

Planning Proposal

365 Marshall Mount Road, Marshall Mount

Amendment to Wollongong Local Environmental Plan 2009

Submitted to Wollongong City Council
on behalf of Cavi Property Group Pty Ltd



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

Contact:

Jessica Saunders
Associate Director

jsaunders@ethosurban.com
0488 544 002

This document has been prepared by:

Alysha Tse

17 December 2024

This document has been reviewed by:

Christopher Curtis/ Jessica
Saunders

17 December 2024

Version No.

Date of issue

Prepared by

Approved by

1.0 (DRAFT) 01

08/05/2024

AT/AB

KB/CC

2.0 (FINAL)

09/09/2024

AT

CC

3.0 (REVISED FINAL)

17/12/2024

AT

JS

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Appendix	Author
A. Indicative Concept Scheme	Maker ENG
B. LEP Maps	Ethos Urban
C. Civil Engineering Plans	Maker ENG
D. Bushfire Report	BCBHS
E. Ecological Report	Lodge Environmental
F. Traffic Assessment	Amber Organisation
G. Landscape Report	DSB
H. Contamination Report	ENRS
I. Non-Aboriginal Heritage Assessment	Artefact

Appendix		Author
J.	Aboriginal Cultural Heritage Assessment Report	<i>Biosis</i>
K.	Archaeological Report	<i>Biosis</i>
L.	Landscape Character and Visual Impact Assessment	<i>Distinctive</i>
M.	Utilities Servicing Report	<i>Maker ENG</i>
N.	Watercycle Management Strategy	<i>Maker ENG</i>

Executive Summary

This report has been prepared by Ethos Urban in support of a Planning Proposal to amend the *Wollongong Local Environmental Plan 2009* (Wollongong LEP 2009). This report has been prepared on behalf of Cavi Property Group Pty Ltd (Cavi) and relates to land at 365 Marshall Mount Road, Marshall Mount (the Site).

The Planning Proposal will ensure the Site's future redevelopment as a new integrated residential neighbourhood providing diverse housing choices, directly aligning with the vision for the West Dapto Urban Release Area (WDURA). The Site has the capacity to deliver much-needed housing supply and diversity, achieving the key housing principles identified under the *West Dapto Vision 2018*. The Planning Proposal seeks to amend the Wollongong LEP 2009 as follows:

- Reduce the minimum lot size (as mapped) for the C4 Environmental Living zoned area of the Site from 4,999m² to 999m².

The primary reason for the pursuit of the Planning Proposal is the availability of a sewer connection to the subject Site. At the time of the rezoning of Stage 5 of the West Dapto URA it was understood that the subject area would not be able to be serviced by sewer, and therefore the main reason why the 4,999m² minimum lot size was selected was to allow for a dwelling house and any required on-site sewerage management system on the resultant lots.

Since this time, and as part of the progression of the adjoining Iowna Neighbourhood, it has become apparent that sewer connection will be available to the subject Site. Therefore, the main rationale for the current MLS no longer exists and a smaller lot size can be considered.

The Planning Proposal is supported by an Indicative Concept Scheme prepared by Maker ENG and has been informed by several comprehensive technical specialist's reports. The Indicative Concept Scheme demonstrates an appropriate future residential neighbourhood that is consistent with the applicable strategic plans and with acceptable environmental impacts can be delivered within the parameters of the proposed LEP amendment. It is noted, opportunities to apply the proposed LEP amendment to the broader Timber Glades Precinct was explored, however the other principal landholder has indicated no desire to adopt the proposed changes, as such this Planning Proposal only applies to the Site.

Key features of the Indicative Concept Scheme are:

- Approximately 72 residential lots within the C4 Environmental Living zoned area of the Site, that is to form Stage 1 of the indicative subdivision and with a minimum lot size of 999m².
- A diversity of residential lots ranging from 1,000m² to 1,800m², with the exception of lots along the proposed southern cul-de-sac road comprising an approximate lot size of 3,000m² to provide a more sensitive response to the view corridor to the south and allow for on-lot effluent disposal.
- A Stage 2 concept subdivision layout for future subdivision of 297 Marshall Mount Road, Marshall Mount, which comprises lots of greater size (approximately 5,000m²).
- Provision of an internal road network and associated infrastructure that is integrated within the broader road network.

This Planning Proposal is justified for the following reasons:

- The proposal is consistent with the objects of the EP&A Act, in that it promotes the orderly and economic use and development of land;
- The proposal is consistent with the strategic planning framework for the Site and Stage 5 of the WDURA;
- The proposal has both strategic and site-specific merit as:
 - It will deliver a number of low impact residential lots and lot diversity within an identified Urban Release Area (URA) for growth, with minimal environmental impact;
 - The proposal provides new dwellings in proximity to services, job opportunities and infrastructure, most notably the future Marshall Mount Town Centre;
 - It will protect environmental lands including bushfire prone and riparian corridors;
 - The proposal promotes greater housing choice in the Timber Glades Precinct and broader WDURA, specifically the proposed lots ranging between 1,000-1,800m² which will provide a more affordable alternative and middle ground between standard residential housing and traditional large lot housing;
 - It will not preclude opportunities to increase urban tree canopy for the Site through the provision of street tree and verge planting;

- The proposal will not compromise the amenity of nearby existing and future residential areas;
 - There are no outstanding environmental or ecological impacts that would preclude its delivery; and
 - The Site is capable of being serviced by planned utilities and infrastructure which will have the capacity to support the proposed density, which was not expected at the time of the rezoning of Stage 5 of the West Dapto Release Area and therefore allows for the provision of smaller sites within the subject precinct.
- The proposal is consistent with the applicable SEPPs and Ministerial Directions.

1.0 Introduction

This report has been prepared by Ethos Urban in support of a Planning Proposal to amend the *Wollongong Local Environmental Plan 2009* (Wollongong LEP 2009). This report has been prepared on behalf of Cavi Property Group Pty Ltd (Cavi, the proponent) and relates to land at 365 Marshall Mount Road, Marshall Mount (the Site).

This Planning Proposal seeks to fulfill the West Dapto Urban Release Area vision, specifically providing future housing supply that caters for the changing needs of the community through “*delivering diverse housing types, designs and densities*”. Importantly this Planning Proposal will also directly respond to the NSW Government’s recent announcement declaring the priority to deliver increased housing supply in suitable locations across NSW. This priority exists within the context of the national housing crisis and the Government’s aspiration target to deliver 377,000 new homes over five years from 1 July 2024 under the National Housing Accord targets. To support new housing capacity in regional NSW, the NSW Government established the Regional Housing Strategic Planning Fund as a direct response to meet the targets under the National Accord. Wollongong City Council (Council) was successful in receiving Round 1 grant funding for the West Dapto Centre Master Planning (DPE 2022).

This Planning Proposal seeks the following amendment to the Wollongong LEP 2009:

- Amend the minimum lot size (as mapped) for the C4 Environmental Living zoned area of the Site from the current development standard of 4,999m² to 999m².

This Planning Proposal is accompanied by an Indicative Concept Scheme prepared by Maker ENG (**Appendix A**) which demonstrates the future redevelopment of the Site as a liveable residential neighbourhood that is consistent with applicable strategic plans and with acceptable environmental impacts can be delivered within the parameters of the requested LEP amendments.

It is noted, opportunities to apply the proposed LEP amendment to the broader Timber Glades Precinct was explored, however the other principal landholder has indicated no desire to adopt the proposed changes, as such this Planning Proposal only applies to the Site. Importantly for the Council’s consideration is that neighbouring land does not form part of the subject Planning Proposal as we understand that, due to topography and drainage catchments shown in **Figure 16** which are essentially identical of sewage catchments, they will not be able to be serviced by the Sydney Water sewerage system and therefore each lot will need to be provided with its own onsite sewerage management system. The existing Minimum Lot Size Map reflects this requirement for the proposed lots at 297 Marshall Mount Road.

The proposed LEP amendment will optimise the Site to meaningfully deliver additional housing supply that aligns with the desired character of the area, whilst also providing much needed diversity within a well-serviced area. In support of this Planning Proposal, the future redevelopment of the Site will achieve a number of economic and social benefits including:

- Delivery of a number of low impact residential lots and lot diversity within an identified Urban Release Area (URA) for growth, with minimal environmental impact; Facilitate the provision of new dwellings in proximity to services, job opportunities and with the required infrastructure connections;
- Ensure protection of environmental lands including bushfire prone and riparian corridors including the retention of tree canopy on ridges; and
- Generate a greater monetary contribution to support the community’s infrastructure needs and planned road upgrades.

1.1 Purpose and structure of this report

The purpose of this Planning Proposal justification report is to document the urban planning, design, environmental investigations and technical analysis undertaken in support of the proposal. In addition, the report provides an assessment of the proposed approach sought to manage development, environmental and technical considerations and to confirm suitability and necessity of any additional infrastructure required to support the intent of the Planning Proposal.

The Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Local Environmental Plan Making Guideline* prepared by the Department of Planning and Environment (DPE) dated August 2023. This Planning Proposal addresses the following specific matters in the Guideline as demonstrated in **Table 1** below.

Table 1 Consistency with the Local Environmental Plan Making Guideline Content Requirements

Report Section	LEP Making Guideline Reference
<ul style="list-style-type: none">• Section 1.0 – Introduction including the key objectives and intended outcomes of the project.	<ul style="list-style-type: none">• Part 1 – Objectives and intended outcomes
<ul style="list-style-type: none">• Section 2.0 – Background including pre-lodgement consultation and strategic context that has informed the preparation of the Planning Proposal.	
<ul style="list-style-type: none">• Section 3.0 – Describes the Site and context the subject of the Planning Proposal.	
<ul style="list-style-type: none">• Section 4.0 – Presents a detailed description of the proposed Indicative Concept Scheme, including the details of the proposed subdivision layout, landscaping and Site grading.	
<ul style="list-style-type: none">• Section 5.0 – Provides a detailed description of the planning controls sought under this Planning Proposal.	<ul style="list-style-type: none">• Part 2 – Explanation of provisions• Part 4 – Mapping
<ul style="list-style-type: none">• Section 6.0 – Provides an assessment of the strategic planning context and provides an assessment of the proposal against the relevant statutory legislation and planning guidelines.	<ul style="list-style-type: none">• Part 3 – Justification<ul style="list-style-type: none">- Need for the Planning Proposal- Relationship to strategic planning framework- Environmental, social and economic impact- State and Commonwealth interests
<ul style="list-style-type: none">• Section 7.0 – Sets out a detailed assessment of the key urban planning and environmental issues of the Planning Proposal	
<ul style="list-style-type: none">• Section 8.0 – Project consultation and timeline.	<ul style="list-style-type: none">• Part 5 – Community consultation• Part 6 – Project timeline
<ul style="list-style-type: none">• Section 9.0 – Conclusion and summary.	

1.2 The proponent and project team

The proponent’s details are presented in **Table 2** below.

Table 2 *Proponent details*

Proponent:	Cavi Property Group (CavDev4 P/L)
Address:	PO Box 88, Cronulla, NSW 2230
ABN:	85 651 480 787

This Planning Proposal has been informed by the following specialist firms:

- Ethos Urban – Planning
- Maker ENG – Concept Design and Civil Engineering
- Lodge Environmental – Ecology
- Building Code and Bushfire Solutions – Bushfire
- Biosis – Aboriginal Cultural Heritage and Archaeological
- Artefact – Non-Aboriginal Heritage
- Distinctive – Landscape Character and Visual Impact
- ENRS – Contamination
- Amber Organisation – Traffic
- DSB Landscape Architects – Landscape design

2.0 Background

2.1 West Dapto Urban Release Area

The West Dapto Urban Release Area (WDURA) was first identified as an area for future development in the 1980 Regional Urban Development Program. In 2004, detailed strategic planning of the WDURA was undertaken in response to development progressing in Horsley between the 1980s and 2000s. The initial Structure Plan for the WDURA was prepared in 2008 and Stages 1 and 2 were rezoned for urban development in 2010. The Illawarra-Shoalhaven Regional Plan 2015 confirmed that the WDURA would continue to be a long-term focus for new housing in the region, with the WDURA estimated to provide up to 19,500 dwellings once fully developed. The focus on WDURA (also referred to as West Lake Illawarra) as a regionally significant growth area has been reinforced as part of the Illawarra Shoalhaven Regional Plan 2041.

The WDURA is envisaged to be developed as a series of integrated communities that are healthy, sustainable and resilient that provide a diversity of housing choices. The Site is identified within the Stage 5 Yallah/Marshall Mount precinct of the WDURA (**Figure 1**) and the zoning to facilitate the development of the Site was introduced via an amendment to the Wollongong LEP 2009 on 8 June 2018.

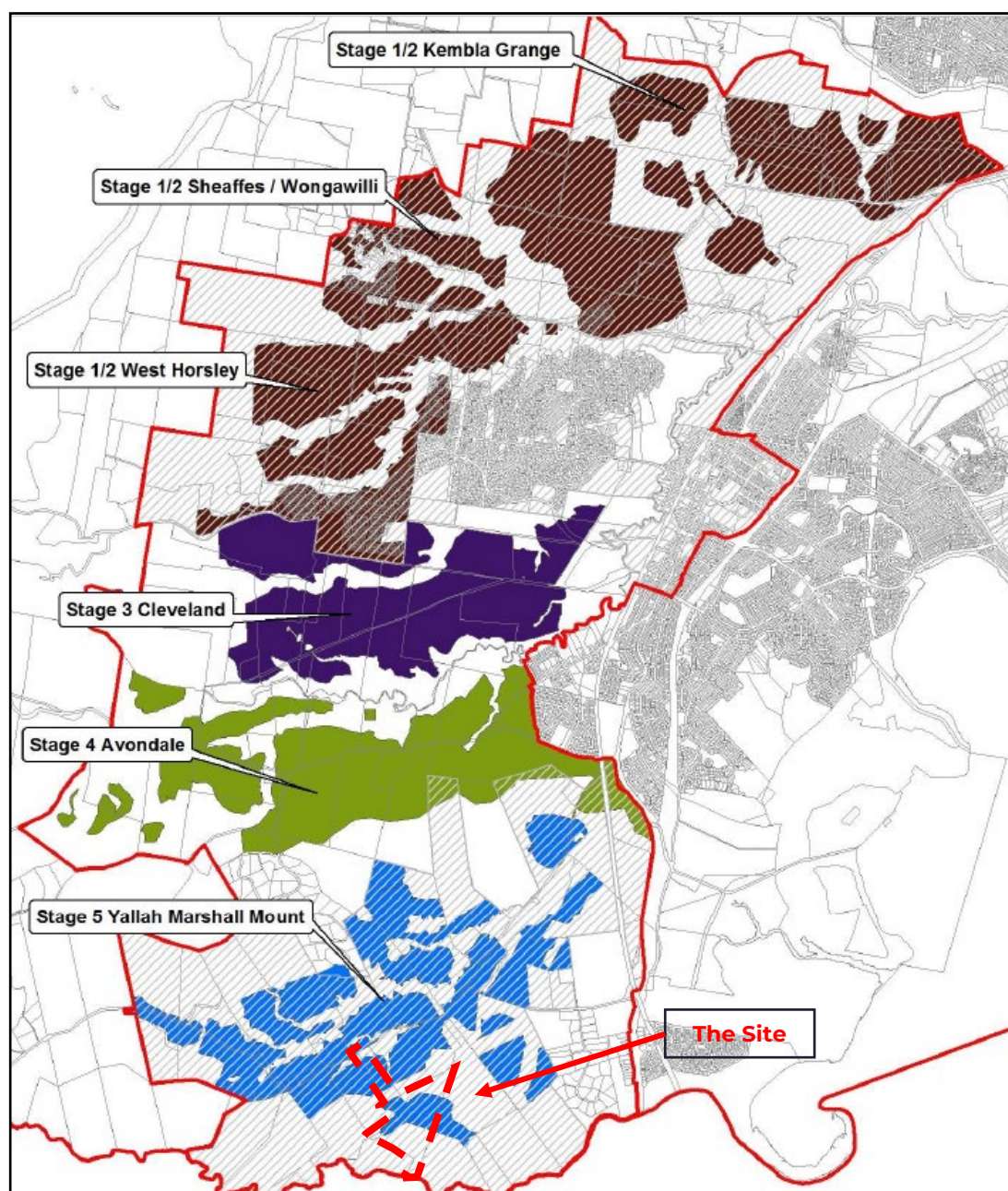


Figure 1 West Dapto Urban Release Area - Staging - Site outlined in red dotted line

Source: Wollongong City Council

2.2 Pre-Lodgement Consultation

In accordance with the Local Environmental Plan Making Guideline, a scoping proposal was prepared and submitted to Council on 22 September 2023. A pre-lodgement meeting was held on 28 November 2023. **Table 3** summarises Council's written feedback on the scoping proposal and where comments have been addressed within this report.

Table 3 *Summary of responses to scoping proposal feedback*

Focus	Comment	Response
Agency comments		
Water	Sydney Water want the proponent to lodge a feasibility via the Water Servicing coordinator.	The proponent has been actively coordinating with Sydney Water as part of the Yallah Marshall Mount Developer Group, and Sydney Water have since confirmed there will be capacity within the planned network to support the proposal based on the conceptual lot layout. A Utilities Servicing Report has been prepared by Maker ENG, refer to Section 7.10 and Appendix M for further detail.
Flooding	SES raise concern that the area is isolated and has only one access road which may be isolated by a tributary of Duck Creek.	All proposed lots and roadways have been demonstrated to be flood free in the proposed scenario as demonstrated in the Watercycle Management Strategy prepared by Maker ENG. The future Marshall Mount Bypass Road, which is the subject site's direct connection, is nominated as a flood free road in the West Dapto Release Area DCP (WDCA Chapter D16) – this has been reflected in the concept design that is currently being delivered by Council. Refer to Section 7.8 and Appendix N for further detail.
	SES also want the impact of bulk earthworks on downstream areas considered	
		The erosion and sediment control strategy is detailed in Section 7.9 .
Transport	TfNSW want to know how the proposal would support public transport and active transport, how consideration of more than one dwelling per lot would impact on traffic, funding for infrastructure and the impact of traffic from increased lot yields.	A Traffic Assessment has been prepared by Amber refer to Section 7.4 and Appendix F for further detail.
Council comments		
Strategic merit	The proposal does not meet a strategic merit for housing supply.	The Planning Proposal directly responds to several strategic planning objectives and priorities identified for the Site and greater area. Detailed Strategic justification of the Planning Proposal is provided in Section 6.1 for further detail.
Character	The proposed reduction in minimum lot size is not considered in keeping with the desired character of the precinct.	The proposed amendment to the minimum lot size will not result in a significantly different outcome and character as envisaged for the Site. A Landscape Character and Visual Impact Assessment has been prepared by Distinctive refer to Appendix L and Section 7.1 for further detail.
	The proposed changes would result in more R2 zone character. This is not in keeping with the Structure Plan for Yallah-Marshall Mount.	
Zoning	The question as to whether the area should be R2 or C4 was raised during the zoning process for the Yallah Mount Precinct and the decision was made to have rural residential development in the area, not low density residential.	Noted. The Planning Proposal will still facilitate the delivery of larger lots, however, provides greater diversity of lot sizes and choice within the C4 Environmental Living Zone. It is noted the proposed minimum lot size is consistent with other C4 Environmental Living zoned land with similar characteristics in the WDURA (including within the Duck Creek Neighbourhood Plan area to the north) and Wollongong LGA more broadly. The Site is strategically located near the future Marshall Mount Town Centre and satisfies the convenient access threshold of 30 minutes for jobs. With the need to deliver housing under the National Housing Accord, the Site is uniquely located to enable additional housing diversity through varying lot sizes, enabling a mix of future dwelling typologies and creating a

Focus	Comment	Response
		community that will have convenient access to jobs and services, without delivering on standard low density residential, being conscious of the need to maintain a larger lot size that still enables a rural-residential character transition.
	The current zoning and the LEP controls reflect the environmental and scenic attributes of the Site and locality.	These issues have been considered as detailed in Appendix E & L.
Density	The Site is located on the periphery of the urban area. It is isolated from the remainder of the development precincts by a proposed bypass road. It is not an area in which we are seeking additional densities. It is well down the list of priorities for density and for development timing. The Site is not the target for density and yield is not relied on to achieve significant housing supply.	The proposed amendment to the minimum lot size does not result in a detrimental increase in density and remains consistent with the objectives of the C4 Environmental living zone. Importantly the proposed LEP amendment will maintain the delivery of low impact residential development in an area identified for increased housing supply. The proposal satisfies the desired intention for additional housing supply, and, importantly, does not seek to deliver significant additional yield, rather it looks to provide for a diversity of lot sizes for future housing typologies, consistent with the envisaged character of the area, and being deliberate in its focus on ensuring a variety of lot sizes available to manage affordability whilst still offering larger lot character.
Public Transport	The public transport routes are likely to be along Marshall Mount Road, well away from this precinct. The precinct would be heavily reliant on private car travel, not public transport or active transport.	A Traffic Assessment (Appendix F) has been prepared by Amber which identifies that the proposed Marshall Mount Town Centre Bypass Road will support future bus services. There is potential for the provision of several new bus stops near the Site, which is forecast to provide approximately 50% of the lots within 400m of public transport and 90% of the lots within a 550m walking distance to public transport. Refer to Section 7.4.4 for further detail.
Access	It is noted that the proposal would significantly increase lot yields in an area which is isolated and proposed to have only one access point (which also could be isolated flooding or fire). This access point cannot be finalised until the proposed bypass road is complete.	<p>The Traffic Assessment prepared by Amber (Appendix F) and Section 7.4.2 notes that any increase in traffic generated by the increase in yield can be readily accommodated by both the proposed layout and existing (and future) external network. Refer to the above response to the 'Agency Comments' on 'flooding', noting the flood immune nature of the site'.</p> <p>As outlined in the Bushfire Report by Bushfire Code and Hazard Solutions (Appendix D and Section 7.2.6), the local one-way in and out roadway that services the site does not travel through any Forest or Woodland hazards, and is within a TransGrid easement which carries stringent maintenance requirements, and will therefore not be compromised during a potential bushfire event.</p>

2.3 Planning Proposal lodgement

PP-2024-2012 was submitted to Council in September 2024. As part of the adequacy check, Council raised issues regarding the proposal, notably:

- The capacity of Sydney Water to service the additional lots.
- The proposal is inconsistent with Councils Planning Proposal Policy as it is effectively a spot rezoning.
- Planning Proposal request is inconsistent with Council's vision for West Dapto, and the Yallah Marshall Mount precinct.
- The Planning Proposal concept is inconsistent with the proposed Bypass Rd design & access arrangements.
- The consultancy reports have not addressed the issues raised by Council or State agencies as part of the Scoping Proposal.

Following these comments, confirmation has been provided by Sydney Water as to the ability to service the additional lots, and this Planning Proposal report and relevant consultant reports have been updated to capture and resolve/respond to the items raised.

3.0 The Site

3.1 Site location and context

The Site is located at 365 Marshall Mount Road, Marshall Mount within the Wollongong Local Government Area (LGA). The Site is located within the West Dapto Urban Release Area (WDURA), towards the south of Stage 5 Yallah Marshall Mount (**Figure 1**). The Wollongong LEP 2009 was amended on 8 June 2018 to facilitate the future redevelopment of the Site.

The Site currently sits within a rural context and is surrounded by low density rural subdivisions and other undeveloped land parcels. The wider region surrounding the broader Site consists of the Princes Motorway corridor and Dapto to the east, Marshall Mount Road and Calderwood Valley to the south, Albion Park to the south-east, rural land and bush land to the far west and the earlier completed Stages of the URA to the north.

The broader Site is 2km away from Calderwood Valley Town Centre, 6.6km from Dapto Station and 17.6km away from the Wollongong CBD. As noted above, the development is close to the Calderwood Valley Town Centre and adjoins the future Stage 9 of the residential community.

The broader Site's locational context is shown at **Figure 2**.



Figure 2 Aerial Context Map

Source: Nearmap, Ethos Urban

3.2 Site description

The Site is legally described as Lot 8 DP 626078 and is owned by Cavi Property Group. The Site has a total area of approximately 36 hectares and is irregularly shaped.

The portion of the Site that is subject to this Planning Proposal comprises approximately 12 hectares and is identified in red in **Figure 3** below.

The broader Site has one street frontage of 129m to Marshall Mount Road. As shown in **Figure 4** the broader Site has a split zoning comprising part R2 Low Density Residential, C3 Environmental Management, C2 Environmental Conservation and C4 Environmental Living land use zoning.

For clarity, this Planning Proposal relates only to the C4 Environmental Living zoned area within the broader Site, being the subject Site, as identified at **Figure 3** and **Figure 4**. For the purposes of this Report, the entirety of 365 Marshall Mount Road will be referred to as 'the broader Site', with the area the subject of this Planning Proposal being referred to as 'the subject Site'/'the Site'.

The broader Site is situated on the lower slopes of the Illawarra Escarpment and the topography consists of undulating hills and slopes, with areas of steep gullies and transitions to adjoining watercourses. The subject Site has a more regular topography than the surrounding C3 and C2 zoned areas. Vegetation is present on the eastern portion of the broader Site, but it is not identified as high value biodiversity land.



Figure 3 Land the subject of the proposal, the broader Site (blue) and the subject Site (red)

Source: Nearmap & Ethos Urban

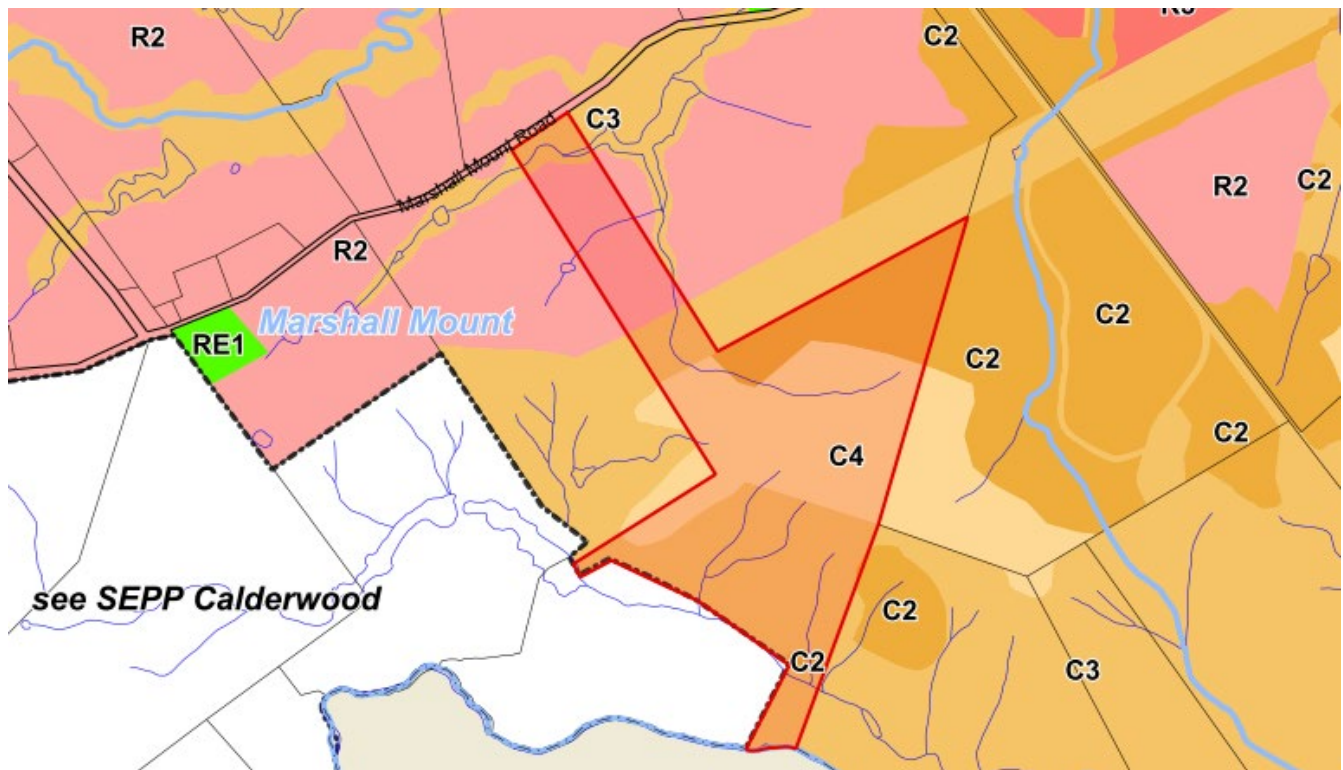


Figure 4 Split zoning of the broader Site

Source: Wollongong City Council

3.3 Existing development

The subject Site is clear of structures. A dwelling house, farm dams and several sheds and sealed driveway exist in the northern portion of the broader Site. Most of the broader Site has been largely cleared of native vegetation and used continuously for grazing activities. Photographs of the subject Site are provided in **Figure 5**.



Figure 5 Existing conditions of the subject Site

Source: Ethos Urban

3.4 Access and transport

Vehicular access to the broader Site is provided by Marshall Mount Road which connects to Yallah Road, Calderwood Road and Huntley Road, providing the broader Site convenient access to Princes Highway. Yallah Road extends east from Marshall Mount Road and provides access to the Yallah Precinct and connection to Princes Highway, which provides access to Shellharbour City Centre and beyond. Huntley Road located north also connects with Princes Highway, and provides access to Dapto, Wollongong CBD, and Sydney CBD. Calderwood Road to the south provides access to Albion Park and beyond to the Princes Motorway. By having convenient access to Princes Highway, the broader Site is easily connected to nearby precincts and regional centres. There are no current internal roads connecting the Site to Marshall Mount Road.

The closest railway stations to the broader Site are Albion Park Station, 3.4km to the south-east, and Dapto Station, 6.6km to the northeast.

There are currently no public transport services to Albion Park and Dapto railway stations from West Dapto. There are no existing bus services from Calderwood to the site. However, the West Dapto Vision is committed to delivering public transport to the area through early planning of bus routes and building quality supporting infrastructure. The West Dapto Vision is also committed to promoting active transport, as there are plans to implement a connected and functional pedestrian cycle network.

Significant road infrastructure investment has been recently undertaken in earlier stages of the WDURA and further works are planned to support Stage 5 Yallah/Marshall Mount of the WDURA. This includes:

- Recent upgrades to Shone Avenue within Stage 1 & 2.
- Road extension of Fairwater Drive to Cleveland Road (Daisy Bank Drive).

- West Dapto Road intersection upgrade (Kembla Grange).
- Bong Bong Road upgrade including Glenlee Drive roundabout upgrade.
- Marshall Mount Town Centre Bypass Road design.
- New connection between Yallah Road and Avondale Road.
- Marshall Mount Road/ Marshall Mount Town Centre Bypass signalised intersection upgrade.
- Yallah Road / Marshall Mount Town Centre Bypass signalised intersection upgrade.
- Marshall Mount Road / Yallah Road signalised intersection upgrade.

Road upgrades and additional connections are also proposed as part of the Calderwood Valley development to the immediate south of the Site.

A concept design for the Marshall Mount Town Centre bypass is currently being developed by Council. An extract from the 80% Design is shown in **Figure 7** which illustrates the alignment bisecting the broader Site and splitting the northern portion of the broader Site in the Iowna Precinct and southern portion (where the subject Site is located) in the Timber Glades Precinct (outlined in blue).

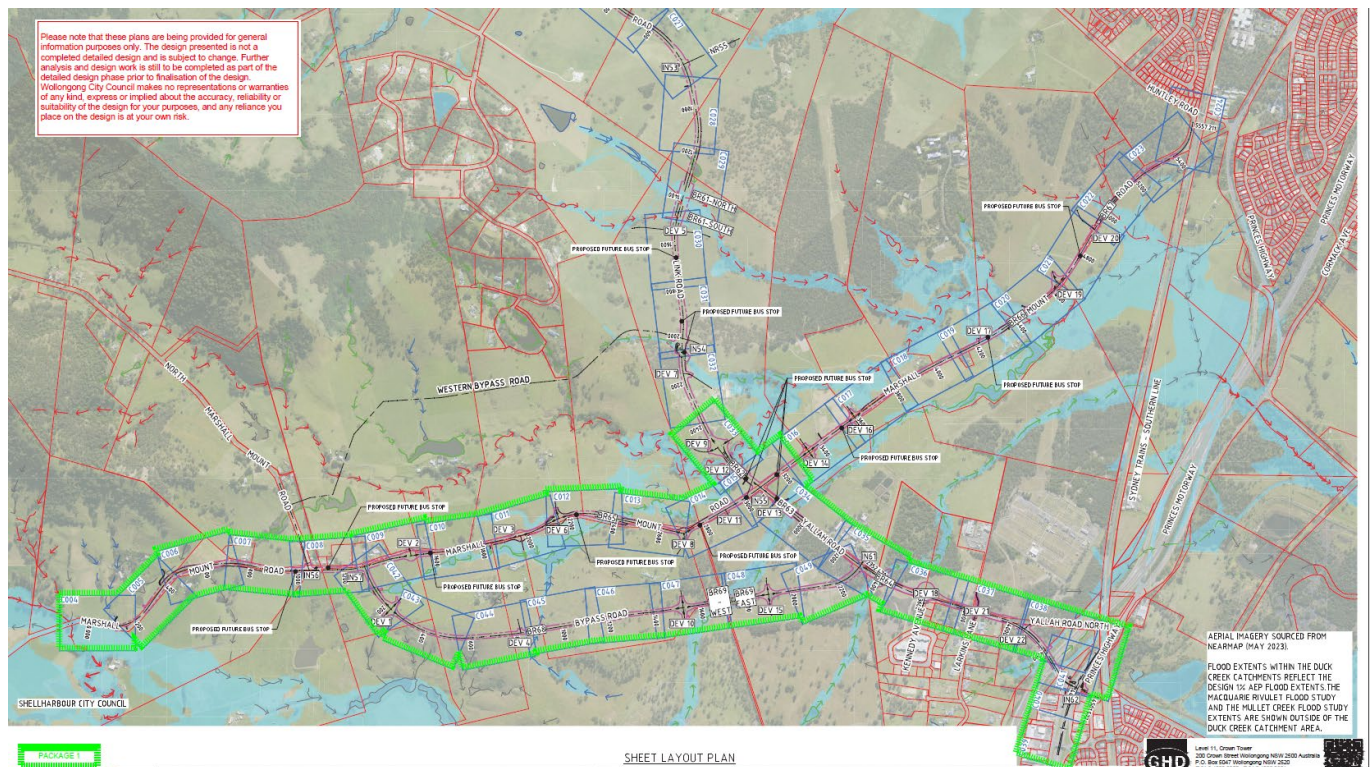


Figure 6 Extract of 80% Design of Marshall Mount Town Centre Bypass

Source: GHD and Wollongong City Council

3.5 Heritage

There are no heritage items listed on the Site. However, there are several heritage items located in the broader vicinity of the broader Site:

- Item 61027 Marshall Mount Progress Association Hall (1.4km away)
- Item 61111 House "Miala" and dairy including fig trees (1.2km away)
- Item 5983 Former Marshall Mount School and master's residence (1.2km away)
- Item 1 Marshall Mount Homestead and Barn (1.6km away)
- Item 2 Marshall Mount Methodist Cemetery (1.7km away)

3.6 Surrounding development

The surrounding area is currently characterised by undeveloped rural land, however, there are plans to develop the surrounding land as low-density residential neighbourhoods. The wider region surrounding the broader Site

consists of Princes Highway and Dapto to the east, Marshall Mount Road and Calderwood Valley to the south, Albion Park to the south-east, rural land and bush land to the west and Stages 3 and 4 of the WDURA to the north. More specifically, the area surrounding the Site is further described below.

North

The Iowna Neighbourhood is located immediately north of the subject site, with the northern portion of the broader site located within the Iowna Neighbourhood. A draft Neighbourhood Plan for the Iowna Precinct was considered by Council in their meeting on 29 July 2024, with Council resolving the Neighbourhood Plan be adopted as an amendment to the Wollongong Development Control Plan – Chapter D16 West Dapto Release Area. Marshall Mount Road bounds and is immediately north of the broader Site. Marshall Mount Road is currently a two-lane local road that runs in a northeast-southwest alignment. It is proposed to be upgraded to a 4-lane sub-arterial road in the future. Further north of the broader Site is undeveloped rural land that will be developed into the future Duck Creek and Marshall Vale Precincts (**Figure 8**). The Duck Creek and Marshall Vale Precincts are envisaged to comprise of environmental living, low density residential development and public open space with lot sizing controls of 449m² on R2 Low Density Residential, and 999m² on C4 Environmental Living zoned land, amongst other varying controls. North-east of the Site is the future Marshall Mount Town Centre, which will accommodate the majority of future residents to create a critical mass of population that will support the economic viability of the proposed village centre.

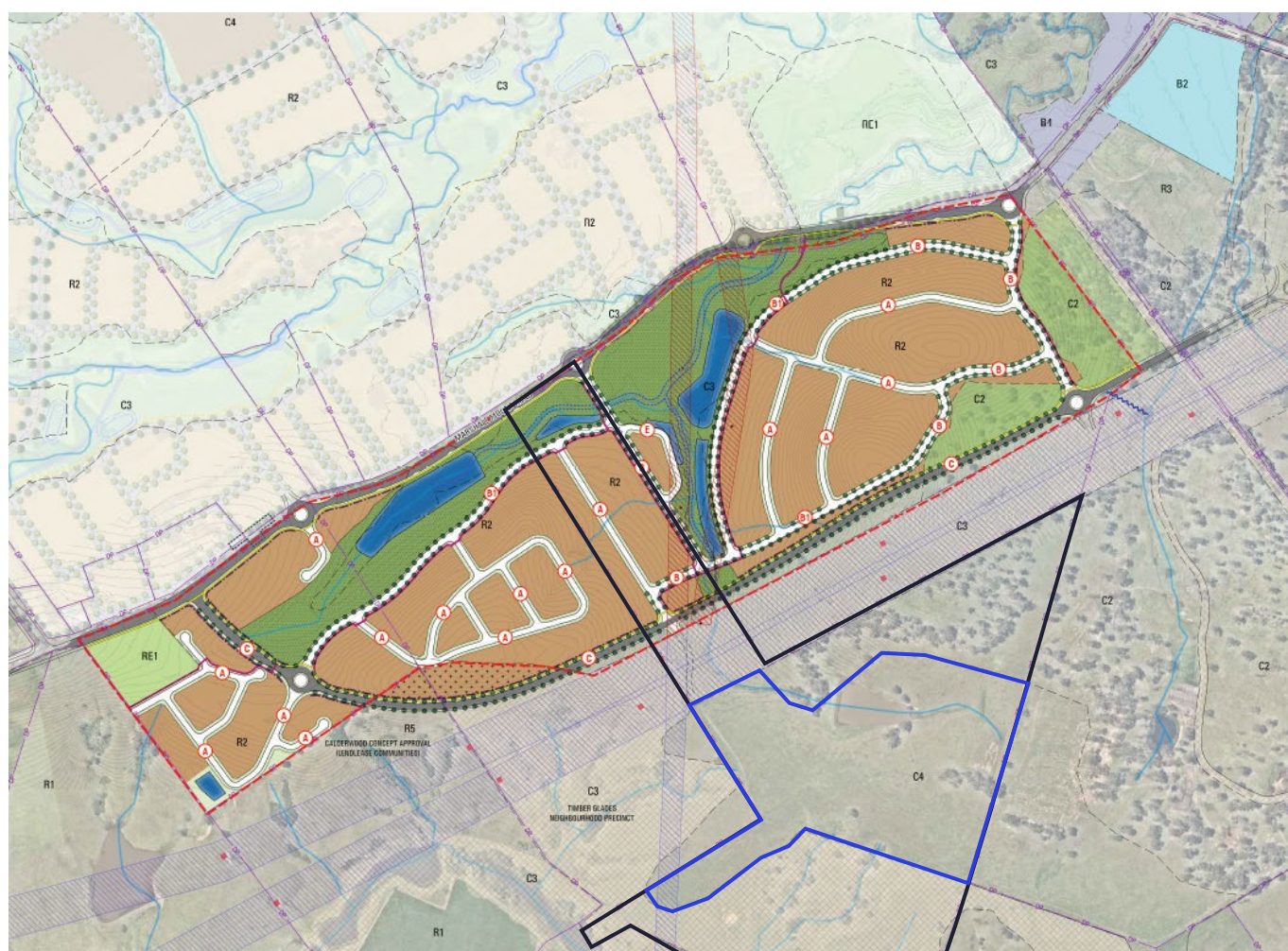


Figure 7 Iowna Neighbourhood Plan Layout (broader Site outlined in black, subject site outlined in blue)

Source: Wollongong City Council, Amber

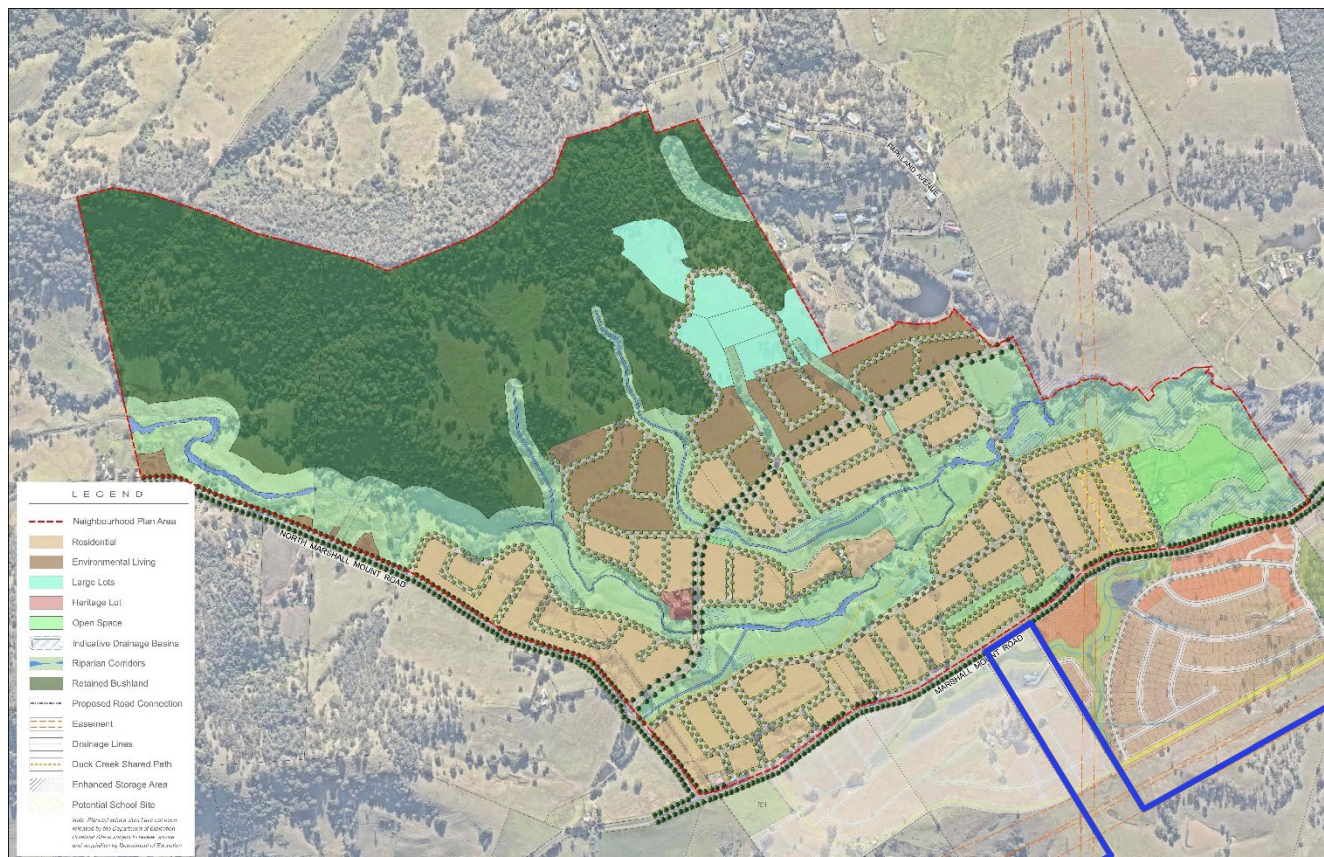


Figure 8 Duck Creek and Marshall Vale Neighbourhood Plan (northern portion of broader Site in blue)

Source: Wollongong City Council

East

Existing rural land is located immediately east of the Site, which will also form part of the future Timber Glades Precinct, and beyond is the existing Yallah environmental living neighbourhood and the Yallah Town Centre. The Princes Highway is also located further east of the broader Site and connects West Dapto to nearby regional centres.

South

Land located directly south of the Site is the Calderwood Valley Urban Development Project. Calderwood Valley is currently being developed and it is estimated to provide 6,000 new dwellings, a new Town Centre and supporting Village/ Neighbourhood Centre across 12 stages. The indicative subdivision pattern of Calderwood Valley is provided in **Figure 9**. The subject Site adjoins Stage 9 of Calderwood Valley, as demonstrated at **Figure 9**. Further south of the broader Site is Marshall Mount Creek.

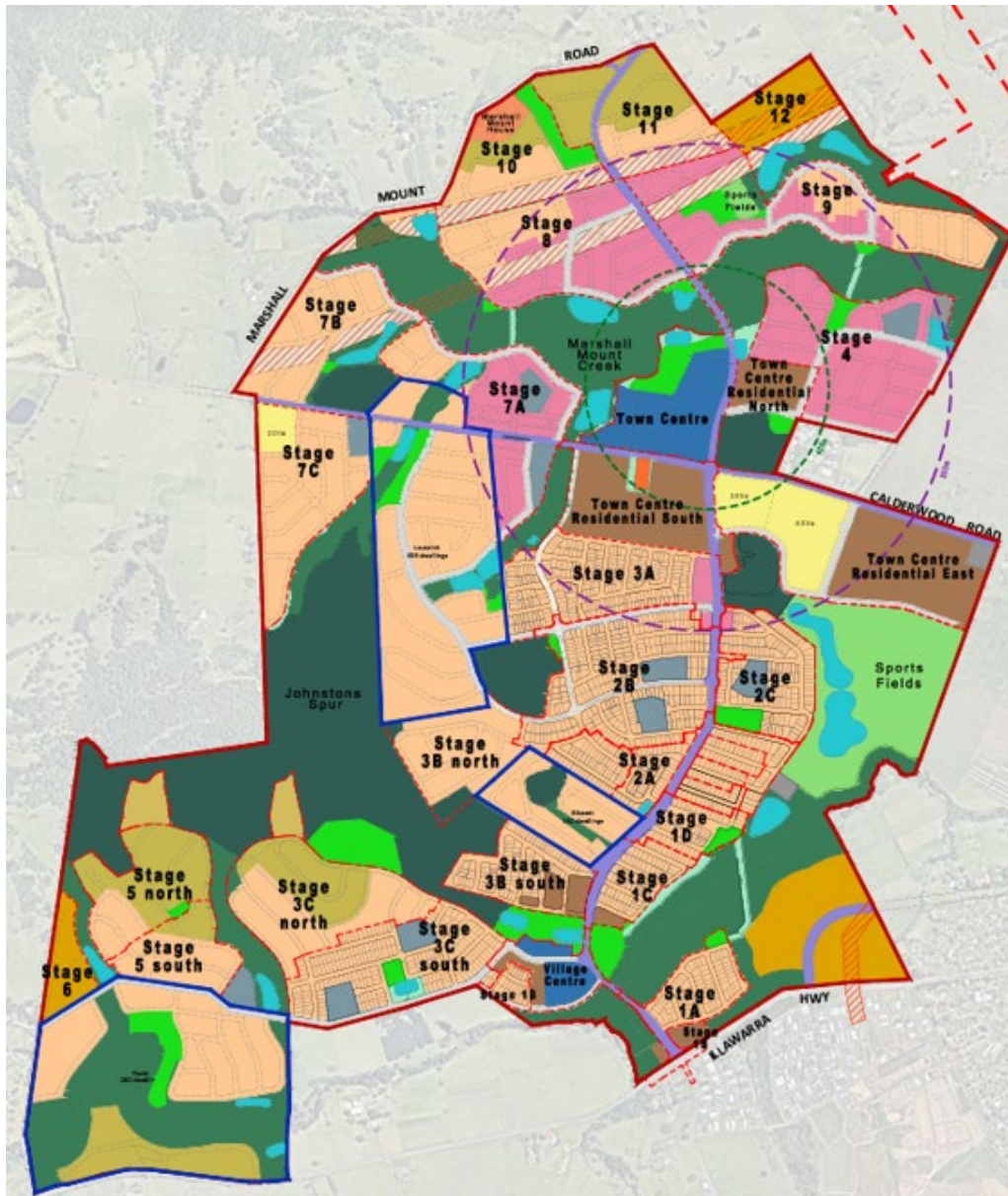


Figure 9 Calderwood Valley indicative subdivision pattern – Subject Site in red dotted line

Source: Lendlease Communities & RPS, edited by Ethos Urban

West

Immediately west of the Site is rural land and bush land that is currently undeveloped and will form the western most portion of the Timber Glades Precinct. Further west is undeveloped residential zoned land that will be developed and form future residential of the Calderwood Valley Urban Development Project.

3.7 Existing planning framework

3.7.1 Wollongong Local Environmental Plan 2009

The key Environmental Planning Instrument (EPI) applying to the broader Site is the Wollongong LEP 2009. A summary of the relevant controls in the Wollongong LEP 2009 is provided in **Table 4**.

Table 4 Relevant controls pursuant to the Wollongong LEP 2009

Clause/ section	Control
Part 2 Permitted or prohibited development	
Clause 2.1 – Land use zoning	The broader site has split zoning, comprising part R2 Low Density Residential, C3 Environmental Management, C2 Environmental Conservation and C4 Environmental Living zonings. See Figure 4 above.
Part 4 Principal development standards	
Clause 4.1 – Minimum subdivision lot size	<ul style="list-style-type: none"> R2 Low Density Residential zone: 449m² C2 Environmental Conservation zone: 39.99ha and 8.99ha C3 Environmental Management zone: 39.99ha and 8.99ha C4 Environmental Living zone: 4,999m²
Clause 4.1A – Minimum lot sizes for certain split zones	<p>The Site has split zoning and despite Clause 4.1, development consent may be granted to subdivide an original lot to create other lots if:</p> <ul style="list-style-type: none"> one of the resulting lots will contain – <ul style="list-style-type: none"> land in a residential, employment or mixed-use zone of Zone W4 Working Waterfront, that has an area that is not less than the minimum size as shown on the Lot Size Map; and all of the land in a rural, C2 and C3; and all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot size map
Clause 4.1B – Lot averaging subdivision in Zone RU2, Zone C3 or Zone C4	<p>This clause applies to the Yallah-Marshall Mount Precinct which the Site is located within and land within the RU2, C3 or C4 zone.</p> <p>Development consent may be granted to subdivision of land to create lots of any size if-</p> <ul style="list-style-type: none"> the consent authority is satisfied that the land to be subdivided is proposed to be used for the purpose of residential accommodation. The total number of lots resulting from the subdivision will not exceed the number of lots that could be created by a subdivision of the same land under clause 4.1(3) or 4.1AA(3)
Clause 4.3 – height of buildings	The maximum building height for the portions of the Site zoned R2 Low Density Residential, C2 Environmental Conservation and C4 Environmental Living is 9m . There is no maximum height stipulated for the C3 Environmental Management zoned portion of the Site.
Clause 4.4 – Floor space ratio	The maximum FSR for the R2 Low Density Residential zone portion of the Site is 0.5:1 . There is no maximum FSR for the remainder of the Site.
Part 5 Miscellaneous Provisions	
Clause 5.11 – Bushfire hazard reduction	This exemption is noted.
Part 6 Urban Release Areas	
6.1 – Arrangements for designated State public infrastructure (repealed)	<p>The Site is located within the Illawarra Shoalhaven Special Infrastructure Contribution (SIC), within the West Dapto sub-growth area, which came into effect on 14 May 2021.</p> <p>The Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Bill 2023 introduced the Housing and Productivity Contribution (HPC) on 1 October 2023 and repealed the Illawarra Shoalhaven SIC.</p> <p>The HPC contribution rate for residential subdivision within Illawarra Shoalhaven is \$8,000 per dwelling lot. This rate is subject to indexation. The Housing and Productivity Contribution base</p>

Clause/ section	Control
	<p>component will be discounted in the first two years. The following discounts apply at the time payments are made:</p> <ul style="list-style-type: none"> • 50% discount rate (from 1 October 2023 – June 2024). • 25% discount rate (from July 2024-June 2025). <p>For development applications that are for residential subdivision only, the contribution is to be paid before the first subdivision certificate is issued.</p> <p>We note the Council exhibited the Draft West Dapto Development Contributions Plan 2024 from 6 November – 4 December 2023. It is anticipated that the draft plan will be updated and adopted in 2025. The Site is identified as falling within the land to which the plan will apply. The applicable contribution rate to the Planning Proposal stated in the draft plan would be \$80,553.56 per lot (subject to annual indexation).</p>
6.2 – Development Control Plan	This clause requires that consent not be granted to development at the Site unless a development control plan that provides for matters outlined at section (3) of the clause has been prepared. We note that no DCP for the subject Site has been prepared.
6.2A Subdivision of land in West Dapto Release Area	Not applicable as only relates to subdivision within the Darkes Road South-West Precinct.
6.3 Relationship between Part and remainder of the plan	A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.
Part 7 Local Provisions – general	
Clause 7.4 Riparian lands	The northern portion of the Site contains watercourses identified as ‘Riparian land’.
Clause 7.5 – Acid Sulfate Soils	Parts of the Site are mapped as being affected by Class 4 and 5 Acid Sulfate Soils.

3.7.2 Land use zoning

As noted above, the broader Site has split zoning, comprising part R2 Low Density Residential, C3 Environmental Management, C2 Environmental Conservation and C4 Environmental Living zonings. The portion of the broader Site subject to this Planning Proposal is zoned C4 Environmental Living. An extract of the Land use Zoning LEP Map is shown in **Figure 10** below, with the subject Site outlined in blue.

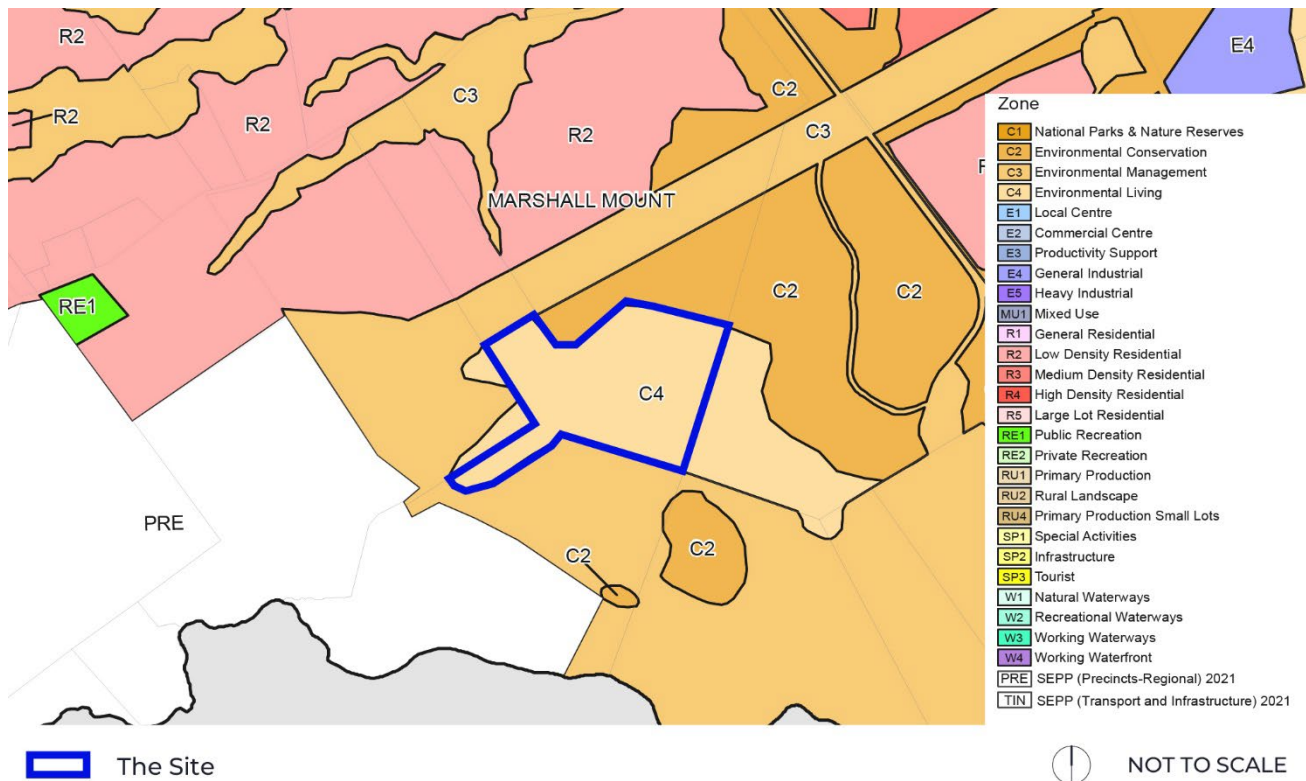


Figure 10 Existing land use zoning map of broader Site, subject site outlined in blue

Source: Wollongong LEP

3.7.3 Building height

The prescribed building height that applies to the broader Site is 9m. An extract of Height of Buildings LEP Map is shown in **Figure 11** below, with the subject Site outlined in blue.

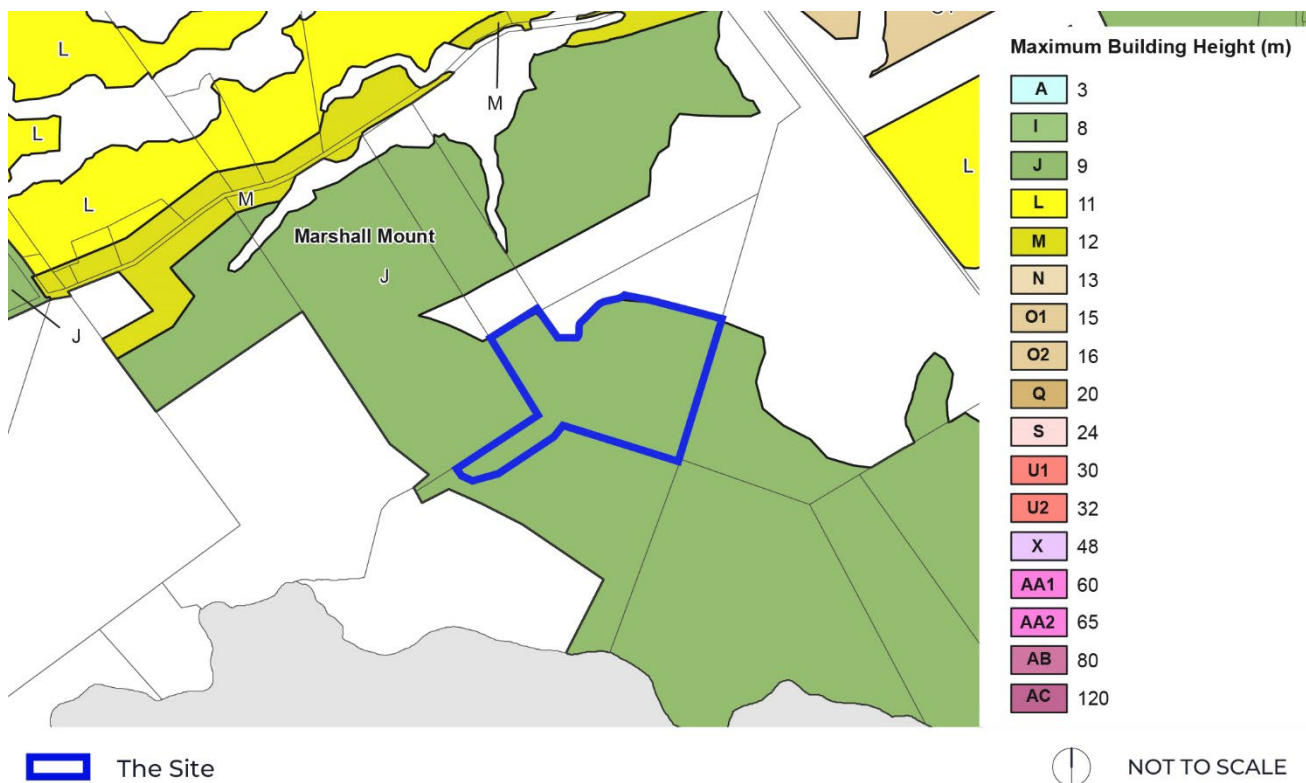


Figure 11 Existing height of building height map of broader Site, subject Site outlined in blue

Source: Wollongong LEP 2009

3.7.4 Floor space ratio

The maximum FSR for the R2 Low Density Residential zone portion of the broader Site is **0.5:1**. There is no maximum FSR for the remainder of the broader Site. An extract of the Floor Space Ratio LEP Map is shown in **Figure 12** with the subject Site outlined in blue.

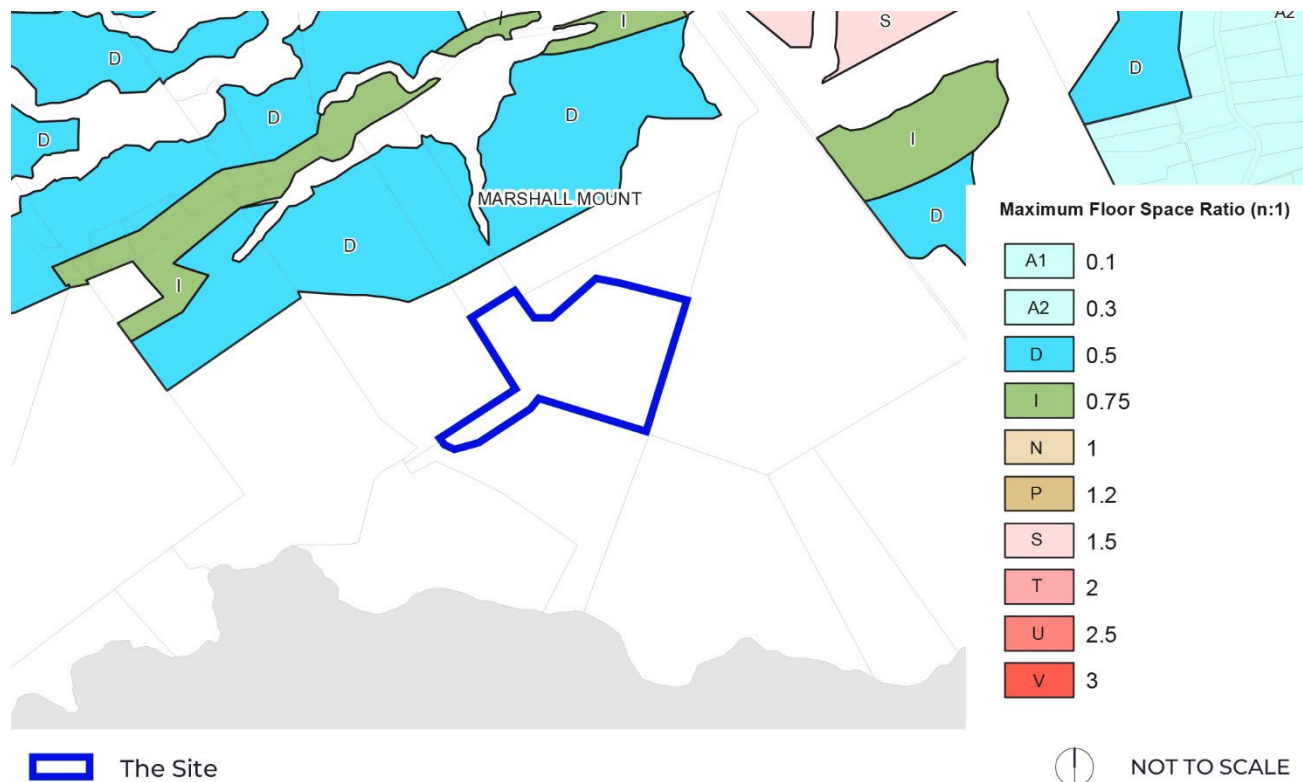


Figure 12 Existing floor space ratio map of broader Site, subject Site outlined in blue

Source: Wollongong LEP 2009

3.7.5 Minimum lot size

The broader Site has minimum lot size of part 449m² for the R2 Low Density Residential portion, part 39.99ha and 8.99ha for the C2 Environmental Conservation and C3 Environmental Management zoned portions, and 4,999m² for the C4 Environmental Living zoned portion, being the subject Site. An extract of the Minimum Lot Size Map shown in **Figure 13**, with the subject Site outlined in blue.

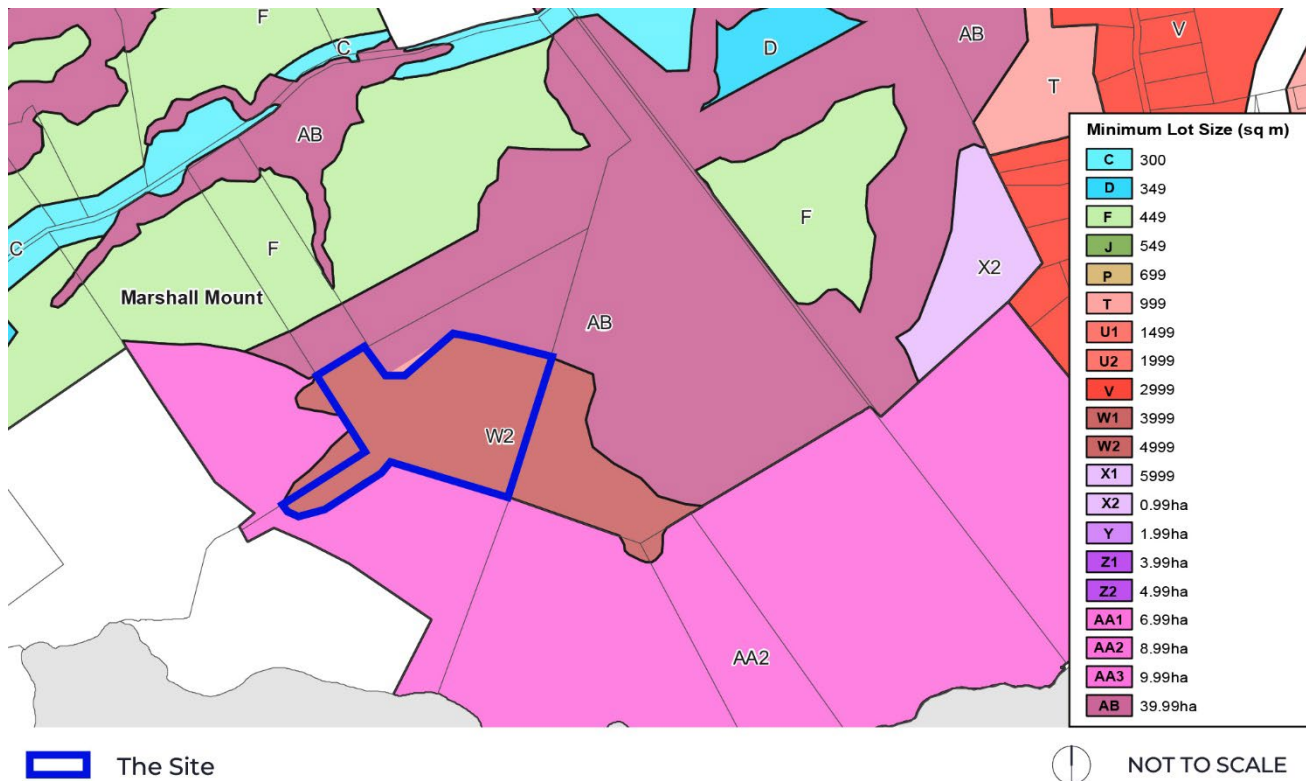


Figure 13 Existing minimum lot size map of broader Site, subject Site outlined in blue

Source: Wollongong LEP 2009

3.7.6 Wollongong Development Control Plan 2009

The Wollongong Development Control Plan 2009 (WDCP 2009) applies to the Wollongong LGA and is divided into five main parts, as follows:

1. Part A – Introduction
2. Part B – Land Use Based Planning Controls
3. Part C – Specific Land Use Controls
4. Part D – Locality based DCPs / Precinct Plans
5. Part E – General (City Wide) Controls

The most relevant chapter of the WDCP 2009 that applies to the Site is Chapter D16: West Dapto Release Area which contains detailed provisions to provide structure and guidance for the future development of the WDURA. It is noted other parts of the broader WDCP 2009 would also apply to the Site in conjunction with this Chapter.

As noted at **3.7.1** above, a development control plan (in the format of a Neighbourhood Plan) is required to be prepared prior to consent being granted for any development within the WDURA. The broader Site sits across two nominated Neighbourhood Plan precincts – Iowna and Timber Glades as shown in **Figure 14**. A draft Neighbourhood Plan for the Iowna Precinct has been adopted by Council. To date, a Neighbourhood Plan has not been prepared for the Timber Glades Precinct, which relates to the subject Site. Importantly, the portion of the Site subject to this Planning Proposal falls within the Timber Glades Precinct.

It is envisaged that the proposed Neighbourhood Plan for the Timber Glades Precinct will be prepared and submitted to Wollongong City Council prior to any development application being lodged.

The future Timber Glades Neighbourhood Plan would form of a new sub-chapter within Chapter D16: West Dapto Release Area of the DCP and would set out specific controls for new development, streets/public domain, open space and infrastructure, within the Timber Glades Neighbourhood.

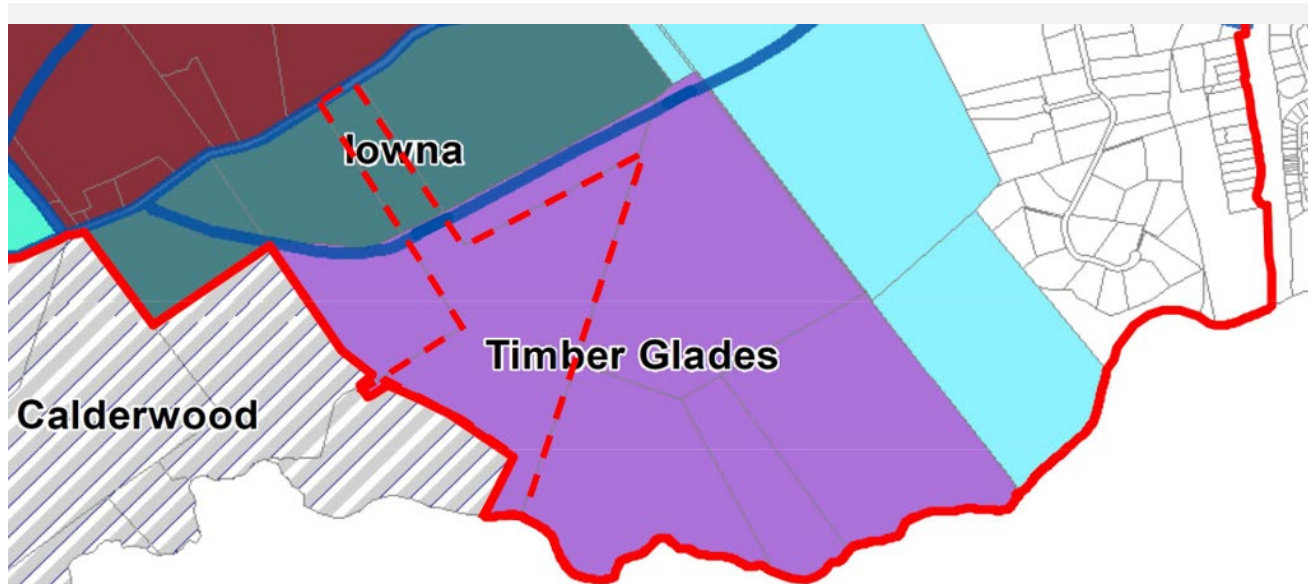


Figure 14 *Timber Glades Neighbourhood Plan precinct, with the broader Site identified in red dotted line*

Source: Wollongong City Council and Ethos Urban

4.0 Indicative Concept Scheme

4.1 Overview of Indicative Concept Scheme

The Indicative Concept Scheme (refer to **Appendix A**) (**Figure 15**) establishes an indicative subdivision layout for the Site which has been carefully informed by detailed technical investigations. The concept subdivision, although indicative, seeks to demonstrate that the Site is capable of being developed under the proposed minimum lot size control and will deliver a range of housing types in the C4 Environmental Living zoned land portion of the Site.

The Indicative Concept Scheme takes into consideration the adjoining property at 297 Marshall Mount Road, Marshall Mount that comprises the primary residual holding of the C4 Environmental Living zoned land within the Timber Glades Precinct. However, no amendments to the minimum lot size map are sought for the land at 297 Marshall Mount Road, Marshall Mount as part of the subject Planning Proposal. This is due to multiple reasons, the main being that initial advice from Sydney Water indicates that this portion of the C4 Environmental Living land would not be able to be serviced by sewer due to the fall of the land, and more prominent view corridors from the south, therefore larger lots would be required to facilitate onsite sewerage management systems and reduced visual impact.

Further, the proposed decrease in minimum lot size for the subject site will facilitate a stepped transition from the R2 Low Density Residential lots and character within the northern portion of the broader Site and Iowna Precinct located north and the rural residential character located south of the subject site, including 297 Marshall Mount Road.

The Indicative Concept Scheme and indicative subdivision layout takes into consideration the connectivity of the broader road network, specifically the proposed access to the Site that is currently being resolved as part of the finalisation of the Iowna Neighbourhood Plan and the 100% design.

The key components of the Indicative Concept Scheme include:

- Approximately 72 residential lots within the C4 Environmental Living zoned area of the Site, that is to form Stage 1 of the indicative subdivision and with a minimum lot size of 999m².
- A diversity of residential lots ranging from 1,000m² to 1,800m², with the exception of lots along the proposed southern cul-de-sac road comprising an approximate lot size of 3,000m² to provide a more sensitive response to the view corridor to the south and allow for on-lot effluent disposal.
- A Stage 2 concept subdivision layout for future subdivision of 297 Marshall Mount Road, Marshall Mount, which comprises lots of greater size (approximately 5,000m²). As noted above, land at 297 Marshall Mount Road, Marshall Mount does not form part of the subject Planning Proposal, however a Stage 2 concept subdivision has been prepared to show synergy between the subject site and the broader Timber Glades Neighbourhood, as well as the Proponent's consideration of the ultimate layout.
- Provision of an internal road network and associated infrastructure that is integrated within the broader road network.

It is noted that the final subdivision layout will be subject of further design development and consideration of the split zone controls within Clause 4.1A of the Wollongong LEP 2009.

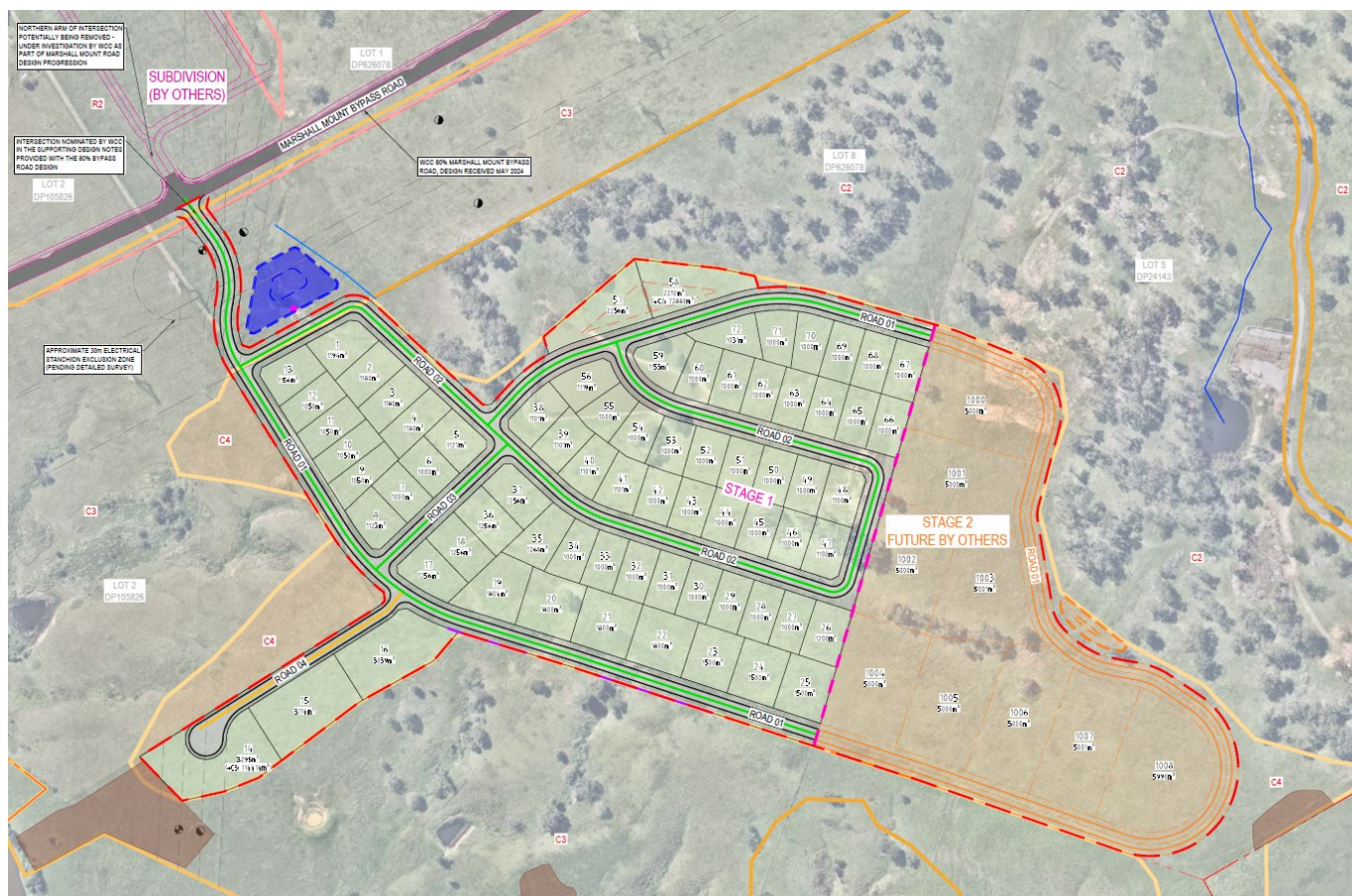


Figure 15 *Indicative Concept Scheme subdivision layout*

Source: Maker ENG

4.2 Diversity of residential lots and dwelling size

The Indicative Concept Scheme allows for a variety of lot sizes that can accommodate different dwelling sizes in the C4 Environmental Living Zone. The mix of lots and dwellings respond to the natural attributes of the Site including topography and view corridors and the diverse needs of future residents as it will promote greater housing choice in the Timber Glades Precinct and broader WDURA.

The lot sizes proposed under the Indicative Concept Scheme can be categorised into three size ranges:

- 1,000m²-1,800m²
- 2,000m²-3,300m²
- 5,000m²-6,000m²

The variety of lot sizes can accommodate different dwelling sizes and will facilitate diverse housing options. The proposed Indicative Concept Scheme has been strategically designed deliver a high-quality urban design and placemaking outcome and will help create a vibrant and liveable community.

1,000m² to 1,800m² lots

The residential lots envisaged within the 1,000m² and 1,800m² size range will form the majority of lots delivered under the Indicative Concept Scheme. These lots will offer future residents a middle-ground option between standard residential housing and traditional large lot environmental housing and will provide greater housing choice and an affordable alternative than if the site was developed per the current lot sizing, while still enabling a larger-than-standard housing style and character.

2,000m² to 3,300m² lots

The proposed residential lots comprising a minimum lot size between 2,000m² and 3,300m² will accommodate large lot environmental housing options and will be designed to be delivered on land with steeper topography and provide a more sensitive response to view corridors to the south and adjacent vegetation to the north. Lots within this range have also been designed to be larger to accommodate on-lot effluent disposal.

5,000m² to 6,000m² lots

Residential lots within this size range will form the future Stage 2 of the Indicative Concept Scheme at 297 Marshall Mount Road which does not form part of this Planning Proposal. These lots have been designed to comply with the minimum lot size control that currently applies to the broader Site and land at 297 Marshall Mount Road which is 4,999m² MLS. It is proposed these future lots will comprise a more traditional large lot environmental housing character. These lots sit primarily on the periphery of the Timber Glades precinct and will assist in providing a buffer between the proposed 999m² lots and the adjoining farmland. These larger lots will provide an appropriate transition through additional siting and consideration of prominent views as demonstrated within the attached Visual Impact Assessment at **Appendix L**. As aforementioned, these lots do not form part of the subject Planning Proposal as we understand that, due to topography and drainage catchments shown in **Figure 16** which are essential identical of sewage catchments, they will not be able to be serviced by the Sydney Water sewerage system and therefore each lot will need to be provided with its own onsite sewerage management system. The existing Minimum Lot Size Map reflects this requirement for the proposed lots at 297 Marshall Mount Road.



Figure 16 Post development drainage catchments

Source: Maker

4.3 Landscaping and Public Domain

The Indicative Concept Scheme provides opportunities for future road reserve planting, including street tree and verge planting. The envisaged street tree and plant species and layouts are presented in the Landscape Indicative Concept Scheme provided at **Appendix G**.

The street tree and verge planting will contribute to:

- Creating legibility throughout the Site and the street hierarchy;
- Providing suitable amenity for future residents;
- Achieving the desired future character outlined in the West Dapto Vision and Structure Plan;
- Providing a diverse planting palette, with different planting conditions and species used to highlight street junctions;
- Forming a consistent tree avenue; and
- Considering public safety and the need to avoid hazards that may result from leaf and branch drop or obstacles in vehicular sightlines.

4.4 Access and connectivity

4.4.1 Internal Road Layout

The indicative internal road network within the Site provides an outer and inner loop road that will allow access to the individual lots. The indicative internal road network provides an orderly lot layout and suitable vehicular circulation with all internal intersections proposed to be provided in a 'T' arrangement. One cul-de-sac is proposed within the Site to serve three large lots (2,000m² to 3,300m²).

The proposed road layout is shown in the Civil Engineering Plans at **Appendix C**. Access to the Site is via new proposed internal roadways which will comprise of Access Street (Type 6) and Access Place (Type 7B) typologies., consistent with the *Wollongong Development Control Plan 2009*. Refer to **Table 5**.

Table 5 Road Typology Characteristics

Road Typology	Road Reserve Width (m)	Carriageway Width (m)	Active Transport
Access Street (Type 6)	17.1	8.1	1.5-metre-wide footpaths on both sides of the road
Access Place (Type 7B)	13.45	7	N/A

4.4.2 Site and lot access

Access to the Site is proposed via a connection with the future Marshall Mount Town Centre Bypass located at the north-western corner of the Site. A 3-way intersection will be provided to service the subject Site. The future bypass road extends to connect with the broader road network via Yallah Road to the northeast and Marshall Mount Road to the southwest. The Proponent has gone to great lengths to ensure that the sites intersection with the Bypass Road is coordinated and works in with Council's ongoing design, with discussion at a standalone meeting with relevant Council stakeholders in March 2024.

All residential lots proposed in the indicative subdivision layout are proposed to obtain access via the internal road network, with access locations for each lot to be determined during detailed design. Overall, the proposed road layout is expected to allow for suitable vehicle access to the individual lots.

4.5 Site Grading

Civil Engineering Plans have been prepared by Maker ENG, illustrating the bulk earthworks required to facilitate the indicative subdivision layout at the Site included at **Appendix C** (subject to consent). The Site will be graded in a manner to minimise the amount of retaining walls (limited to the southern boundary) or any excessive cut and fill. The portion of the Site the subject of this Planning Proposal is relatively flat in comparison to the broader Yallah-Marshall Mount area. The bulk earthworks strategy for the Site is to integrate with the natural landform, with proposed earthworks typically limited to the proposed road network and removal of the existing farm dam, such that proposed lots mimic the pre-developed state. It is noted that an equivalent 5,000sqm lot layout and grading would require similar infrastructure and grading to the proposed indicative concept scheme. Development of the proposed 999m² lots is proposed to be controlled as part of Development Controls within the future Neighbourhood Plan that would limit further significant earthworks being undertaken and encourage site-specific and responsive dwelling designs to be pursued.

The grading results in a net import of 12,061m³ of fill, resulting from the proposed cut of 32,048m³ and the filling of 44,109m³. An extract of the proposed cut and fill plan is provided in **Figure 17**.

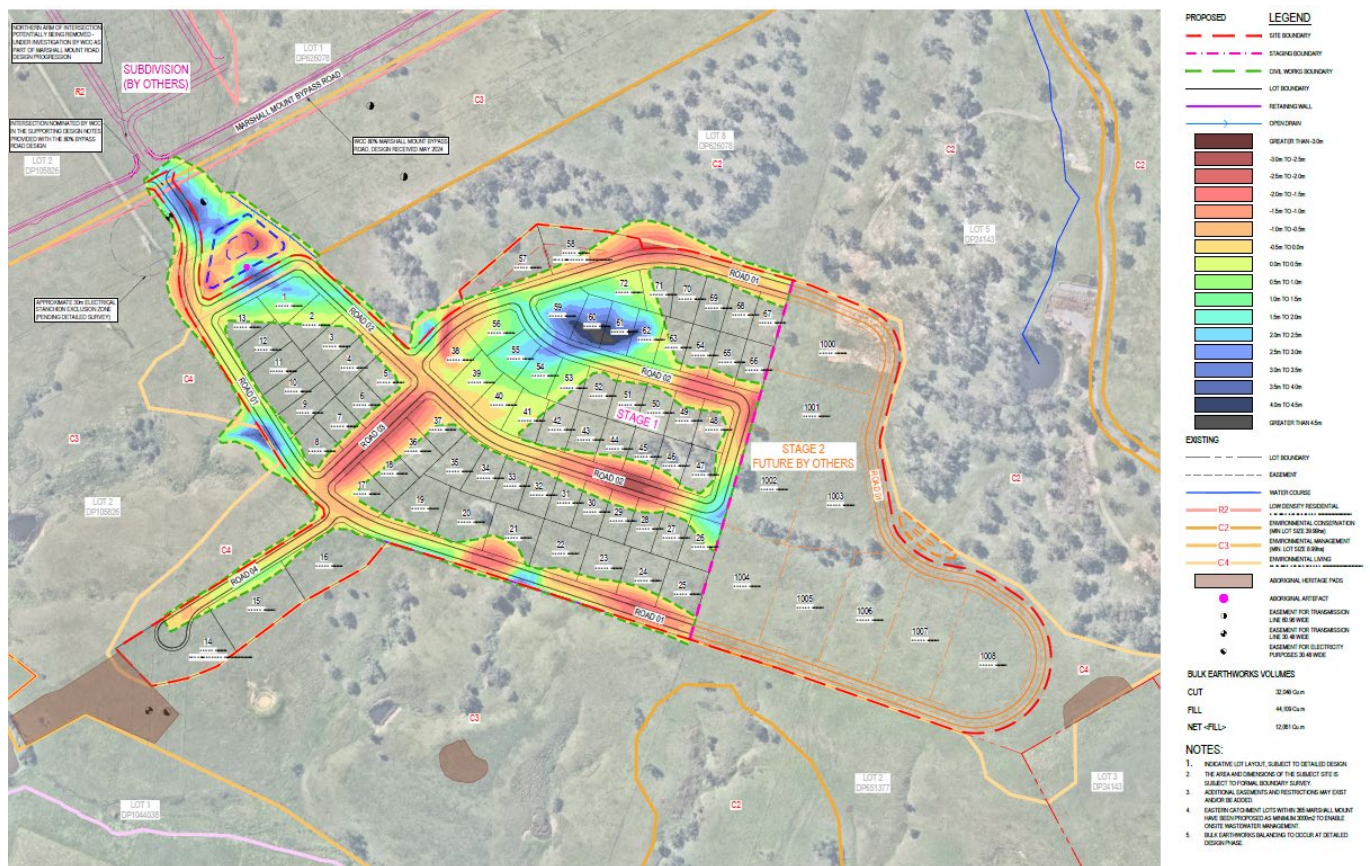


Figure 17 *Cut and fill across the Site*

Source: Maken ENG

5.0 Planning proposal

The following section outlines the objectives and intended outcomes of this request to amend the Wollongong Local Environmental Plan 2009 Minimum Lot Size Map and an explanation of provisions to achieve those outcomes. The justification and evaluation of impacts is set out in **Section 6.0** and **Section 7.0** of this report.

5.1 Objectives and intended outcomes

Objective

The primary objective of this Planning Proposal is to amend the Wollongong LEP 2009 to reduce the minimum lot size of part of the C4 Environmental Living zone land to enable the feasible opportunity for the provision of additional housing in the Timber Glades Precinct and broader growth of the WDURA, while ensuring the availability of more affordable, serviced, larger than standard residential allotments.

Intended outcomes

The intended outcomes of the proposed amendment to the Wollongong LEP 2009 are as follows:

- The provision of a broader range of housing types, dwelling sizes and densities that are compatible with the surrounding area and contribute to the housing targets within the WDURA.
- Deliver opportunities for more diverse housing products on land which will be serviced by Sydney Water.
- The protection and appropriate management of areas of ecological significance such as bushfire prone and riparian corridors.
- The provision of new housing that is responsive to Site topography and sensitive to significant view corridors.
- The optimisation of land available for housing that is in proximity to services, employment opportunities and infrastructure.
- Contribute to the vision of the WDURA in creating communities that are healthy, sustainable and resilient and offer diverse housing to meet the changing household need and preferences.
- The generation of greater monetary contribution to support the community's infrastructure needs and planned road upgrades.

5.2 Explanation of provisions

5.2.1 Minimum Lot Size

It is proposed to amend the minimum lot size control for the C4 Environmental Living zone area of the Site from 4,999m² to 999m² as shown in **Figure 18**.

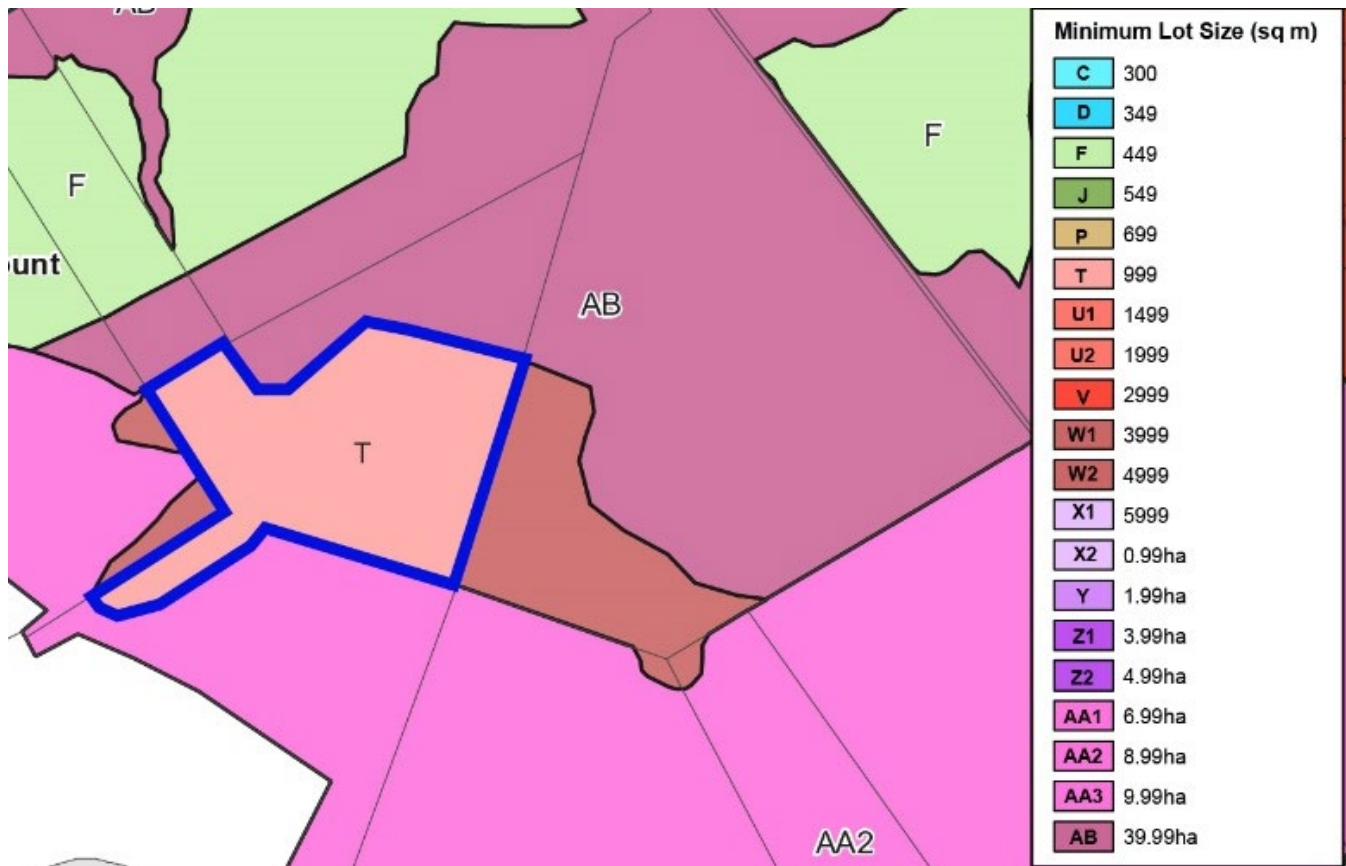


Figure 18 Minimum Lot Size Map – Sheet LSZ_014 Proposed

Source: Wollongong LEP 2009 & Ethos Urban

The intent behind the proposed reduction to the minimum lot size is to facilitate a greater provision of housing and lot diversity within the Timber Glades Precinct. The decrease in minimum lot size is generally consistent with other C4 Environmental Living zoned land with similar characteristics in both the WDURA (such as the Duck Creek and Marshall Vale Precincts to the north) and Wollongong LGA more broadly.

Figure 19 below demonstrates that the C4 Environmental Living zoned portion of Duck Creek and Marshall Vale Precincts, located to the north of the broader Site at 346, 386 and 410 Marshall Mount Road has an existing minimum lot size of 999m². This land has very similar characteristics and environmental constraints to the subject Site, in that:

- It has a frontage to an identified collector road;
- Facilitates an appropriate transition from surrounding land zoned R2 low Density Residential to rural residential;
- Is of similar distance from the proposed Marshall Mount Town Centre; and
- Similar visibility and low visual impact from the surrounding key road network and adjoining C2 Environmental Conservation and C3 Environmental Management land

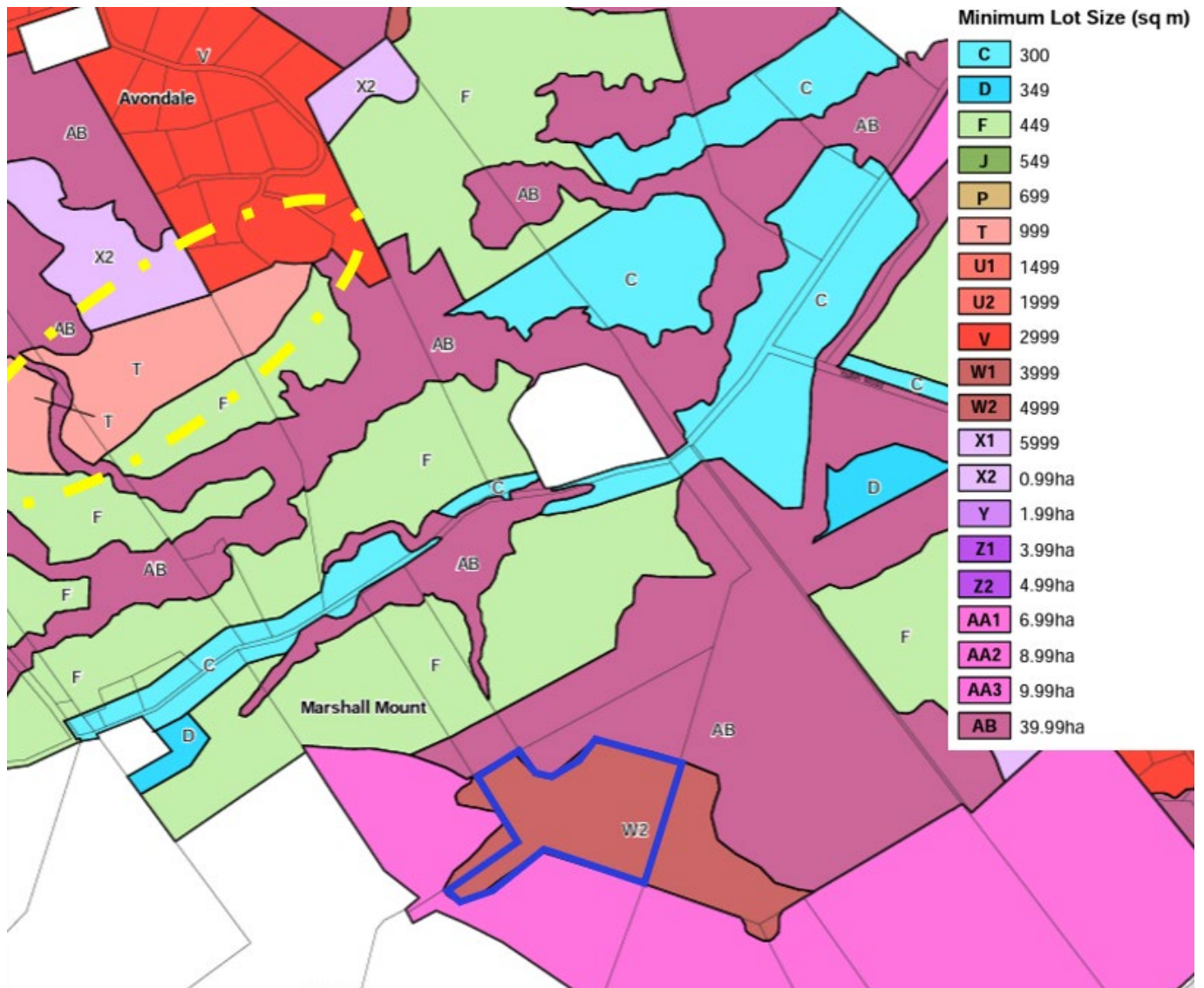


Figure 19 Minimum Lot Size Map extract – Subject Site outlined in Blue, other C4 land in yellow dotted line

Source: Department of Planning and Environment & Ethos Urban

6.0 Justification of strategic and site-specific merit

6.1 Strategic merit

6.1.1 Section A – need for the Planning Proposal

Q1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal seeks to deliver on the intended outcomes of the West Dapto Vision and Structure Plan 2018.

The vision for the WDURA is required to be considered in all planning decisions that are related to the growth of the WDURA. The vision for the WDURA 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.”

Additionally, this Planning Proposal has been prepared in accordance with the following strategic planning policies:

- Illawarra Shoalhaven Regional Plan 2041
- Our Wollongong Community Strategic Plan
- Wollongong Local Strategic Planning Statement
- Wollongong Local Housing Strategy
- Future Transport Strategy 2056

Detailed responses and assessments against the relevant objectives and priorities set out in these strategic plans and West Dapto Vision are provided in **Section 6.1.2** below.

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

Yes. This Planning Proposal is the best means of achieving the objectives and intended outcomes. To achieve the vision of healthy and connected communities, the minimum lot size development standard under the Wollongong LEP 2009 is required to be amended to facilitate additional housing provision and lot diversity within the Timber Glades Precinct which will achieve the objectives and intended outcomes of key strategic planning policy documents. While the existing lot sizing enables delivery of residential development, it limits the ability to deliver additional yield. The Proposal would deliver this while still maintaining a larger lot character, acting as a transition of lot sizing across the Site.

In preparing this Planning Proposal, three options were considered to facilitate the intended outcomes. These are listed and discussed below:

- Option 1: Submit a Planning Proposal to amend the Wollongong LEP 2009.
- Option 2: Do nothing.
- Option 3: Redevelop the Site under the existing planning controls.

Option 1 – Submit a Planning Proposal to amend the Wollongong LEP 2009

Option 1 involves submitting a Planning Proposal to facilitate redevelopment of the Site in accordance with the minimum lot size provision presented in this report and the accompanying Indicative Concept Scheme. This is the preferred option as it is considered to facilitate the most appropriate outcome for the Site and surrounding area in terms of providing opportunities for greater housing provision, choice and diversity in the Timber Glades Precinct and broader WDURA.

Option 2 – Do Nothing

The Site will remain in its current state as an undeveloped and underutilised parcel of land that is not in keeping with the Site's strategic location with the emerging urban character of the broader WDURA and Calderwood Urban Development Project to the south. Doing nothing is considered a poor outcome for the Site, as it will be inconsistent with the broader strategic vision and intent of the WDURA and West Lake Illawarra growth area and will not contribute to the higher order desire to provide for housing per the National Housing Accord.

Option 3 – Redevelopment of the Site under existing minimum lot size control

Redeveloping the Site under the existing minimum lot size control will provide housing within the Timber Glades Precinct, however it will not maximise the potential for greater housing provision, choice and diversity to be delivered. The C4 Environmental Living zoned land in the Timber Glades Precinct is the only suitable land to accommodate housing within this Precinct. Therefore, developing under the current minimum lot size control of 4,999m² will present a missed opportunity to provide additional housing on the Site and opportunities for increased housing choice and diversity to meet the needs of the West Dapto community that would otherwise be delivered under Option 1.

6.1.2 Section B – relationship to the 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)?

Illawarra Shoalhaven Regional Plan 2041

The *Illawarra Shoalhaven Regional Plan 2041* (ISRP2041) was released in May 2021 and is the principal strategic framework for the region. Its aim is to promote and improve the area's resources by identifying the land-use planning priorities and key area decisions over the next 20 years. It applies to the local government areas of Wollongong, Shellharbour, Kiama, and Shoalhaven. The subject Site is located within the boundaries of the identified West Lake Illawarra Growth Area (**Figure 20**).



Map 9: West Lake Illawarra Growth Area



Figure 20 Illawarra Shoalhaven Regional Plan West Lake Illawarra Growth Area – Site in red dotted line

Source: Department of Planning and Environment & Ethos Urban

The proposal is consistent with the following objectives under the Plan, which govern growth and development in the Illawarra-Shoalhaven region (refer to **Table 6** below).

Table 6 Consistency with the Illawarra Shoalhaven Regional Plan 2041 Objectives

Objective	Assessment
Objective 11: protect important environmental assets	The Planning Proposal will promote the protection and enhancement of the natural environment per Strategy 11.1 and will not reduce or minimise the existing and established environmental protected land in the WDURA. Specifically, the Indicative Concept Scheme has been designed to align with the topography to integrate the development with the sensitive Marshall Mount ridgeline and surrounding watercourses.
Objective 12: Build resilient place and communities	The Planning Proposal will facilitate the delivery of additional residential lots within the Timber Glades Precinct and provide opportunities for greater housing choice and diversity for the future community of the broader WDURA. The Indicative Concept Scheme has been strategically designed to prevent any future development within areas of risk to bushfire hazards and will continue to be developed in line with advice from an accredited Bushfire Consultant. By limiting development in areas susceptible to bushfire risk, the proposal aims to mitigate any negative impacts of development on bushfire prone areas and promote the safety and wellbeing of the community per Strategy 12.2.
Objective 13: Increase urban tree canopy cover	The Planning Proposal does not preclude opportunities to increase the urban tree canopy for the Site and ensure the retention of the primary clusters of existing vegetation with moderate to high ecological value.
Objective 18: Provide housing supply in the right locations	<p>The Planning Proposal will deliver additional low impact residential development in accordance with the Regional Plan that is supported by open space, recreational opportunities and local centres within the WDURA. The Indicative Concept Scheme (Appendix A) will provide:</p> <ul style="list-style-type: none"> • Additional housing supply in an identified housing release area (see Figure 20) for growth with minimal environmental impact. • An increased range of housing supply that is in proximity to services, job opportunities and infrastructure, with the nearest centre being the proposed Marshall Mount Town centre located north-east of the Site, and Calderwood Valley Town Centre Core located south of the Site. • Increased diversity of lot sizes and large lot housing within the C4 Environmental Living zone.
Objective 19: Deliver housing that is more diverse and affordable	The Planning Proposal will facilitate opportunities to accommodate a mix of lot sizes and types within the C4 Environmental Living zone to provide more housing choice and dwelling types and designs to cater to the growing and changing needs of the community. The opportunity to provide a transition between standard lot sizes and larger lot sizes will enable larger style lots to be more affordable than those that would otherwise be available under the current controls. The Planning Proposal will also facilitate additional housing in the area, increasing much needed housing stock in Marshall Mount.

West Dapto Vision and Structure Plan 2018

The West Dapto Vision was adopted by Wollongong City Council in 2018 as part of its review of the 2008 Structure Plan to guide land use planning and coordinated growth of the WDURA. The West Dapto Vision is supported by eight strategic planning principles that are to be considered in development proposals within the WDURA.

An assessment of the Planning Proposal against the strategic planning principles of the West Dapto Vision is provided in **Table 7**.

Table 7 Consistency with the West Dapto Vision

Principle	Assessment
Transport – Road network	
Principle 2: A safe, connected and legible road network for all users	The Planning Proposal will facilitate the opportunity to deliver a new residential subdivision with a local road network that connects to the broader road network to facilitate the access and safe movement of future users. The Indicative Concept Scheme internal road network

Principle	Assessment
	within the Site proposes an outer and inner loop road that allows access to individual lots. Access to the Site will align with a new access road proposed as part of the Iowna Neighbourhood Plan, as well as a new connection planned with the future Marshall Mount Town Centre Bypass located at the north-western corner of the Site.
Principle 3: Design roads to complement the environment	The Planning Proposal and Indicative Concept Scheme seeks to minimise cut and fill across the Site and design a road that aligns with the natural attributes of the Site.
Conservation – Environment Conservation	
Principle 1: Prioritise areas that offer high environmental value for conservation	The Site was former agricultural land dominated by pasture grasses and weeds and is otherwise predominantly cleared. Based on a desktop review, the likelihood of areas of high environmental value for conservation present on the Site is unlikely. An Ecological Report has been prepared by Lodge Environmental (Appendix E) which assesses the presence of areas of high environmental value on the site and outlines potential implications of the Planning Proposal on biodiversity values. Refer to Section 7.3 .
Housing	
Principle 1 Encourage housing diversity	The Planning Proposal will provide a framework which encourages housing diversity through delivery of a mix of lot sizes to offer future residents a range choice to meet changing community needs. Future housing delivered under the proposed framework will be more diverse than housing stock that would otherwise be delivered under the current controls.
Principle 2: Promote housing affordability	The Planning Proposal will facilitate the delivery of a mix of diverse lot sizes ranging from 1,000m ² to 3,300m ² which will support various dwelling sizes which will be marketed at varying price points. This will facilitate diverse housing choice to support different household needs within the C4 Environmental Living zoned land and broader WDURA. Smaller lots will be less expensive to develop and purchase than the 4,999m ² lots which would be required under the current provisions. The ability to deliver more lots improves the supply and demand balance, particularly in the current housing crisis which will promote increased affordability.
Principle 4: Creating local amenity and sense of place	The Planning Proposal will provide the capacity for additional development in area that will be in proximity to the future Marshall Mount Town Centre containing services, job opportunities and recreational areas, and in an area that will have good connections to other services and employment opportunities in the broader region.
Principle 5: Housing transition to the Illawarra Escarpment	The subject Site is located within an area of the Site labelled as 'transition', being land where environmental constraints exist but where sympathetic development may be appropriate. The Planning Proposal will still facilitate lower -density residential housing along the fringe of the WDURA, as the Indicative Concept Scheme proposes lot sizes that range between 1,000m ² and 3,000m ² . Despite the decrease in minimum lot size from 4,999m ² to 999m ² , the Planning Proposal will still facilitate an outcome where delineation between housed urban areas and buffer to the Escarpment and other key environmental features is maintained. The Planning Proposal is not likely to disturb any significant native vegetation and will be a more effective use of the existing unused farmland. The Planning Proposal provides an opportunity to provide a better transition between low density residential and large lot residential areas.

The West Dapto Structure Plan (**Figure 21**) demonstrates the land use setting which will accommodate the future urban structure and guide development of the release area. The Structure Plan envisages Stage 5 (Yallah-Marshall Mount Precinct) of the WDURA to be a vibrant, compact, environmentally sustainable village atmosphere. Stage 5 of the WDURA will have a diverse range of housing types and densities. Higher density housing is intended to be focussed on proposed village centres, with fringe areas to contain rural and rural-residential development.

The subject Site is located within an area of the Site labelled as 'transition', being land where environmental constraints exist but where sympathetic development may be appropriate. This is similar to land zoned C4 Environmental Living with a minimum lot size of 999sqm in the Duck Creek and Marshall Vale Precinct, which is also all identified as a 'transition' area.

The Planning Proposal is consistent with the Structure Plan vision for Stage 5 of the WDURA as it seeks to increase the supply of low impact rural-residential housing typologies which will contribute to the offering of a diverse range of housing options that cater to the changing needs of the future community.

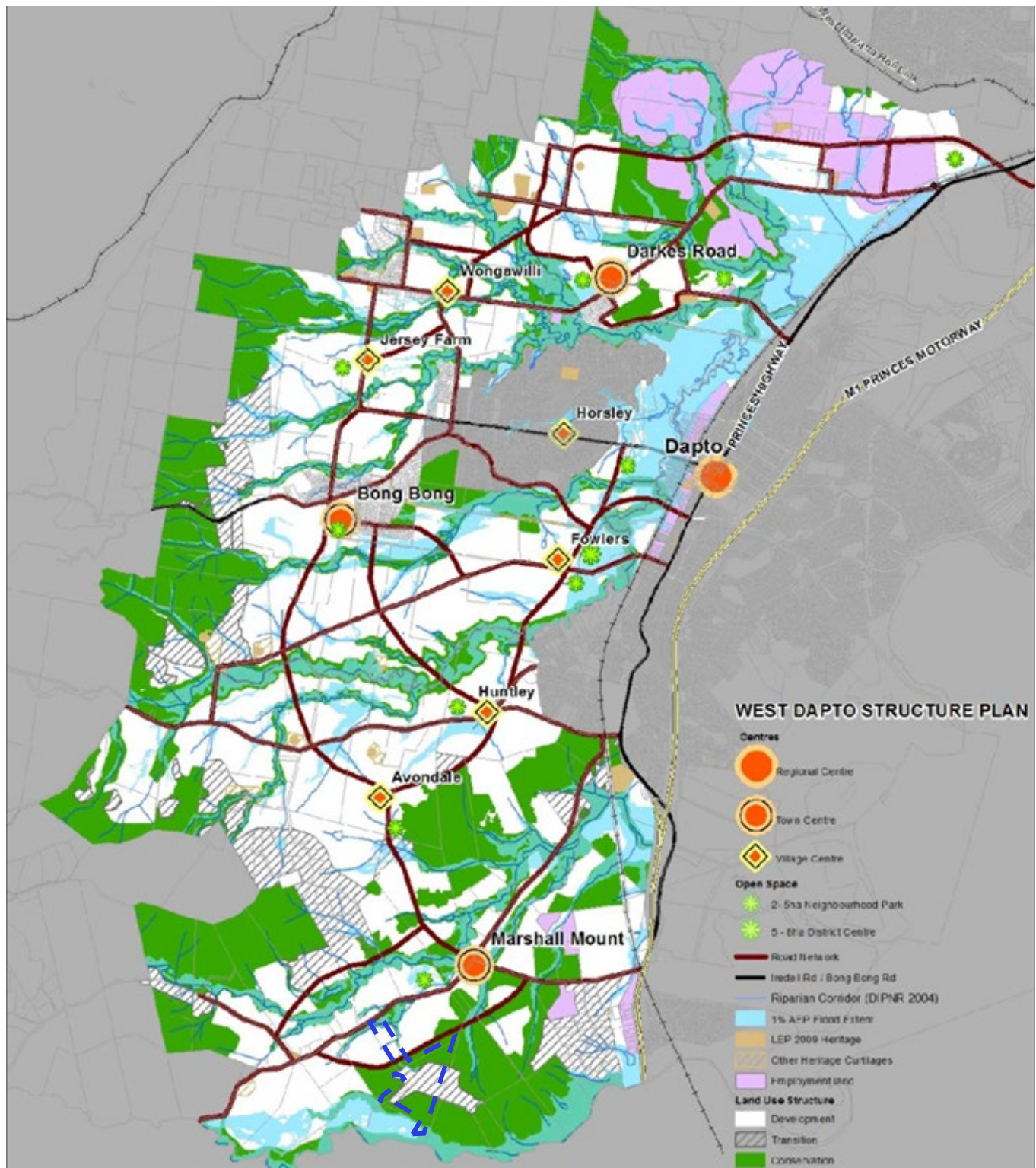


Figure 21 West Dapto Structure Plan – the Site indicatively identified by blue dotted line

Source: Wollongong City Council & Ethos Urban

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?

Wollongong Local Strategic Planning Statement

The *Wollongong Local Strategic Planning Statement* (Wollongong LSPS) is the key strategic planning document for the Wollongong LGA. It was adopted in June 2020 and sets out the strategic vision and land use planning strategy for the next 20 years. **Table 8** summarises the Planning Proposal's consistency with the relevant themes of the Wollongong LSPS.

Table 8 Consistency with the Wollongong Local Strategic Planning Statement

LSPS priority	Assessment
3.0 Housing for all and 3.1.3 West Dapto Urban Release Area	The Planning Proposal is consistent with this priority as it will facilitate the delivery of additional low impact residential development opportunities within the WDURA and will respond to the strong demand for new dwellings and mix of lot sizes. The LSPS refers to the West Dapto Vision (Table 7) and Structure Plan (refer to above).
6.0 Protect the natural environment	The Planning Proposal aims to promote the protection and enhancement of the natural environment, by minimising the encroachment of future development on environmental protected land, watercourses and visually sensitive ridgelines. The Planning Proposal is unlikely to endanger high biodiversity lands or native vegetation. Consultant Reports (attached) indicate there would be negligible adverse effects to riparian areas or other biodiversity as a result of any required bushfire control measures. The Planning Proposal represents a better and more effective use of land in providing additional housing in Marshall Mount.

Wollongong Housing Strategy 2023

The Wollongong Housing Strategy 2023 (Wollongong LHS) was adopted in February 2023 and has been prepared to guide the future housing directions within the Wollongong LGA for the next 10-20 years. An assessment of the Planning Proposal against the relevant strategies of the Wollongong LHS is provided in **Table 9**.

Table 9 Consistency with the Wollongong Housing Strategy 2023

Strategy	Assessment
<i>City-wide strategies</i>	
CW1 Enable housing of the appropriate type in appropriate locations, with suitable land form, access to public transport, town centres and supporting infrastructure that is planned, costed and programmed within an achievable timeline	The Planning Proposal seeks to deliver more residential development within the C4 Environmental Living zoned land of Stage 5 of the WDURA, as it is the only developable portion of land within the Timber Glades Precinct appropriate to accommodate new residential development that is within proximity to the planned Marshall Mount Town Centre.
CW2 Provide predominantly detached dwelling houses in Urban Release Areas, supplemented by increased densities and housing mix around planned town centres - West Dapto Release Area, Tallawarra and Calderwood (the part within the Wollongong LGA)	The Planning Proposal seeks to enable the delivery of additional low density residential lots within the Site and broader WDURA. The proposed decrease in the minimum lot size applicable to the Site will enable the delivery of a mix of lot sizes and future dwellings within the C4 Environmental Living zoned land, providing more housing choice for the future WDURA community. The Planning Proposal will facilitate the delivery of large lot residential products at a more affordable price point than the current and surrounding 4,999m ² minimum lot size, adding greater diversity to the housing stock in Marshall Mount.
CW4 Encourage land owners and developers of zoned and serviced land in the release areas to release land for housing development to increase supply	The Planning Proposal seeks to maximise residential development within the northern portion of C4 Environmental Living zoned land in the Timber Glades Precinct, due to future lots being able to be serviced by extending Sydney Water Infrastructure. The requested minimum lot size is also consistent

Strategy	Assessment
	with the minimum lot size applicable to other C4 zoned land across the LGA.

Our Wollongong Community Strategic Plan

The Our Wollongong Our Future Community Strategic Plan (Wollongong CSP) reflects the community's vision for the city for the next 10 years. The Planning Proposal is consistent with the Wollongong CSP as it aims to positively contribute to the future WDURA community through the provision of additional housing supply in an area that will be well-connected and supported by infrastructure and services both locally and regionally. Additionally, the Planning Proposal only seeks to amend the minimum lot size of the C4 Environmental Living zoned land of the Site to provide a greater diversity of lots sizes and additional residential development within the Timber Glades Precinct. The requested minimum lot size is consistent with the minimum lot size applicable to other C4 zoned land across the LGA. Furthermore, the road layout proposed in the Indicative Concept Scheme demonstrates how the Site will integrate with the broader WDURA to appropriately support inclusive, safe and healthy communities.

Q5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

NSW Housing Strategy 2041

The NSW Housing Strategy was released in March 2021 and sets a 20-year vision: *NSW will have housing that supports security, comfort, independence and choice for all people at all stages of their lives.* The strategy focuses on housing in the right locations, housing that suits diverse needs and housing that feels like home. The strategy is guided by the four pillars of supply, diversity, affordability and resilience. The Planning Proposal will contribute to achieving this vision through the provision of additional lower-density and lower-impact housing in the C4 Environmental Living zone of the Timber Glades Precinct. The mix of residential product that will be provided as part of any future redevelopment of the Site will ensure that it is inclusionary and designed to meets the changing needs of the community.

Future Transport Strategy 2056

The Future Transport Strategy 2056 sets out the NSW Government's vision for transport in a growing and changing state. It guides the community on strategic directions for future planning integrated with evolving transport networks throughout the Sydney metropolitan area and the state. The strategy delivers a framework that informs place-based planning and policy decisions to achieve successful outcomes, aiming to connect community to the city and state shaping infrastructure and services pipeline.

The proposal is consistent with the objectives of Future Transport Strategy 2056, as it will improve connectivity and access to the Site through the provision of an internal road network. The internal road network proposed under the Indicative Concept Scheme will connect with the existing and future surrounding road network and provide access for future residents to the planned Marshall Mount Centre to the north, the planned Town Centre Core in Calderwood to the south, and other existing townships such as Dapto, Albion Park and Shellharbour City Centre.

Q6. Is the Planning Proposal consistent with applicable State Environment Planning Policies?

The State Environmental Planning Policies directly applicable to the Planning Proposal are identified in **Table 10**

Table 10 Consistency with State Environmental Planning Policies

SEPP	Consistent			Comment
	Yes	No	N/A	
State Environmental Planning Policy (Biodiversity and Conservation) 2021			✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008			✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Housing) 2021			✓	Not applicable to the proposed LEP amendment.

SEPP	Consistent	Comment
State Environmental Planning Policy (Industry and Employment) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Planning Systems) 2021	✓	Not applicable to the proposed LEP amendment. However, may apply to future development on the Site.
State Environmental Planning Policy (Precincts—Central River City) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Regional) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Primary Production) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Resilience and Hazards) 2021	✓	<p>Chapter 4 of the Resilience and Hazards SEPP 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. It specifically requires consideration when rezoning land and in determining development applications and requires that remediation work meets certain standards and notification requirements.</p> <p>The Site history records indicate the Site has been historically used from rural and agricultural purposes for an extended period of time. A Preliminary Site Investigation was prepared by ENRS (Appendix H) and identified seven areas of environmental concern. Nevertheless, the PSI concluded given the relatively undisturbed nature of the Site, the Site is generally considered suitable or capable of being made suitable for the proposed residential land use pending assessment of the identified AECs in accordance with Chapter 4 of the Resilience and Hazards SEPP and any potential contamination issues will be addressed at the detailed DA stage.</p>
State Environmental Planning Policy (Resources and Energy) 2021	✓	Not applicable to the proposed LEP amendment.
State Environmental Planning Policy (Sustainable Buildings) 2022	✓	Not applicable to the proposed LEP amendment. However may apply to future development on the Site.

SEPP	Consistent	Comment
State Environmental Planning Policy (Transport and Infrastructure) 2021 ✓		The future DA under the proposed planning controls will be considered traffic generating development requiring referral to TfNSW. Under pre-and post-Gateway consultation however, TfNSW will be consulted with respect to the proposal and the intended access, traffic and parking measures to ensure an appropriate outcome.

Q7. Is the Planning Proposal consistent with the applicable Ministerial Directions (Section 9.1 Directions) or key government priority?

The proposal's consistency with applicable Section 9.1 Directions is assessed in **Table 11**.

Table 11 Assessment of Section 9.1 Directions

Ministerial Direction	Consistent			Comment
	Yes	No	N/A	
Focus area 1: Planning Systems				
1.1 Implementation of Regional Plans	✓			As discussed in Section 6.1.2 , the Planning Proposal is consistent with the Illawarra-Shoalhaven Regional Plan.
1.2 Development of Aboriginal Land Council land			✓	The Planning Proposal does not seek to develop on Aboriginal Land Council land.
1.3 Approval and Referral Requirements			✓	The Planning Proposal does not comprise designated development and does not require external agency concurrence.
1.4 Site Specific Provisions	✓			The proposed LEP amendment is simple and will not impose unnecessarily restrictive planning controls on the Site.
Focus area 1: Planning Systems – Place-based				
1.5 Parramatta Road Corridor Urban Transformation Strategy			✓	The Site of the Planning Proposal is not located in the Parramatta Road Corridor.
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan			✓	The Site of the Planning Proposal is not located in the North West Priority Growth Area.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	The Site of the Planning Proposal is not located in the Greater Parramatta Priority Growth Area.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan			✓	The Site of the Planning Proposal is not located in the Wilton Priority Growth Area.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor			✓	The Site of the Planning Proposal is not located in the Glenfield to Macarthur Urban Renewal Corridor.
1.10 Implementation of Western Sydney Aerotropolis Plan			✓	The Site of the Planning Proposal is not located in the Western Sydney Aerotropolis
1.11 Implementation of Bayside West Precincts 2036 Plan			✓	The Site of the Planning Proposal is not located in any of the Bayside West precincts.

Ministerial Direction	Consistent	Comment
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	✓	The Site of the Planning Proposal is not located in the Cooks Cove precinct.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	✓	The Site of the Planning Proposal is not located in the boundaries of the St Leonards and Crows Next Plan.
1.14 Implementation of Greater Macarthur 2040	✓	The Site of the Planning Proposal is not located in the boundaries of the Greater Macarthur 2040 plan.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	✓	The Site of the Planning Proposal is not located in the boundaries of the Pyrmont Peninsula Place Strategy.
1.16 North West Rail Link Corridor Strategy	✓	The Site of the Planning Proposal is not located in the North West Rail Link Corridor.
1.17 Implementation of the Bays West Place Strategy	✓	The Site of the Planning Proposal is not located in the Bays West Precinct.
1.18 Implementation of the Macquarie Park Innovation Precinct	✓	The Site of the Planning Proposal is not located in Macquarie Park
1.19 Implementation of the Westmead Place Strategy	✓	The Site of the Planning Proposal is not located in Westmead.
1.20 Implementation of the Camellia-Rosehill Place Strategy	✓	The Site of the Planning Proposal is not located in Camellia, nor Rosehill.
1.21 Implementation of South West Growth Area Structure Plan	✓	The Site of the Planning Proposal is not located in the South West Growth Area.
1.22 Implementation of the Cherrybrook Station Place Strategy	✓	The Site of the Planning Proposal is not located in the Cherrybrook station precinct.
Focus area 2: Design and Place		
Repealed		
Focus area 3: Biodiversity and Conservation		
3.1 Conservation Zones	✓	The Planning Proposal does not propose to change the existing LEP provisions that facilitate the protection & conservation of environmentally sensitive areas.
3.2 Heritage Conservation	✓	The Site subject to this Planning Proposal is not located in a heritage conservation area nor does it contain any heritage items.
3.3 Sydney Drinking Water Catchments	✓	Not relevant to the proposed LEP amendment.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	✓	The Site is not located in the Far North Coast.
3.5 Recreation Vehicle Areas	✓	The Site of the Planning Proposal is not located in a Recreation Vehicle Area.
3.6 Strategic Conservation Planning	✓	The Site of the Planning Proposal is not located in an area that requires Strategic Conservation Planning.
3.7 Public Bushland	✓	The Site of the Planning Proposal is not located in an area of Public Bushland.
3.8 Willandra Lakes Region	✓	The Site of the Planning Proposal is not located in the Willandra Lakes Region.

Ministerial Direction	Consistent	Comment
3.9 Sydney Harbour Foreshores and Waterways Area	✓	The Site of the Planning Proposal is not located in the Sydney Harbour Foreshores and Waterways Area.
3.10 Water Catchment Protection	✓	The Site of the Planning Proposal is not located in a Water Catchment Protection zone.
Focus area 4: Resilience and Hazards		
4.1 Flooding	✓	A Water cycle management strategy that includes a Flood Impact Assessment, On-Site Detention Strategy and Water Sensitive Urban Design Strategy has been prepared by Maker ENG as part of this Planning Proposal to satisfy the requirements of ministerial direction 4.1. Refer to Section 7.8 and Appendix N .
4.2 Coastal Management	✓	The Site of the Planning Proposal is not located in a coastal management area.
4.3 Planning for Bushfire Protection	✓	A Strategic Bushfire Study has been prepared by BCBHS as part of this Planning Proposal to satisfy the requirements of ministerial direction 4.3. Refer to Section 7.2 and Appendix D .
4.4 Remediation of Contaminated Land	✓	A Preliminary Site Investigation has been prepared by ENRS as part of this Planning Proposal and identified seven areas of environmental concern. Nevertheless, the PSI concluded given the relatively undisturbed nature of the Site, the Site is generally considered suitable or capable of be made suitable for the proposed residential land use pending assessment of the identified AECs in accordance with Chapter 4 of the Resilience and Hazards SEPP and any potential contamination issues will be addressed at the detailed DA stage. Refer to Section 7.7 and Appendix H .
4.5 Acid Sulfate Soils	✓	The PSI concludes from a review of available online acid sulphate soil datasets identified that the Site presents a <i>low</i> risk of potential acid sulphate soils.
4.6 Mine Subsidence and Unstable Land	✓	The Site of the Planning Proposal is not located in land identified as mine subsidence or unstable land.
Focus area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	✓	The Planning Proposal will enable improved access to housing, jobs, and services through the construction of an internal road network that connects to the surrounding network and future strategic road infrastructure such as the Marshall Mount Bypass Road.
5.2 Reserving Land for Public Purposes	✓	Not relevant to the proposed LEP amendment.
5.3 Development Near Regulated Airports and Defence Airfields	✓	Not relevant to the proposed LEP amendment.
5.4 Shooting Ranges	✓	Not relevant to the proposed LEP amendment.
Focus area 6: Housing		
6.1 Residential Zones	✓	The proposal will encourage a greater provision of housing on the Site and opportunities to provide increased choice and diversity to provide for existing and future housing needs, efficiently utilise existing infrastructure and services, and minimise environmental impacts.

Ministerial Direction	Consistent	Comment
6.2 Caravan Parks and Manufactured Home Estates	✓	Not relevant to the proposed LEP amendment.
Focus area 7: Industry and Employment		
7.1 Business and Industrial Zones	✓	Not relevant to the proposed LEP amendment.
7.2 Reduction in non-hosted short-term rental accommodation period	✓	Not relevant to the proposed LEP amendment.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	✓	Not relevant to the proposed LEP amendment.
Focus area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	✓	Not relevant to the proposed LEP amendment.
Focus area 9: Primary Production		
9.1 Rural Zones	✓	Not relevant to the proposed LEP amendment.
9.2 Rural Lands	✓	No change, therefore no impact to conservation zones, if considered relevant, under Direction 3.1 above.
9.3 Oyster Aquaculture	✓	Not relevant to the proposed LEP amendment.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	✓	Not relevant to the proposed LEP amendment.

6.2 Site-specific merit

6.2.1 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 as a result of the proposal?

An Ecological Constraints and Opportunities Assessment (ECO) has been prepared by Lodge Environmental (**Appendix E**) which assesses the presence of listed species under the *Biodiversity Conservation Act 2016* and the *Environment Protection and Biodiversity Conservation Act 1999*. The impact of the proposal on critical habitat or threatened species, populations, ecological communities is further discussed in **Section 7.3**.

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

A detailed assessment of the environmental effects as a result of this proposal is provided in Section 7.0. Relevant management measures are identified where appropriate and, on this basis, no unacceptable impacts are likely to result from this Planning Proposal or future development on the Site.

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

Social Benefits

The Planning Proposal is considered appropriate in the context of the WDURA and surrounding developments, including the future Marshall Mount Town Centre. The increase in housing yield and diversity of lot sizes as a result of the decrease of the minimum lot size for the portion of the Site zoned C4 Environmental Living is unlikely to place significant pressure on existing and planned community facilities within the LGA.

Due to the severe housing supply shortage in Australia and lack of delivery and approvals, NSW is experiencing a severe housing affordability crisis. The chronic housing affordability pressures and higher housing need are

evidenced in regional NSW through the NSW Regional Housing Need Report 2023¹¹, which ranks Wollongong LGA as the ninth highest regional area in housing need among a total 11 regional LGAs critically analysed. This was found to be due to a larger proportion of low-income households in mortgage and rental stress and demand for social housing.

ABS Census Data from 2021 shows that there are almost twice as many people under rental stress than there are under mortgage stress, which is defined as spending more than 30% of household income on rental or mortgage payments. The Wollongong LGA especially demonstrates this trend, as 29.2% of households are under rental stress, compared to the 8.8% of households in mortgage stress. Both rental and mortgage stress in the Wollongong LGA is higher than the regional NSW average of 28.1% and 8.4%, respectively. Specifically, the Dapto-Avondale SA2, where the Site is located shows 36.1% of household are experiencing rental stress and 10.7% of households are experiencing mortgage stress.

The proposal is likely to provide a positive impact for the community as it offers greater housing choice that will appeal to a wider market, as opposed to the traditional 5,000m² lots. Further, the increase in housing yield will meet the anticipated population growth of the Wollongong LGA on a Site that has specific qualities that maximise these benefits, such as the future Marshall Mount Bypass Road and Marshall Mount Town Centre.

Economic Benefits

The Planning Proposal will provide additional housing and choice in a location that has good access to nearby employment and local centres. The Planning Proposal will facilitate the delivery of a housing product in the C4 Environmental Living zone that is accessible to a wider market of aspirational buyers, when compared to the traditional 5,000m² lots. The proposed lots of approximately 1,000m² will provide a middle ground option for buyers seeking a large lot that is relatively more affordable to traditional very large lots.

6.2.2 Section D – Infrastructure (Local, State and Commonwealth)

Q11. Is there adequate public infrastructure for the Planning Proposal?

As discussed in **Section 7.10** and the Utilities Servicing Report (**Appendix M**) there is adequate public infrastructure available and currently planned for the Stage 5 WDURA, which will be able to service the Site.

The primary reason for the pursual of the Planning Proposal is the availability of a sewer connection to the subject Site. At the time of the rezoning of Stage 5 of the West Dapto URA it was understood that the subject area would not be able to be serviced by sewer, and therefore the main reason why the 4,999m² minimum lot size was selected was to allow for a dwelling house and any required on site sewerage management system on the resultant lots.

Since this time, and as part of the progression of the adjoining Iowna Neighbourhood, it has become apparent that sewer connection will be available to the subject Site. Therefore, the main rationale for the current MLS no longer exists and a smaller lot size can be considered.

Capacity considerations of other infrastructure to service the Site will occur during detailed design.

6.2.3 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?

The views of State and Commonwealth public authorities will be known once consultation has occurred in accordance with the Gateway Determination. State and Commonwealth authorities will have the opportunity to provide comment on the Planning Proposal as part of its formal exhibition. When the Site was rezoned in 2018 there were however no specific objections or concerns raised in relation to the rezoning to C4.

¹¹ Regional Australia Institute and Shelter NSW, New South Wales Regional Housing Need Report 2023, https://shelternsw.org.au/wp-content/uploads/2023/02/230223_Shelter-NSW-Regional-Housing-Need-Index_FINAL.pdf

7.0 Environmental Assessment

7.1 Landscape Character and Visual Impact Assessment

A Landscape Character and Visual Impact Assessment (LVIA) has been prepared by Distinctive (**Appendix L**) which provides a detailed assessment of the Planning Proposal and Indicative Concept Scheme. The methodology of the LVIA to assess the Planning Proposal includes a comprehensive analysis of the existing Site character, an assessment of the visual impact of the proposed development and a summary of the assessment findings and recommended mitigation measures.

7.1.1 Existing Landscape Analysis

The existing rural landscape is sparsely developed with farm dwellings, rural sheds, and farming infrastructure. The landscape character surrounding the Site is rural land consisting of cleared rolling pastures, and some undisturbed natural vegetation usually on the steeper slopes and creek riparian zones.

The Site topography consists of gently to moderately rolling hills and slopes which are steep in parts. It generally falls in elevation from north-east to south-west with one ridgeline protruding across the landscape in an irregular path and is the dominant ridgeline in the immediate context both on the Site and adjoining properties. A topographic low point corresponds to the westernmost part of the Site where it meets the creek at approximately 12m AHD. Mapped contours indicate the elevation ranges between 70m AHD and 12m AHD (refer to **Figure 22**).

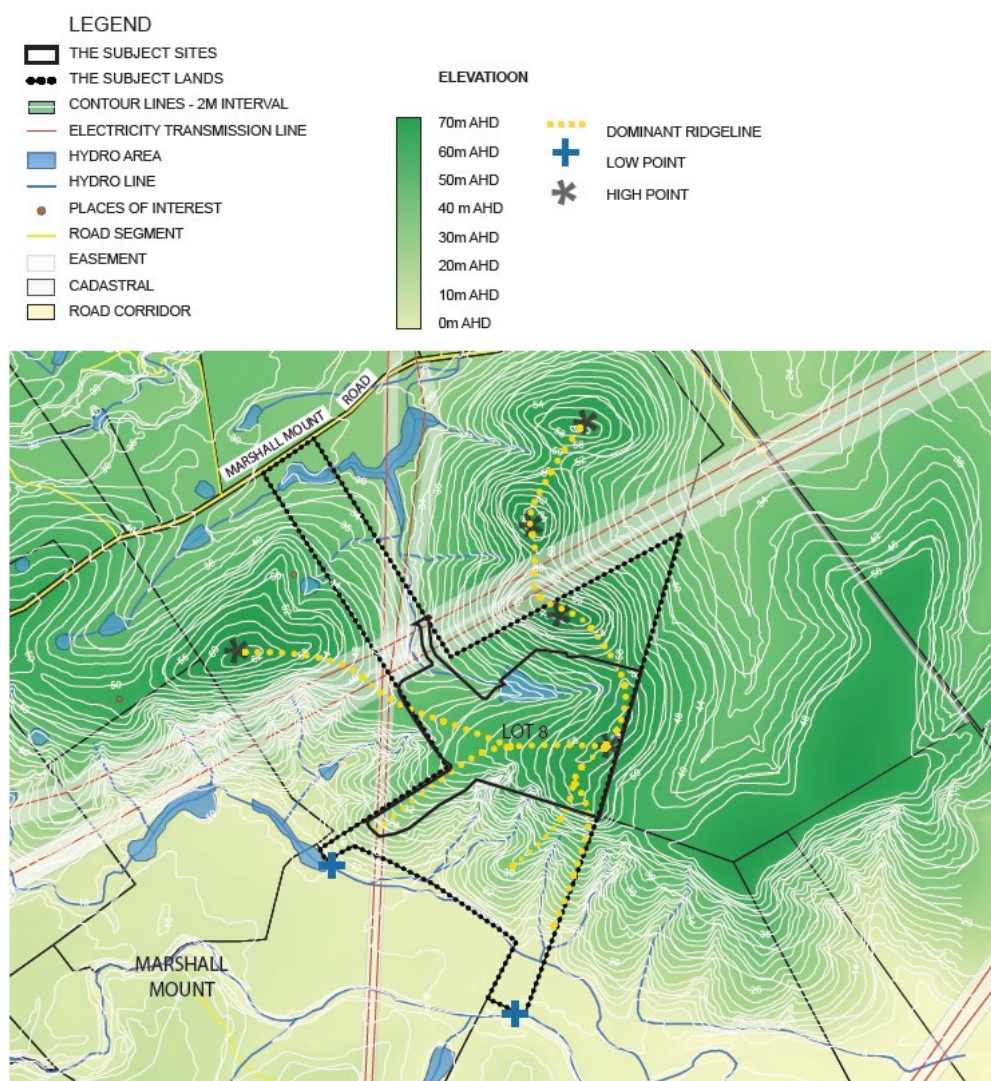


Figure 22 Topography, elevation and hydrology diagram

Source: Distinctive

The Site is largely cleared agricultural land (approx. 70%) on shallower slope lands and those zoned R2, C3, and C4. A small number of solitary endemic trees are scattered across the wider Site in the cleared paddocks. Vegetated land (approx. 30%) observed as woodland trees exists primarily on Lot 5, and to a lesser extent Lot 8 in areas highest in elevation and primarily on those zoned E2 (Environmental Protection). Vegetation maps reveal these areas within the subject lands have been mapped as:

- South Coast Lowland Swamp Woodland
- South Coast Grassy Woodland
- Subtropical Dry Rainforest

Formalised identification, significance, and health of any endemic vegetation within the subject Site is provided in the Ecological Constraints and Opportunities Assessment provided at **Appendix E**. No planted exotic species were observed on Site nor any problematic weed infestations. The subject Site specifically has only solitary trees in cleared pasture with no mapped vegetation communities within.

As noted within the LVIA, it is very relevant to note that the location of the Site within the Yallah-Marshall Mount urban expansion area and adjoining the Calderwood Valley urban development area will result in a significant change to the character of the Site and surrounding context to a suburban / semi-urban residential community, consistent with the vision for the Yallah-Marshall Mount urban expansion area and the Calderwood Valley urban development area.

7.1.2 Visual Survey and Impact Assessment

The LVIA assesses the impact of the Planning Proposal Indicative Concept Scheme from the following identified viewpoints (also mapped in **Figure 23**):

Local

1. Marshall Mount Road, Marshall Mount
2. Old Public School & Hall Local Heritage Sites, Marshall Mount *
3. Marshall Mount State Heritage Homestead, Marshall Mount
4. Calderwood Rd, Marshall Mount
5. Tait Dairy / Calderwood Rd, Marshall Mount
6. Calderwood Christian School / Cattle Road, Marshall Mount

Regional

1. Summit Park, Albion Park
2. Oak Farm Road, Calderwood

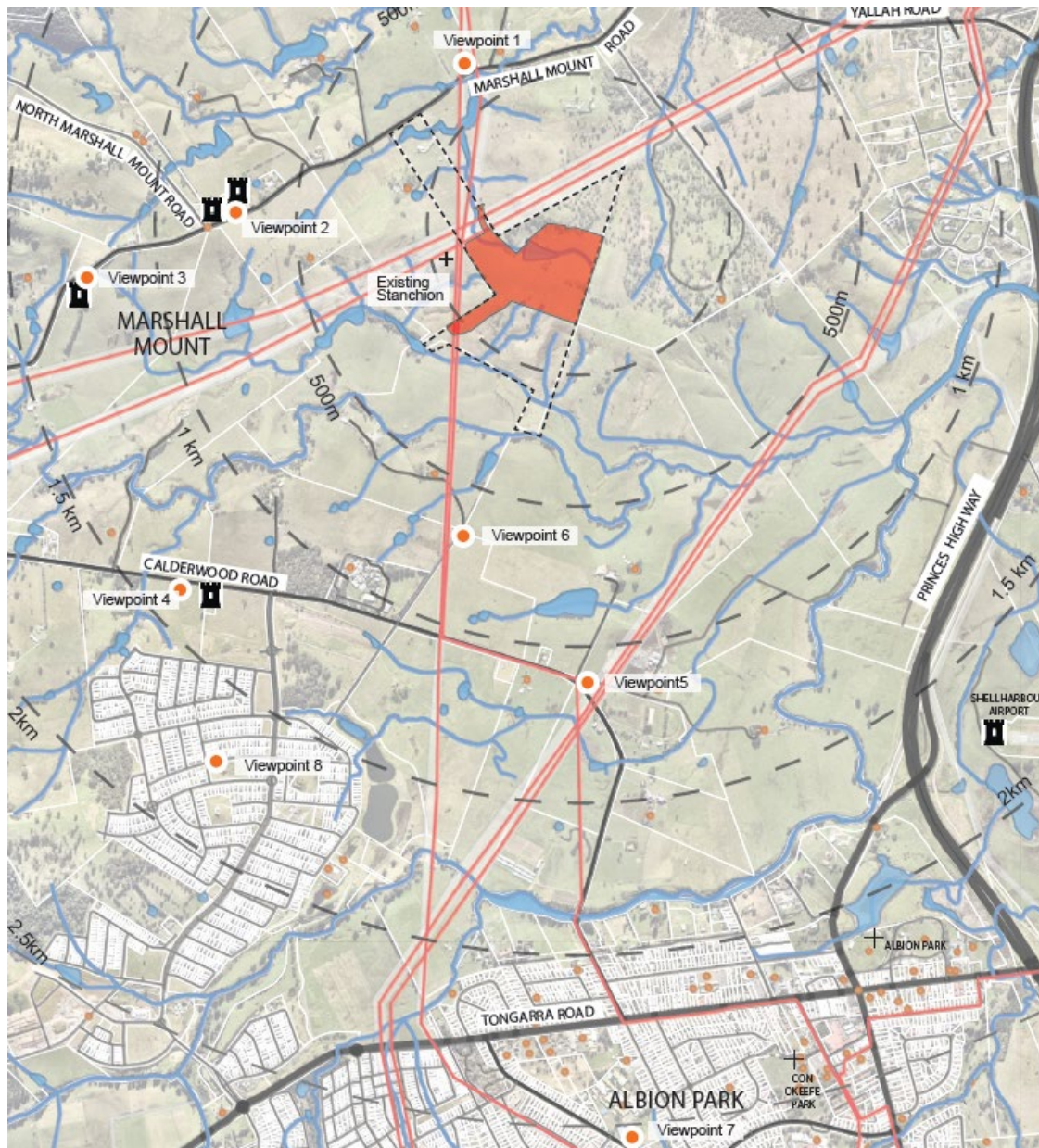


Figure 23 Map of location of identified viewpoints

Source: Distinctive

The assessment demonstrates that the visual impact of development on the C4 lots for 999m² (as opposed to 4,999 m²) would have a nil visual impact on viewpoints 1 and 2 and a low visual impact on viewpoints 3-8 (refer to the following figures for a comparison of the existing view and visual representations at select viewpoints). The topography of the surrounding area to the Site largely diminishes any visibility of the Indicative Concept Scheme from the assessed viewpoints. Further, the assessment demonstrates that in the instances where there would be limited visibility of proposed low-density dwellings on the Site, the impact would not be dissimilar to the building typology from a minimum lot size of 4,999m².

Finally, in several assessed viewpoints, the future Calderwood Valley urban development area is much more prevalent in several of the viewpoints considered, largely diminishing the perceived impact from the Indicative Concept Scheme.



Figure 24 Viewpoint 3 – existing

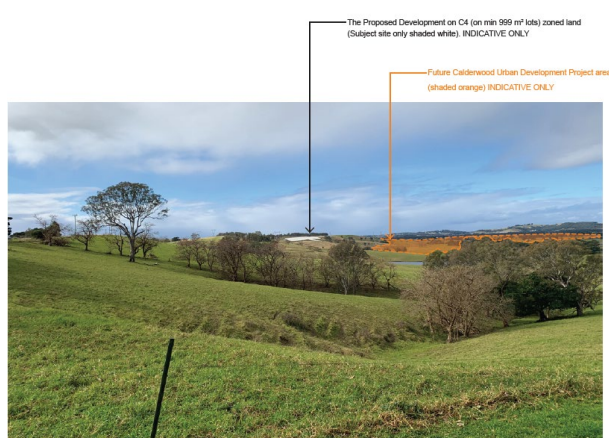


Figure 25 Visual representation of subject site at viewpoint 3



Figure 26 Viewpoint 5 – existing

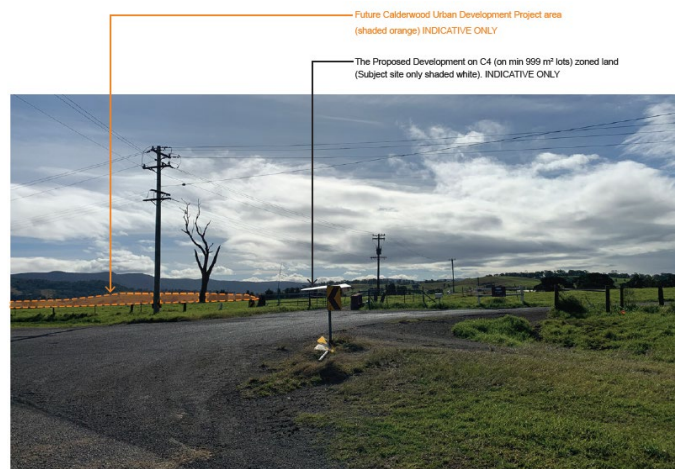


Figure 27 Visual representation of subject site at viewpoint 5



Figure 28 Viewpoint 8 – existing

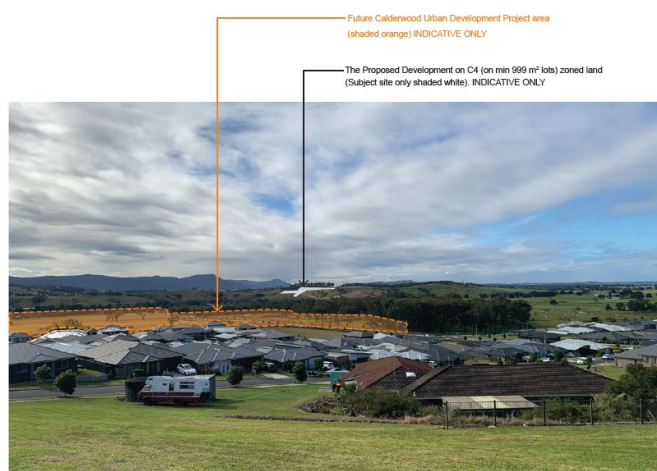


Figure 29 Visual representation of subject site at viewpoint 8

Source: Distinctive

7.1.3 Conclusion

The LVIA concludes the proposed LEP amendment to reduce the minimum lot size is likely to have very limited or dissimilar impacts to the existing character. It is unlikely the proposed LEP amendment will result in adverse visual impacts. The viewpoints that have a contextual relationship to the scenic coastal landscape and

escarpment were limited in severity and frequency of receptor groups. The proposed larger lot residential can be successfully developed with 999m² minimum lot sizes without adverse visual impact, particularly in the medium to long term should propose mitigation measures be implemented to reduce the visual impact of the overall development. The recommended mitigation measures are detailed in **Appendix L**.

7.2 Bushfire

A Strategic Bushfire Study has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited (**Appendix D**) to evaluate the Planning Proposal and Indicative Concept Scheme in relation to bushfire risk and provides an assessment against the strategic planning principles outlined in *Planning for Bushfire Protection 2019* (PBP). Only the southern portion of the broader Site marginally contains the Vegetation Buffer as depicted in Wollongong City Council's Bushfire Prone Land (BFPL) map, as shown in **Figure 30**, which does therefore consider the broader Site and subject Site as being 'bushfire prone'.

The following sections assess the Planning Proposal and development proposed contemplated by the Indicative Concept Scheme against the PBP strategic planning principles to determine the appropriateness of the precinct on land susceptible to bushfire risk.

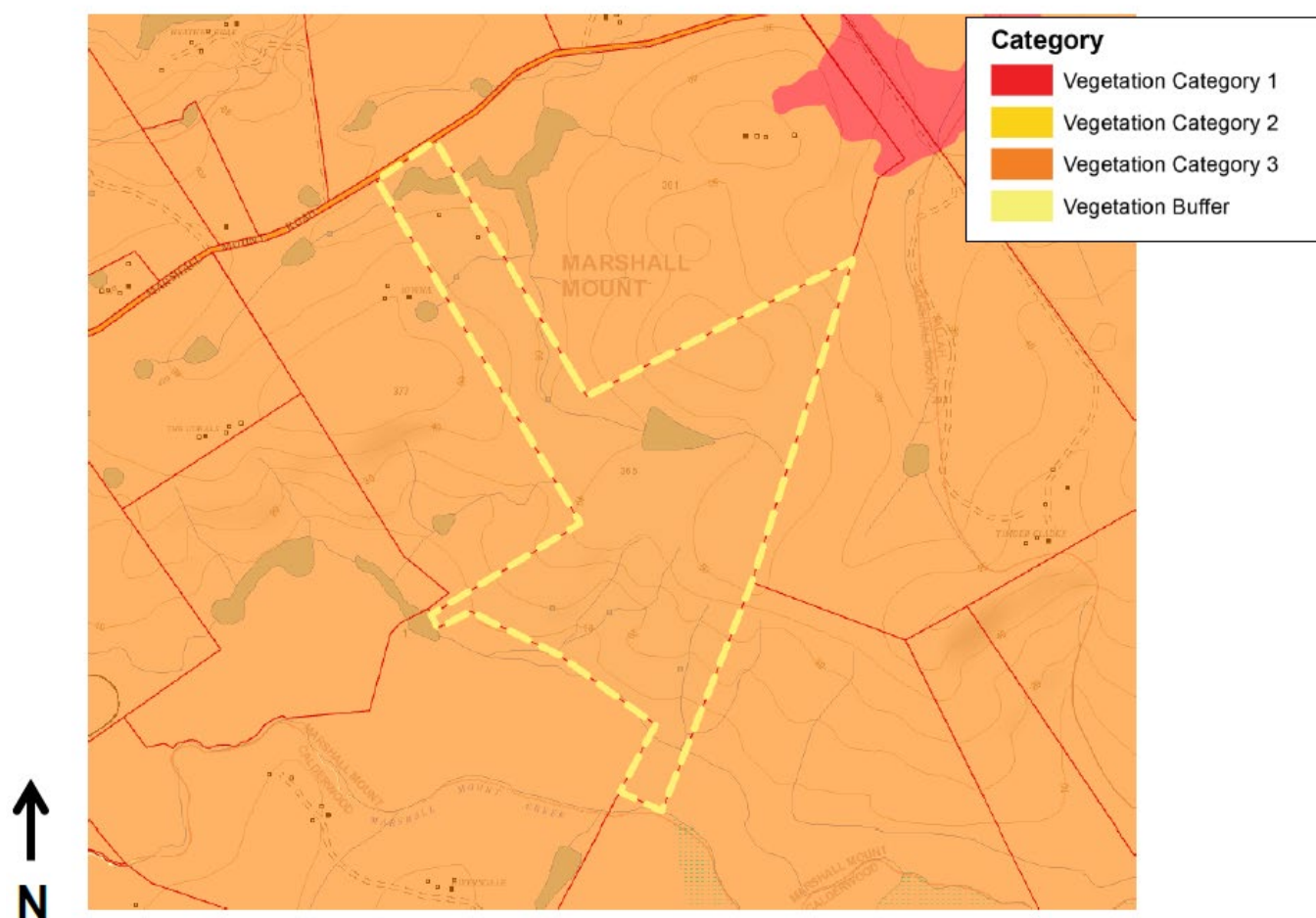


Figure 30 Bushfire prone land identified for the Site

Source: Building Code & Bushfire Hazard Solutions Pty Ltd

7.2.1 Bushfire Landscape Assessment

The bushfire landscape assessment considers the broader bushfire landscape surrounding the Site, including review of bushfire hazard and risks. It was concluded the broader landscape is not considered to pose any significant landscape hazard risk to the Site and future development proposed under the Indicative Concept Scheme.

This is due to exposure to hazards from all directions are limited, given the highly fragmented nature of surrounding hazards and vegetation being significantly modified as a result of intensive agricultural practices. Additionally, the Site's location and highly moderated risk profile, coupled with the capacity for bushfire protection measures such as APZs and perimeter roads makes the occurrence of high intensity fires beyond

management unlikely. The proposed single access road for evacuation has been assessed as satisfactory by an Bushfire Planning & Design (BPAD) Accredited Practitioner. Therefore, the Planning Proposal is consistent with this PBP strategic principle and future development is considered appropriate.

7.2.2 Land Use Assessment

The Planning Proposal and Indicative Concept Scheme has located the future residential allotments away from the future retained vegetation with roads and active open space in between. Therefore, the proposed land uses are considered to be appropriate and generally consistent with the PBP strategic planning principle.

7.2.3 Access and Egress

The broader Site has connection to Marshall Mount Road to the north-west. The future subdivision proposed under this Planning Proposal will have a connection to the proposed Marshall Mount Bypass Road, which will bisect the R2 Low-Density Residential and C4 Environmental Living zoned land within the broader Site. This is currently estimated to be delivered around mid 2030 by Council. The key evacuation route from the broader Site is to the west via Marshall Mount Road, from there residents/ occupants will travel north towards the townships of Avondale and Dapto or south toward the township of Haywards Bay via Yallah Road. These roads currently exceed the minimum carriageway requirements for non-perimeter roads and will be further enhanced as the WDURA is delivered.

In consideration of the surrounding road network and proposed use, inclusive of modest population increase, the access and egress routes are considered acceptable.

7.2.4 Emergency services

The Site is located within the NSW Rural Fire Service area with a station (Calderwood) located approximately 4km to the southwest. NSW Fire and Rescue also have stations located within the nearby townships of Dapto and Albion Park. Given the relatively modest size of the future residential development proposed under this Planning Proposal, the existing fire service coverage is considered acceptable.

7.2.5 Infrastructure

There are currently no hydrants available along Marshall Mount Road. The capabilities of the broader hydrant network are the responsibility of Sydney Water. However, the modest size of the future residential development presented in the Indicative Concept Scheme is concluded to have an unlikely significant adverse impact on this system.

7.2.6 Planning for Bushfire Protection 2019 Considerations

Asset Protection Zones (APZs)

Asset Protection Zones (APZs) for residential subdivision are determined from Table A1.12.2 of PBP. The minimum required APZs for future residential development on the subject Site are:

- 12m to the northeast
- 16m to the northwest
- 13m to the southwest
- 25m and 32m to the southern riparian zone.

The available APZs consist of land within the subject Site (including roads) and Marshall Mount Road. The subject Site has the capacity to comply with the minimum required APZs as detailed in PBP. The Planned APZs for the subject Site can be seen at **Figure 31**.



Figure 31 Minimum APZ Overlay

Source: Building Code & Bushfire Hazard Solutions Pty Limited

Firefighting water supply

As noted above there are no hydrants available along Marshall Mount Road. The sizing, spacing and pressures of any future internal hydrant system must comply with AS2419.1- 2021. Alternatively, to achieve compliance with PBP each future allotment will require the installation of a Static Water Supply. The subject Site has the capacity to comply with the Water Supply requirements as detailed in section 5.3.3 of PBP.

Property Access

The subject Site has connection to Marshall Mount Road to the northwest. The Indicative Concept Scheme provides a connection to the proposed Marshall Mount Bypass Road to the northwest. The Indicative Concept Scheme also includes a perimeter road adjacent to the identified bushfire hazard and utilises through roads throughout the design, therefore satisfying the preferred design option. The Indicative Concept Scheme does not include any dead-end roads which exceed 200m, with the only dead-end road being approximately 170m. It has been identified that the one-way in and out does not travel through any Forest or Woodland hazards and will therefore not be compromised in the times of a bushfire. It is concluded the proposed internal road network of the Indicative Concept Scheme has the capacity to comply with the requirement for Access under Section 5.3.2 of the PBP.

7.2.7 Conclusion

The Planning Proposal and Indicative Concept Scheme has the capacity to comply with the relevant specifications and requirements of PBP 2019. It is concluded the Indicative Concept Scheme, in combination with the bushfire protection measures discussed above will not result in areas that are difficult to evacuate during a bushfire or adversely impact other bushfire protection strategies or place existing development at increased risk.

7.3 Ecology and Biodiversity

An Ecological Constraints and Opportunities Assessment (ECO) has been prepared by Lodge Environmental which assesses the Planning Proposal and Indicative Concept Scheme and is provided at **Appendix E**. The ECO includes a desktop study and field surveys (conducted for 365 Marshall Mount Road in May 2021 and 297 Marshall Mount Road conducted in April 2023). Plant communities in the broader Site can be seen below in **Figure 32**.

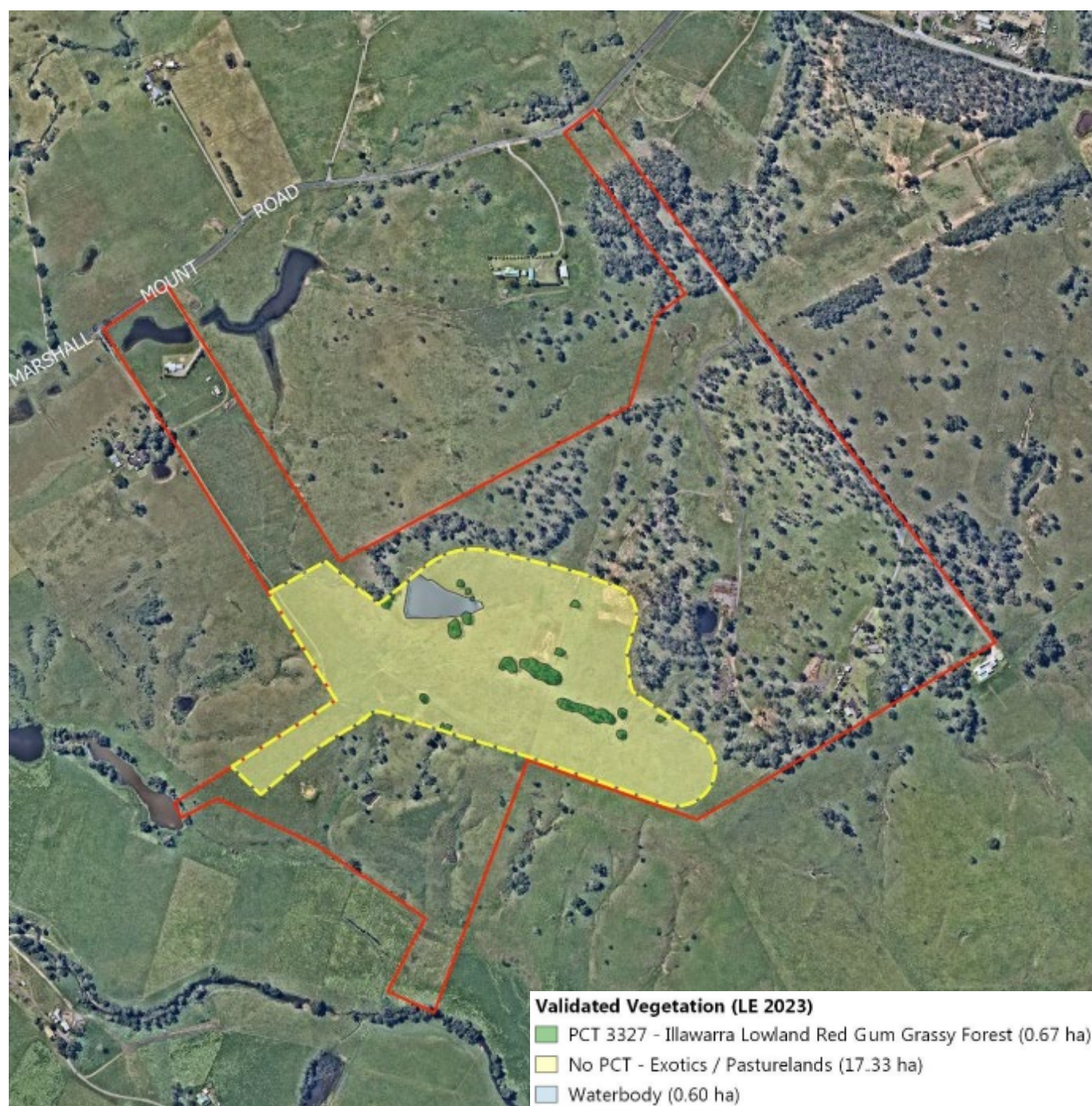


Figure 32 Existing Vegetation in broader Site

Source: Lodge Environmental

7.3.1 Native Vegetation on subject Site

The broader Site is predominately cleared, former agricultural land dominated by pasture grasses and weeds, with scattered patches of native trees present. Small trees and shrubs are largely absent within the broader Site. A small portion of the broader Site contains vegetation mapped on the State Biodiversity Values Map; however, it is outside of the subject Site. Accordingly, under the Indicative Concept Scheme, the Biodiversity Values Map entrance threshold is not triggered.

The ECO identifies PCT 3327 - Illawarra Lowland Red Gum Grassy Forest within the subject Site which is considered to represent a Threatened Ecological Community form in accordance with the *Biodiversity and Conservation Act 2016*. An Assessment of Significance would be undertaken as part of any future Development Application to assess whether the impacts of development would be deemed significant and whether the clearing of native vegetation would trigger entrance into the Biodiversity Offset Scheme. It is noted native vegetation clearance of up to 0.25 hectares is permissible within the subject Site.

Regarding flora and fauna, while a review of the NSW BioNet Atlas and Protected Matters Search Tool identified threatened flora and fauna within 10km of the Site, the field survey undertaken did not identify any threatened flora and fauna present on the Site, however targeted surveys were not completed for threatened species.

7.3.2 Riparian Corridors

The ECO identifies one unnamed 1st Order stream and associated farm dam located within the northern portion of the wider Site, which is identified by the Wollongong DCP as a Category 3 watercourse. Therefore, a minimum Core Riparian Zone of 10 metres each side of the watercourse would be required, and an additional minimum Vegetated Buffer is not required for this category. Future development design will ensure that weeds and exotics adjacent to the riparian zone would be appropriately managed through implementation of a Vegetation Management Plan (VMP), prepared by a suitably qualified environmental consultant and in accordance with the Wollongong DCP requirements. A VMP would introduce the opportunity to both protect and enhance the riparian corridor and ensure adequate consideration of vegetation buffer zones.

In summary, the ECO identifies a range of potential ecological impacts resultant from the development of the Site. A Biodiversity Development Assessment will accompany a future Development Application if future development exceeds the BOS clearance threshold of 0.25 ha or the development is considered to be a significant impact to a threatened species/ecological community and/or their habitat. A Flora and Fauna Assessment will also be provided as part of a future DA. The ecological constraints identified above will be fully considered as part of any future development of the Site and appropriate mitigation measures implemented to ensure any impacts are effectively addressed.

7.4 Traffic and Transport

A Traffic Assessment of the Planning Proposal has been prepared by Amber Organisation and is provided at **Appendix F**. It is understood significant road infrastructure investment has recently been undertaken in earlier stages of the WDURA and further works are planned to support Stage 5 Yallah/Marshall Mount of the URA. This includes:

- Recent upgrades to Shone Avenue within Stage 1 & 2.
- Road extension of Fairwater Drive to Cleveland Road (Daisy Bank Drive).
- West Dapto Road intersection upgrade (Kembla Grange).
- Bong Bong Road upgrade including Glenlee Drive roundabout upgrade.
- Marshall Mount Town Centre Bypass Road design.
- New connection between Yallah Road and Avondale Road.
- Marshall Mount Road/ Marshall Mount Town Centre Bypass signalised intersection upgrade.
- Yallah Road / Marshall Mount Town Centre Bypass signalised intersection upgrade.
- Marshall Mount Road / Yallah Road signalised intersection upgrade.

Road upgrades and additional connections are also proposed as part of the Calderwood Urban Development Project to the immediate south of the Site.

It is understood that the future road network for the West Dapto Release Area has been designed based on the strategic model prepared by Council. The proposed subdivision within this Planning Proposal is understood by Amber Organisation to have been allowed for as part of the model and as such, the future road network has been designed to accommodate the traffic volumes of the Site.

The Planning Proposal will facilitate additional low impact residential development that will benefit from the proposed road network upgrades, as well as include additional opportunities for monetary contributions to be made to fund the delivery of this future infrastructure, secured as Section 7.11 contributions, if required.

7.4.1 Access And Internal Road Layout

As noted in **Section 4.4**, access to the Site is proposed via a connection with the future Marshall Mount Town Centre Bypass at the north-western corner of the Site. A **3-way intersection** will be provided to service the subject Site. The future bypass road extends to connect with the broader road network via Yallah Road to the northeast and Marshall Mount Road to the southwest. As indicated by Council's 80% design, a left-in left-out intersection treatment is being explored by Council. This approach is undesirable as it would result in detours and additional travel time for residents/ visitors of the subject Site. Review of the 80% design shows the nearest adjacent intersections to facilitate U-turn manoeuvres are located some 600-700 metres away from the site access, which would result in a total detour of 1.2-1.4 kilometres. It is estimated majority of the site traffic will travel to/from the northeast to access Princes Motorway or Dapto area and would be impacted by the turn movement restrictions when departing the subject Site. It is suggested to allow all movements at the site access intersection with turn treatment to facilitate safe and efficient vehicle access. As discussed below in **Section 7.4.2**, a left turn treatment will still be required irrespective of the reduction in lot sizes, as the current warrants and requirements remain the same as shown in traffic modelling conducted by Amber. Should the Marshall Mount Bypass not be constructed before the proposed development, Site access can be temporarily provided through the Iowna Neighbourhood.

The internal road network within the Site provides an outer and inner loop road that allows access to the individual lots. The layout does not allow for through traffic access which serves to eliminate the potential for any rat-running behaviour. The proposed road network consists predominantly of Access Streets which are provided with a road reserve width of 17.1 metres, with a short section designated as an Access Place with a 13.45m road reserve servicing three lots in the south-western corner of the Site.

It is noted the proposed Access Place (cul-de-sac) is approximately 180 metres long which exceeds the maximum length prescribed in the Wollongong Development Control Plan 2009 (Wollongong DCP 2009), however it serves only three large lots and provides a generous turning head radius of 12 metres. The design of the cul-de-sac is therefore considered to be acceptable, particularly given the geometric constraints of the Site.

The internal roads are designed to accommodate suitable vehicle movement through the Site and are reflective of the road classifications. The proposed road type and cross-sections have been designed in accordance with the Wollongong DCP and are expected to provide suitable vehicle access for all road users whilst facilitating vehicle movements to/from the Site and the adjacent properties.

The internal road network provides an orderly lot layout and suitable vehicle circulation with all internal intersections proposed to be provided in a 'T' arrangement. An assessment of the sight distance at the intersections concludes that the required sight distance has been provided in all directions in accordance with the requirements of the Austroads Guideline. Accordingly, the intersections are expected to operate in a safe manner.

Overall, the proposed internal road layout is considered to meet the objectives of the Wollongong DCP 2009 by providing a legible and well-connected road network that establishes a clear hierarchy of different road types which cater for different types of traffic movement.

7.4.2 Traffic Assessment

The assessment demonstrates that the anticipated traffic generation from the Planning Proposal Indicative Concept Scheme would be 77 vehicles per hour during the peak AM period and 82 vehicles per hour for the peak PM period. It is estimated that 95% of Site traffic will travel to/from the northeast to access the Princes Motorway or Dapto area, while the remaining 5% will travel to/from the southwest via Marshall Mount Road and Calderwood Road. The traffic distribution has been based on the layout of the future road network. SIDRA modelling has been undertaken to determine the capacity of the Site access intersection on Marshall Mount Town Centre Bypass to accommodate the traffic expected to be generated by the Site. The SIDRA analysis for the AM and PM peaks indicates that the intersection is expected to operate with a good level of service and minimal delays for all movements following the development of the Site.

Accordingly, the future traffic volumes are expected to be readily accommodated at the Site access intersection. It is also considered that the internal intersections within the Site can accommodate the Site traffic given they accommodate a lower number of vehicle movements than the intersections assessed. Therefore, the subdivision including the additional traffic resulting from the proposed reduction in lot sizes is not expected to create any adverse traffic impacts on the road network.

7.4.3 Car Parking

All car parking is capable of being provided in accordance with the Wollongong DCP 2009. The large lots are considered to be a sufficient size to accommodate the resident off-street parking requirement. A future DA will be accompanied by a car parking assessment demonstrating the provision of sufficient parking.

In addition, the minimum carriageway width of the internal road network is 7.0 metres in accordance with the required cross-section for an Access Place. The road width allows for two-way traffic and on-street parallel parking once fully constructed, with the on-street spaces available to service the needs of visitors of future residents within the subdivision.

In summary, the parking demand from the Planning Proposal can be readily accommodated internally within the Site.

7.4.4 Public Transport

In regard to public transport, the Wollongong DCP Chapter 2 – Residential Subdivision generally requires bus stops to be located within 400 metres walking distance for 90% of residential allotments. The Wollongong DCP – West Dapto Urban Release Area (WDURA DCP) identifies the Marshall Mount Town Centre Bypass Road is to be designed and constructed as a Major Collector Road to provide for future bus services. The provision of bus stops near the proposed Site access intersection which would cater for approximately 50% of the lots within 400m walking distance of a bus stop and 90% of the lots within a 550m walking distance. It is noted, that nine of the proposed lots along the eastern boundary would require longer walking distance to access the bus stops. Final bus routes and bus stop locations will be subject to detailed review and agreement with Transport for NSW, bus operators and the Council.

It is important to note that this would be consistent with the arrangement at Duck Creek and Marshall Vale Neighbourhood Plan on the northern side of Marshall Mount Road which has a Major Collector road separating the R2 zoned residential land from the C4 zoned land. This route will also be relied upon as a bus route to service that development.

Further, footpaths are proposed on at least one side of all access streets within the Indicative Concept Scheme, facilitating active travel by alternate means, consistent with the requirements of the DCP. It is understood that the design for the bypass road also includes a shared path on the northern side of the road, which would link with the proposed signalised intersection and internal footpath network within the site to provide pedestrian and cycling access to the broader surrounding area. The signalised intersection would allow for controlled pedestrian crossing facilities which would promote walking as a travel mode within the local area.

7.4.5 Conclusion

Overall, it is concluded that the proposed subdivision is in a form that meets the objectives of the West Dapto Release Area, and the car parking and traffic demands generated by the Site can be readily accommodated on the surrounding and internal road network.

7.5 Non-Aboriginal Heritage

A Non-Aboriginal Heritage Impact Assessment has been prepared by Artefact to support this Planning Proposal and is provided at **Appendix I**. The assessment concludes that:

- No listed heritage items are located on the Site or within 1km of the Site.
- No unlisted heritage items were identified within 500m of the Site.
- A Site inspection was undertaken which confirmed that built structures in the study area date post-1970, and that no evidence is present for historical remains.
- The assessment of the Planning Proposal on heritage impacts has found that the proposed development will not impact on listed or unlisted heritage items.

Overall, the assessment demonstrates that no further assessment of historic values is required for the proposal to proceed. As recommended, a future DA for the development of the Site that includes ground disturbance works would have an Unexpected Finds Policy for non-Aboriginal and Aboriginal heritage in place prior to commencement of works to mitigate possible impacts on potential buried archaeological remains.

7.6 Aboriginal Heritage and Archaeology

An Aboriginal Cultural Heritage Assessment Report (ACHAR) and Archaeological Report have been prepared by Biosis to support this Planning Proposal and are provided at **Appendix J** and **Appendix K**, respectively. The assessments conclude:

- A search of the Aboriginal Heritage Information Management System (AHIMS) database identified 106 Aboriginal archaeological Sites within a 1.5 x 1.5km search area, centred on the proposed study area. Two of these registered Sites (AHIMS 52-5-0494/WDRA_AX_38 and AHIMS 52-5-1051/Marshall Mount Road AF) are located within the study area.
- A survey was conducted on 13 September 2022. One artefact and four areas of potential archaeological deposits (PAD) were identified during the survey. All four potential PADs were assessed to contain moderate potential to contain archaeological deposits. One PAD is located in the area of the previously recorded Site (AHIMS 52-5-0494/WDRA_AX_38).
- The four PADs were identified by favourable positions within the landscape and proximity to water. The rest of the study area was assessed to contain low potential.
- AHIMS 52-5-0494/WDRA_AX_38 is a sub-surface artefact scatter on a hill crest landform consisting of three artefacts. This low-density artefact scatter is considered a common Site type in the region with limited potential to contribute further information about Aboriginal occupation and land use within the local region. The archaeological significance of this Site has been assessed as low.
- AHIMS 52-5-1051/Marshall Mount Road AF is an isolated artefact that was identified in an area of erosion adjacent to the small dam in the north-west of the study area (within 365 Marshall Mount Road). The artefact consisted of a silcrete angular fragment. The archaeological significance of this Site has been assessed as low.
- Four areas of moderate potential were identified by the field investigation, that will not be impacted by the current designs for the proposed development. The historical significance of the Site has been assessed as low due to lack of historical associations. The aesthetic value of the Site has been assessed to be moderate due to impacts caused by historical land use. The scientific significance for this area has not been determined by this assessment.

Eight management recommendations have been development based on the archaeological significance of cultural heritage relevant to the study area. The strategies also took into consideration:

- Predicted impacts to Aboriginal cultural heritage.
- The planning approvals framework.
- Current best conservation practice, widely considered to include:
 - The ethos of the Australia International Council on Monuments and Site (ICOMOS) Burra Charter.
 - The Code

Table 12 below summarises the eight management recommendations.

Table 12 Management recommendations to mitigate impacts

Recommendation	Comment
Recommendation 1 – apply for an AHIP to impact AHIMS 52-5-1051/ Marshall Mount Road AF and undertake community collection	Impacts to AHIM 52-5-1051/ Marshall Mount Road AF cannot be avoided, therefore it is recommended an AHIP which covers the Site be obtained for the proposed works. The AHIP should allow for direct impacts to occur and for community collection of the isolated artefact. The AHIP should be obtained prior to works proceeding and for a term of 10 years.
Recommendation 2 – areas identified as having moderate archaeological potential	The assessment has identified four areas of moderate archaeological potential within the study area that will not be impact by the proposed development. If the proposed development changes and impacts to the areas of moderate archaeological potential cannot be avoided, subsurface investigations and updates to the ACHAR will be required prior to the commencement of works.
Recommendation 3 – Avoidance of AHIMS 52-5-0494/WDRA_AX_38 and the four remaining areas of moderate potential	Impacts to AHIMS 52-5-0494/WDRA_AX_38 and the four remaining areas of moderate potential should be avoided. To prevent impacts , these should be fenced off, and all included in heritage induction prior to works commencing.
Recommendation 4 – Long term care and control	The establishment of a long-term care agreement in consultation with Registered Aboriginal Parties (RAPs) should be developed in order to ensure the artefact identified as part of this

Recommendation	Comment
	assessment is adequately cared for. Consultation with RAPs has indicated reburial is the preferred option.
Recommendation 5 – Heritage induction for all contractors	Heritage inductions for all contractors and Site workers should be undertaken in order to prevent any unintentional harm to Aboriginal Sites located within the study area and its surrounds.
Recommendation 6 – Continued consultation	As per the consultation guidelines it is recommended that the proponent provides a copy of the ACHAR to the RAPs and considers all comments received. The proponent should continue to inform these groups about the management of Aboriginal cultural heritage Sites within the study area throughout the life of the project.
Recommendation 7 – Discovery of unanticipated Aboriginal objects	All Aboriginal objects and Places are protected under the NSW NPW Act. It is an offence to knowingly disturb an Aboriginal Site without a consent or permit issued by the Heritage NSW. Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object, the archaeologist will provide further recommendations. These may include notifying the Heritage NSW and Aboriginal stakeholders.
Recommendation 8 – Discovery of human remains	<p>If any suspected human remains are discovered during any activity works, all activity in the vicinity must cease immediately. The remains must be left in place and protected from harm or damage. The following contingency plan describes the immediate actions that must be taken in instances where human remains, or suspected human remains are discovered. Any such discovery at the study area must follow these steps:</p> <ol style="list-style-type: none"> 1. Discovery: If suspected human remains are discovered all activity in the vicinity must stop to ensure minimal damage is caused to the remains; and the remains must be left in place and protected from harm or damage. 2. Notification: Once suspected human skeletal remains have been found, the Coroner's Office and the NSW Police must be notified immediately. Following this, the find will be reported to the Aboriginal parties and Heritage NSW.

7.7 Contamination

A Preliminary Site Investigation (PSI) has been prepared by ENRS and is provided at **Appendix H**. The PSI includes a Site inspection undertaken in May 2021 includes a review of potential for soil and groundwater contamination. A Site investigation was also undertaken in May 2021 which informs the PSI. The PSI concludes that:

- The primary source of potential contamination is associated with shallow soils and the rural/agricultural land use, with a number of Areas of Environmental Concern (AECs) identified including cattle yards, house area, farm dams, outbuildings and sheds, general Site areas etc.
- No evidence of a former underground petroleum storage system was identified on the Site.
- The Site presents a low risk of potential acid sulphate soils.

The PSI also recommends that:

- The identified Areas of Environmental Concern are assessed in accordance with the Guidelines for Consultant Reporting on Contaminated Sites;
- Buildings within the identified house and outbuildings/shed AECs should be subject to standalone Hazardous Materials Survey prior to demolition;
- If future Site works include earthworks, soil materials within low lying areas adjacent to Marshall Mount Creek should be subject to visual screening in accordance with NSW Guidelines for the Management of Acid Sulphate Materials.

Given the relatively undisturbed nature of the Site, ENRS consider that the Site is suitable or capable of being made suitable for the proposed residential subdivision, subject to the above recommendations and the assessment of the identified AECs in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021.

As recommended, any future DA for the Site will include a full Contamination Assessment which addresses the recommendations to demonstrate the Site is suitable for residential use.

7.8 Flooding and Water Cycle Management

A Water Cycle Management Strategy (WCMS) has been prepared by Maker to support the Planning Proposal and is provided at **Appendix N**. The WCMS includes a flood impact assessment, assessment of onsite detention (OSD) requirements and a Water Quality Strategy.

7.8.1 Flood Impact Assessment

The proposed development Site is primarily located within the Duck Creek catchment, with multiple tributaries of Duck Creek traversing through the Site. The flood strategy has been developed to be consistent with the Wollongong City Council Development Control Plan and other relevant guidelines and studies relevant to the area, particularly:

- NSW Floodplain Development Manual
- DCP Chapter E13: Floodplain Management, Chapter E14: Stormwater Management, Chapter E15: Water Sensitive Urban Design, Chapter D16, West Dapto Release Area
- Duck Creek Flood Study, Rhelm 2019
- Macquarie Rivulet Flood Study, WMA Water 2017

The proposed development will result in the removal of the existing farm dam and the upper extents of the associated watercourse within the Site. These areas will be replaced with the future stormwater network that will collect runoff and direct them to the OSD basin as required.

The Flood Impact Assessment has determined that the Site is generally removed from the floodplain with very little interaction proposed. The Site is located at the top of the catchment and proposes the removal of the upper most extents of some small 1st order watercourses, with minimal interaction with any flood prone areas. Flood modelling results at the Site further re-affirm this, with no impact to the wider floodplain as a result of the proposed works and generally results in a reduction in hazard and depth in the areas immediately downstream of the Site.

Additionally, the proposed development will provide flood free connection to the flood reliable road network as the subject Site will remain flood free in all events up to Probable Maximum Flood (PMF). The proposed development has been designed with consideration to the 80% Bypass Road design. If the 80% Bypass Road is not delivered before the proposed development, an interim arrangement will be provided through the Northern Iowna road network. This will alleviate any concerns regarding inability to access the subject Site during flood.

A flood planning area has been defined and the planning proposal has been shown to be consistent with the prescriptive controls in the DCP.

7.8.2 On-Site Detention

On-Site detention has been proposed at the respective discharge points of the Site. This is achieved through the provision of OSD structures which includes three basins located within the following stages of the Indicative Concept Scheme:

- Stage 1 North;
- Stage 1 South; and
- Stage 2.

The accompanying modelling demonstrates that the proposed development discharges can effectively be managed with the provision of OSD. Further refinement of the proposed OSD structures will be undertaken at the detailed design stage as part of any future development application.

7.8.3 Water Sensitive Urban Design Strategy

A WSUD strategy has been developed for Stage 1 and 2 of the proposed subdivision. This has been prepared in accordance with the Wollongong City Council DCP Chapter E15 Water Sensitive Urban Design, in conjunction with Chapter E13 and Chapter E14 of the DCP.

A WSUD treatment train has been proposed consisting of rainwater tanks, GPT and bioretention basin to manage runoff water quality from the Site. This has been assessed against the requirements in DCP Chapter E15. MUSIC modelling undertaken identifies that water quality within the Site can effectively be managed within the proposed treatment in accordance with the required pollutant reduction targets.

7.9 Erosion and Sediment Control

Soil erosion and sediment pollution will be managed during the construction phase through to Site establishment by implementing a bespoke soil and water management plan which will be prepared in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (The Blue Book) and Wollongong DCP Chapter E22 – Soil Erosion and Sedimentation.

While the detailed plan will be prepared and embellished with the future development application, the following key principles have been factored into the conceptual design:

- Disturbance of natural landform typically limited to the proposed roads and surrounding batters, with proposed lots to remain in their natural form. It is noted that the land disturbance is not increased as a result of the planning proposal, which does not increase the required road/bulk earthworks.
- Provision of basins at the Site discharge points that will be used as temporary sediment basins during construction.
- Retention of natural catchments.

7.10 Utilities and Infrastructure

A Utilities Servicing Report has been prepared by Maker ENG and provided at **Appendix M** to advise that the subject Site can be serviced as follows:

- Water - As part of Sydney Water's Growth Servicing Plan, Sydney Water proposed to deliver a trunk potable water network to service the West Dapto Stage 5 Urban Release Area with a trunk 300mm diameter main within Marshall Mount Road, located north of the subject Site. The developer is to provide any required lead-in, which will be via their landholding within the broader Iowna portion of the site, as well the local network services within the subject development. Sydney Water is working towards delivery of the trunk main by the end of 2026..
- Sewer – Sydney Water will deliver the trunk sewer up to 300mm diameter within Yallah-Marshall Mount (YMM), including the YMM sewer pump station and associated rising main network. The upstream extent of the Sydney Water delivered main is the eastern boundary of 386 Marshall Mount Road within the Duck Creek corridor. Whilst the sewer lead in servicing the subject site will be developer delivered, it has been actively coordinated with Sydney Water and the increased density has been allowed for in Sydney Water's trunk system design. Sydney Water is working towards delivery of the trunk sewer and associated sewer pump station by the end of 2026. Proposed lots 14-16 and all lots within 297 Marshall Mount Road generally grade away from the proposed lead-in gravity sewer and will not drain to Sydney Water's network. As such, these lots will require on-lot effluent management systems and have been sized appropriately to accommodate this. the balance of the proposed lots within 365 Marshall Mount Road are able to be drained by gravity into Sydney Water's wastewater network, with Sydney Water confirming that their network has been designed to cater for the proposal.
- Electrical – It is anticipated that the development would be connected to electrical services via the overhead 11kV distribution line, however this would require further investigation by an L3 electrical designer and liaison with Endeavour Energy.
- Telecommunications – It is expected that telecommunication connections to the subject Site can be facilitated via the existing network, however, further liaison with Nextgen will need to be undertaken during detailed design to ensure there is sufficient capacity in the network to facilitate the connection. It is noted that the Optus Fibre Optic cable transversing the Site will require further investigation and consultation with Optus through the detailed design stage.
- Gas – Jemena is the utility service authority responsible for the management and delivery of gas services in the vicinity of the subject Site. Jemena have planned for future capacity and services for the West Dapto Urban Release Area. Gas will be supplied to the development via the extension of existing services within the Yallah-Marshall Mount area consistent with the standard procedures of the gas authority. It is expected gas connection will occur concurrently with neighbouring developments. Any required lead-ins to existing gas mains shall be identified and undertaken as part of the detailed design and future works.

In summary, it has been demonstrated that the proposed Indicative Concept Scheme is capable of being sufficiently serviced. Additionally, the Proponent is an active member of the Yallah Marshall Mount Sydney Water Developer group, which ensures open communication between Sydney Water and developers. The PFurther consultation and engagement will be undertaken with utility providers to ensure the provision of the necessary utilities and infrastructure is secured. The site's future access to sewer was a key factor in the decision to seek increased density, given most of the site no longer requires additional area for onsite effluent disposal.

8.0 Conclusion

This Planning Proposal seeks to amend the *Wollongong LEP 2009* relating to land at 365 Marshall Mount Road, Marshall Mount. Specifically, the Planning Proposal seeks to:

- Amend the minimum lot size (and associated mapping) for the C4 Environmental Living zoned area of the Site from 4,999m² to 999m².

This Planning Proposal is justified for the following reasons:

- The proposal is consistent with the objects of the EP&A Act, in that it promotes the orderly and economic use and development of land;
- The proposal is consistent with the strategic planning framework applicable for the Site and broader WDURA;
- The proposal has both strategic and site-specific merit as:
 - It will deliver a number of low density and low-impact residential lots and lot diversity within an identified Urban Release Area (URA) for growth, with minimal environmental impact;
 - The proposal provides new dwellings in close proximity to services, job opportunities and infrastructure, notably the future Marshall Mount Town Centre;
 - It will protect environmental lands including bushfire prone and riparian corridors;
 - The proposal promotes greater housing choice in the Timber Glades Precinct and broader WDURA, specifically with proposed lot sizes ranging from 1000m²-3000m² providing a more affordable alternative and a middle ground between residential housing and traditional large lot subdivision;
 - It will not preclude opportunities to increase urban tree canopy for the Site through the provision of street tree and verge planting;
 - The proposal will not compromise the amenity of nearby existing and future residential areas;
 - There are no outstanding environmental or ecological impacts that would preclude its delivery; and
 - The Site is capable of being serviced by planned utilities and infrastructure which will have the capacity to support the proposed density, specifically access to sewer infrastructure which as a key consideration in the decision to seek increased density, given the majority of the site no longer requires additional area for onsite effluent disposal.
- The proposal is consistent with the applicable SEPPs, the relevant Regional Plan and Ministerial Directions.

In light of the above, it is considered that the proposal is appropriate for the site, and that a Planning Proposal can be prepared, endorsed and proceed through the Gateway to public exhibition.

9.0 Project timeline

Table 13 provides the project timeline anticipated for the subject Planning Proposal which is predicated on the nature and scale of the Planning Proposal.

Table 13 *Anticipated Project Timeline*

Action	Timeframe
Stage 1 – Pre-lodgement	Complete
Lodgement	December 2024
Stage 2 – Planning Proposal	May 2025
Stage 3 – Gateway Determination	June 2025
Stage 4 – Post-Gateway	August 2025
Stage 5 – Public exhibition & Assessment	November 2025
Stage 6 – Finalisation	March 2026