



New South Wales

Wollongong Local Environmental Plan (West Dapto) 2010 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning and Infrastructure, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

SAM HADDAD

As delegate for the Minister for Planning and Infrastructure

Wollongong Local Environmental Plan (West Dapto) 2010 (Amendment No 1)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Wollongong Local Environmental Plan (West Dapto) 2010 (Amendment No 1)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the land to which *Wollongong Local Environmental Plan (West Dapto) 2010* applies and, in particular, to the following:

- (a) Hamilton Street, Dapto, being part of Lot 11, DP 229044,
- (b) 10 Marshall Street, Dapto, being Lot 101, DP 1006766 and Lots 1–4, SP 61281,
- (c) 11–13 Marshall Street, Dapto, being Lot 2, DP 37621,
- (d) 1 Station Street, Dapto, being Lots 1 and 2, DP 856667,
- (e) 359 Bong Bong Road, Horsley, being Lot 1, DP 115862,
- (f) 434 Bong Bong Road, Horsley, being part of Lot 1, DP 549692,
- (g) 44 Hayes Lane, Horsley, being part of Lot 1, DP 199396,
- (h) Iredell Road, Horsley, being part of Lots 8 and 9, DP 33650,
- (i) 20 Iredell Road, Horsley, being part of Lot 1, DP 657351,
- (j) 64 Shone Avenue, Horsley, being part of Lot 2, DP 658275,
- (k) 116 Shone Avenue, Horsley, being part of Lot 7, DP 33650,
- (l) 29 Darkes Road, Kembla Grange, being part of Lot 10, DP 229044,
- (m) 30 Darkes Road, Kembla Grange, being part of Lot 12, DP 229044,
- (n) 74 and 88 Darkes Road, Kembla Grange, being part of Lots 1 and 2, DP 700363,

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- (o) 80–86 Darkes Road, Kembla Grange, being part of Lot 1, DP 33281,
 - (p) 92–94 Darkes Road, Kembla Grange, being part of Lot 1, DP 858690,
 - (q) 105 Darkes Road, Kembla Grange, being part of Lot 2, DP 1118463,
 - (r) 109 Darkes Road, Kembla Grange, being part of Lot 1, DP 795839,
 - (s) 141 Darkes Road, Kembla Grange, being Lot 1, DP 770451,
 - (t) 17 Reddalls Road, Kembla Grange, being part of Lot 562, DP 823270,
 - (u) 49 Reddalls Road, Kembla Grange, being part of Lot 561, DP 823270,
 - (v) West Dapto Road, Kembla Grange, being Lot 1, DP 818199 and Lot 2, DP 1008723,
 - (w) 206 West Dapto Road, Kembla Grange, being part of Lot 1, DP 588139,
 - (x) 290 West Dapto Road, Kembla Grange, being part of Lot 1, DP 195705 and Lot 1, DP 1008723,
 - (y) 340–342 and 414 West Dapto Road, Kembla Grange, being part of Lot 1, DP 657171 and part of Lot 1, DP 1118463,
 - (z) 480 West Dapto Road, Kembla Grange, being part of Lot 2, DP 607454,
 - (aa) 30 Shone Avenue, Wongawilli, being part of Lot 14, DP 255284,
 - (ab) 60 Smiths Lane, Wongawilli, being Lot 202, DP 1017684,
 - (ac) West Dapto Road, Wongawilli, being Lot 421, DP 1108957,
 - (ad) Wongawilli Road, Wongawilli, being Lots 1 and 2, DP 747729,
 - (ae) 26 Wongawilli Road, Wongawilli, being part of Lot 1, DP 607454.

4 Maps

Each map adopted by *Wollongong Local Environmental Plan (West Dapto) 2010* that is specified in Column 1 of the following table is declared by this Plan to be amended or replaced, as the case requires, by the map specified opposite in Column 2 of the table as approved by the Minister on the making of this Plan:

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Clause 4 No 1)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Wollongong Local Environmental Plan (West Dapto) 2010 Floor Space Ratio Map (8450_URB_FSR_010_020_20100219)	Wollongong Local Environmental Plan (West Dapto) 2010 Floor Space Ratio Map (8450_URB_FSR_010_020_20120423)
Wollongong Local Environmental Plan (West Dapto) 2010 Floor Space Ratio Map (8450_URB_FSR_013_020_20100219)	Wollongong Local Environmental Plan (West Dapto) 2010 Floor Space Ratio Map (8450_URB_FSR_013_020_20120423)
Wollongong Local Environmental Plan (West Dapto) 2010 Heritage Map (8450_URB_HER_010_020_20100301)	Wollongong Local Environmental Plan (West Dapto) 2010 Heritage Map (8450_URB_HER_010_020_20120423)
Wollongong Local Environmental Plan (West Dapto) 2010 Heritage Map (8450_URB_HER_013_020_20100301)	Wollongong Local Environmental Plan (West Dapto) 2010 Heritage Map (8450_URB_HER_013_020_20120423)
Wollongong Local Environmental Plan (West Dapto) 2010 Land Reservation Acquisition Map	Wollongong Local Environmental Plan (West Dapto) 2010 Land Reservation Acquisition Map (8450_URB_LRA_010_020_20120525)
Wollongong Local Environmental Plan (West Dapto) 2010 Land Reservation Acquisition Map (8450_URB_LRA_013_020_20100301)	Wollongong Local Environmental Plan (West Dapto) 2010 Land Reservation Acquisition Map (8450_URB_LRA_013_020_20120423)
Wollongong Local Environmental Plan (West Dapto) 2010 Land Zoning Map (8450_URB_LZN_010_020_20100224)	Wollongong Local Environmental Plan (West Dapto) 2010 Land Zoning Map (8450_URB_LZN_010_020_20120517)

Column 1	Column 2
Name of map being amended or replaced	Name of amending or replacement map
Wollongong Local Environmental Plan (West Dapto) 2010 Land Zoning Map (8450_URB_LZN_013_020_20110525)	Wollongong Local Environmental Plan (West Dapto) 2010 Land Zoning Map (8450_URB_LZN_013_020_20120517)
Wollongong Local Environmental Plan (West Dapto) 2010 Lot Size Map (8450_URB_LSZ_010_020_20100301)	Wollongong Local Environmental Plan (West Dapto) 2010 Lot Size Map (8450_URB_LSZ_010_020_20120423)
Wollongong Local Environmental Plan (West Dapto) 2010 Lot Size Map (8450_URB_LSZ_013_020_20100301)	Wollongong Local Environmental Plan (West Dapto) 2010 Lot Size Map (8450_URB_LSZ_013_020_20120423)

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Schedule 1

Amendment of Wollongong Local Environmental Plan (West Dapto) 2010

**Schedule 1 Amendment of Wollongong Local
Environmental Plan (West Dapto) 2010**

[1] Clause 4.1A

Insert after clause 4.1AA:

4.1A Minimum subdivision lot sizes for certain split zones

- (1) The objectives of this clause are as follows:
 - (a) to provide for the subdivision of lots that are within more than one zone but that cannot be subdivided under clause 4.1,
 - (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.
- (2) This clause applies to each lot (an *original lot*) that contains:
 - (a) land in a residential, business or industrial zone or in Zone E4 Environmental Living, and
 - (b) land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E2 Environmental Conservation or Zone E3 Environmental Management.
- (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the *resulting lots*) if:
 - (a) one of the resulting lots will contain:
 - (i) land in a residential, business or industrial zone or in Zone E4 Environmental Living that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and
 - (ii) all of the land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone E2 Environmental Conservation or Zone E3 Environmental Management that was in the original lot, and
 - (b) 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 in relation to that land.

[2] Clause 5.1 Relevant acquisition authority

Insert at the end of the table to clause 5.1 (2) under the columns headed **Type of land shown on Map** and **Authority of the State**, respectively:

Zone R3 Medium Density Residential and marked "Local road"	Council
Zone B2 Local Centre and marked "Local road"	Council
Zone IN2 Light Industrial and marked "Local road"	Council
Zone RE1 Public Recreation and marked "Local road"	Council
Zone E3 Environmental Management and marked "Local road"	Council

[3] Schedule 5 Environmental heritage

Omit the following:

House	10 Marshall Street	Lot 101, DP 1006766	Local	6333
House	13 Marshall Street	Lot 2, DP 37621	Local	6332
Dapto Railway Station	Station Street	Lot 2, DP 856667	State	6435
Station Master's Residence	1 Station Street	Lot 1, DP 856667	State	64335
Wongawilli Community Hall	Wongawilli Road	Part Lot 42, DP 751278	Local	61067
Wongawilli Rail Line	Wongawilli Road (located behind Wongawilli subdivision towards mine)	Part Lot 14, DP 255284	Local	61066

[4] Schedule 5

Insert in the columns headed **Item name**, **Address**, **Property description**, **Significance** and **Item No**, respectively, in alphabetical order by street name in the matter relating to **Dapto**:

Dapto Railway Station	Station Street	Lot 2, DP 856667	Local	6435
Station Master's Residence	1 Station Street	Lot 1, DP 856667	Local	6335

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Schedule 1 Amendment of Wollongong Local Environmental Plan (West Dapto) 2010

[5] Schedule 5

Omit “Morton Bay” wherever occurring. Insert instead “Moreton Bay”.

[6] Schedule 5

Insert in the columns headed **Item name**, **Address**, **Property description**, **Significance** and **Item No** respectively, in alphabetical order by street name in the matter relating to **Wongawilli**:

Wongawilli Community Hall	Wongawilli Road	Part Lot 42, DP 751278	Local	61062
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