

Planning Proposal 17

Date: 7 August 2015

Local Government Area: Shellharbour City Council

Property Details: between Princes Highway and East West Route at **Albion Park Rail** – Lot 1 DP 1039969, Part of Lot 23 DP 1039967, Lot 10 DP 1040306 and parts of road reserve on Colden Drive, Shandan Circuit and Durgadin Drive

Part 1 Objectives or intended outcomes

Rezone land from SP2 Infrastructure Classified Road to IN2 Light Industrial, introduce corresponding controls on building height, minimum lot size, floor space ratio and remove SP2 Infrastructure Classified Road Reservation from Land Reservation Acquisition Map

Part 2 An explanation of the Provisions that are to be included in the proposed local environmental plan

The proposed outcomes will be achieved by amending Shellharbour LEP 2013 as outlined in Attachment 2: Table of Properties.

Shellharbour LEP 2013 maps included in this planning proposal are the Floor Space Ratio Map (FSR), Height of Building Map (HOB), Lot Size Map (LSZ), Land Zoning Map (LZN), Land Reservation Acquisition Map (LRA).

Part 3 Justification for the objectives, outcomes, provisions and the process for their implementation

A. Need for the planning proposal.

1. Is the planning proposal a result of any strategic study or report?

Yes. Roads and Maritime Services developed a preferred option for an Albion Park Rail bypass and displayed it in September/October 2014. RMS have now developed a concept design to a level of detail enabling the Environmental Impact Statement to be prepared and are confident the concept design is not expected to change in relation to the subject reservation. Accordingly Roads and Maritime Services requests removal of the reservation.

The concept design provides for quarry vehicular access from a new local road adjoining to the south and parallel with the new motorway. The concept design provides no vehicular connection between the new motorway and existing light industrial area.

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A Planning Proposal, that is, amending Shellharbour LEP 2013, is the only means to achieve the objectives or intended outcomes.

B. Relationship to strategic planning framework.

1. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Illawarra Regional Strategy 2006 - 2031 applies to the Shellharbour LGA.

The Planning Proposal is consistent with or not applicable to the Illawarra Regional Strategy 2006- 2031 as outlined in the Summary of Planning Issues Checklist. See Attachment 1: Summary of Planning Issues Checklist.

2. Is the planning proposal consistent with a council's local strategy, or other local strategic plan?

The Planning Proposal is consistent with Council's Community Strategic Plan.

The Planning Proposal is consistent with the following objectives and strategies of Council's Community Strategic Plan 2013 - 2023:

Objective: 2.3 - A liveable City that is connected through places and spaces.

Strategy: 2.3.2 - Undertake all land use planning addressing social, economic and environmental principles whilst reflecting the current and future community's needs.

Strategy: 2.3.4 - Facilitate the provision of development that meets the changing needs and expectations of the community.

3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes, this Planning Proposal is consistent with or not applicable to State Environmental Planning Policies. See Attachment 1: Summary of Planning Issues Checklist, for assessment.

4. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal is consistent or not applicable to all but the following Ministerial Direction:

4.3 Flood Prone Land

The inconsistency with the above Ministerial Direction is considered to be of minor significance.

Refer to Attachment 1: Summary of Planning Issues Checklist for the assessment of the Section 117 Ministerial Directions.

C. Environmental, social and economic impact.

1. 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?

No, there the planning proposal will not impinge on any critical habitats or directly affect any endangered ecological communities or threatened species.

2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No, the planning proposal is likely to have minimal effect on the environment.

3. How has the planning proposal adequately addressed any social and economic effects?

The land's SP2 zoning is restrictive, only permitting environmental protection works, flood mitigation works, roads, development ancillary or incidental to roads.

Removal of the reservation and rezoning to light industrial would free the land up for development commensurate with the IN2 Light Industrial zoning. This would be conducive to employment generating investment and development, providing economic and social benefits for the community.

D. State and Commonwealth interests.

1. Is there adequate public infrastructure for the planning proposal?

The RMS' concept design provides for quarry vehicular access from a new local road adjoining to the south and parallel with the new motorway. The concept design provides no vehicular connection between the new motorway and existing light industrial area, making the reservation redundant.

2. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?

Roads and Maritime Services have requested the classified road reservation be removed and were advised of the 4 August 2015 Council report prior to it going to Council. No further public authority/agency consultation is proposed.

Part 4 Maps, where relevant to identify the intent of the planning proposal and the area to which it applies

The maps included in the Planning Proposal are:

- Floor Space Ratio (FSR)
- Height of Building (HOB)
- Lot Size Map (LSZ)
- Land Zoning Map (LZN)
- Land Reservation Acquisition (LRA)

Part 5 Details of the community consultation that is to be undertaken on the planning proposal.

Owners of lots affected by the reservation were advised of the 4 August 2015 Council report prior to it going to Council.

Given the planning proposal only affects the subject land, no public consultation is proposed.

Part 6 Project timeline.

- Anticipated timeframe for completion of required technical information – NA.
- Commencement and completion of public exhibition – NA.
- Timeframe for government agency consultation – consultation has concluded with Roads and Maritime Services.
- Dates for public hearing – NA.
- Timeframe for consideration of any submissions/objections will depend on what issues if any, are raised and whether for instance the proponent needs to respond.
- Timeframe for consideration of proposal post resolution of any issue – to be determined – 3 week Council reporting cycle if needed to report back to Council.
- Date of submission to the Department (if not delegated) to finalise the LEP – within 2 weeks of Council officer or Council endorsement.
- Date of submission to DPE (for maps/MCS check) and Parliamentary Counsel; by Council (if delegated) - within 2 weeks of Council officer or Council endorsement.
- If delegated, anticipated date Relevant Planning Authority (RPA) will make the plan - within 2 weeks of mapping being checked off by regional Department of Planning and Environment and Parliamentary Counsel Opinion being resolved.
- If delegated, anticipated date RPA will forward to the department for notification - within 2 weeks of plan being made.

ATTACHMENTS

1. Summary of Planning Issues Checklist
2. Table of Properties
3. Planning Proposal 16 Maps
4. Council report and resolution of 4 August 2015