

To amend Wollongong LEP 2009

LOCAL GOVERNMENT AREA: Wollongong City Council

NAME OF LEP: Wollongong Local Environmental Plan 2009

West Dapto Minor Amendments

PP-2025/6 and PP-2025/2

ADDRESS OF LAND: The Planning Proposal applies to various lots within the West Dapto Urban Release Area, including Stage 5 – Yallah-Marshall Mount Precinct

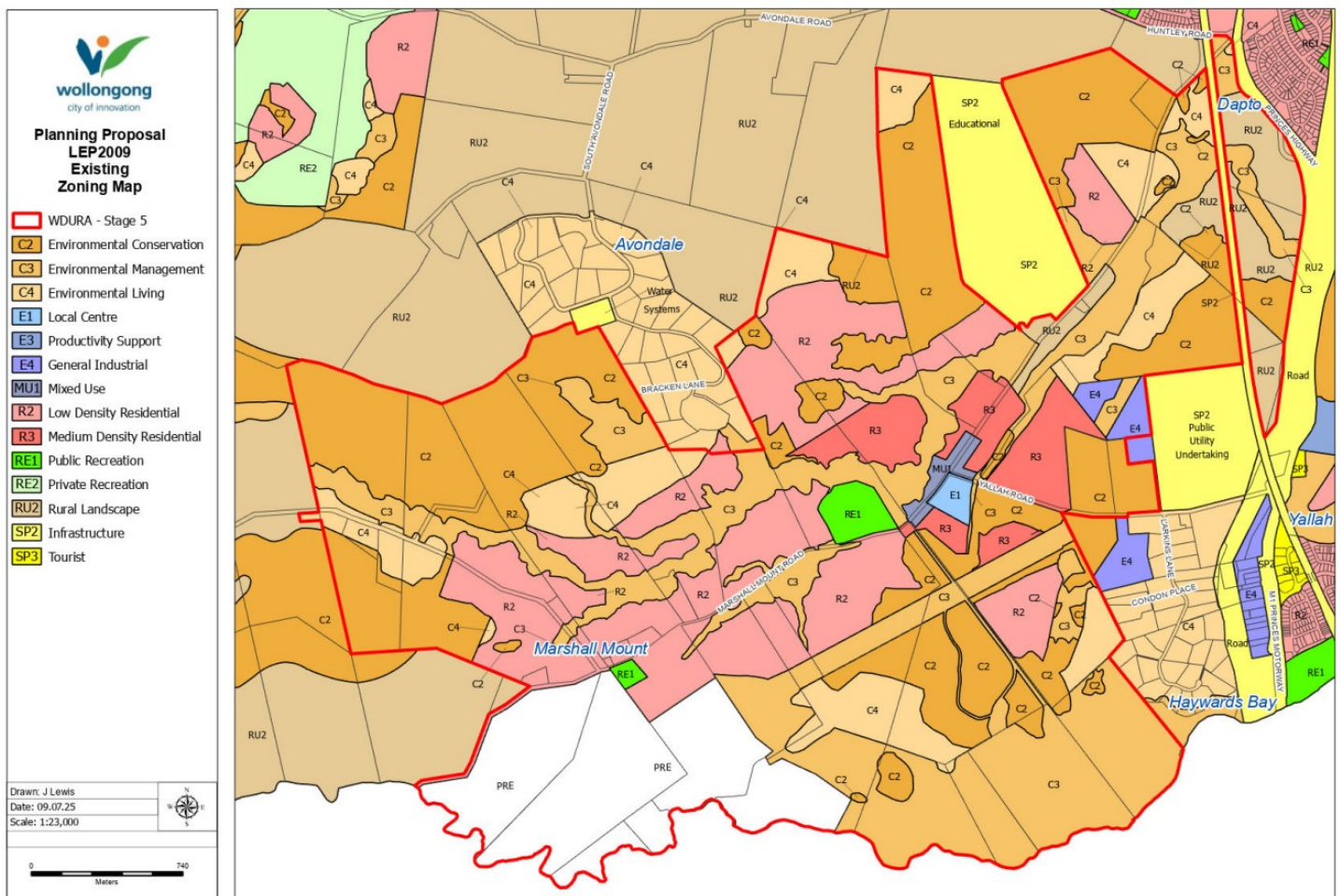


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Background

The West Dapto Urban Release Area (WDURA) is divided into 5 stages. The intent behind the staging was to control development timing and demand for services. Stages 1 and 2 were rezoned for urban development in 2010. Stages 3, 4 and 5 were zoned for rural purposes to defer urban release until the Stages 1 and 2 were sufficiently progressed.

Since the rezoning of the West Dapto Urban Release Area, a number of minor issues have arisen, requiring minor changes to the provisions of Wollongong Local Environmental Plan 2009.

On 31 October 2022 the Wollongong Local Planning Panel considered a series of proposed minor amendments and agreed that these had strategic merit.

Following work to refine these amendments, Council at its meeting of 28 July 2025 resolved to make a series of amendments to enable better implementation of the West Dapto Urban Release Area.

- 1 *A Planning Proposal be prepared to amend Wollongong Local Environmental Plan 2009 for the West Dapto Release Area to:*
 - a *Amend Clause 4.1B Lot Averaging clause.*
 - b *Amend the Land Zoning Map to make minor changes to the C2 Environmental Conservation zoning boundaries, along with consequential amendments to the Floor Space Ratio, Minimum Lot Size and Height of Buildings Maps, as outlined in the report.*
 - c *Amend the Land Reservation Acquisition Map to reflect the revised road design corridors.*
 - d *Amend the Natural Resources Sensitivity – Biodiversity Map and Clause 7.2 Natural resource sensitivity - biodiversity*
- 2 *The Planning Proposal request be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.*
- 3 *Following the Gateway Determination, the Planning Proposal be exhibited for a minimum period of 28 days.*
- 4 *The NSW Department of Planning Housing and Infrastructure be requested to issue authority to the General Manager to exercise plan making delegation in accordance with Council's resolution of 26 November 2012.*

On 28 August 2025 the Wollongong Local Planning Panel considered a related Planning Proposal lodged by the developer of 27 North Marshall Mount Road, Marshall Mount and recommended that it be incorporated into the Council-led Planning Proposal.

A subsequent report was made to Council on 15 September 2025, where Council resolved.

- 1 *The draft Planning Proposal for the Yallah Marshall Mount precinct endorsed by Council on 28 July 2025 be amended to include RE1 Public Recreation on the identified site at 27 North Marshall Mount Road, Marshall Mount (replacing the proposed C3 Environmental Management zone) (Attachment 4).*
- 2 *The draft Planning Proposal request be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.*
- 3 *The draft Planning Proposal be exhibited for a minimum period of 28 days following a Gateway Approval.*

- 4 *The NSW Department of Planning, Housing and Infrastructure be requested to issue authority to the General Manager to exercise plan making delegation in accordance with Council's resolution of 26 November 2012.*

This Planning Proposal incorporates the outcomes of both Council resolutions.

Part 1 – Objective and intended outcomes

Objective

The objective of the Planning Proposal is to amend the Wollongong Local Environmental Plan to facilitate the development of the Urban Release Area in accordance with the West Dapto Vision and Yallah-Marshall Mount Vision documents.

Intended Outcomes

To facilitate the orderly development of the precinct by making minor adjustments to the boundaries of zoning, heritage, land acquisition, floor space ratio and minimum lot size to be consistent with approved and submitted development applications for subdivision of the site.

Part 2 – Explanation of provisions

Part 2.1 Summary of Proposed Amendments

Planning Proposal request seeks to make amendments to clauses, natural Resources Sensitivity – Biodiversity mapping, land use zoning boundaries and consequential development control map changes for an urban release area. The intended outcome is to amend the Wollongong Local Environmental Plan (LEP) 2009 controls to be consistent with the West Dapto Urban release Area Vision and the Yallah-Marshall Mount Vision.

Part 2.2 Detailed Explanation of Proposed Amendments

- 1 Amend Clause 4.1B – Lot Averaging Clause, within the Yallah-Marshall Mount precinct (West Dapto Urban Release Area Stage 5) Wollongong LEP 2009 Clause 4.1B(4) Lot averaging to read;
 - 4) *Despite any other provision of this Plan, development consent must not be granted to the subdivision of a lot created under this clause unless the consent authority is satisfied that - (a) the lots resulting from the subdivision will not be used for the purpose of residential accommodation, and (b) the subdivision will not result in any significant adverse environmental impacts on the land being subdivided, and (c) The subdivision will not result in any lot being less than 20% below the stated minimum lot size for that land.*
- 2 Amend Clause 7.2 Natural Resource Sensitivity – biodiversity makes references in subclause (5) to outdated legislation. These references should be updated to reflect the current legislation as per the table below.

7.2 Natural resource sensitivity – biodiversity

Current wording	Proposed wording (proposed change in red font)
(5)(a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i> or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or	(5)(a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the <i>Local Land Services Act 2013</i> or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or
(5)(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i>) that is authorised by a development consent under the provisions of the <i>Native Vegetation Conservation Act 1997</i> as continued in force by that clause, or	(5)(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i>) that is authorised by a development consent under the provisions of the <i>Local Land Services Act 2013</i> as continued in force by that clause, or
(5)(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserves under the <i>Forestry Act 1916</i> , or	(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserves under the <i>Forestry Act 2012</i> , or
(5)(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i> , the <i>Roads Act 1993</i> or the <i>Surveying Act 2002</i> , or	(5)(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i> , the <i>Roads Act 1993</i> or the <i>Surveying and Spatial Information Act 2002</i> , or
(5)(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i> .	(5)(e) plants declared to be noxious weeds under the <i>Biosecurity Act 2015</i> .

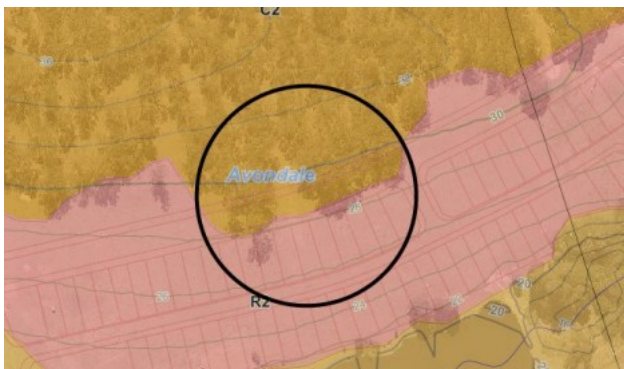
- 3 Amend Land use zoning maps and Land Acquisition mapping to enable planned road reserves to be implemented. This involves changing some C2 Environmental Conservation to C3 Environmental Management to make roads permissible.
- 4 Amend Land use zoning maps for minor rezonings
 - a. 143 North Marshall Mount Road - rezone the C2 Environmental Conservation zone to C4 Environmental Living to align with the property boundary to the south, with consequential amendments to the Floor Space Ratio, Minimum Lot Size and Height of Buildings Maps.



- b. 27 North Marshall Mount Road - rezone the C4 Environmental Living zone to R2 Low Density Residential to align with a concept plan boundary, with consequential amendments to the Floor Space Ratio, and Minimum Lot Size. Rezone and realign C2 Environmental Conservation zone to RE1 Public Recreation.



- c. 240 Marshall Mount Rd rezone the C2 Environmental Conservation zone to R2 Low Density Residential to align with the approved concept plan boundary, with consequential amendments to the Floor Space Ratio, Minimum Lot Size and Height of Buildings Maps.



- 5 Amend the Natural Resources Biodiversity – Sensitivity mapping, to remove the affectation from developed properties, where an adopted Neighbourhood Plan is in force that identifies the land for intensive forms of development – such as the development anticipated in Residential, Commercial and Industrial zones. Such amendments would not apply to Conservation zones.

Part 4 of this draft Planning Proposal illustrates the proposed map amendments to Wollongong LEP 2009.

Part 3 – Justification

Section A – Need for the Planning Proposal

Q1: Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The submitted Planning Proposal is within the West Dapto Urban Release Area. Population growth will bring more people to the Illawarra and increase demand for services and housing.

Council has exhibited and adopted the West Dapto Vision (2018) and Structure Plan for West Dapto and identified the precinct as being suitable for urban development as part of Stage 3 of the Release Area.

The Planning Proposal is consistent with Council's Local Strategic Planning Statement and the Illawarra Shoalhaven Regional Plan 2041.

Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the only means of achieving the intended outcome and enabling residential development on the site. The site is within the West Dapto Urban Release Area and is intended for urban development. The proposal outlines the best possible outcome for the site.

Section B – Relationship to strategic planning framework

Q3: 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)?

The Illawarra-Shoalhaven Regional Plan 2041

The Planning Proposal is consistent with the following objectives within the Illawarra Shoalhaven Regional Plan 2041 –

Objective 11: Protect important environmental assets.

Objective 12: Build resilient places and communities.

Objective 18: Provide housing supply in the right locations.

Objective 19: Deliver housing that is more diverse and affordable.

Objective 21: Respond to the changing needs of local neighbourhood.

Objective 22: Embrace and respect the region's local character.

The Planning Proposal will allow for the future delivery of local community infrastructure whilst also providing for greater housing supply, and environmental management.

The Regional Plan also identifies the need to prioritise opportunities for new housing in strategic centres, given they are well serviced by utilities, public transport, walking and cycling, education, health, community infrastructure, shopping, community, and commercial services. The Planning

Proposal will allow for the future development of this precinct consistent with these identified opportunities.

Q4: Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

West Dapto has been identified as an urban release area since the 1980s when the suburb of Horsley was rezoned, and urban development commenced. The importance of West Dapto for housing supply is indicated in a range of Council's strategic documents as outlined below:

Our Wollongong Our Future 2032 Community Strategic Plan

This Planning Proposal is consistent with the delivery of Wollongong 2032 and Goal 1: We value and protect our environment. It specifically delivers on the following –

Community Strategic Plan	Delivery Program 2022-2026
Strategy	Service
1.6 West Dapto urban growth is effectively managed with facilities and spaces to support the future community.	Land Use Planning

The Planning Proposal will allow the progression of future urban growth in an appropriately managed way to support future community outcomes as envisaged in Council's adopted Community Strategic Plan.

Local Strategic Planning Statement

In 2025 Council adopted the Wollongong Local Strategic Planning Statement (LSPS) 2025 to provide a vision for the City. It has drawn on the many existing strategies and plans developed, exhibited and adopted by Council.

Strategic Planning Policy	Considerations	Response
Sustainable and resilient		
1 We rehabilitate and protect natural environments and ecosystems	<p>Preservation and improvement of natural environments through the management and restoration of natural areas.</p> <p>Conserve endangered ecological communities and threatened species.</p> <p>Coastal management, floodplain risk management and stormwater management.</p>	<p>The proposal seeks to make a minor amendment to the Council-led Planning Proposal and is largely consistent with this priority.</p> <p>The RE1 zone is sufficient to achieve the intended outcome.</p>

Strategic Planning Policy	Considerations	Response
2 We are resilient to climate risks and environmental hazards	<p>Ensure our urban areas are resilient, thrive in ideal conditions, adapt to change and survive and recover from extreme events to reduce the risks to our community from environmental hazards.</p> <p>Avoid intensification in flood-prone, bushfire-prone and coastal hazard areas and align with relevant guidelines and policies.</p> <p>Support net-zero targets and renewable energy transition.</p>	<p>As above, the proposal makes minor amendments and is largely consistent with this priority.</p> <p>The proposal does not intensify development within hazard prone areas.</p>
3 We have access to green and healthy urban open spaces and streets	<p>Provide and utilise green and healthy open spaces and streets to offset the impacts of urban heat island effects and improve amenity and community wellbeing.</p> <p>Ensure community access to high amenity natural and urban green space and utilise our existing open spaces and streets creatively to maximise urban greening and community recreation.</p>	<p>The Council-led Planning Proposal and the submitted Planning Proposal request both increase the riparian green space. The proponent has suggested that the realigned space would be RE1 Public Recreation.</p>
Liveable and connected		
4 The natural, built and cultural context informs the design of places and buildings.	<p>Respect the natural and cultural landscapes and environments with the Wollongong Local Government Area. Enable development which recognises and responds to environmental conditions, landscape character, heritage, and cultural values</p>	<p>As mentioned, the proposal will maintain the riparian green space endorsed by Council on 28 July 2025, which includes better connectivity to the rest of the riparian system. The proponent has suggested that the realigned space would be RE1 Public Recreation.</p>
5 We are growing our capacity for housing, so our community have access to diverse and high-quality homes in the future.	<p>Strategic planning provides the ability to deliver diverse and high-quality housing to meet the needs of our growing community. Housing should be suitable at all price points and created with community well-being and sustainable development in mind.</p>	<p>The proposal will not change the housing outcomes endorsed by Council on 28 July 2025. The area subject to the change is part of a Concept DA (which considers the whole property) but is not part of the stage 1 outcomes.</p>

Strategic Planning Policy	Considerations	Response
6 The network of Centres provides for the needs of our community	City, town and village centres meet the needs of the community and support creativity, economic growth, sustainability and social well-being.	The proposal will not change the centres related outcomes endorsed by Council on 28 July 2025. The area is on the periphery of the urban area, with connectivity to a future town centre at Marshall Mount.
7 Transport options are safe, reliable and accessible	Transport networks enable a shift in transport modes from private vehicles to public and active transport to reduce greenhouse gas emissions, urban heat, travel times and poor health outcomes, while increasing social and economic participation and street safety. Land use and transport planning is integrated to ensure infrastructure is maximised to support growth in well serviced locations.	The area is currently rural but is in an urban release area. The Yallah-Marshall Mount Vision aims to concentrate urban development close to potential public transport routes to maximise access. The site also would be able to utilise riparian greenspaces for future connectivity once the precinct is developed. The proposal will not change the housing outcomes endorsed by Council on 28 July 2025.
8 The city reflects the creativity, history, identity of our people; invites community participation and contributes to a diverse economy.	Enable development that responds to the cultural history of place and promotes ongoing engagement through restoration, interpretation and creative expression.	This aim was considered in the original rezoning of the precinct. The proposal submitted to Council does not contradict this.
Productive and vibrant		
9 Employment generating uses are prioritised in Centres and Industrial areas.	Plan for employment generating uses to support local and regional employment enhance Wollongong's economy and provide goods and services to the community. Protect and retain diverse industrial land and enable its productivity and ability to cater to emerging industries. Support the role of existing and planned centres as defined through the Retail and Business Centres Hierarchy.	The site is on the periphery of the urban zoned area and is some distance from the proposed town centre. There are no direct proposed employment generating uses on the site other than potential home businesses & working from home opportunities. The site does contribute to the catchment for nearby proposed town centres at Marshall Mount and Calderwood.

Strategic Planning Policy	Considerations	Response
10 The freight network is efficient, from international trade to the last mile	Ensure transport corridors link freight to ports, airports, retail centres and employment lands to promote economic and industrial growth. Freight Transport corridors should be resilient to environmental hazards and have appropriate capacity while avoiding incompatible land uses.	The proposal does not affect freight networks.
11 Port Kembla's industrial precinct and Port are a hub for economic growth, employment and innovation.	Recognise, retain, and promote the Port of Port Kembla and surrounds as an area of significant economic importance focused on employment generation in heavy industry, port operations and clean energy investment	The proposal does not affect the Port of Port Kembla.
12 The growing visitor economy celebrates natural and cultural assets.	Grow the visitor economy of the Wollongong LGA through attracting more major events and tourism infrastructure to increase visitation rates while caring for our natural and cultural assets.	Improved road access through the West Dapto Urban Release Area will increase access opportunities for natural assets in the Illawarra Escarpment area

The Planning Proposal seeks to enable the development of the West Dapto Urban Release Area in line with the strategic outcomes, as identified in the LSPS.

Wollongong Housing Strategy 2023

The Wollongong Housing Strategy has been prepared to guide the future housing directions within the Wollongong Local Government Area for the next 10-20 years. The Strategy builds on the previous work, including the Housing Our Community discussion paper, the Housing and Affordable Housing Options Paper and community input.

The Housing Strategy addresses overall housing supply and demand, as well as examining various housing sectors that are in need of support, including the homeless, social housing, affordable housing and accessible or supportive housing.

The Housing Strategy acknowledges that the adopted visions for housing within the LGA includes 'Urban Release Areas such as West Dapto, will deliver the largest proportion of new housing supply and will be adequately serviced with essential infrastructure' and that Council will continue to progress existing initiatives that support housing such as the West Dapto Urban Release Area.

The Planning Proposal seeks to make minor boundary adjustments to be consistent with the intended urban development of the area. This is consistent with the Wollongong Housing Strategy 2023.

West Dapto Vision 2018

The West Dapto Vision outlined in the document is as follows:

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.

The Vision estimates that the urban release area would potentially provide 19,500 dwellings (and a population of over 56,000 people). The Vision seeks to concentrate higher densities around centres and public transport nodes and co-locate compatible land uses to reduce reliance on private vehicles. The Vision indicates that the precinct is intended to have a village centre and neighbourhood park (2-5ha) located next to an identified district park. The Vision also recognises that community facilities, schools and childcare are an important component of a strong, healthy and well-connected community.

The Planning Proposal is consistent with the West Dapto Vision 2018.

Q5: Is the planning proposal consistent with any other applicable State and regional studies or strategies?

An assessment against all applicable State Environmental Planning Policies is provided at Table A.

Q6: Is the planning proposal consistent with applicable SEPPs?

The Minister for Planning, under section 9.1 of the EP&A Act issues directions that relevant planning authorities, in this case Wollongong Council, must follow when preparing planning proposals for new Local Environmental plans. The directions cover the following broad categories:

- employment and resources;
- environment and heritage;
- housing, infrastructure and urban development;
- hazard and risk;
- regional planning;
- local planning making.

A complete assessment of the Planning Proposals consistency against all s.9.1 Directions is provided at Table B. The following Ministerial Directions (s.9.1 Directions) are highlighted with respect to the Planning Proposal:

- Direction 3.1 Residential Housing

Direction 3.1 Residential Zones

The objectives of Direction 3.1 are:

- (a) *to encourage a variety and choice of housing types to provide for existing and future housing needs,*
- (b) *to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and*
- (c) *to minimise the impact of residential development on the environment and resource lands.*

The Planning Proposal seeks to provide a diverse housing product including residential flat buildings, a mix of townhouses, semi-detached and detached dwellings on smaller lot holdings.

The proposal is conducive to the nominated objectives and complies with the nominated objectives. The Planning Proposal makes minor amendments to the existing residential zones to facilitate urban development.

A detailed review of the Planning proposal against all State Environmental Planning Policies (SEPPs) is provided at Table A.

Q7: Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The Minister for Planning, under section 9.1 of the EP&A Act issues Directions that relevant planning authorities, in this case Wollongong City Council, must follow when preparing Planning Proposal's for new Local Environmental Plans and associated amendments.

A complete assessment of the Planning Proposal's consistency against all s.9.1 directions is provided at Table B.

Section C – Environmental, social and economic impact**Q8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?**

The Planning proposal will not have a detrimental impact on critical habitat or threatened species populations or ecological communities or their habitats. The Planning Proposal makes minor boundary adjustments within existing development zones and does not impact on environmental zones.

Q9: Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?

The Planning proposal will not have a detrimental impact on critical habitat or threatened species populations or ecological communities or their habitats.

Q10: Has the Planning Proposal adequately addressed any social and economic effects?

The proposed amendments are minor and will assist the orderly development of the precinct.

Section D – Infrastructure (Local, State and Commonwealth)**Q11: Is there adequate public infrastructure for the Planning Proposal?**

The site is currently serviced. The planning proposal will not increase demand on services or infrastructure.

Section E – State and Commonwealth interests**Q12: What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?**

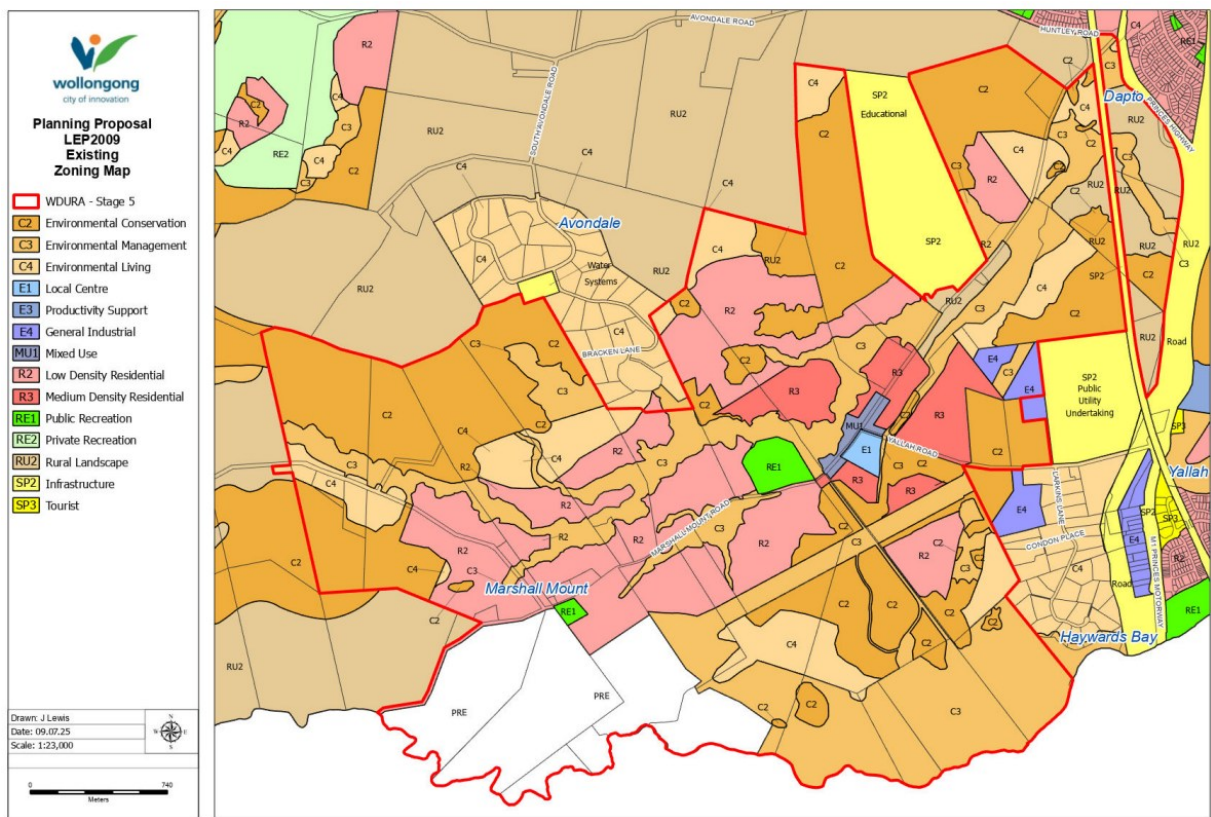
Subject to a positive Gateway determination and based on the identified issues and limited impacts, consultation is required with the following agencies and departments:

- NSW RFS
- Transport for NSW
- DCCEEW

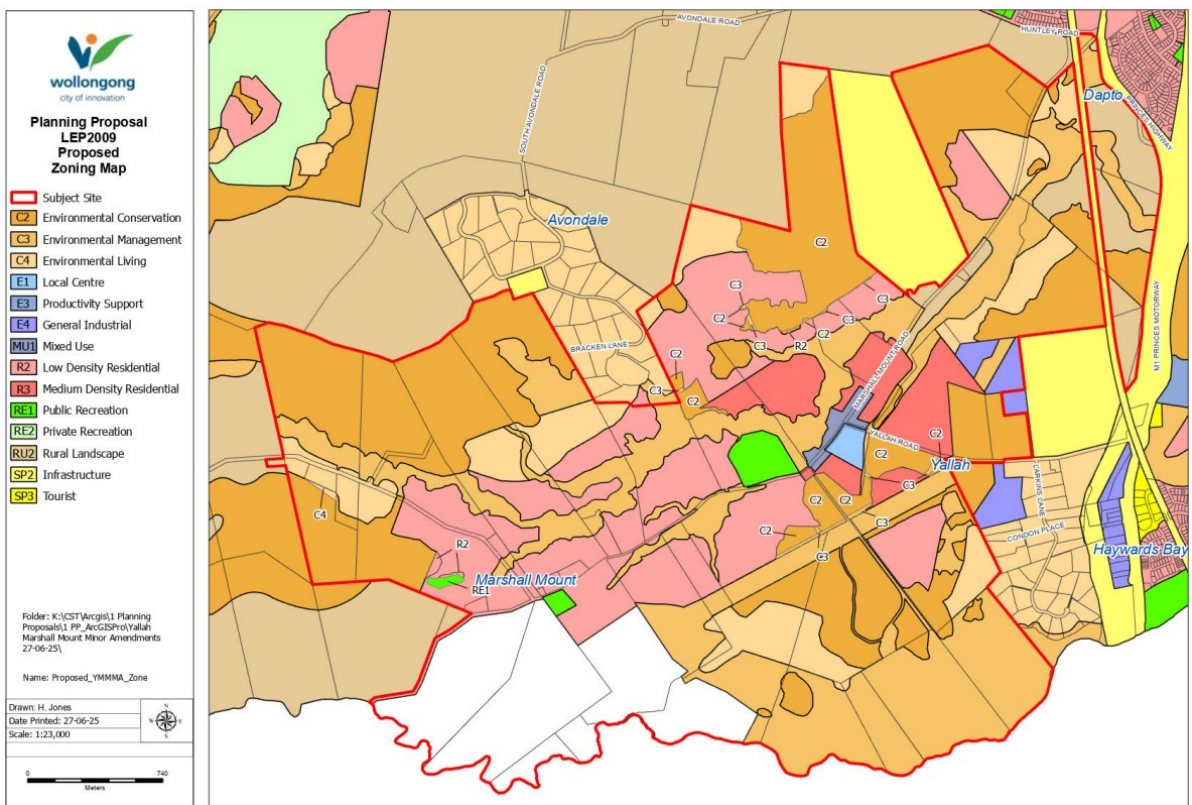
Council requests that Gateway nominates any additional State or Commonwealth authorities required for consultation. All identified authorities/stakeholders were notified during the exhibition period. No objections were received.

Part 4 – Mapping

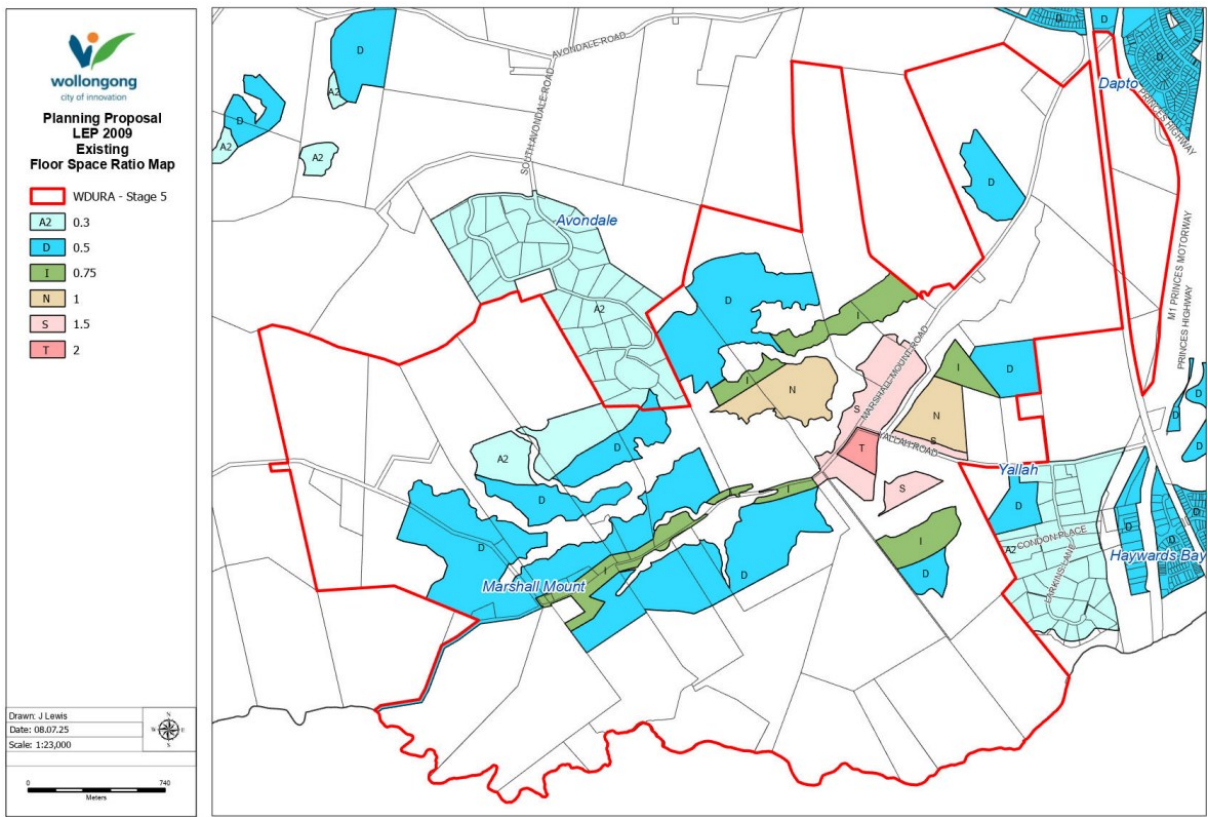
Existing zoning



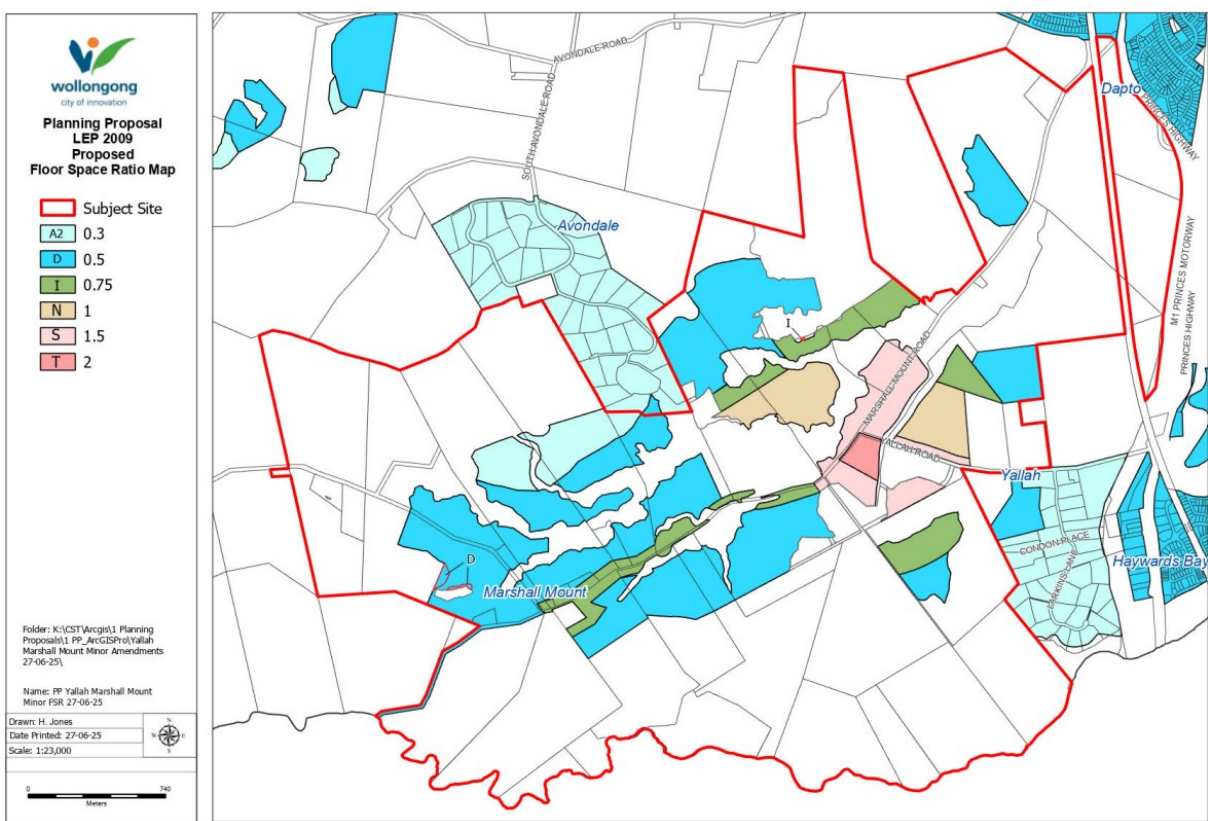
Proposed zoning



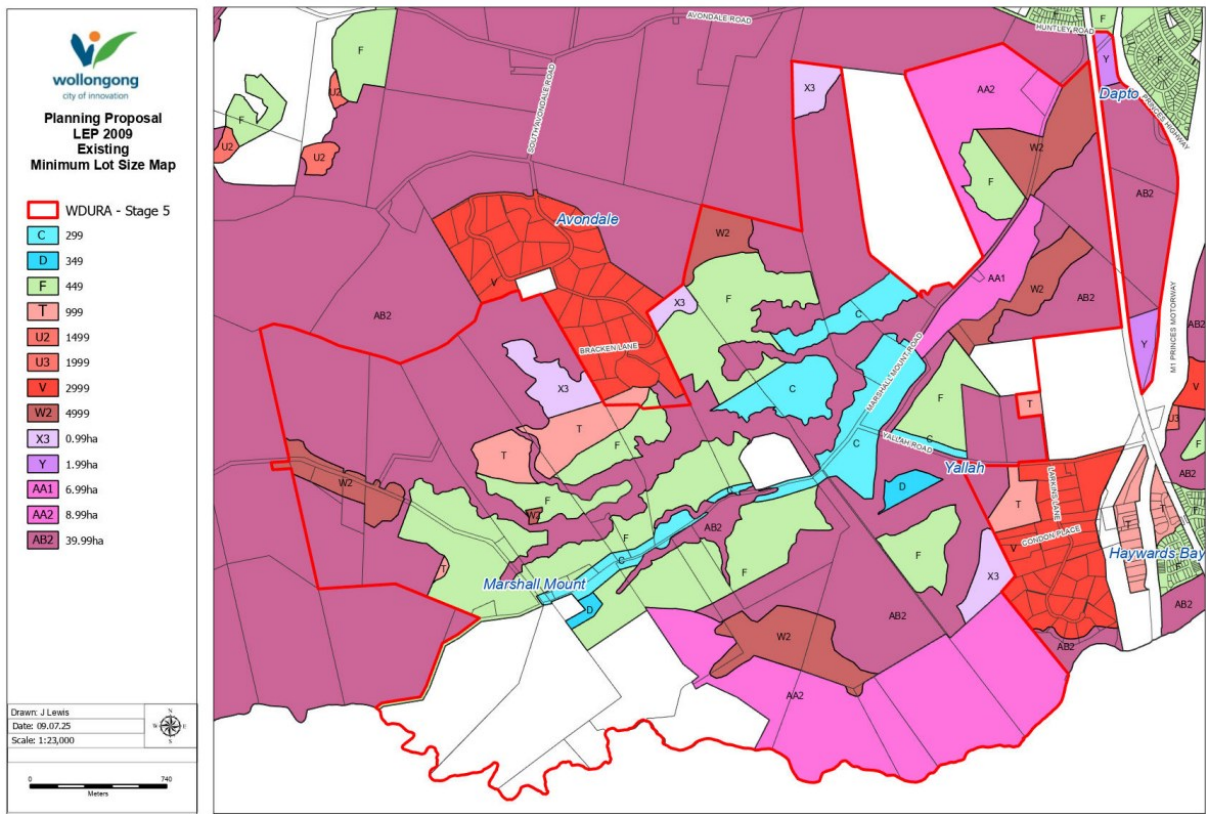
Existing Floor Space Ratio



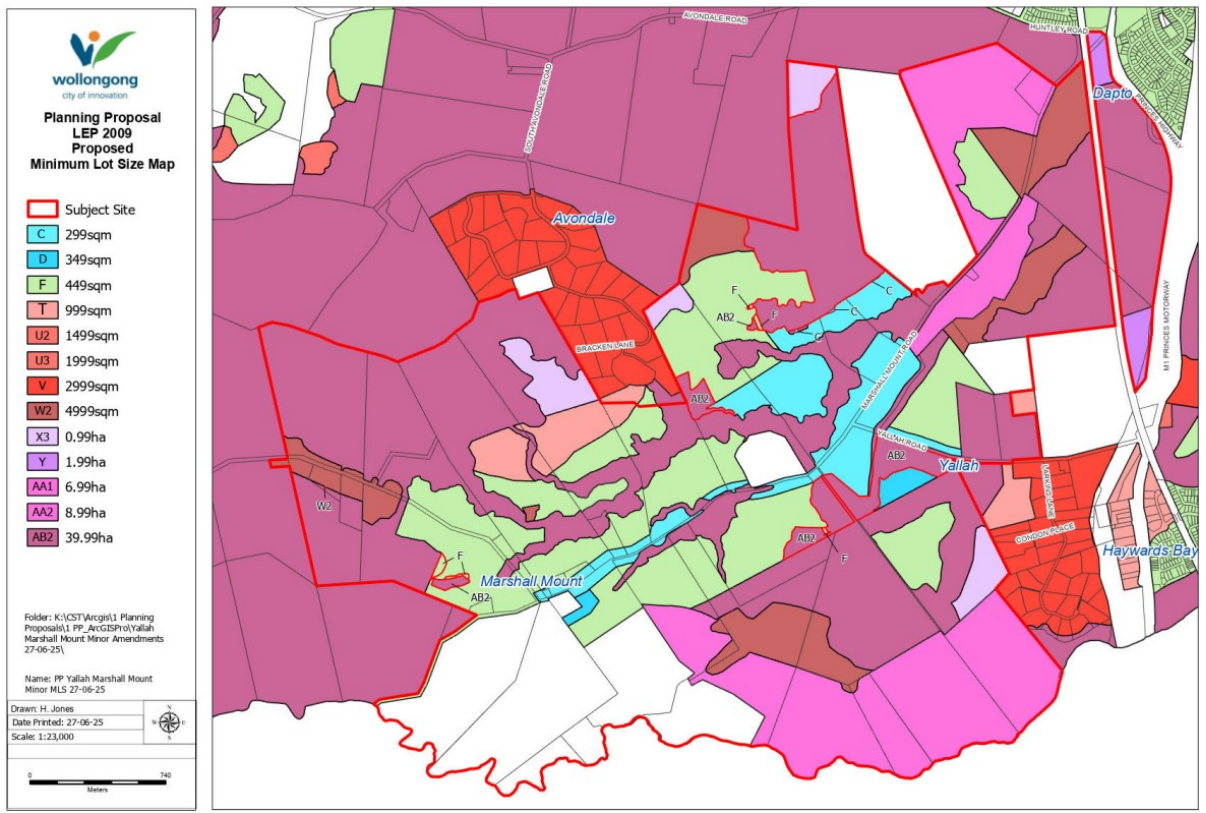
Proposed Floor Space Ratio



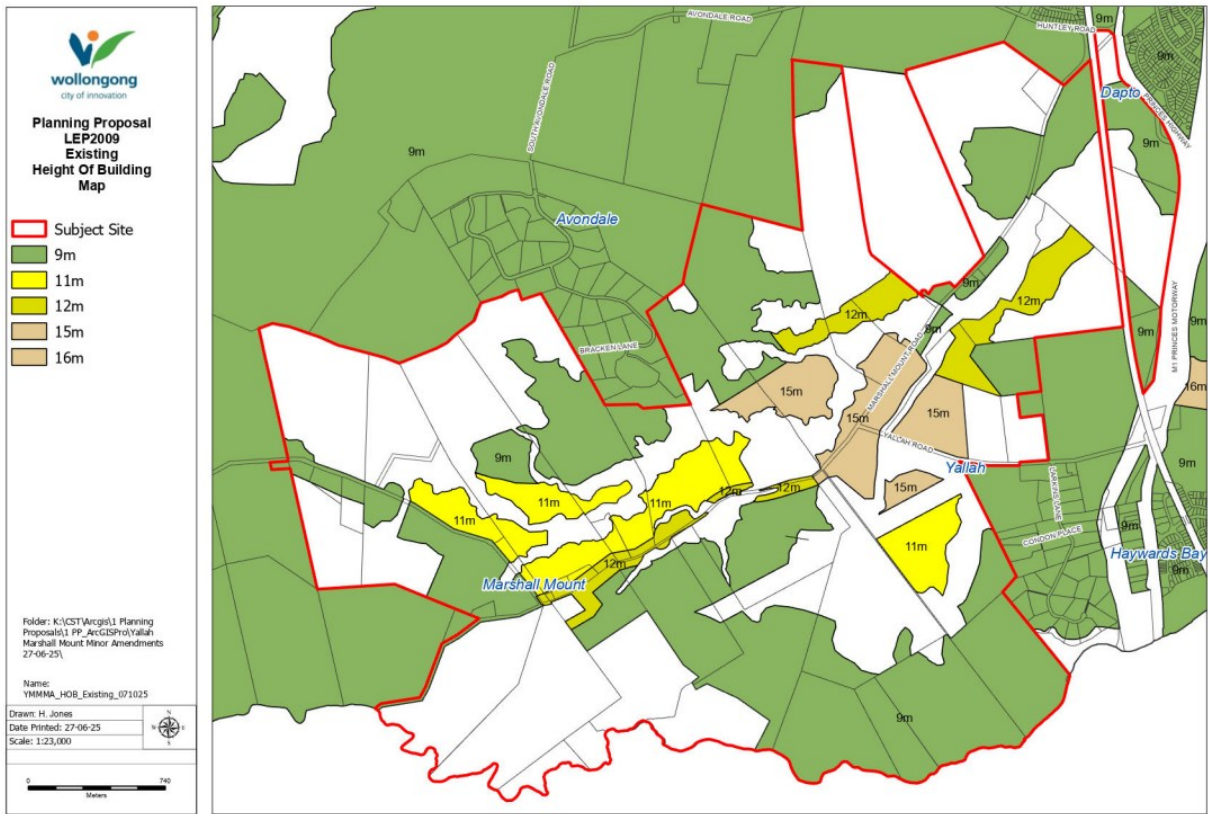
Existing Minimum Lot Size



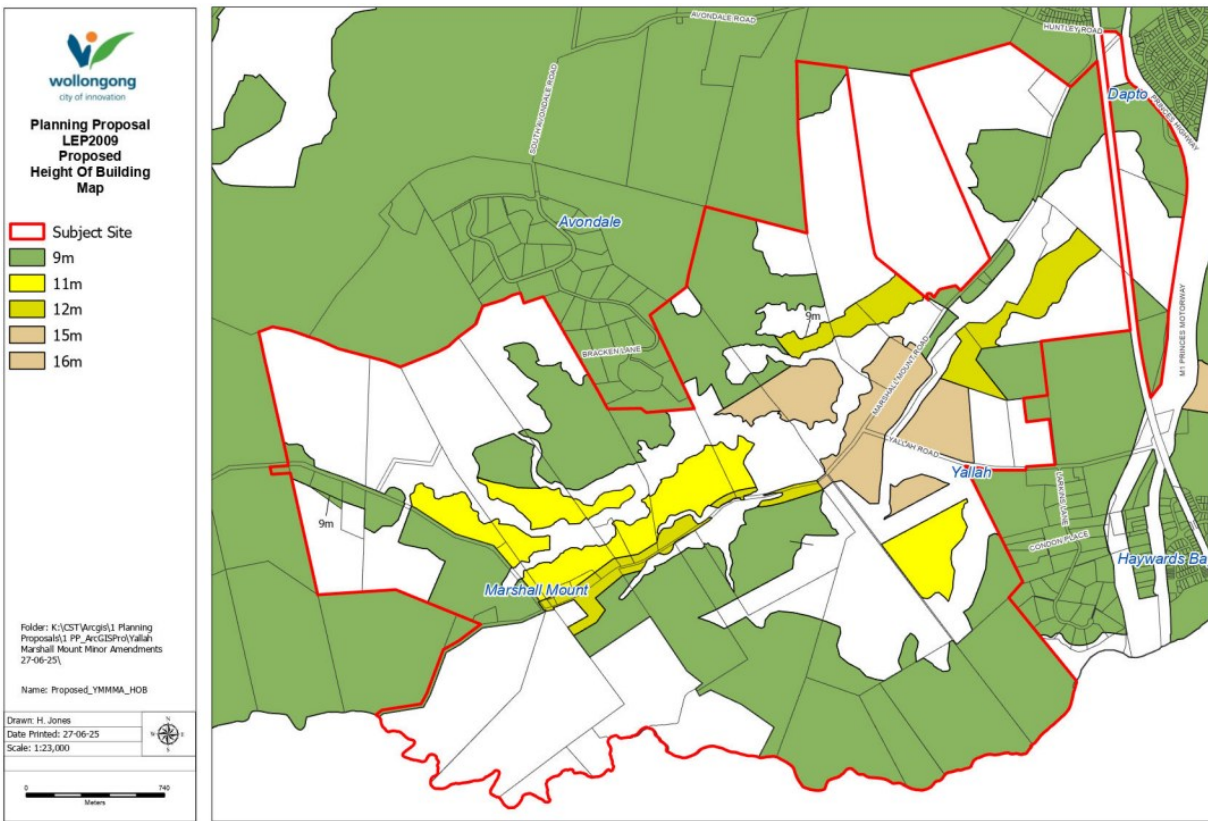
Proposed Minimum Lot Size



Existing Height Of Building

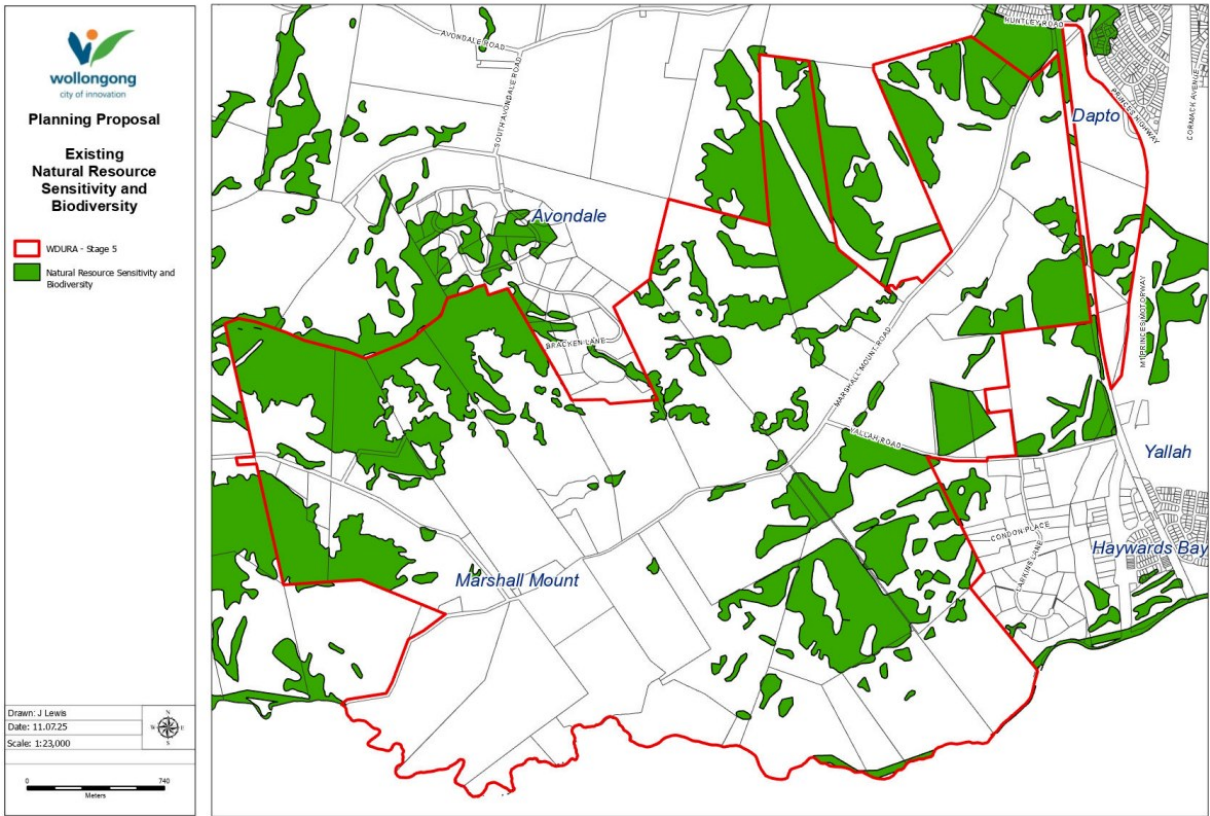


Proposed Height Of Building

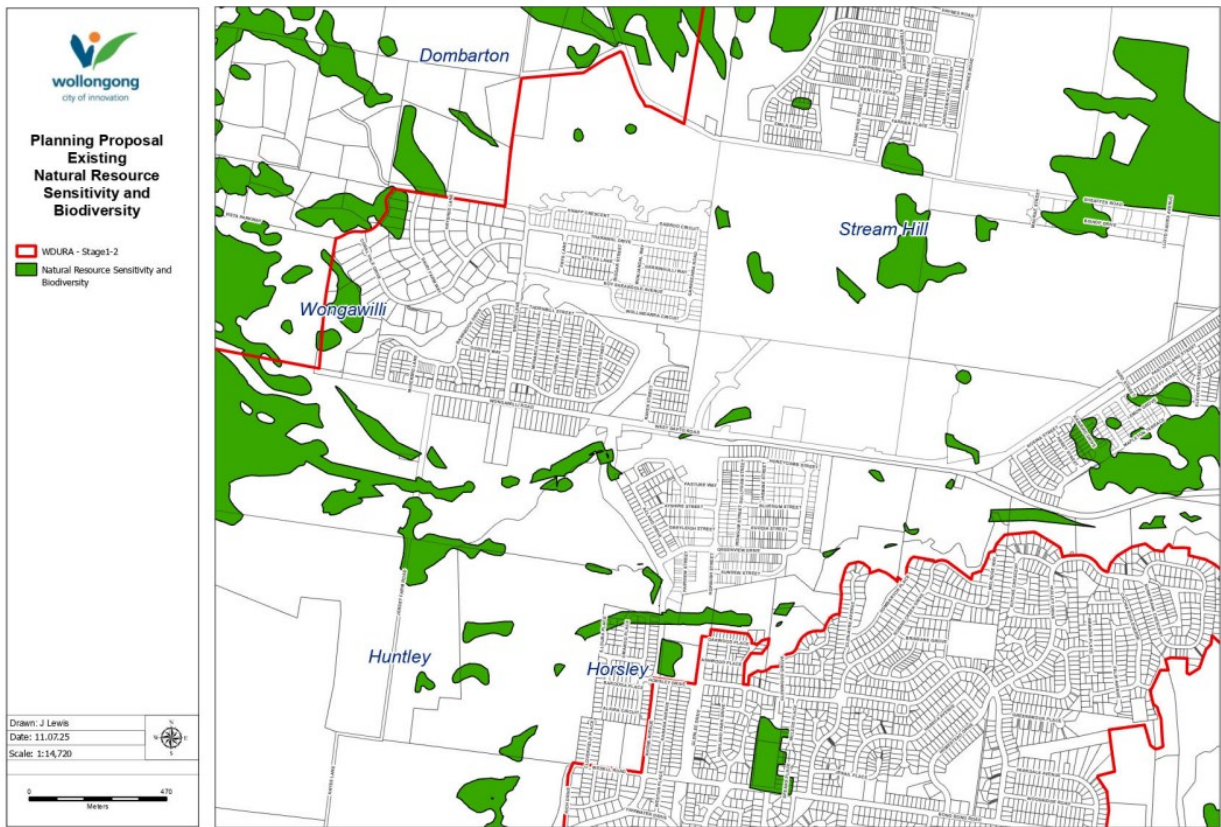


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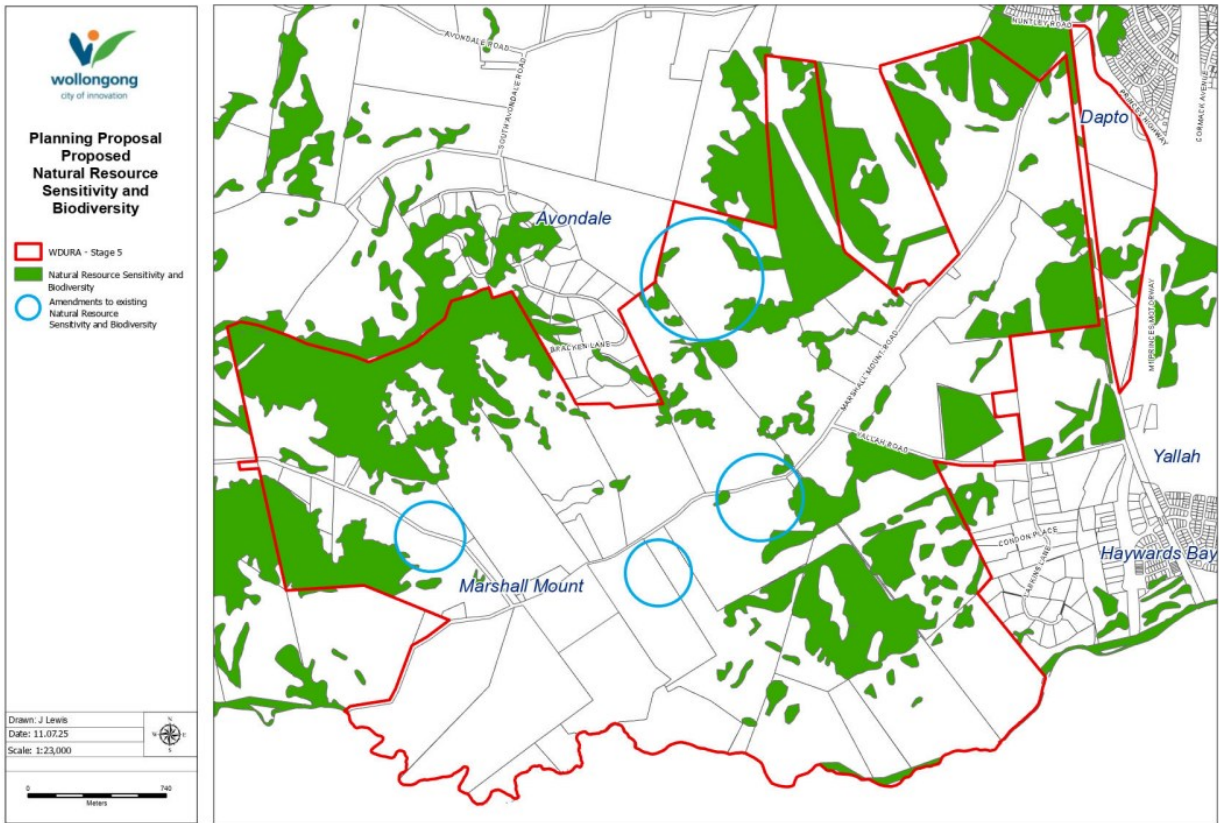
Existing Natural Resources Biodiversity – Sensitivity



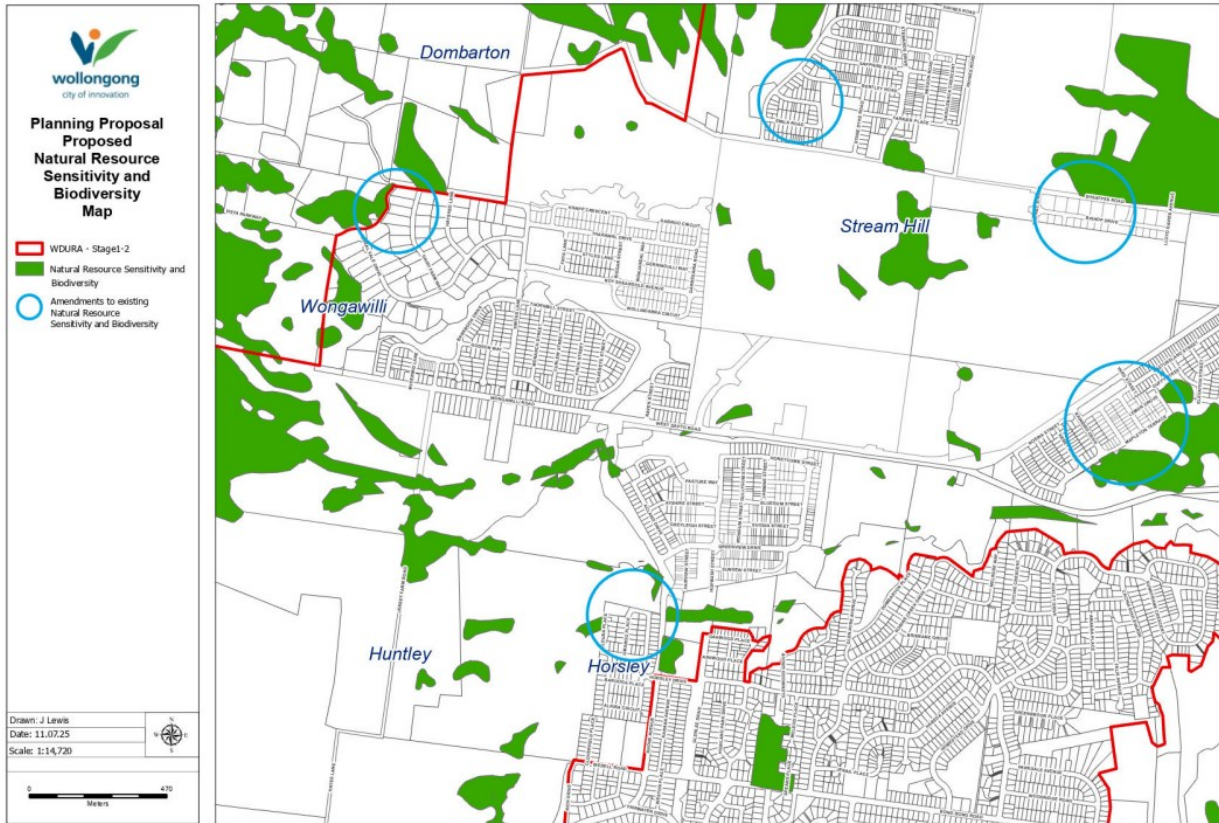
Existing Natural Resources Biodiversity – Sensitivity



Proposed Natural Resources Biodiversity – Sensitivity



Proposed Natural Resources Biodiversity – Sensitivity



Part 5 – Community Consultation

If a “gateway” determination is issued, the Planning Proposal will be placed on exhibition for 28 days in accordance with “gateway” requirements

The Planning Proposal was reported to Council on 28 July 2025 seeking endorsement for Gateway. At the meeting Council resolved the following:

- 1 *A Planning Proposal be prepared to amend Wollongong Local Environmental Plan 2009 for the West Dapto Release Area to:*
 - a *Amend Clause 4.1B Lot Averaging clause.*
 - b *Amend the Land Zoning Map to make minor changes to the C2 Environmental Conservation zoning boundaries, along with consequential amendments to the Floor Space Ratio, Minimum Lot Size and Height of Buildings Maps, as outlined in the report.*
 - c *Amend the Land Reservation Acquisition Map to reflect the revised road design corridors. d Amend the Natural Resources Sensitivity – Biodiversity Map and Clause 7.2 Natural resource sensitivity - biodiversity*
- 2 *The Planning Proposal request be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.*
- 3 *Following the Gateway Determination, the Planning Proposal be exhibited for a minimum period of 28 days.*
- 4 *The NSW Department of Planning Housing and Infrastructure be requested to issue authority to the General Manager to exercise plan making delegation in accordance with Council’s resolution of 26 November 2012.*

A related lodged Planning Proposal was reported to Council on 15 September 2025 seeking an amendment for Gateway. At the meeting Council resolved the following:

- 5 *The draft Planning Proposal for the Yallah Marshall Mount precinct endorsed by Council on 28 July 2025 be amended to include RE1 Public Recreation on the identified site at 27 North Marshall Mount Road, Marshall Mount (replacing the proposed C3 Environmental Management zone) (Attachment 4).*
- 6 *The draft Planning Proposal request be referred to the NSW Department of Planning, Housing and Infrastructure for a Gateway Determination.*
- 7 *The draft Planning Proposal be exhibited for a minimum period of 28 days following a Gateway Approval.*
- 8 *The NSW Department of Planning, Housing and Infrastructure be requested to issue authority to the General Manager to exercise plan making delegation in accordance with Council’s resolution of 26 November 2012*

The Business papers for the Planning Proposal remain publicly available on Council’s website and are also available as an attachment of this report.

The requirements for consultation are outlined in the EP&A Act and the minimum requirements for this consultation are identified in Section 1, Stage 5 of the Local Environmental Plan Making

Guideline (Department of Planning and Environment August 2023). The requirements set out in Stage 5 relate to the notification requirements and what material is to be made available for inspection. The Planning Proposal will be exhibited for a minimum period of 28 days.

Public Exhibition

The Planning Proposal will be exhibited for a minimum 28 days, including:

- *Hard copies at Council's Administration building and relevant Libraries;*
- *An electronic copy on Council's website;*
- *Planning Portal;*
- *Notification letters to surrounding and nearby property owners;*
- *Notification to relevant State agencies and other authorities nominated by the NSW Department of Planning and Environment (30 working days).*

Part 6 – Projected 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	Timeframe	Timeline
Consideration by Wollongong Local Planning Panel		September 2025
Consideration and decision by Council		September 2025
Submitted to Department of Planning Housing and Infrastructure for Gateway		October 2025
Gateway Determination	Max 25 days	November 2025
Post Gateway / Pre-exhibition	Max 50 days	Nil
Commencement and completion of public exhibition period	Max 95 days	Nov-Dec 2025
Consideration of submissions		Jan 2026
Post exhibition review and additional studies		
Final Council Decision		February 2026
Submission to Department for finalisation	Max 55 days	March 2026
Notification of LEP amendment		2026

Table A - Checklist of State Environmental Planning Policies – applicable at the time of the Gateway submission

State Environmental Planning Policy		Compliance	Comment
SEPP	(Biodiversity and Conservation) 2021	Consistent	The Planning Proposal will not impact on biodiversity or conservation
SEPP	(Building Sustainability Index: BASIX) 2004	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Exempt and Complying Development Codes) 2008	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Housing) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Industry and Employment) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	No 65—Design Quality of Residential Apartment Development	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Planning Systems) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Precincts—Central River City) 2021	Not Applicable	
SEPP	(Precincts—Eastern Harbour City) 2021	Not Applicable	
SEPP	(Precincts—Regional) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Precincts—Western Parkland City) 2021	Not Applicable	
SEPP	(Primary Production) 2021	Not Applicable	
SEPP	(Resilience and Hazards) 2021	Capable of being consistent	The Planning Proposal involves minor boundary adjustments and will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Resources and Energy) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Sustainable Buildings) 2022	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.
SEPP	(Transport and Infrastructure) 2021	Consistent	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP.

Deemed SEPPs (former Regional Plans)		Compliance	Comments
Illawarra REP 1	Illawarra	Repealed within Wollongong	Not Applicable
Illawarra REP 2	Jamberoo	Does not apply to Wollongong	Not Applicable
Greater Metropolitan REP No.2	Georges River Catchment	Not Applicable	Not Applicable

Table B - Checklist of Section 9.1 Ministerial Directions

	Compliance	Comment
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Consistent	The direction indicates that a Planning Proposal must be consistent with a Regional Plan released by the Minister for Planning. The proposal is consistent with the objectives of the Illawarra Shoalhaven Plan 2041 as outlined within the Planning Proposal report at Section B – Q4.
1.2 Development of Aboriginal Land Council land	N/A	Not applicable to Wollongong
1.3 Approval and Referral Requirements	Consistent	The proposal is consistent with this Direction because it does not alter the provisions relating to approval and referral requirements
1.4 Site Specific Provisions	Not applicable	The proposal will not introduce site-specific provisions.
1.4A Exclusions of Development Standards from Variation	Not applicable	The proposal will not introduce any exclusions.
Focus area 1: Planning Systems – Place based		
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not Applicable to Wollongong
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not Applicable to Wollongong
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not Applicable to Wollongong
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not Applicable to Wollongong
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not Applicable to Wollongong
1.10 Implementation of the Western Sydney Aerotropolis Plan	N/A	Not Applicable to Wollongong
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not Applicable to Wollongong
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not Applicable to Wollongong
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not Applicable to Wollongong
1.14 Implementation of Greater Macarthur 2040	N/A	Not Applicable to Wollongong
1.15 Implementation of the Pyrmont Peninsula Place	N/A	Not applicable to Wollongong

Strategy		
1.16 North West Rail Link Corridor Strategy		Not applicable to Wollongong
1.17 Implementation of the Bays West Place Strategy		Not applicable to Wollongong
1.18 Implementation of the Macquarie Park Innovation Precinct		Not applicable to Wollongong
1.19 Implementation of the Westmead Place Strategy		Not applicable to Wollongong
1.20 Implementation of the Camellia-Rosehill Place Strategy		Not applicable to Wollongong
1.21 Implementation of South West Growth Area Structure Plan		Not applicable to Wollongong
1.22 Implementation of the Cherrybrook Station Place Strategy		Not applicable to Wollongong
Focus area 2: Design and Place		
[this focus area was blank when the directions were made]		
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	Consistent	The planning proposal makes minor changes to conservation zones
3.2 Heritage Conservation	Consistent	The proposal is consistent with this Direction.
3.3 Sydney Drinking Water Catchments	Direction does not apply	The site is not located within the Sydney drinking water catchment.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not applicable to Wollongong
3.5 Recreation Vehicle Areas	Direction does not apply	The planning proposal does not include provision that would enable the land to be developed for the purposes of a recreational vehicle area
3.6 Strategic Conservation Planning	N/A	Not applicable to Wollongong
3.7 Public Bushland	Direction does not apply	Not applicable
3.8 Willandra Lakes Region	N/A	Not applicable to Wollongong
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not applicable to Wollongong
3.10 Water Catchment Protection	Direction does not apply	The Planning Proposal does not include land within the prescribed regulated catchments.
Focus area 4: Resilience and Hazards		
4.1 Flooding	Consistent	The planning proposal does not increase development on any flood impacted areas.
4.2 Coastal Management	Direction does not apply	The planning proposal does not impact on any coastal zones.

4.3 Planning for Bushfire Protection	Consistent	The proposal will not have any impact on bushfire risk.
4.4 Remediation of Contaminated Land	Consistent	The proposal will not impact upon any remediation, the land is already zoned for urban purposes and the Planning Proposal makes only minor boundary adjustments within existing development zones.
4.5 Acid Sulfate Soils	Consistent	The proposal will not impact upon acid sulfate soils. The Planning Proposal makes only minor boundary adjustments within existing development zones
4.6 Mine Subsidence and Unstable Land	Direction does not apply	The Planning Proposal appears not located in areas mapped as being impacted by mines subsidence.
Focus area 5 Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Consistent	The proposal seeks to make minor changes to the LEP road acquisition layer, based on updated information from Council's civil engineers.
5.2 Reserving Land for Public Purposes	Consistent	The proposal seeks to make minor changes to the LEP road acquisition layer, based on updated information from Council's civil engineers.
5.3 Development Near Regulated Airports and Defence Airfields	Consistent	The proposal will not result in development within areas associated with regulated airports and defence airfields.
5.4 Shooting Ranges	Direction does not apply	Not Applicable
5.5 High pressure dangerous goods pipelines	Consistent	The proposal will not impact upon any pipelines
Focus area 6: Housing		
6.1 Residential Zones	Consistent	The proposal is consistent and makes minor boundary adjustments to be consistent with approved and lodged development applications for subdivisions.
6.2 Caravan Parks and Manufactured Home Estates	Direction does not apply	Not Applicable
Focus area 7: Industry and Employment		
7.1 Employment Zones	Consistent	The proposal will not impact upon any employment zones
7.2 Reduction in non-hosted short-term rental accommodation period	Consistent	The proposal will not impact upon any short-term rental accommodation.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable to Wollongong
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Consistent	The proposal will not impact upon any future mining, petroleum production and extractive industries.
Focus area 9: Primary Production		
9.1 Rural Zones	Consistent	The proposal will not impact upon any rural zones

9.2 Rural Lands	N/A	Not applicable to Wollongong
9.3 Oyster Aquaculture	Consistent	The proposal will not impact upon any aquaculture.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable to Wollongong

