

Planning Proposal – Yallah-Marshall Mount Amendments

LOCAL GOVERNMENT AREA: Wollongong

ADDRESS OF LAND: various sites within the Yallah-Marshall Mount precinct

MAPS:

Location map:



DESCRIPTION OF LAND: The site is situated on the lower slopes of the Illawarra Escarpment and has a total area of 1005 hectares. There the site has been used for grazing and cattle farming. The site is made up of cleared grasslands and remnant trees with a mostly cleared understory. Portions of the site are vegetated and Endangered Ecological Communities are located on the site according to Council's records. The Duck Creek and a number of smaller riparian corridors run across the site.

Surrounding development consists of rural properties, with Shellharbour Local Government Area and the proposed Calderwood release area to the south, rural lands to the west and proposed stages 3 & 4 of the West Dapto Urban Release area to the south. Access to the area is currently off Calderwood Road to the southwest, Yallah Road to the east and Marshall Mount Road to the north.

Part 1: OBJECTIVES OR INTENDED OUTCOMES OF PROPOSED LEP:

Concise statement setting out objectives or intended outcomes of the planning proposal.

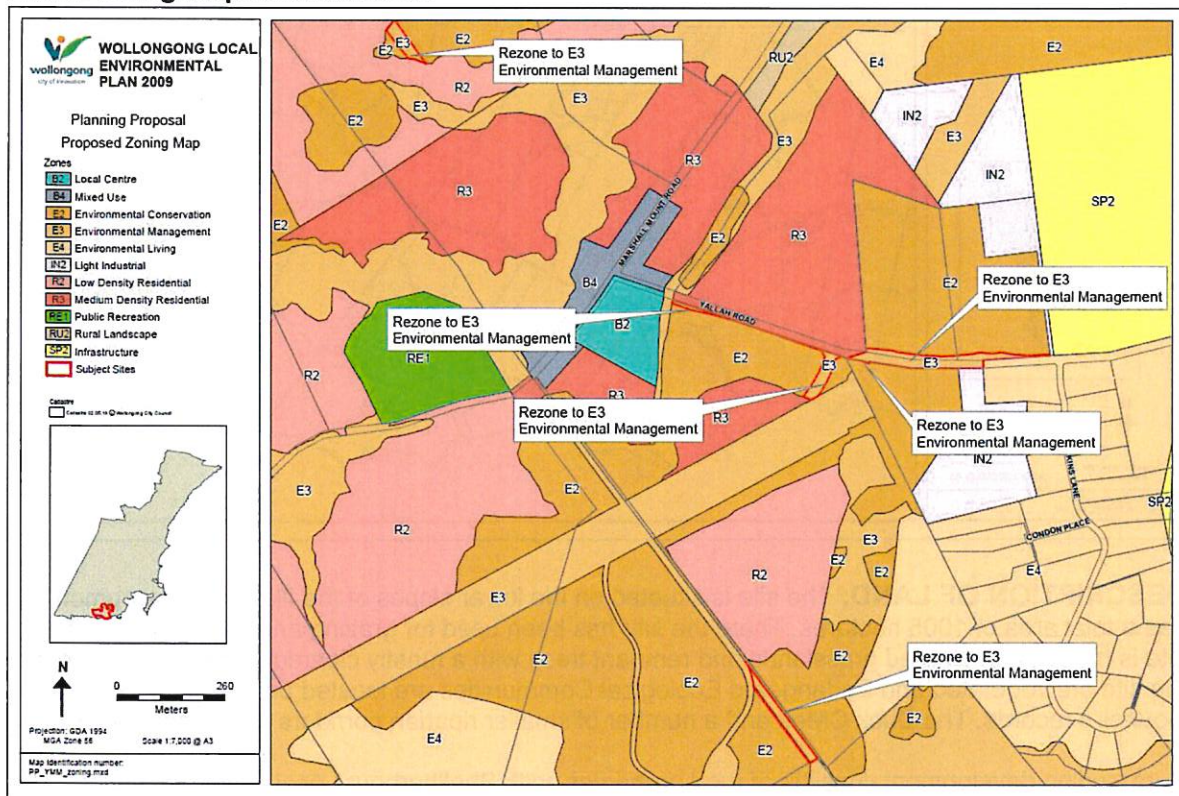
To make minor amendments to enable development of the precinct as an urban release area (update land acquisition maps to reflect new information on road acquisition needs, make minor zoning changes (to enable road and driveway construction), minor minimum lot size changes to enable smaller lot sizes along proposed Road No. 8. And make minor changes to correct some mapping errors.

Part 2: EXPLANATION OF THE PROVISIONS OF PROPOSED LEP:

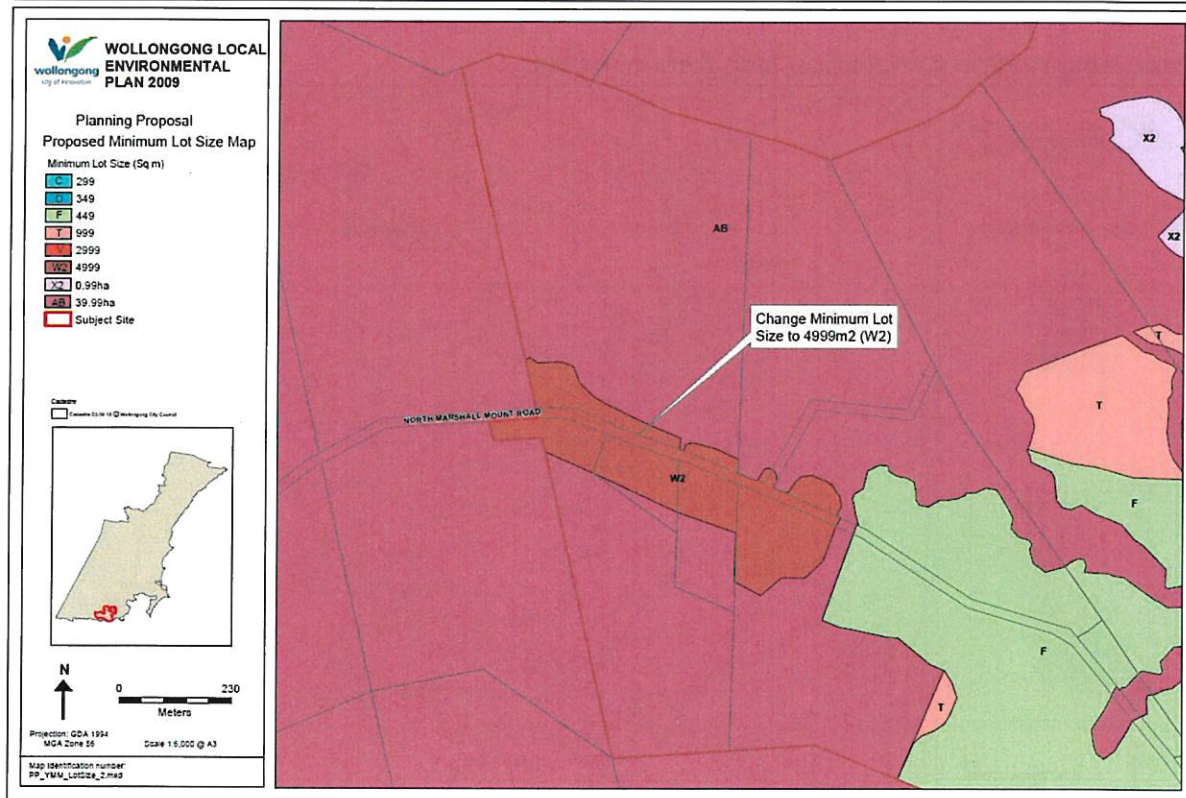
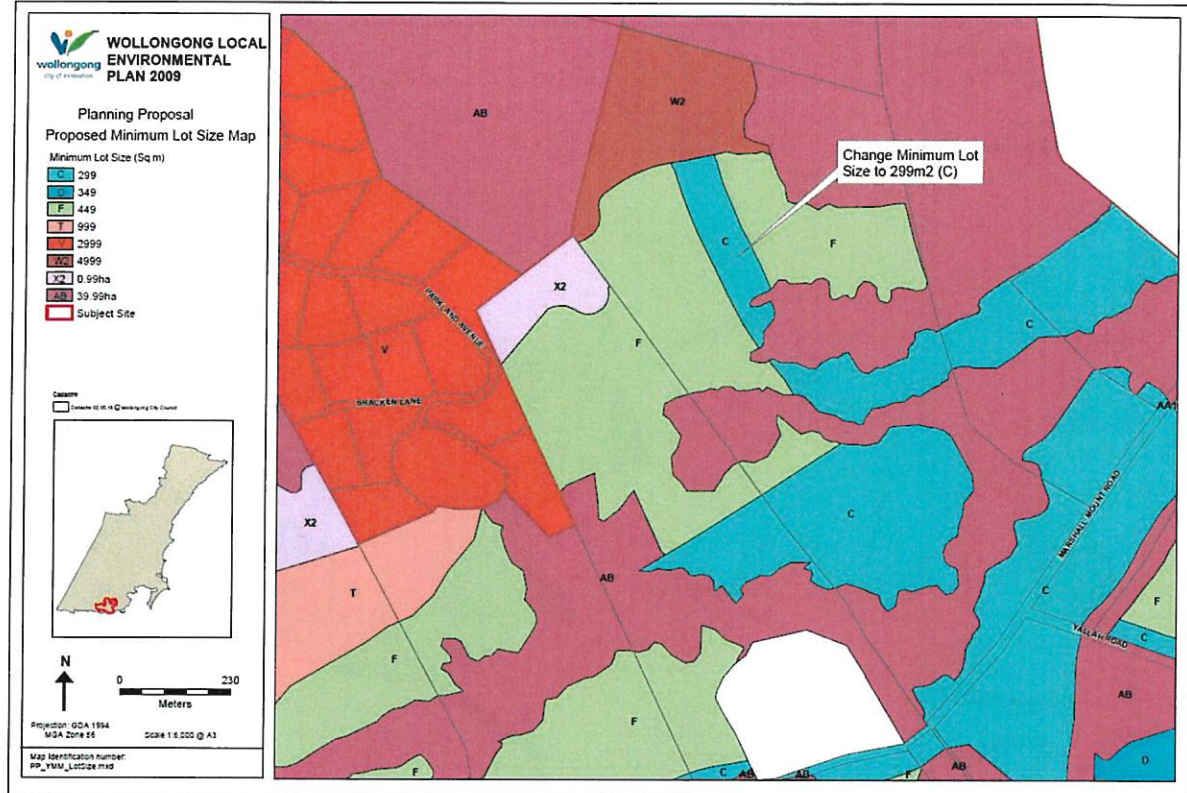
Statement of how the objectives or intended outcomes are to be achieved by means of new controls on development imposed via a LEP.

1. The amendment of the following maps in the Wollongong LEP 2009.
 - a. Land Zoning Map – make minor amendments changing E2 to E3 where a road or driveway is proposed;
 - b. Lot Size Map – make minor changes along proposed Road No. 8 and correct lot size in an E4 zoned area along North Marshall Mount to 4999sqm;
 - c. Floor Space Ratio Map – make minor changes to correct missing 0.5:1 FSR for a R2 zoned area along North Marshall Mount Road; and
 - d. Land Reservation Acquisition Map – additional road acquisition identified;

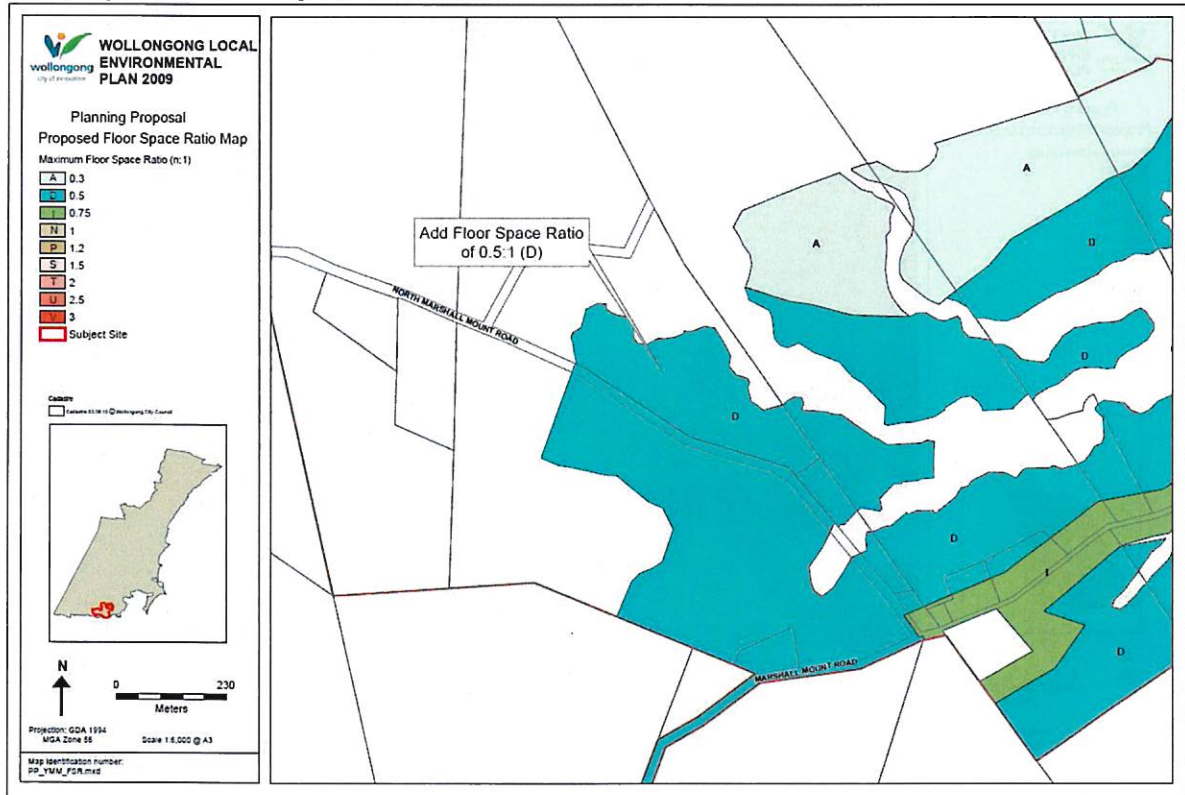
Land Zoning Map Amendments



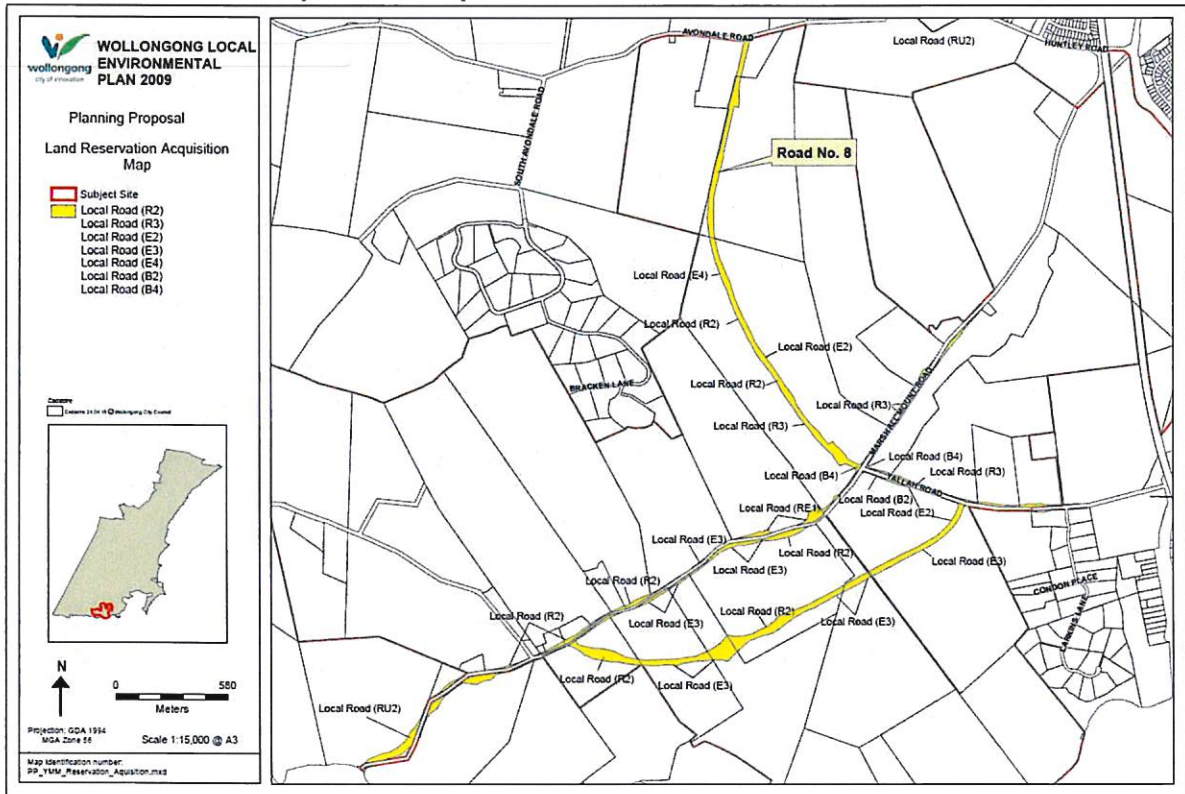
Minimum Lot Size Map Amendments



Floor Space Ratio Map Amendments



Land Reservation Acquisition Map Amendments



Part 3: JUSTIFICATION OF OBJECTIVES, OUTCOMES AND PROVISIONS AND PROCESSES FOR THEIR IMPLEMENTATION:

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?	The proposal The Yallah-Marshall Mount precinct was considered as Stage 5 of the West Dapto Release Area. The amendments deal with some minor issues and changes that were not able to be incorporated into the rezoning for the Yallah-Marshall Mount Precinct, and correct some mapping errors.
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	The planning proposal is considered the best way of achieving the stated objective of updating the plan for Stage 5 of the West Dapto Urban Release Area.
3. Is there a net community benefit?	The precinct is required for the long term future urban needs of the Wollongong community, and is identified as such in the Illawarra Shoalhaven Regional Plan.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?	Yes, the proposal is consistent with the Illawarra Regional Plan, which identifies the precinct within the West Dapto Urban Release Area. The West Dapto Urban Release Area is the final remaining large Greenfield release area within the Wollongong Local Government Area.
5. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?	Council currently has Community Strategic Plan 2022. The adopted structure plan is consistent with this overall vision. The structure plan intends to provide for increased variety of housing choice, which is consistent with the Community Strategic Plan 2022. This planning proposal will make minor amendments to the Wollongong Local Environmental Plan 2009 to assist in implementing the adopted structure plan for the Yallah-Marshall Mount precinct. An action in the 2017-2018 Annual Plan is to continue the review of the West Dapto land release area. This Planning Proposal is part of that process.
6. Is the planning proposal consistent with applicable state environmental planning policies?	SEPP 55 – NA for this Planning Proposal. SEPP (Infrastructure) 2007 – Complies.
7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	See attached table.

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical	The planning proposal and has minor potential to
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habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?	impact on ecological communities. The Planning Proposal seeks to make minor amendments to E2 zones to enable roads and access to provide a practical use of the urban land.
9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	The adopted structure plan seeks to maximise the urban outcome, while minimising environmental impacts. Further work on the structure plan has been undertaken to balance the need for a vibrant urban community and the environmental attributes of the study area. The plan maximises development near the village centre and along transport routes.
10 How has the planning proposal adequately addressed any social and economic effects?	The planning proposal seeks to create a sustainable community. The draft structure plan seeks to maximise the concentration of dwellings around the proposed village centre and transport routes, to provide for the social and economic needs of the community within the area where possible.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?	Public infrastructure can be provided. Satisfactory arrangements with relevant agencies will need to be made prior to development of the precinct.
12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	State government agencies have provided comments on the planning proposal. Continuing discussions have been held with agencies regarding their areas of interest during the development of the structure plan and planning proposal.

Part 4: DETAILS OF COMMUNITY CONSULTATION TO BE UNDERTAKEN ON THE PLANNING PROPOSAL:

Should the planning proposal pass a “gateway” determination, the planning proposal, draft zoning maps and associated provisions would be publicly exhibited for a period of 28 days.

Part 5: PROJECT TIMELINE

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

#	Action	Estimated Timeframe	Responsibility
1	Anticipated date of Gateway Determination	June 2018	Department of Planning and Environment
2	Government agency consultation	21 days	Agencies
3	Public exhibition period	Oct-Nov 2018	Council

4	Date of Public Hearing (<i>if applicable</i>)	N/A	Council
5	Consideration of submissions	2 weeks	Council
6	Assessment of proposal post-exhibition	2 weeks	Council
7	Report to Council	December 2018	Council
8	Final maps and Planning Proposal prepared	2 weeks	Council
9	Submission to Department for finalisation of LEP	1 week	Council
10	<i>Anticipated date RPA will make the LEP</i>	<i>Feb 2018</i>	Department of Planning and Environment
11	Anticipated date Council will forward final Planning Proposal to DoPE for notification	Feb 2019	Council
12	Anticipated date LEP will be notified	Feb 2019	Parliamentary Counsel and DP&E

Table A - Checklist of State Environmental Planning Policies

State Environmental Planning Policy		Compliance	Comment
State policies			
SEPP No. 1	Development Standard	N/A	N/A
SEPP No. 14	Coastal Wetlands		N/A
SEPP No. 19	Bushland in Urban Areas	Does not apply to Wollongong	N/A
SEPP No. 21	Caravan Parks		N/A
SEPP No. 26	Littoral Rainforests		No littoral rainforests identified by the policy in the Wollongong LGA.
SEPP No. 30	Intensive Agriculture	N/A	N/A
SEPP No. 33	Hazardous and Offensive Development	Yes	Does not contradict the SEPP
SEPP No. 36	Manufactured Home Estates	N/A	N/A
SEPP No. 44	Koala Habitat Protection	Yes	The precinct does not constitute 'potential koala habitat'.
SEPP No. 47	Moore Park Showground	Does not apply to Wollongong	N/A
SEPP No. 50	Canal Estate Development	N/A	N/A
SEPP No. 52	Farm Dams, Drought Relief and Other Works	Does not apply to Wollongong	
SEPP No. 55	Remediation of Land	N/A	N/A
SEPP No. 62	Sustainable Aquaculture	N/A	N/A
SEPP No. 64	Advertising and Signage	N/A	N/A
SEPP No. 65	Design quality of residential apartment development	N/A	N/A
SEPP No. 71	Coastal Protection	N/A	N/A
SEPP	Affordable Rental Housing (revised schemes) 2009	N/A	N/A
SEPP	Building Sustainability Index: BASIX 2004	N/A	N/A
SEPP	Educational Establishments and Child Care Facilities 2017	Yes	Complies with the objectives of the SEPP
SEPP	Housing for Seniors or People with a Disability 2004	N/A	N/A
SEPP	Infrastructure 2007	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Exempt and Complying Development Codes 2008	N/A	N/A
SEPP	State and Regional Development 2011	Yes	Complies with the objectives of the SEPP

State Environmental Planning Policy		Compliance	Comment
SEPP	State Significant Precincts 2005	Yes	Complies with the objectives of the SEPP
SEPP	Development on Kurnell Peninsula 2005	Does not apply to Wollongong	N/A
SEPP	Sydney Region Growth Centres 2006	Does not apply to Wollongong	N/A
SEPP	Three Ports 2013	N/A	N/A
SEPP	Mining, Petroleum Production and Extractive Industries 2007	N/A	N/A
SEPP	Vegetation in Non-Rural Areas 2017	N/A	N/A
SEPP	Temporary Structures 2007	N/A	N/A
SEPP	Kosciuszko National Park – Alpine Resorts 2007	Does not apply to Wollongong	N/A
SEPP	Rural Lands 2008	Does not apply to Wollongong	N/A
SEPP	Affordable Rental Housing 2009	N/A	N/A
SEPP	Western Sydney Employment Area 2009	Does not apply to Wollongong	N/A
SEPP	Exempt and Complying Development Codes 2008	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Western Sydney Parklands 2009	Does not apply to Wollongong	N/A
SEPP	Integration and Repeals 2016	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Miscellaneous Consent Provisions 2007	Yes	The Planning Proposal is consistent with the SEPP
SEPP	Penrith Lakes Scheme 1989	N/A	N/A
SEPP	Rural Lands 2008	N/A	N/A
SEPP	Sydney Drinking Water Catchment 2011	N/A	N/A
SEPP	Urban Renewal 2010	Yes	The Planning Proposal is consistent with the SEPP

Table B - Checklist of Section 9.1 Planning Directions

Planning Direction		Comment
Employment and Resources		
1.1	Business and Industrial Zones	N/A
1.2	Rural Zones	N/A
1.3	Mining, Petroleum Production and Extractive Industries	N/A
1.4	Oyster Aquaculture	N/A
1.5	Rural Lands	N/A
Environment and Heritage		
2.1	Environment Protection Zone	The proposal involves minor changes to environmental zones to enable roads and driveway access. The minor changes are justified by the adopted structure plan for the Yallah-Marshall Mount precinct.
2.2	Coastal Protection	N/A
2.3	Heritage Conservation	N/A
2.4	Recreation Vehicle Areas	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A
Housing, Infrastructure and Urban Development		
3.1	Residential Zones	The Planning Proposal would involve minor amendments to new residential zones. The adopted structure plan provides for a variety of housing types and the Planning Proposal would improve the efficiency of the urban development of the area. The planning proposal is consistent with this direction.
3.2	Caravan Parks and Manufactured Home Estates	N/A
3.3	Home Occupations	N/A
3.4	Integrating Land Use and Transport	N/A
3.5	Development Near Licensed Aerodromes	N/A
3.6	Shooting Ranges	N/A
Hazard and Risk		
4.1	Acid Sulfate Soils	N/A The proposal does not affect acid sulfate soils
4.2	Mine Subsidence and Unstable Land	N/A
4.3	Flood Prone Land	The previous Planning Proposal for the urban release area considered flood risk. This Planning Proposal does not increase flood risk.

4.4	Planning for Bushfire Protection	The Planning Proposal does not increase bushfire risk nor increase development within bushfire risk areas.
Regional Planning		
5.2	Sydney Drinking Water Catchments	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.8	Second Sydney Airport: Badgerys Creek	N/A
5.9	North West Rail Link Corridor Strategy	N/A
5.10	Implementation of Regional Plans	The planning proposal will enable efficient development of the urban release precinct in accordance with the Illawarra Shoalhaven Regional Plan.
Local Plan Making		
6.1	Approval and Referral Requirements	The planning proposal complies with the direction and does not envisage additional approval or referral requirements.
6.2	Reserving Land for Public Purposes	N/A
6.3	Site Specific Provisions	The planning proposal does not contain unnecessary site specific provisions.
Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A