

# The Planning Proposal – Ref: 0003/2019

**Date:** 02 November 2020

**Local Government Area:** Shellharbour

**Property Details:** Part Lot 300 DP 1223037

## Part 1 Objectives or intended outcomes

To allow an additional permitted use, being for a function centre.

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

The planning proposal seeks to amend the SLEP 2013 to achieve the proposed outcome for the subject site by:

Amending Schedule 1, to include 'function centre' as an additional permitted use on part of the site, as follows:

### 9. *Use of certain land at Croome Road and Tongarra Road*

*(1) This clause applies to land in Zone SP1 Special Activities being Lot 300 DP1223037 as shown edged heavy red identified as "9" on the Additional Permitted Uses Map.*

*(2) Development for the purposes of 'function centre' is permitted with development consent.*

Amending the Additional Permitted Uses Map (Sheet APU\_014 and 018) by colouring and numbering the subject site.

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

The proposed additional use is consistent with the existing special activities permitted within the zone 'Crematorium/Cemetery' in that the proposed use will not constrain the use of the site for its primary purpose of cemetery related activities. The additional use will increase the development opportunities available on the subject land.

### A. *Need for the planning proposal.*

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

The planning proposal is not a result of a strategic study or strategic report.

#### 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, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The Illawarra Shoalhaven Regional Plan applies to Shellharbour LGA.

The proposed Planning Proposal for an additional use of Function Centre on the subject land is not specifically discussed in the Illawarra Shoalhaven Regional Plan (ISRP). However, it is also not contrary to the actions outlined in the ISRP.

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

The planning proposal is consistent with the following objective and strategies of Council's Community Strategic Plan 2018 – 2028.

Objective: 2.3 A city that is connected through places and spaces

Strategy: 2.3.2 Undertake land use planning in a socially, economically and Environmentally responsive manner

Strategy: 2.3.4 Facilitate the development of the built environment to meet community needs

Council adopted the Shellharbour Local Strategic Planning Statement (LSPS) at its meeting of 19 May 2020.

The proposed Planning Proposal for an additional use of Function Centre on the subject land is not specifically discussed in the LSPS. However, it is also not contrary to the actions outlined in the LSPS.

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

The planning proposal relates to applicable state environmental planning policies as outlined in the Summary of Planning Issues Checklist. See Attachment 2: Summary of planning issues checklist.

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

The planning proposal relates to applicable Section 117 Directions as outlined in the Summary of Planning Issues Checklist. See Attachment 2: Summary of planning issues checklist.

*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?**

It is intended that the additional permitted use will operate from an already approved building and will benefit from approved infrastructure (i.e. car parking, access, services). The proposed additional use will not result in any impact on critical habitat or threatened species, populations or ecological communities or their habitats

**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 planning proposal is intended to have a positive economic effect by allowing the already approved chapel to also be used for functions. This in turn enables a positive social benefit.

The planning proposal is intended to have a positive economic effect for the operator of the functions. Functions are intended to have a positive economic and social effect by providing employment.

The ability to conduct a function centre is intended to provide social benefits.

Any potential negative social effect/amenity impact from functions will be assessed as part of the planning proposal and if progressed, any subsequent development application will be required to incorporate any necessary amenity management measures.

*D. State and Commonwealth interests.*

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

The planning proposal is not expected to create a need for additional state or commonwealth public infrastructure.

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

To be determined as part of gateway determination.

It is anticipated that the Planning Proposal will be referred to:

- Civil Aviation Safety Authority and Manager Shellharbour Airport
- Utility providers
- Rural Fire Service

**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:

Locality Plan and current zoning

Additional Permitted Uses (APU)

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

In accordance with the Gateway determination, 28 days and as identified in section 6.5.2 of 'A guide to preparing local environmental plans (Department of Planning & Environment 2018)'.

## **Part 6 Project timeline**

Anticipated commencement date (Gateway determination): November 2020

- Anticipated timeframe for the completion of required technical information: Existing information adequate, subject to Gateway determination and government agency consultation, November 2020
- Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination): December 2020/February 2021
- commencement and completion dates for public exhibition period  
28 day exhibition. Christmas New Year period to be excluded from exhibition:  
January/February 2021
- timeframe for consideration of submissions: February/March 2021
- timeframe for the consideration of a proposal post exhibition: May 2021
- date of submission to the Department to finalise the LEP: June 2021

## **ATTACHMENTS**

1. Information Checklist
2. Summary of planning Issues checklist
3. Location and Current Zoning Map
4. Planning proposal maps
5. Council report and resolution of 29 September 2020

# ATTACHMENT 1 - INFORMATION CHECKLIST

## > STEP 1: REQUIRED FOR ALL PROPOSALS

(under s3.33(2)(a) – (e) of the EP&A Act)

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| <ul style="list-style-type: none"> <li>• Objectives and intended outcome</li> <li>• Mapping (including current and proposed zones)</li> <li>• Community consultation (agencies to be consulted)</li> </ul> | <ul style="list-style-type: none"> <li>• Explanation of provisions</li> <li>• Justification and process for implementation (including compliance assessment against relevant section 9.1 direction/s)</li> </ul> |
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## > STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
<b>Strategic Planning Context</b>			<b>Urban Design Considerations</b>		
• Demonstrated consistency with relevant Regional Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Existing site plan (buildings vegetation, roads, etc)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Demonstrated consistency with relevant sub-regional strategy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Building mass/block diagram study (changes in building height and FSR)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Lighting impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Demonstrated consistency with Threshold Sustainability Criteria	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Development yield analysis (potential yield of lots, houses, employment generation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Site Description/Context</b>			<b>Economic Considerations</b>		
• Aerial photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Economic impact assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Site photos/photomontage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Retail centres hierarchy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Traffic and Transport Considerations</b>			• Employment land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Local traffic and transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Social and Cultural Considerations</b>		
• TMAP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Heritage impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Public transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Aboriginal archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Cycle and pedestrian movement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Open space management	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Environmental Considerations</b>			• European archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Bushfire hazard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Social and cultural impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Acid Sulphate Soil	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Stakeholder engagement	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Noise impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Infrastructure Considerations</b>		
• Flora and/or fauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Infrastructure servicing and potential funding arrangements	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Soil stability, erosion, sediment, landslip assessment, and subsidence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Miscellaneous/Additional Considerations</b>		
• Water quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proximity to Shellharbour Airport.		
• Stormwater management	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Flooding	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
• Land/site contamination (SEPP55)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Sea level rise	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

