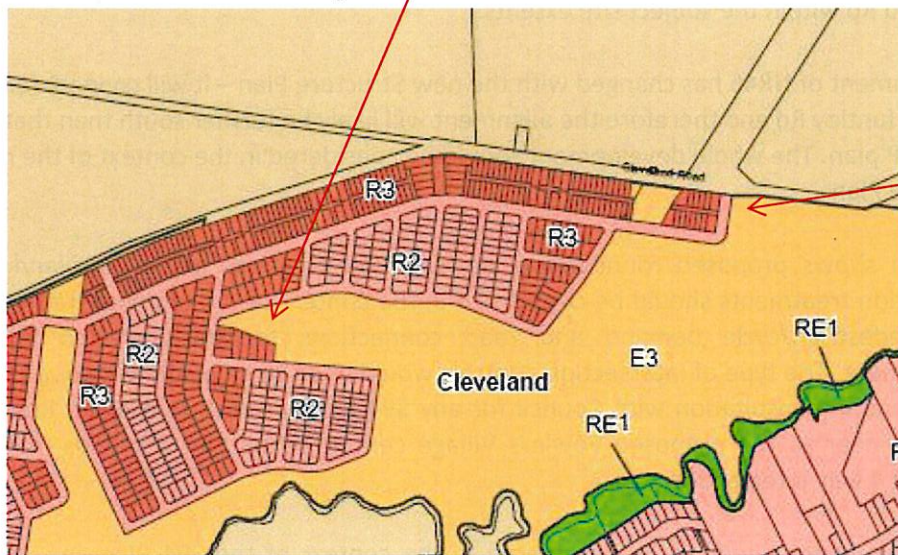
Traffic

- Why is there proposed development directly underneath the eastern electricity transmission line easement but not under the west one? I note the pre-lodge info for north Cleveland Rd PP allows for only open space under this easement [we note that you are proposing to underground the electricity lines in eastern easement]
- The road layout of the proposed Rezoning Plan and Neighbourhood Plan for the southern side of Cleveland Road do not appear to be consistent with the proposed rezoning and Neighbourhood Plan to the north of Cleveland Road (same consultants). This would result in offset intersections and increased vehicular friction. To address this issue consideration should be given to how the subject proposal integrates with the wider Stage 3 development area, and Neighbourhood plans on both sides of Cleveland Road should be aligned.
- The proposed Fowlers Village Centre depicted on the 141 Cleveland Rd plan would require signals on Cleveland Rd – however the two PPs are showing offset intersections here – not ideal.
- The small section of development proposed south of Daisybank Dr – how does this mesh with ultimate plans for north-south link road (NR13) here? Will it be cul-de-sac'ed? It would seem a waste of money to build a minor collector to then have it severed by the new north-south link.
- The significant extent of higher density housing facing Cleveland Rd should include pedestrian/cyclist 'cut-throughs' to allow better accessibility to bus stops, Cleveland Rd and northern areas. This is in line with the West Dapto principles (Active Transport 2.11). As an example, the proposed central section is 750m long with no access into the residential subdivision.

- Future road NR46 does not carry through as proposed in the Contributions Plan. It is supposed to be a collector road but it stops either side of a few residential blocks, so the Neighbourhood Plan will need to change to accommodate the collector road.
- The western connection of future road NR46 and Cleveland Rd puts it right in alignment with the top of the hill north of Cleveland Rd as it will connect through to Brooks Reach. This is an undesirable outcome. This road was anticipated to be located further east so it could run around the east side of the hill. This would mean it would be required to connect to Cleveland Rd within the subject site extents.
- The alignment of NR46 has changed with the new Structure Plan – it will connect further west of Huntley Rd and therefore the alignment will likely be further south than that shown on the PP plan. The whole development should be considered in the context of the new Structure Plan.
- The plan shows proposed roundabouts at major intersections along Cleveland Rd. The intersection treatments should be considered in the context of the ultimate traffic demand, likely pedestrian/cycle demand and road connections to the Cleveland Rd (north) development. The type of intersection controls would need to be justified through transport studies and in consultation with Council for any S94 funded roads (Cleveland Road). As an example, near to the proposed Fowlers Village centre, pedestrian demands may require signals at 4 way intersections.
- The development needs to be considered in the context of the S94 Plan and draft West Dapto Structure Plan.
- Future road NR11 to the north of Cleveland Road does not line up with the road layout to the south of Cleveland Road (refer above general comments about integration with other sites).
- The proposed road hierarchy should be shown on the plans.
- Indicative bus stop locations need to be shown on the plans in accordance with NSW bus operator guidelines for bus stop spacing, showing development accessibility to the stops (ie within 400m of a bus stop)
- The Rezoning Plan and Neighbourhood Plan must show riparian cycleway routes as per the layouts in the s94 plan
- The transmission easements could be used for convenient pedestrian/cycle connections to/from riparian cycleway links.
- It is noted that there are some lots shown which would result in the creation of back fences which are not supported, as these areas have very little passive surveillance and could attract anti-social behaviour.
- Should the rezoning be approved; DA's would need to be submitted with further detailed assessments of traffic impacts, car parking, site servicing/manoeuvring etc.

Design and layout Concerns:

- The elongation of the R3 zone westwards, away from the town centre. Will this destabilise the viability of the town centre, public transport routes etc?
- The potential interaction/transition effects between the R3 zone and the E3 zone, as below. The E3 zone transitions into R3 with a road providing the only buffer. These areas would be better suited as E4 to provide a smoother transition into the built up areas.
- More gradual density transitions from E3 should be proposed to minimise apparent bulk of future built form on landscape.



- The presentation of back fences to Cleveland road is not supported. Development controls are required to ensure fenestration and frontage to the street is provided in future dwelling design. Is vehicular access permitted from Cleveland Rd? If so, this may increase likelihood of dual occupancies on the blocks due to the generous FSR (0.75:1).
Is there going to be development guidelines to ensure acceptable built form?
- What is the land size of the proposed E3 area? The minimum size for E3 zoned land is 40ha as per Clause 4.1 WLEP 2009. How will the E3 zone be managed? Public or private? [dedication? farmland?]
- What are the lot widths and depths? Some sites in R3 appear to be 14-15m which will likely result in dual occupancies. This is potentially problematic with consideration of the substantial amount of blocks which do not have a north-south orientation. Solar access issues are likely to arise in future.
- Consideration of sites for RFBs should be included now to support the desired public transport routes.
- A visual impact analysis is required that considers the anticipated built form:
 - Noting that some of the lots are above the RL50m and trigger Chapter B6 of WDCP 2009, and are at the highest point in the immediate area.
 - Areas above RL50 should be considered for RE1 zone and used as public spaces. This would permit the built area to assimilate with the natural topography of the site and minimise potential excavations. [e.g. the hill top near the transmission line]
- Are there any changes to contours proposed? Bulk earthworks plans? Steep blocks towards the western end will result in solar access issues, and the need for high retaining walls etc.

The indicative road layout and lot orientation may not work well in these steep sections [e.g. pink areas below].



- How will the electricity easement be treated? One lot at the eastern end encroaches within the easement. Small scale landscaping would enhance outlook across easement for adjacent lots.
- There is no reason to have battle-axe lots in a greenfield design. Perimeter access roads should be provided around the edge of all lots to provide access (bushfire etc) and also as a buffer between the E3 zoning adjacent. This area is also steep and will present issues for future dwellings with attaining acceptable solar access. This would suit a lower density zone.



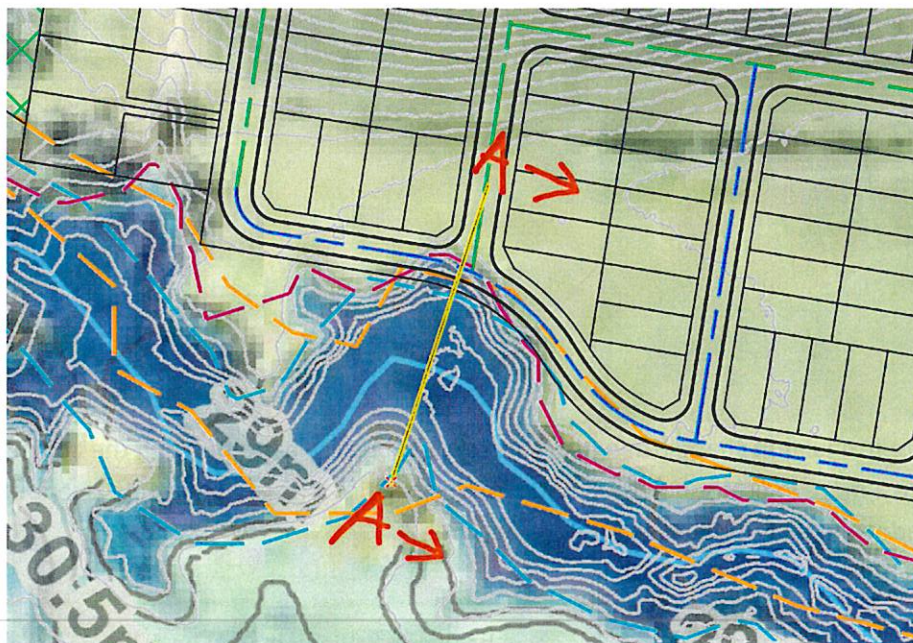
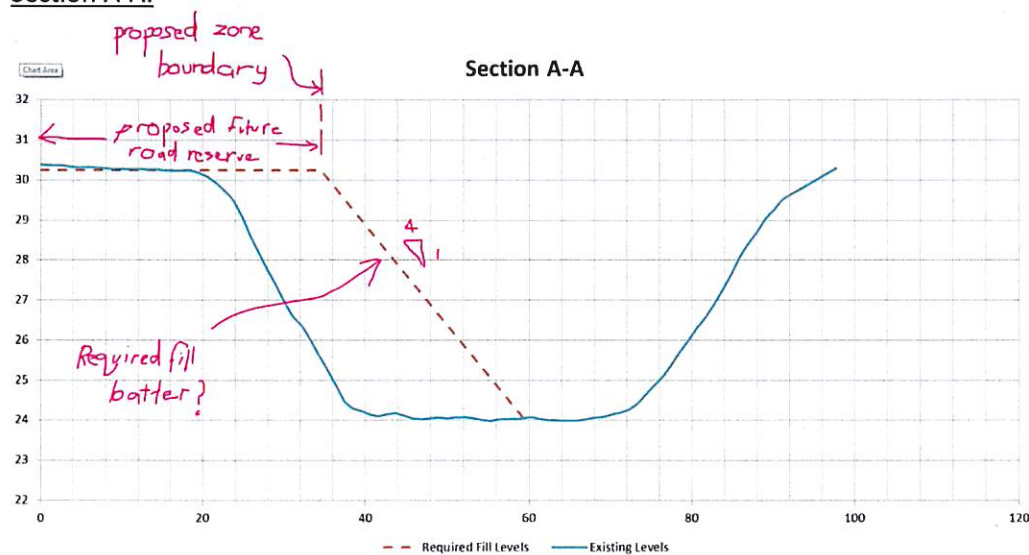
- A few lots are irregular in shape (triangular) and should be amalgamated with the adjacent lots to create a more logical subdivision pattern. Irregular lot shapes may create overlooking and overshadowing issues in future dwelling design.

Stormwater

The information submitted in support of this proposal has been reviewed and the following matters must be satisfactorily addressed prior to the planning proposal being supported:

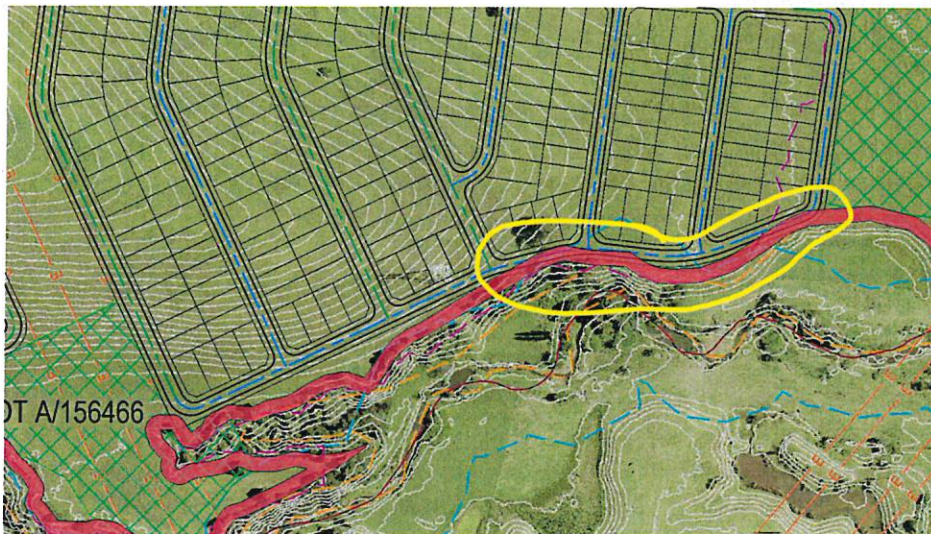
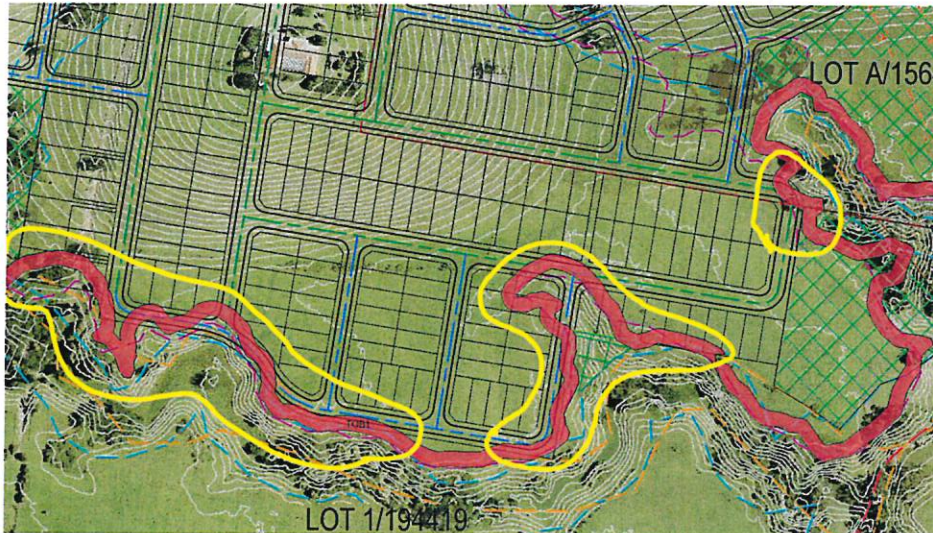
- There are several areas where proposed roads and R2 zoning encroach within 10 metres of, and also into, the existing steep batter to the watercourse/ floodplain. The construction of roads within these areas would likely require retaining walls, significant fill batters encroaching into the E3 zone, and engineered embankment works within the watercourse embankment to ensure the ongoing stability of the public road, which is not supported. There is concern that scour/erosion of the steep bank could undermine any future road/lots created close to the steep embankment. Refer to section A-A below for an example of where it is proposed to create residential zoning and roads within 10 metres of and also over the existing steep embankment to the watercourse/floodplain. Section A-A shows existing ground levels in relation to the proposed zoning boundary, and required fill batter extent assuming the future road levels are designed to respond to the natural landform (as required by Chapter B2 of the Wollongong DCP2009) and maximum fill batter slope of 1 (vertical) in 4 (horizontal). There several locations where this issue is present and these are circled in yellow on the third and fourth images below.

Section A-A:



Locations where this issue is present:

NOTE: pink shaded areas are approx. 10m buffer from top of steep embankment.



In order to address this issue, the concept layout and zoning boundary needs to be amended such that concept roads and residential zoning are located at least 10 metres from the top of the steep embankment.

Alternatively, in order for Council to further consider the proposal for residential zoning within 10 metres from the top of the steep embankment, the following information would be required to enable a further assessment:

- Geomorphic investigation verifying the suitability of the land within 10 metres from the top of the steep embankment for residential development with consideration to potential scour/erosion and geomorphological processes within the watercourse and potential undermining of future roads/lots, without the need for engineering works extending into the watercourse. The environmental impacts of any required works would need to be considered as part of the planning proposal.
- Concept earthworks design demonstrating how these areas would be developed without retaining walls and/or batters encroaching into the riparian corridor/watercourse/E3 zone. This would need to include cut/fill plans, finished surface level contours, and cross-sections, showing indicative finished surface levels, cut/fill depths, proposed zoning

boundary, 100 year ARI and PMF flood levels, and batter extents for the full extent of the transition to natural ground levels.

- Where filling within the floodplain is required, the concept design will also need to indicate the location/design of compensatory excavation, along with pre and post development flood modelling and flood storage volume calculations demonstrating no increase in flooding elsewhere and no net reduction in flood storage.
- On-site stormwater detention (OSD) is required. The proposal to not provide OSD for this development area is not supported because there is currently no Council endorsed policy that considers the effect of not providing OSD for the entire West Dapto urban release area and endorses the omission of OSD with consideration to cumulative effects. The concept plan must be amended to include space set aside for OSD basins. The following information is required to demonstrate that sufficient space has been allowed for in the concept design to accommodate adequate OSD storage:
 - Concept plan showing proposed OSD locations and stormwater discharge points, volumes, concept design (incl. batter slopes, indicative finished surface levels, and transition to adjoining levels);
 - Plan showing existing catchment boundaries and areas contributing from the site to each proposed discharge location;
 - Plan showing proposed concept catchment boundaries and areas contributing from the future development to each discharge point;
 - Runoff/routing analysis for pre and post (concept) development conditions, showing the pre and post development discharge rate contributing to each future discharge point for the 100 year ARI event.
 - All input parameters, assumptions, and results must be provided for assessment.

It is important that this issue be addressed prior to adoption of the neighbourhood plan to avoid some of the outcomes already occurring in West Dapto, i.e. detention basins being squeezed into small spaces with steep batters that don't look very nice, are difficult to maintain, and don't really fulfil any function other than OSD. If planned well, it is possible to provide basins that also fulfil other purposes (such as sporting fields, parks, public open space areas, etc.).

- The conceptual road layout does not enable natural drainage paths to be maintained within the future public road network without significant changes to the landform. The concept layout needs to be amended to avoid a situation where minor/major drainage from roadways needs to be conveyed through private lots. In particular, the road layout needs to be amended in the areas indicated on the images below. This issue needs to be addressed prior to the adoption of the neighbourhood plan.



Preliminary Heritage Comments

Historic Heritage Assessment

1. The proposed Planning Proposal is supported by a Historic Heritage Assessment and Heritage Impact Assessment for Cleveland House, prepared by Biosis.

2. It is noted that Biosis have indicated in the report that they were unable to inspect the heritage item due to neglect and vegetation. Given this, the report relies on assumptions regarding the building's condition and no actual assessment of the building, or consideration of its future conservation/potential use within the subdivision is provided. This is considered inadequate.
3. Site inspection required. To assist with the progression of this Planning Proposal, and to give a better understanding of the condition and significance of Cleveland House a site inspection is requested.
 - No curtilage defined. The Biosis report fails to discuss or consider an appropriate curtilage for the heritage item. This needs resolution in the Planning Proposal. The draft Planning Proposal should define a curtilage for the item. It is noted that the West Dapto Historic Heritage Study by HLA proposed a curtilage for the site and this should be considered.
 - The proposed curtilage should consider significant plantings identified as significant, as well as considering historic driveways/access arrangements and location of any associated buildings/structures.
4. It is noted that the submitted report is marked as "draft". This should be addressed prior to finalisation of reporting in relation to the planning proposal.
5. The Archaeological potential plan included in the report is blank. The correct plan should be provided with a clear indication of the area/s with historic archaeological potential.
6. The "Cultural Heritage Management Plan" recommended to be prepared within the Biosis report is required to guide consideration of conservation policies and to define key aspects of the sites conservation as part of the Planning Proposal. This should inform a suitable curtilage, and guide the proposed zoning boundaries, minimum lot sizes, height restrictions etc. for the proposed residential area.
7. The Cleveland House site and outbuildings are currently proposed to be retained on a large E3 zoned corridor along the creek lines and this area is heavily constrained by flood affectation. Further consideration should be given to the following questions:
 - Is this best use of this land?
 - Who looks after this area going forward?
 - What will prevent this isolated area becoming a weed garden?
 - Is this a potential opportunity for an "Urban Farm" which provides a Remnant Rural component within the residential area, and potentially provides for the adaptive re-use of the heritage item(s) as part of this picture.
 - What about heritage items future? What happens to it in the post subdivision phase?

These matters require further thought and resolution in finalising consideration of the Planning Proposal.

Aboriginal Heritage Report

1. The Planning Proposal is supported by a draft Aboriginal Cultural Heritage Archaeological Survey Report. This report is draft, and does not constitute a thorough assessment of the site and its Cultural heritage significance.
2. The draft report indicates that the proposed development will impact on a range of recorded Aboriginal sites and that an AHIP will be required for the future development works.
3. Given the impact on Aboriginal Sites, it is recommended that the draft Planning Proposal should be referred to the OEH for comment and input. Their views on the proposal will be an essential consideration for progression of the Planning Proposal and Neighbourhood Plan.
4. The draft Planning Proposal should be notified to the local Aboriginal Community groups and their comments should be sought in relation to cultural significance.
5. The submitted Aboriginal Cultural Heritage Archaeological Survey Report is not sufficient to inform decision making about the site as it has not followed the consultation requirements of the OEH and is in draft format. A full Aboriginal Cultural Heritage Assessment Report (ACHAR) should be prepared to allow for more adequate assessment. This is required at the Planning Proposal and Neighbourhood Plan stage of the process as the development will impact on known Aboriginal Sites and should be guided by the outcomes of this report. It is not appropriate to leave this work until later stages of the process. The ACHAR should be prepared in accordance with the OEH consultation guidelines to ensure Aboriginal Cultural Heritage Input.
6. The additional Archaeological testing that is recommended within Recommendation 2 of the current draft report should be undertaken to inform the ACHAR and to give a deeper understanding of the archaeological impacts of the Planning Proposal and Neighbourhood Plan.

Based on a review of the information registered in HPE Records, the use of Dekho, a site inspection on 26 March 2019 the following comments are provided for biodiversity, riparian and contamination matters for PP 2018/9:

Flora and Fauna Assessment report - Lot A DP 156446, Lot 1 DP194419 and Lot 313 DP 1188000 (Eco Logical Australia, 2018a)

- On review the Eco Logical Australia (2018a) is generally satisfactory in survey effort and documenting the biodiversity values of the subject site to progress the draft Planning Proposal.
- The report recommends implementing a Vegetation Management Plan to revegetate Mullet Creek and tributaries.
- The report suggests 'The commitment to implement Vegetation Management Plans for reaches 2A, 2B and Mullet Creek may assist in the negotiations to discount Wollongong DCP riparian corridors.'

- The recommendations in Sections 6.2 Terrestrial ecology and 6.3 Aquatic ecology are supported.

Riparian Constraints Assessment – Lot A, DP 156446, Lot 1 DP 194419 and Lot 313 DP 1188000 (Eco Logical Australia, 2018b)

- The report has overlooked the Directions and Actions the riparian land in the Illawarra Shoalhaven Regional Plan 2015.
- Councils WLEP Clause 7.4 Riparian lands and WDCP Chapter E23: Riparian Land Management mapping have been misinterpreted in this report as have the provisions of WDCP Ch E23.
- The report recommends rehabilitation of over 23 hectares of riparian land.
- The report recommends consultation and negotiation with Natural Resources Access Regulator and Council on eliminating mapped riparian land and reducing riparian widths.
- The report has overlooked Water Management and Conservation Principles of the *West Dapto Vision* (WCC 2018a) and 'Conservation' planning layer of the *West Dapto Structure Plan* (WCC 2018b).

Bushfire Opportunities/Constraints Analysis – Residential Subdivision, Cleveland Road, Dapto. (Eco Logical Australia, 2018c)

- It's unclear, but most likely not, if the bushfire constraints have considered the post development operational phase /in perpetuity conditions the of rehabilitated and revegetated riparian land.
- The content of Table 3 referring to further refinement of future APZ's based on a VMP is noted.
- The applicant and their bushfire hazard assessment consultant are directed to Councils *Bushfire Prone Land Fact Sheet* for guidance on Council's requirements for the development of residential buildings and associated outbuildings in areas defined as Bushfire Prone Land.

Cleveland Road, Cleveland: Aboriginal cultural heritage archaeological survey report DRAFT REPORT (Biosis 2018).

- Items of Aboriginal cultural heritage significance have been located at the eastern end of Mullet Creek in the riparian zone.
- It is noted that Councils Coordinator Heritage has commented on the draft Biosis (2018) report including the requirement for future site assessments and consultation with stakeholders and regulators.

Cleveland Road, West Dapto. Planning Proposal for a Residential Subdivision (Mecone, 2018)

- The planning proposal document has not demonstrated consistency with or adequately justified its inconsistencies with several Directions and Actions under 'Goal 5 – A region that protects and enhances the natural environment' in the Illawarra Shoalhaven Regional Plan.
- The planning proposal and (neighbourhood plan) is silent on future ownership of a significant amount of residual E3 land, which includes over 10 hectares of riparian land recommended for vegetation rehabilitation on Lot A DP 156446 and Lot 1 DP 194419.
- The report has overlooked Water Management and Conservation Principles of the *West Dapto Vision* (WCC 2018a) and 'Conservation' planning layer of the *West Dapto Structure Plan* (WCC 2018b).

Preliminary Site Investigation (EI Australia 2018)

- The Preliminary Site Investigation (PSI) has been prepared as per the NSW EPA Guidelines for consultants and it involved only desk top study (site walk over, checking property history, DAs and aerial photos).
- The PSI includes all three lots equating to about 136 ha of land and has concluded that for the majority of the site no contamination sources have been identified and majority of site is suitable for the proposed subdivision.
- The report states that contaminated areas are localised with the potential for asbestos contaminated material and lead paint in the existing building structures with a targeted site investigation also recommended.
- The PSI did not highlight the riparian corridor areas and contamination associated with previous and current land use. Review of past aerial photos clearly indicates the subject site has a history of cut and fill especially along the water courses (Mullet Creek catchment) and water courses have been altered creating several dams for water storage and harvesting. The contour map indicates a big difference in topography of about 25 metres elevation difference, the 1993 aerial photo indicates some activities of land reshaping (potential of imported fill material).
- The site walk over photos indicates, site was used as dairy farming and other agriculture purposes.
- The structures on the site are poorly maintained, with asbestos contained materials, random storage of unknown chemicals in open areas, onsite sewer management tank (mostly soak away, irrigation areas not identified in PSI).
- It is noted there are two high voltage powerlines traversing the subject site with the powerline corridors are potentially contaminated especially at poles footings areas that require further investigation.

Further assessment and requirements

- The applicants intended negotiations with Natural Resources Access Regulator and Council, eliminating mapped riparian land and reducing riparian widths, will need to occur prior to revising the current draft Planning Proposal and the preparation of a report to the Council on the draft Planning Proposal.
- Clarification of the intended fate of the extensive areas of proposed E3 land including riparian land adjacent to Mullet Creek not already in Council ownership (ie outside of Lot 313 DP 1188000).
- The report has overlooked Water Management and Conservation Principles of the West Dapto Vision (WCC 2018a) and 'Conservation' planning layer of the West Dapto Structure Plan (WCC 2018b).
- If the intended fate of the extensive areas of E3 land including riparian land adjacent to Mullet Creek is for dedication to Council, it is strongly recommend internal consultation occur with Councils Natural Areas team.
- Further detail about the likelihood of contamination from agricultural practices, imported fill and
- If the Planning Proposal proceeds to a rezoning of the subject site, a future development application for subdivision will require detailed site investigation and should involve NSW EPA accredited site auditor in reviewing the consultants approach to site contamination, review of reports and the issuing of a site auditor's statement (SAS) to council.