**The Planning Proposal**

**Local Government Area:** Shellharbour City Council

**Property Details:** Lot 9 DP 1038941, 240 - 242 Croome Road, Croom. See **Attachment 1**

**Part 1 Objectives or intended outcomes.**

 Rezone the property so that it is not deferred from Shellharbour LEP 2013 but is included in it.

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

* Rezone part R2 Low Density Residential. This will be the same shape as the current 2(e) Mixed Use land in Shellharbour LEP 2000
* Rezone part RU2 Rural Landscape
* Rezone part E3 Environmental Management for that section of the land in the south west corner containing the Endangered Ecological Community vegetation classed as Illawarra Lowlands Grassy Woodland
* Include Terrestrial Biodiversity map & clause 6.5 for land currently identified as High Conservation Value in Shellharbour Rural LEP 2004 and the area of vegetation in the south western corner of the lot
* Include a Mineral Resource Transition Area map & clauses 6.10 & 6.11 for the RU2 and E3 zoned land. This will cover the same land as the current Quarry Buffer in Shellharbour Rural LEP 2004
* Include a minimum lot size of 450m2 for the proposed R2 zoned land and 16ha for the proposed RU2 and E3 zoned land
* Include a building height of 9.0m for all the property
* Include a floor space ratio of 0.5:1 for the R2 zoned land.

**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?**

The property was included in the Urban Fringe Local Environmental Study. Recommendations from that study were included in the Draft Shellharbour LEP 2011 that was publically exhibited in 2011. Council at its extraordinary meeting of 29 May 2012 resolved to defer this and other Urban Fringe lands from the LEP so that that potential increases in residential densities can be studied/assessed.

Council at its meeting of 9 August 2016 resolved to prepare a Planning Proposal to rezone the property so that it can be incorporated into Shellharbour LEP 2013. See **Attachment 2**.

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

Yes. It is the only way deferred lands can be incorporated into Shellharbour LEP 2013.

*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)?**

Not applicable.

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

Not applicable.

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

Partly, see **Attachment 3**

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

Partly, see **Attachment 3**

*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?**

Minimised as the area identified with endangered ecological communities is proposed to be zoned E3 Environmental Management with the Terrestrial Biodiversity layer and clause applying.

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

Adverse impacts will be no greater than currently likely.

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

Minimal impact. No additional residential zoning is proposed on the Mineral Resources Transition Area. This would minimise potential impacts on the extraction of hard rock from the nearby quarry and conversely, minimise adverse impact on any future dwellings on the site.

*D. State and Commonwealth interests.*

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

Existing residential zone adjoining residential zoned and developed area. Referral to utilities required if Gateway determination provided.

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

Civil Aviation Safety Authority have no objection to the proposal.

Preliminary consultation with NSW Department of Industry (Resources & Energy – Geological Surveys NSW) indicates that the Mineral Resource Transition Area is no required on the existing Residential zoned land. Further consultation will be required if a Gateway determination is provided.

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

See **Attachments 4 - 9**

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

Subject to Gateway determination, a 28-day exhibition would be required.

**Part 6 Project timeline.**

Subject to gateway determination, 12 months.

**ATTACHMENTS**

1. **Locality Map**
2. **Council resolution and report 9 August 2016**
3. **Summary of Planning Issues**
4. **Shellharbour LEP 2013 Land Zoning Map**
5. **Shellharbour LEP 2013 Minimum Lot Size Map**
6. **Shellharbour LEP 2013 Building Height Map**
7. **Shellharbour LEP 2013 Floor Space Ratio Map**
8. **Shellharbour LEP 2013 Terrestrial Biodiversity Map**
9. **Shellharbour LEP 2013 Mineral Resource Transition Area Map**