

ITEM 3

POST EXHIBITION - NEIGHBOURHOOD PLAN FOR "IOWNA" PRECINCT, MARSHALL MOUNT ROAD, MARSHALL MOUNT

On 28 June 2021, Council resolved to exhibit a draft Neighbourhood Plan for the Iowna precinct at Marshall Mount, once required amendments were made.

The draft Neighbourhood Plan was exhibited from 28 February to 30 March 2022. As a result of the exhibition process, Council received four submissions. Subsequent discussion and revisions have occurred to finalise the Neighbourhood Plan. This report considers the revised post exhibition Neighbourhood Plan for the Iowna precinct and recommends that it be adopted by Council with amendments.

RECOMMENDATION

- 1 The Iowna Neighbourhood Plan (Attachment 3) be adopted as an amendment to the Wollongong Development Control Plan - Chapter D16 West Dapto Release Area, with the minor amendments and controls discussed in this report (Attachment 4).
- 2 A public notice be placed on Council's website advising of the adoption.

REPORT AUTHORISATIONS

Report of: Chris Stewart, Manager City Strategy

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

ATTACHMENTS

- 1 Location
- 2 Draft Neighbourhood Plan as exhibited
- 3 Revised Neighbourhood Plan for adoption
- 4 Additional Development Controls for inclusion in the amended Chapter D16 - West Dapto Urban Release Area

BACKGROUND

On 8 June 2018, Stage 5 of the West Dapto Urban Release Area (WDURA) was rezoned to permit urban development and conservation outcomes.

There are 7 Neighbourhood Precincts within Stage 5. To date, Council has exhibited three draft Neighbourhood Plans in Stage 5, including this precinct, the Elm Park precinct (Neighbourhood Plan adopted), and the Marshall Vale and Duck Creek precinct.

The Iowna precinct consists of 4 lots on the southern side of Marshall Mount Road, with a combined area of 58.3 hectares (Attachment 1). Three of the lots extend east beyond the Iowna Neighbourhood Plan area.

Address	Lot / DP	Area (ha) within Neighbourhood Plan area	Current Zonings
301 Marshall Mount Road	Lot 7 in DP 626078	29.3 ha	R2 Low Density Residential C2 Environmental Conservation (partially outside Neighbourhood Plan area) C3 Environmental Management (partially outside Neighbourhood Plan area)
365 Marshall Mount Road	Lot 8 in DP 626078	5.4 ha	R2 Low Density Residential C3 Environmental Management C4 Environmental Living (outside Neighbourhood Plan area)

Address	Lot / DP	Area (ha) within Neighbourhood Plan area	Current Zonings
377 Marshall Mount Road	Lot 2 in DP 105826	11.5 ha	R2 Low Density Residential C3 Environmental Management C2 Environmental Conservation (outside Neighbourhood Plan area) C4 Environmental Living (outside Neighbourhood Plan area)
439 Marshall Mount Road	Lot 1 in DP 158988	12.11 ha	R2 Low Density Residential RE1 Public Recreation (1.4ha)

The precinct is bounded by Marshall Mount Road to the north, future residential and town centre lands to the east, additional residential land to the west and a Transgrid easement and rural/rural-residential precinct to the south. Much of the site is covered by steeper slopes and several riparian areas traverse the precinct. The precinct is currently used for rural uses.

Council at its meeting of 28 June 2021 considered a report on the draft Neighbourhood Plan and resolved that -

- The draft Planning Proposal for the 301 Marshall Mount Road, Marshall Mount not be progressed at this time.*
- The proponent revise the draft Iowna Neighbourhood Plan in conjunction with the other landholder/developer representatives to update studies and reflect the current Wollongong LEP controls.*
- Following the revisions, the draft Iowna Neighbourhood Plan be exhibited for community input for a minimum period of 28 days, as an amendment to the Wollongong Development Control Plan – D16 West Dapto Release Area.*

Following further work undertaken by the proponent, the draft Neighbourhood Plan was exhibited from 28 February to 30 March 2022 (Attachment 2).

PROPOSAL

Clause 6.2 of the Wollongong Local Environmental Plan (LEP) 2009 has objectives relating to the logical and cost-effective development of land in an urban release area. It requires specific controls to be prepared for the land.

Council has adopted the Wollongong Development Control Plan (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 detailed Neighbourhood Plan (master plan) for precincts nominated in the plan. The Neighbourhood precincts generally cover multiple properties to enable issues like connecting roads, drainage management, recreation facilities to be addressed in an integrated manner.

The West Dapto Vision and Structure Plan 2018 has informed development of the draft Iowna Neighbourhood Plan. The Vision is a Council policy that guides land use in the WDURA. The draft Iowna Neighbourhood Plan will form an amendment to the Wollongong DCP 2009 – Chapter D16 West Dapto Release Area.

The revised draft Neighbourhood Plan (Attachment 3) is the result of discussion and revisions since the exhibition period. The delay in finalising the draft Neighbourhood Plan is attributed in part to changes in land ownership and consultants. Since exhibition, the draft Neighbourhood Plan has been amended in response to the following issues –

Road Infrastructure

The Neighbourhood Plan has been amended to align with design work undertaken by Council for road widening of Marshall Mount Road and the proposed Marshall Mount Town Centre Bypass, including the intersection locations.

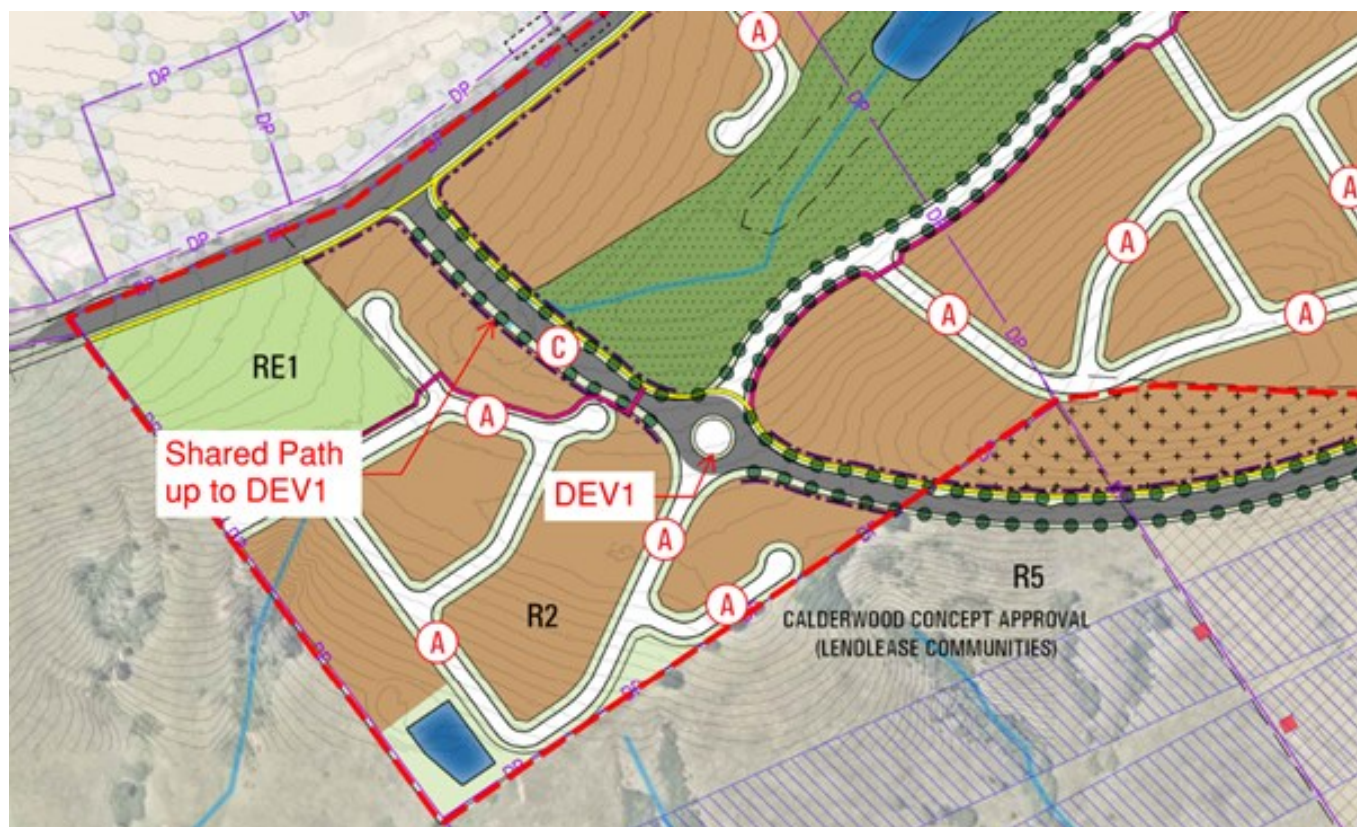
This included waiting for the 50% and 80% designs to be created by Council's consultants, and review of the Neighbourhood Plan against the more detailed road designs as they became available. The final design height of these key roadways impacts upon the subdivision layout and intersection locations. This issue needs careful consideration for the proposed bypass road as it requires considerable land forming (either cut or fill) in relation to adjoining land.

There were also some intersections that were too close to waterways and required more detailed flood assessment to avoid future risk and inappropriate infrastructure. There are still some areas where change may be necessary, as outlined below.

The revised Neighbourhood Plan will require some changes for implementation, including -

- Revision to reflect Council's 80% concept design, including -
 - Proposed location and levels of relevant roads.
 - Development intersection 6 location shift further south [see image below].
 - Development intersection 4 treatment change to remove connection into lowna.
 - The section of bypass road between Marshall Mount Road and Development intersection 1 has a shared path along the southern side of the road as well [see image below].
- In addition to the above, further design work is being undertaken around pedestrian / shared path crossing facilities and potential future bus stop locations across the bypass road, between Development intersections 4 and 15. This may result in some amendments to the bypass road design or allowances required for bus stop acquisitions, which staff expect to have further information on in the 100% concept design.
- Include annotation that final intersection arrangements and locations on Marshall Mount Road and the proposed Marshall Mount Town Centre Bypass are subject to Council's detailed road designs.





Flood, Riparian and Water Management

Agency feedback during exhibition from DPE – BCD (now DEECW) raised further concerns with flood risk, riparian buffer areas and water cycle management. Many areas were given insufficient width for riparian buffer areas to be incorporated, which would have resulted in narrow riparian areas, edged by high retaining walls. There was discussion regarding stream classifications and having riparian buffers meet with Wollongong DCP requirements outlined in Chapters E23, E13 and E16, rather than Natural Resources Access Regulator (NRAR) standards. The matters raised have been addressed in the revised draft Neighbourhood Plan through improved urban design including the cut and fill interface discussed as follows.

Urban Design, including Cut/fill Interface

The draft Neighbourhood Plan was reliant on significant cut and fill. In addition to the issues with flood water passage, there were also problems with how this could interface with riparian areas. The proposed cut and fill would have likely resulted in unacceptable impacts on the riparian areas, and a poor urban design outcome when considering the number and height of proposed retaining walls throughout the development. This would have resulted in poor access for maintenance and recreation, and likely increased future asset maintenance costs for Council and future landowners.

The revised Neighbourhood Plan also included a revised development pattern along the riparian area that parallels Marshall Mount Road. This enables a wider riparian buffer area, with more room to provide offset areas to compensate for loss areas and a better interface between the built environment and the riparian area. The riparian areas do not comply with Council's DCP controls in some areas, whilst having greater riparian buffers in others. The plan below shows the losses and offsets within the riparian area.



CORE RIPARIAN ZONE ASSESSMENT PLAN
(INCLUDING RIPARIAN AREA REQUIRED, BASINS AND OFFSETS)
1:2000

LEGEND

- NEIGHBOURHOOD BOUNDARY
- EXISTING PROPERTY BOUNDARY
- ZONING BOUNDARY
- TOP OF BANK

- RIPARIAN AREA REQUIRED (R0, R1 to R5)
- PROPOSED BASINS AND WATER QUALITY TREATMENT
- RIPARIAN OFFSET (GIVE)
- ENCROACHMENT OFFSET (TAKE)

ZONING LEGEND

- C2 ENVIRONMENTAL CONSERVATION
- C3 ENVIRONMENTAL MANAGEMENT
- C4 ENVIRONMENTAL LIVING
- R2 LOW DENSITY RESIDENTIAL
- R5 LARGE LOT RESIDENTIAL

CONCEPT RIPARIAN OFFSETS

PARCEL	PROPOSED RIPARIAN AREAS		
	PROPOSED RIPARIAN AREA LOST	PROPOSED RIPARIAN AREA GAINED	DIFFERENCE
MALCOLM	3,308m ²	17,352m ²	+14,044m ²
CAVI	2,844m ²	425m ²	-2,419m ²
OAKLEY	14,113m ²	11,795m ²	-2,318m ²
TOTAL	-28,365m ²	+30,122m ²	+6,757m ²

Further controls relating to riparian areas and flood works are proposed to the amended DCP chapter as outlined in Attachment 3.

Future Rezoning

As a consequence of Marshall Mount Bypass concept design, the proposed road has shifted slightly south into Lot 34 DP 1233491 which is zoned R5 Large Lot Residential under SEPP (Regional – Precincts) 2021 – Calderwood. To ensure the efficient use of land and to prevent a gap between the road and residential development, this land (approximate 5,000m²) will need to be rezoned through a separate Planning Proposal process. Initial consultation has occurred with the owner of the land.

As the land is not currently zoned for urban development, the area of land currently within the Timber Glades Neighbourhood Plan precinct (see below) will need to be shaded as a deferred area, as future development would be subject to a Planning Proposal to adjust zoning boundaries once the final bypass road location is finalised.



CONSULTATION AND COMMUNICATION

The draft Neighbourhood Plan was exhibited from 28 February to 30 March 2022.

Copies of the neighbourhood plan and supporting documents were available for viewing at -

- Dapto, and Wollongong Libraries during library opening hours.
- Council's Customer Service Centre, Ground Floor Administration Building, 41 Burelli Street Wollongong, on weekdays between 9am and 5pm.
- Council's exhibition website. The website received 400 views and 134 copies of documents were downloaded.

During exhibition, Council received two agency and two public submissions on the Neighbourhood Plan.

Submission	Comment	Response
Transport for NSW	<ul style="list-style-type: none"> • Note that signalised intersections will require TfNSW approval. • Note that there are future road proposals which would improve connectivity. • Traffic Impact Assessment (TIA) needs to include Active Transport pathways to Marshall Mount Road • The TIA does not refer to any bus turn around areas. • Recommend that further consultation occur with TfNSW for bus routes/stops and pedestrian facilities. • Active Transport is encouraged. • Council needs to ensure funding arrangements are in place for public infrastructure 	<ul style="list-style-type: none"> • Further details will be part of road designs for Marshall Mount Road and proposed Marshall Mount Town Centre Bypass. • Additional notations and controls will be part of the amended DCP chapter.
DPE – BCD (now DEECCW)	<ul style="list-style-type: none"> • The Neighbourhood Plan needs to be amended to be consistent with Council's LEP and DCP with regard to flood risk. • Water Cycle Management Study should be updated in accordance with Lake Illawarra CMP and ISRP. • The proposal should be amended to meet riparian buffer requirements. It is noted there are opportunities for riparian revegetation. 	<ul style="list-style-type: none"> • Amendments made to Neighbourhood Plan to address flooding, stormwater, WSUD and riparian issues. • Further controls will be included in the DCP chapter amendment (see Attachment 3).

Submission	Comment	Response
Public submission	<ul style="list-style-type: none"> Marshall Mount Road is busy – the bypass road should start at North Marshall Mount Road. Road access may be affected and will have trouble accessing property when Marshall Mount Road is four lanes. Will water supply be available? Feels development will down value property 	<ul style="list-style-type: none"> The proposed bypass road is currently in the final stages of design. The area is in an urban release precinct. This will inevitably change the character of the area and require upgrades to roads and other infrastructure. As part of the urban release area, water and sewer infrastructure will be provided to the residential precincts. The area is identified for development. There is no provision for compensation for loss of values, nor paying for increases in value.
Public submission	<ul style="list-style-type: none"> Concerned bypass road will impact on R3 zoned land, which would reduce future housing supply. 	<ul style="list-style-type: none"> Noted. The development areas need to include roads to service the proposed new developments – including the proposed bypass road.

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”.

The site is within Stage 5 Yallah Marshall Mount of WDURA. It was rezoned in 2018 through Wollongong LEP 2009 (Amendment 36).

The proposal is consistent with -

- Illawarra Shoalhaven Regional Plan (2021) – in broad terms, as it supports urban development within the West Dapto urban release area.
- Council’s West Dapto Vision 2018.
- Yallah-Marshall Mount Vision 2015.

The draft Neighbourhood Plan has been amended to address issues raised during exhibition with regard to flooding, water sensitive urban design (WSUD), riparian and traffic issues.

FINANCIAL IMPLICATIONS

The financial implications of the WDURA are significant and are subject to regular monitoring and modelling. As part of the West Dapto Review Project, Council regularly reviews and updated the West Dapto Section 7.11 Development Contributions Plan.

There are no significant financial implications resulting from this report.

CONCLUSION

The Neighbourhood Plan for the Iowna precinct will facilitate logical and cost-effective release of land for urban development including housing.

The draft neighbourhood Plan is consistent with the vision and planning for the West Dapto Urban Release Area and the Yallah-Marshall Mount precinct.

It is recommended that the Neighbourhood Plan be adopted with the amendments outlined in this report.

WOLLONGONG LOCAL ENVIRONMENTAL PLAN 2009

**Iowna
Location Plan and
Existing Zoning**

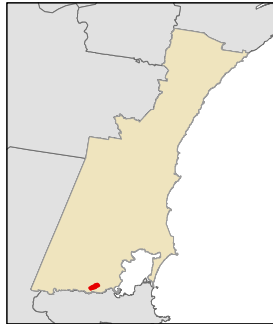
Zone

C1 National Parks & Nature Reserves	RE1 Public Recreation
C2 Environmental Conservation	RE2 Private Recreation
C3 Environmental Management	RU1 Primary Production
C4 Environmental Living	RU2 Rural Landscape
E1 Local Centre	RU4 Primary Production Small Lots
E2 Commercial Centre	SP1 Special Activities
E3 Productivity Support	SP2 Infrastructure
E4 General Industrial	SP3 Tourist
E5 Heavy Industrial	W1 Natural Waterways
MU1 Mixed Use	W2 Recreational Waterways
R1 General Residential	W3 Working Waterways
R2 Low Density Residential	W4 Working Waterfront
R3 Medium Density Residential	
R5 Large Lot Residential	

SEPP (Precincts-Regional) 2021

Cadastre

Cadastre 03/07/24 © Wollongong City Council

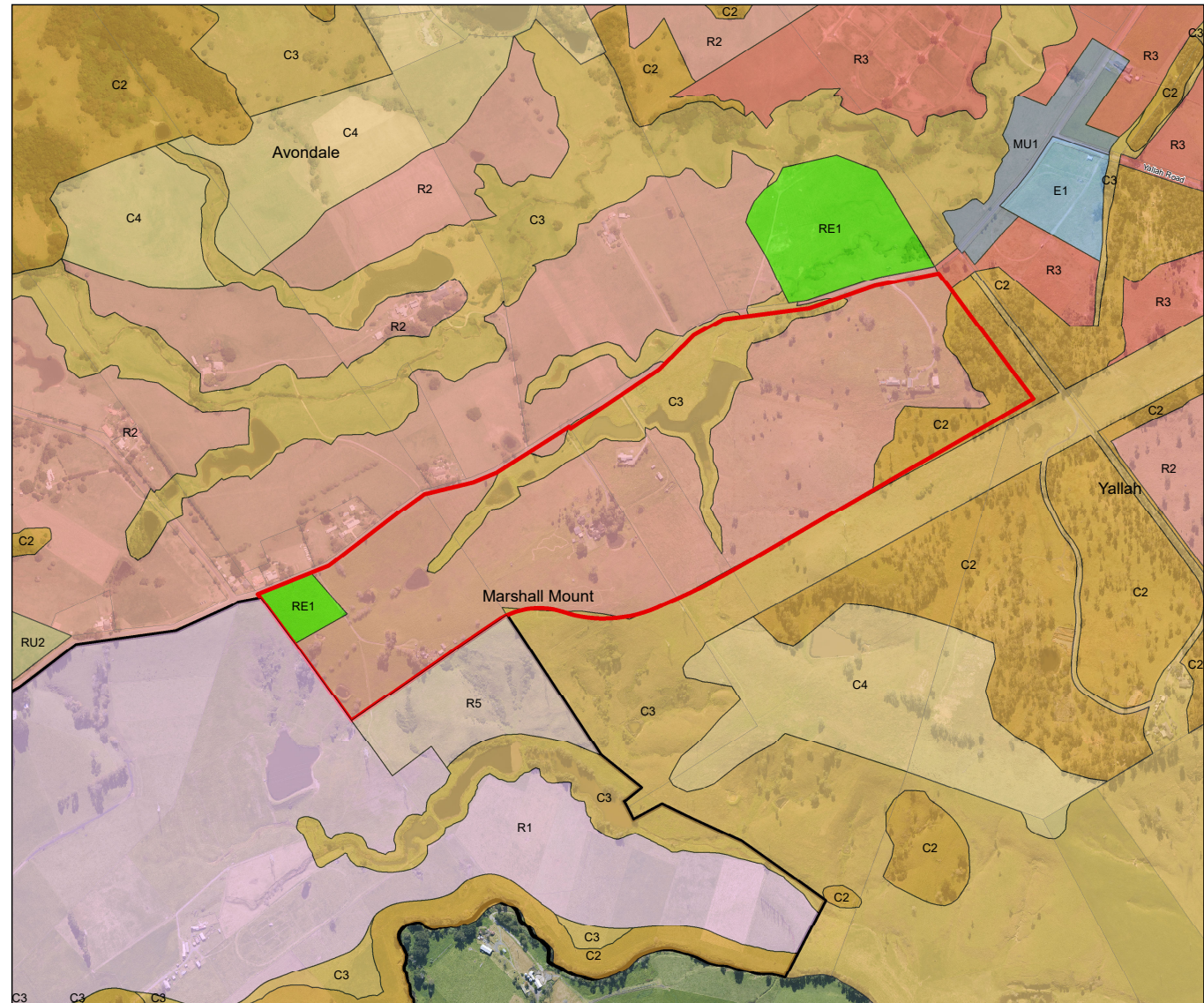


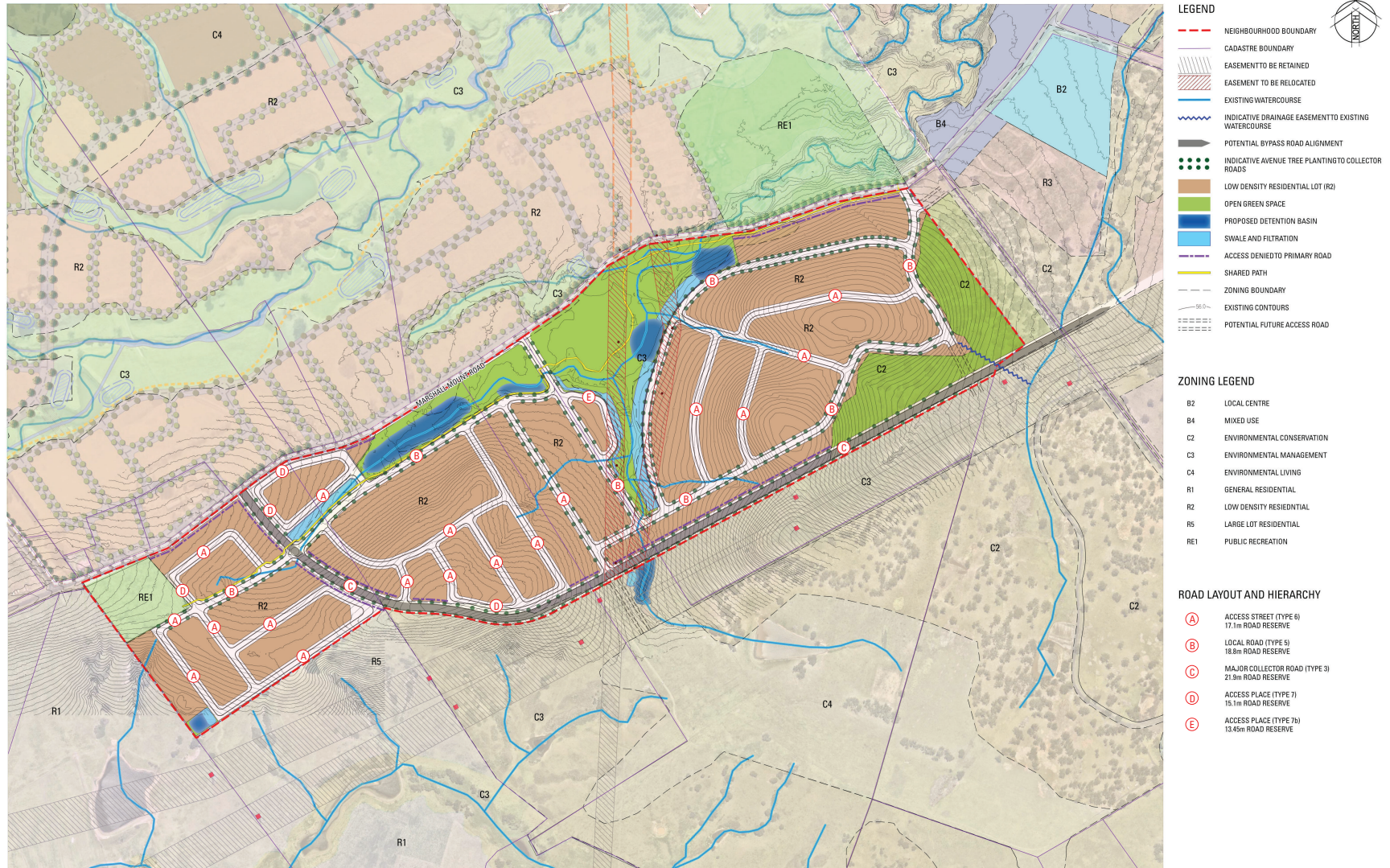
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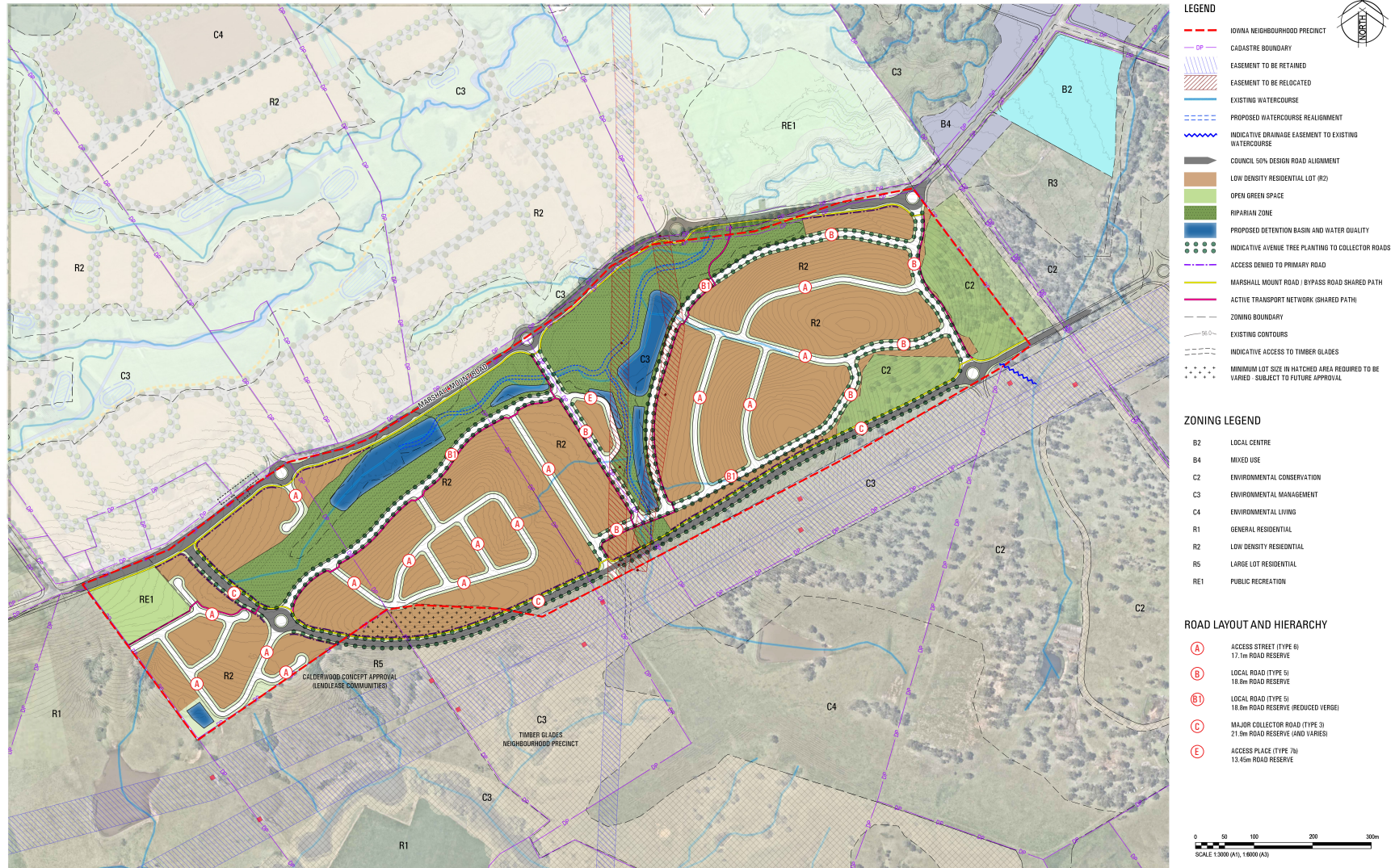
Projection: GDA 2020
MGA Zone 56

Scale 1:8,000 @ A3

Map identification number:-
Iowna_LocationPlan_ExZoning.mxd







- 1 The future subdivision of the land shall be generally in accordance with the adopted
Neighbourhood Plan.
- 2 Future residential development on the land shall be in accordance with Chapter B1, and other
relevant Chapters, except where variations or additional controls are identified below, which will
prevail.
- 3 A development application for subdivision shall demonstrate the manner in which it is compatible
with the current and likely future orderly and economic development of adjoining lands including
-
 - a Connectivity to pedestrian, cycling and public road networks. This includes provision of the
north-south share way within the West Dapto Development Contributions Plan linking
Marshall Mount Road to the proposed By-Pass Road, via local road east of the riparian
corridor.
 - b Earthworks, retaining walls and future cut/fill requirements.
 - c Stormwater management including any necessary works on adjoining land.
 - d A construction management plan maintaining connections to all essential services and public
road network during and post-construction.
 - e Management of Asset Protection Zones and connectivity to public roads for bushfire
emergency access and evacuation.
- 4 Minimum setback of 2-metre from secondary road on a corner lot, except for garages, which
require a 5.5m setback.
- 5 Lots with more than one frontage:
For lots with more than one road frontage, the primary frontage is that which is adjacent to the
road with the widest reserve width.

- a All dwellings must face, address and activate the primary road frontage.
 - b Car ports, garages and on-site parking must not be located within the setback to the primary frontage and not be accessed from the primary frontage.
- c Fencing and retaining walls fronting controlled access roads are to present a consistent streetscape (including landscape treatment with interface to road) and should be constructed prior to the issue of a Subdivision Certificate to ensure consistency of materials, construction and delivery. Refer also to Control No. 7 below which requires dwellings to address Access Denied Road.
- 6 Dwellings must address Marshall Mount Road and wherever possible to any other Access Denied Roads to maximise passive surveillance and shall include including appropriate landscape treatment with interface to road.
- 7 If developed in an integrated manner, a zero side setback will be considered for attached dwellings or dwellings on adjoining lots.
- 8 Fencing and landscaping treatment of a road frontage that is not the primary frontage must ensure that clear lines of sight are maintained for motorists and pedestrians and to achieve passive surveillance from the dwelling.
- 9 Any fence fronting a street that is not the primary frontage will be well designed and landscaped with appropriate planting. The maximum fence height is 1.8 metres of which a maximum 1.5m from the ground is solid form and elements above 1.5m are open form.
Examples of fencing include, but are not limited to -
 - a Masonry to 1.2m high with open form type lattice or slats above with masonry support elements no wider than 150mm.
 - b Timber Lap and Cap.
 - c Colourbond solid to 1.2m with Colourbond lattice style top sections. NB. Fences in bush fire prone areas shall be of a metal or masonry construction only.
 - d Any gates associated with the secondary street fence should open inwards so as to not obstruct the road reserve.
 These fencing requirements are to be included as a Restriction-as-to-user on the title of affected lots.
- 10 Fencing to 'Access Denied' primary frontages shall be constructed prior to the issue of a Subdivision Certificate. Where retaining walls are required, they are to be constructed in stepped design of masonry blocks or Council-approved equivalent and fencing as indicated in the Neighbourhood Plan and DCP controls.
These fencing requirements are to be included as a Restriction-as-to-user on the title of affected lots.
- 11 Where rear or side boundary fences adjoin land to be dedicated as passive open space, fences are to be of a design and materials which allows for passive surveillance between the private lot and the passive open space.
These fencing requirements are to be included as a Restriction-as-to-user on the title of affected lots.
- 12 Where garage door openings face the secondary road, they shall be a maximum of 50% of the width of the dwelling facade.
- 13 Parts of the site are identified as bushfire prone land. Certain construction standards apply for development on Bushfire Prone Land. The applicable Construction Standards for proposed development are to reflect the applicable Bushfire Attack Level (BAL). The BAL will be finalised at Development Application stage.
- 14 Design of the riparian areas must be presented in a Vegetation Management Plan for all the C3 land riparian corridors in the Iowna Neighbourhood prior to determination of the first construction subdivision development application of the Iowna Neighbourhood. The vegetation management plan must -
 - a Demonstrate how an overall improved environmental function outcome for the riparian land will be achieved. Which will seek to reinstate native riparian vegetation consistent with Illawarra Lowland Grassy Woodlands and River-flat Eucalypt Forest on Coastal Floodplains and will further enhance the ecological value of the proposed riparian corridor.
 - b Integrate with proposed stormwater management.
 - c Be supported by compatible engineering solutions and designs consistent with WDCP

Chapter E23 Section 10.8 Restoration Works for any engineering works including channel realignment.

- d Provide details for the future maintenance and ongoing management.

Implementation of a Vegetation Management Plan should only commence once all construction works that will impact the riparian corridors are complete throughout the entire lowna Neighbourhood. It may be necessary to defer the implementation of a Vegetation Management Plan and where a proposed riparian land dedication to Council occurs as a whole, rather than in stages.

- 15 Stormwater Harvesting outcomes are to be provided for subdivision applications and may include, but not be limited to provision of rainwater tanks at a lot level, and passive irrigation at a streetscape level via either self-irrigating street trees or bioretention tree pits.
- 16 Riparian Corridors
 - a Chapter E23 applies, except where the Neighbourhood Plan shows Council agreed encroachments. Filling within existing floodway areas (and high flood risk) is generally not supported.
 - b The proposed Riparian setbacks shall be generally in accordance with the lowna Neighbourhood Plan.
 - c This includes, but is not limited to: realignment of the watercourse and location of online basin within the riparian corridors generally in accordance with locations designated in Neighbourhood Plan and returning the watercourses to their naturalised state in accordance Vegetation Management Plan required at control 14. Realignment of the creeks must adopt or consider the following –
 - i Reintroduction of a meander in Tributary 1.
 - ii Removal of existing farm dams.
 - iii Civil works associated with the proposed Marshall Mount Town Centre bypass road.
 - iv Provision of adequate floodplain storage.
 - v Provide a suitable interface between the riparian area and urban areas of the development. Steep retaining wall interfaces will not be accepted.
 - vi Ensure on-site detention and water quality treatment is provided in a suitable location with further investigation for the 3 detention basins proposed on the northern side of the Bypass Road consolidated into 1 online and 1 offline combined detention/bioretention basin to service the upslope catchment during detailed design for the first construction development application in the lowna Neighbourhood.
 - d The total riparian corridor area of the lowna Neighbourhood subject to the implementation of a Vegetation Management Plan and ecological restoration works will be not less than .89 hectares but may be greater once development is complete.
- 17 Lots suitable for dual occupancy or multi-dwelling housing shall be identified in subdivision plans, including those capable as Complying Development.
- 18 Open Space: Subdivision Development Applications involving open space land, including OS24, shall be supported by a Landscape Concept Plan. Landscape Concept Plans shall be prepared in accordance with the West Dapto Open Space Design Manual and Chapter E6 Landscaping of Wollongong DCP, 2009.
- 19 Maintaining predevelopment flows at northern discharge point -
The peak flow from the northern catchment shall be restricted to predevelopment flows.
- 20 The detention basins and water quality treatment measures located north of the Bypass Road are to be consolidated to achieve a holistic catchment scale solution.
- 21 Bulk Earthworks - The proposed earthworks along the south-western boundary are revised at Development Application stage to match the adjacent existing ground levels. This outcome will ensure a uniform urban interface and minimal impact on the natural topography along this boundary.
- 22 If the landowner proposes dedication of Lot 7 DP 626078 C2 Environmental Conservation land to Council, this must be negotiated prior to the lodgement of any Development Application including for super Lots or for subdivision and enabling civil works construction.
 - a Dedication of C2 Environmental Conservation land on Lot 7 DP 626078 will require the preparation of a Vegetation Management Plan to be submitted with the first Development Application for the lot.

- b An approved Vegetation Management Plan for the C2 Environmental Conservation land must be implemented and to the satisfaction of Council prior to accepting handover.
- c The indicative Asset Protection Zones in Peterson Bushfire (2024) adjoining the C2 lands, consistent with WDCP 2009 Chapter E16 Bush Fire Management, Council will not accept dedication of land that needs to be managed as an Asset Protection Zone.