

ITEM 2

**PUBLIC EXHIBITION - DRAFT NEIGHBOURHOOD PLAN FOR "ELM PARK" PRECINCT, MARSHALL MOUNT ROAD, MARSHALL MOUNT AND AVONDALE**

Council has received a draft Neighbourhood Plan for the Elm Park precinct, covering 6 properties on the northern part of Marshall Mount Road, Marshall Mount and Avondale.

The precinct was rezoned in 2018 to enable urban development and conservation outcomes. Clause 6.2 of Wollongong Local Environmental Plan (LEP) 2009 requires that a Neighbourhood Plan be prepared and adopted by Council to guide the assessment of any development application.

The draft Neighbourhood Plan meets the requirements set by Council's planning framework and is suitable for public exhibition subject to the minor changes and considerations mentioned in this report.

This report recommends that the draft Neighbourhood Plan be exhibited once minor changes are made following the receipt of the information required to address the outstanding issues.

## RECOMMENDATION

- 1 The draft Neighbourhood Plan for the Elm Park precinct be endorsed to progress to exhibition as an amendment to the Wollongong Development Control Plan 2009 – Chapter D16 West Dapto Release Area for a minimum of 28 days following receipt of the following additional information from the proponent -
  - a Updated flood and water management information.
  - b Minor changes to road layout, reference to road cross-sections, bus stops and pedestrian/cycle connections.
  - c Minor changes to reflect environmental and riparian requirements.

## REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

Authorised by: Linda Davis, Director Planning + Environment - Future City + Neighbourhoods

## ATTACHMENTS

- 1 Location Plan and Zoning
- 2 Draft Neighbourhood Plan

## BACKGROUND

The Yallah – Marshall Mount precinct is also known as Stage 5 of the West Dapto Urban Release Area. It was originally proposed to be rezoned in 2006-8, but Stages 3, 4 and 5 of the West Dapto Urban Release Area were deferred following a review by the Growth Centres Commission in 2008. The Commission raised concerns over the viability and affordability of the release area, cost and timing of infrastructure, staging, access, flooding and riparian issues.

Council at its meeting of 19 October 2015, resolved to adopt a Planning Proposal for the Yallah-Marshall Mount precinct, but not to forward this to the NSW Department of Planning and Environment (DPE) for finalisation until IPART and the NSW Government determined how the shortfall in funding for local infrastructure would be met.

In November 2017, Council received confirmation of infrastructure funding arrangements and on 27 November 2017 the Yallah-Marshall Mount Planning Proposal was referred to DPE. Amendment 36 to Wollongong LEP was made in June 2018.

There are 7 Neighbourhood Precincts within Stage 5. To date, Council has resolved to exhibit one draft Neighbourhood Plan in Stage 5, for the Iowna precinct.

The draft Neighbourhood Plan for the Elm Park precinct was lodged in November 2021 by a proponent that represents the land-owner for 84 Marshall Mount Road.

The site is bounded by the Village Core precinct and Transgrid site to the south, Marshall Mount Road and the railway line to the east, the TAFE precinct to the west and the ridgeline between the Duck Creek valley and Avondale Road valley to the north.

The precinct covered by the draft Neighbourhood Plan has an area of 105 hectares. Part of the site is covered by open farmland and woodland areas. Much of the land in the northern and southern parts of the precinct are covered by woodlands, zoned C2 Environmental Conservation. The main developable portion of land sits to the north of Marshall Mount Road, with an area zoned R2 Low Density Residential and C4 Environmental Living close to transmission lines. Riparian areas traverse the precinct, including Duck Creek, the main waterway in the valley. The precinct is currently used for rural uses. The following properties are covered by the draft Neighbourhood Plan:

Property Description	Property Address
<b>Lot 1 DP 414126 (Proponent's land)</b>	84 Marshall Mount Road, Avondale
<b>Lot 4 DP 608205</b>	54 Marshall Mount Road, Avondale
<b>Lot 102 DP 1070360 (northern part)</b>	129 Marshall Mount Road, Marshall Mount
<b>Lot 101 DP 1070360</b>	145 Marshall Mount Road, Marshall Mount
<b>Lot 2 DP 234771 (part) (Transgrid)</b>	54 Yallah Road, Yallah
<b>Lot 1 DP 234771 (part) (Transgrid)</b>	164 Yallah Road, Yallah

Clause 6.2 of the Wollongong LEP requires a Development Control Plan to be prepared addressing certain requirements. Council has adopted the Wollongong DCP 2009 – Chapter D16 West Dapto Release Area which provides the overall master plan for West Dapto and development guidelines. It requires the submission of a more detail Neighbourhood Plan for precincts nominated in the plan. The Neighbourhoods generally cover multiple properties so that issues like connecting roads, drainage management and recreation facilities are addressed in an integrated manner.

The development of Neighbourhood Plans is informed by the West Dapto Vision and Structure Plan 2018 adopted by Council. The vision is a Council policy that guides land use in the West Dapto Urban Release Area.

The draft Elm Park Neighbourhood Plan was accompanied by the following studies -

- Elm Park Neighbourhood Plan Report (GDS 2021).
- Engineering Plans (GDS 2010).
- Biodiversity Constraints Assessment (Eco Logical 2010).
- Aquatic and Riparian Constraints Assessment (Eco Logical 2021).
- Bushfire Protection Assessment (Eco Logical 2021).
- Preliminary Site Investigation (Douglas Partners 2021).
- Traffic Impact Assessment (Bitzios 2021).
- Archaeological Survey Report (Eco Logical 2021).
- Preliminary Historical Heritage Assessment (Austral 2021).
- Report on Geotechnical Assessment (Douglas Partners 2021).
- Stormwater and WSUD Report (GDS 2021).
- Site Analysis Plans (GDS 2021).
- Landscape Plan (GDS).
- Pre-Lodgement Meeting Notes (WCC).

The draft Neighbourhood Plan relies on the existing zonings and planning controls and suggests a development comprising of approximately 140-180 dwellings, the majority of which are on land at 84 Marshall Mount Road.

## PROPOSAL

The draft Neighbourhood Plan provides for low density residential and rural-residential style lots on land controlled by the proponent. The C4 zoned land to the south of Marshall Mount Road, either side of Duck Creek, has limited development potential due to flooding and access issues. The draft Neighbourhood Plan proposal is broadly consistent with -

- Illawarra Shoalhaven Regional Plan (2021) – in broad terms, as it supports urban development within the West Dapto urban release area.
- Wollongong Local Strategic Planning Statement 2020, as it supports urban development within the West Dapto urban release area.
- Council's West Dapto Vision 2018.
- Yallah-Marshall Mount Vision 2015, where it seeks to increase densities close to Marshall Mount Road.

The draft Neighbourhood Plan was assessed by Council teams and a list of issues was raised with the proponent. The issues listed below may be addressed either before exhibition or as a part of the finalisation of the Neighbourhood Plan post-exhibition as indicated below.

### **Marshall Mount Road and Yallah Road**

Marshall Mount Road and Yallah Road will need to be upgraded and widened to meet with increased demand as the area is developed. Council is in the process of engaging consultants to prepare the concept designs for these roads. The concept plans and subsequent detail design plans will guide road location, road widths, intersection locations, servicing and batters. The designs are important to guide the Neighbourhood Plan which can be adjusted to suit road widening proposals. This is likely to occur post exhibition of the Neighbourhood Plan.

### **Open Space**

Council's West Dapto Development Contributions Plan 2020 identifies a portion of open space (OS25) within the precinct, which is shown indicatively on the draft Neighbourhood Plan. The location could be revised to bring it closer to the Village Core precinct. Council is undertaking a review of open space and community facilities within the West Dapto Urban Release Area, which will inform the best final location for the open space. This is likely to occur post exhibition of the Neighbourhood Plan.

### **Flooding**

The draft Neighbourhood Plan needs to satisfactorily address Clauses 5.21(2)(b) and 5.21(2)(c) of the Wollongong LEP.

The six stormwater detention basins proposed are not considered practical, cost effective or maintainable. It is suggested that the number of basins be reduced to three or less to satisfy these principles. Also, the proposed retaining wall heights of up to 2m associated with basins OSD 1-2, OSD 1-3, OSD 1-4 and OSD 2 do not provide an aesthetic benefit to the proposed neighbourhood area and should be redesigned.

The proposed detention basins adjoining Marshall Mount Road and Road 01 have the potential to cause flood impacts to Marshall Mount Road and Road 01 and impose risk to road users due to basin overflows onto the road in higher intensity storm events. This potential impact and risk shall be minimised or eliminated. The low flows from some basins also need to have their points of discharge identified.

The proposed detention basins only appear to have a water-based purpose with limited active/passive use outcomes for the community. The design and location of all basins shall be reconsidered to identify any dual-purpose opportunities.

These flooding items need to be addressed for exhibition. It is noted that the developable land within the Neighbourhood Plan precinct is a relatively small proportion of the total precinct, and the issues are resolvable.

### **Riparian corridors**

The width of the proposed riparian areas along Duck Creek and the unnamed tributary on the eastern side of 129 Marshall Mount Road, requires further consideration.

The areas identified either have no or limited development potential, so increases to the riparian widths can be accommodated without a reduction in the overall development yield.

The assessment of the riparian areas could be revised and provided as an overlay on a revised Neighbourhood Plan for exhibition. The Neighbourhood Plan can also be annotated to require compliance with Chapter E13 of Wollongong DCP and include a revised riparian corridor.

### **Woodland**

The precinct contains large stands of Illawarra Lowlands Grassy Woodlands which is an Endangered Ecological Community and is zoned C2 Environmental Conservation.

The future ownership / stewardship of the C2 and the C3 riparian zoned lands is unclear. The northern areas of C2 land are on land controlled by the proponent, while other portions to the south and east are under different ownership and would need to be determined under consultation with those landholders. Existing rural uses are expected to be continued on some of these sites in the meantime.

### **Earthworks**

Subdivision designs are required to "Ensure the design of the subdivision responds to the natural topography and landform feature and minimise, as far as practicable, significant cut / fill and unnecessary reshaping of the site". The draft Neighbourhood Plan suggests that 64,210m<sup>3</sup> of land is to be cut/filled. Even after acknowledging that fill can be used on site, it seems that an excessive amount of the site is proposed to be remodelled. The extent of cut and fill should be reduced. This will be considered in conjunction with the landform necessary to achieve the desired outcome for the stormwater detention basins prior to exhibition.

### **Servicing**

Sydney Water are preparing water and sewer plans to serve the precinct. Sydney Water are considering location options for a sewerage pumping station site within the precinct. Once determined the site will be included on the Neighbourhood Plan. Sydney Water have indicated that sewerage services should be available by 2025 and developers can make interim arrangements in the short term (i.e. collection and pump-out). It is anticipated that Sydney Water will provide more detailed comments during the exhibition process.

## **CONSULTATION AND COMMUNICATION**

The lead consultant has been liaising with the landholder / developer representatives for the precinct. Much of the remaining land within the precinct has low or no development potential, and some landholders have declined to be involved. Co-operation between the landholder / developers would allow for a more holistic consideration of the whole neighbourhood precinct. The proponent has included an indicative road connection to land zoned C4 in the eastern portion of the precinct, which has some potential for rural-residential lots (between Duck Creek and the railway line). This land is not controlled by the proponent, and the landholder has declined to be involved in the process. Further studies will need to be undertaken by the landholder in this part of the precinct if they want to develop in the future.

If supported by Council, the draft Neighbourhood Plan would be exhibited for a minimum of 28 days, with the documents being available on Council's website, at Council's Customer Service Centre, at the Central Library and Dapto Library.

## PLANNING AND POLICY IMPACT

This report relates to Wollongong 2028 Community Strategic Plan Objective 1.3 "The sustainability of our urban environment is improved" under Community Goal 1 "We value and protect our environment" and Delivery Program 1.3.1.2 "Develop planning controls and Town Centre and Neighbourhood Plans with regard to the economic, social, and environmental impacts". The report also relates to Strategy 5.3.1 "Housing choice in the Wollongong Local Government Area is improved, taking into account population growth, community needs and affordability" under Community Goal 5 "We have a healthy community in a liveable city" in Council's 2018-2022 Delivery Program and Operational Plan.

The draft Neighbourhood Plan fits with the existing LEP controls. It is noted that the road reservation issues for widening of Marshall Mount Road and the proposed road along the northern side of Duck Creek still require more work, though the Neighbourhood Plan can be adjusted to suit changes post exhibition.

## FINANCIAL IMPLICATIONS

The financial implications of the West Dapto Urban Release Area are significant and are subject to regular monitoring and modelling. As part of the West Dapto Review Project, Council considered and adopted an updated Section 7.11 Contributions Plan for the West Dapto Urban Release Area.

There are no significant financial implications resulting from this report.

## CONCLUSION

The draft Neighbourhood Plan for the Elm Park precinct is largely consistent with vision and planning for the West Dapto Urban Release Area and the Yallah-Marshall Mount Precinct.

It is recommended that the proponent provide the updated information to accompany the draft Neighbourhood Plan and once received the draft Neighbourhood Plan be exhibited for a minimum of 28 days.

**WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009**

**Location Plan and Land Zoning Map**

**Zoning**

- B2 Neighbourhood Centre
- B3 Local Centre
- B4 Mixed Use
- B6 Enterprise Corridor
- B7 Business Park
- C2 Environmental Conservation
- C3 Environmental Management
- C4 Environmental Living
- IN1 Light Industrial
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- RE1 Public Recreation
- RU2 Rural Landscape
- SP2 Infrastructure
- SP3 Tourist
- Elm Park Precinct Bdy

**Cadastral**

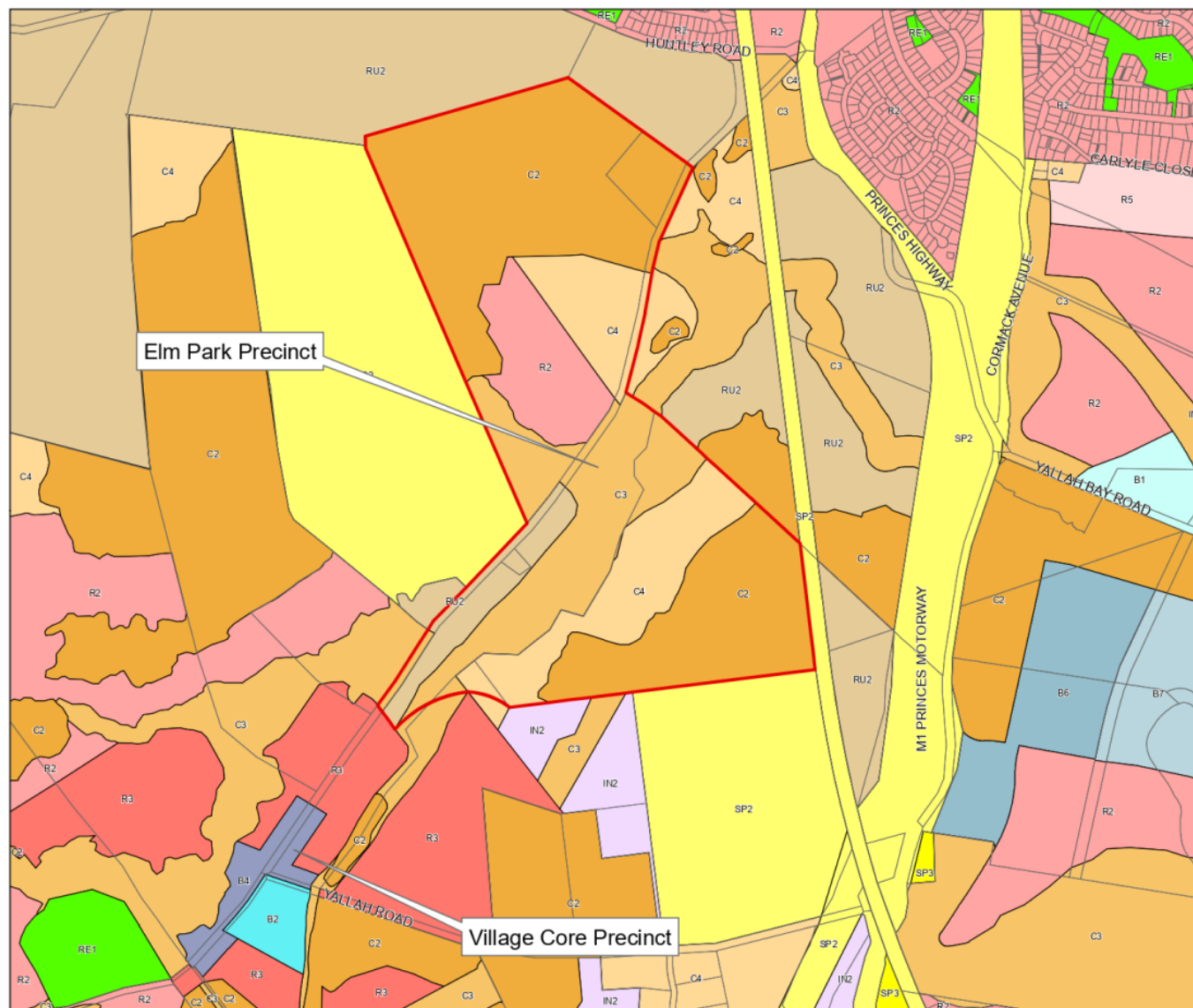
Cadastre 21.02.22 @ Wollongong City Council



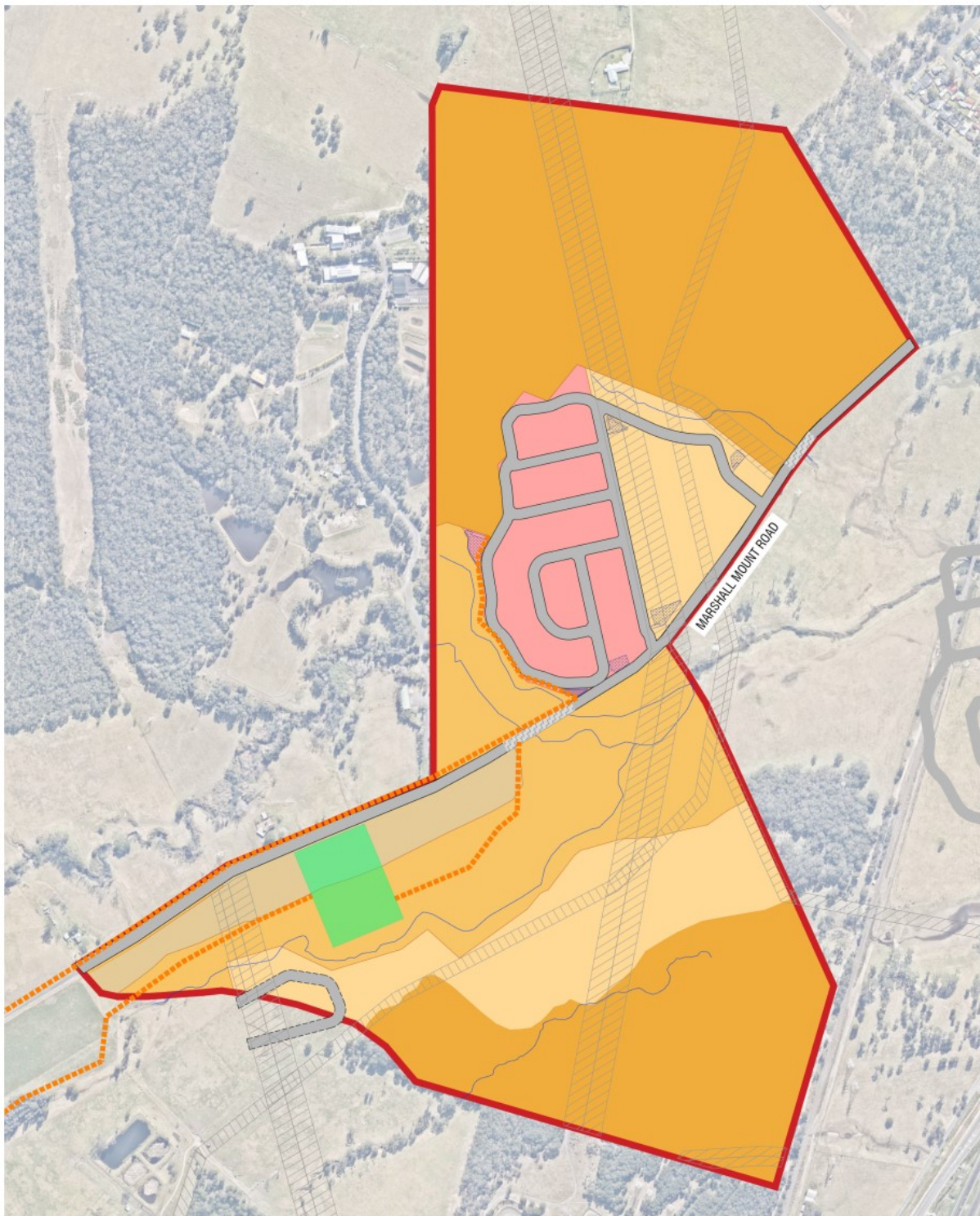
Projection: GDA 2020  
MGA Zone 56

Scale 1:10,000 @ A3

Map Identification number:  
Location\_Zoning\_280222.mxd







**ZONES**

- R2 - LOW DENSITY RESIDENTIAL
- E2 - ENVIRONMENTAL CONSERVATION
- E3 - ENVIRONMENTAL MANAGEMENT
- E4 - ENVIRONMENTAL LIVING
- RU2 - RURAL LANDSCAPE

**LEGEND**

- LOCAL PARK
- ROADS (INDICATIVE ONLY)
- ELM PARK NEIGHBOURHOOD
- ROADS
- SHARED USE PATHS

- BRIDGES
- WATERCOURSES
- OSD BASINS
- SERVICE & UTILITY EASEMENTS



REVISION	DESCRIPTION	BY	DATE
C	NEIGHBOURHOOD PLAN SUBMISSION	AG	05/11/2021
B	ISSUE TO COUNCIL	MT	15/10/2021
A	ISSUE FOR DISCUSSION	MT	29/07/2021

**PROJECT MANAGERS • SURVEYORS • PLANNERS • ENGINEERS**

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**SITE DESCRIPTION**  
NEIGHBOURHOOD PLAN WITH EXISTING ZONING (Newmap April 2021)

THIS PLAN IS PRELIMINARY ONLY AND IS SUBJECT TO AMENDMENTS AND CHANGES DUE TO FURTHER INVESTIGATION, LATENT FINDS, UNKNOWN SITE CONDITIONS, SURVEYING AND LOCAL COUNCIL, STATE AND FEDERAL GOVERNMENT AUTHORITIES RECOMMENDATIONS AND APPROVALS. REPORTS AND INFORMATION REQUIRED TO FINALISE THIS PLAN WILL INCLUDE BUT WILL NOT BE LIMITED TO ARCHAEOLOGY, HERITAGE, CONTAMINATION, ECOLOGY, ZONING, DRAINAGE, UTILITIES, FLOODING AND WATERWAYS, SEWERAGE, WATER SUPPLY, ELECTRICITY, TELECOMMUNICATION.

ELM PARK NEIGHBOURHOOD PLAN			
PROJECT REFERENCE	DATE OF ISSUE	REVISION NO.	SHEET SIZE
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**DRAWING NUMBER**  
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