

The Planning Proposal (No. 13)

**Local Government Area:** Shellharbour

**Property Details:**

The Lake Illawarra/Warilla IN2 Light Industrial zoned precinct

**Part 1 Objectives or intended outcomes**

1. To enable Place of Public Worship to be permissible with development consent in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct.
2. To enable community facilities to be permissible in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct, but only if they are in association with a place of public worship.

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

The proposed outcome will be achieved by:

1. amending Shellharbour LEP 2013's Schedule 1 Additional permitted uses by adding Place of Public Worship as an additional permitted use in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct;
2. amending Shellharbour LEP 2013's Schedule 1 Additional permitted uses by adding Community Facilities as an additional permitted use in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct, but only if they are in association with a place of public worship; and
3. amending Shellharbour LEP 2013's Additional permitted uses map by:
  - a. including Place of Public Worship as an additional permitted use in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct; and
  - b. including Community Facilities as an additional permitted use in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct, but only if they are in association with a Place of Public Worship.

**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, the Planning Proposal results from an investigation into the appropriateness of permitting places of public worship in the IN2 Light Industrial Zone. See Attachment 2: Council report/resolution.

**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 and 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 the Illawarra Regional Strategy 2006-2031. 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 applicable 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:

1.1 Business and industrial zones

The inconsistency with this Ministerial Directions 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, the the planning proposal will not affect 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?**

Many users of community facilities offered by churches are likely to be socially and economically disadvantaged and more reliant on public transport. Industrial areas are generally less active at night and on weekends. This has the potential to associate with an increased risk of crime/anti-social behaviour and a diminished perception of safety. Access to other services including public transport may also be less in industrial areas.

The Lake Illawarra/Warilla precinct adjoins a major retail area being Warilla Grove. This is located to the precinct's north and has major stores open to 9pm daily. The precinct is also close to a major bus route along Shellharbour Road which is serviced after normal business hours.

The potential for places of public worship in association with community facilities to be adversely impacted by incompatible land use(s) in the Lake Illawarra/Warilla IN2 Light Industrial zone precinct does not appear significant and could be managed through the development application process.

Places of public worship in association with community facilities in the Lake Illawarra/Warilla IN2 Light Industrial zone precinct would not have significant potential to prevent the nearby establishment of more of the same types of industries currently in this zone.

Introducing a new permissible use into the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct has the potential to decrease the amount of vacant land and buildings.

The possibility of site demand increasing in the future for 'heavier' industries with potential to create land use conflict with places of public worship in association with community facilities is currently unlikely, but cannot be completely ruled out.

*D. State and Commonwealth interests.*

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

Yes, the Planning Proposal does not increase the need for public infrastructure.

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

To be decided as part of the gateway determination.

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

Yes, the maps included in this planning proposal are:

Additional permitted uses map to permit with consent, places of public worship in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct; and

Additional permitted uses map to permit with consent, community facilities in the Lake Illawarra/Warilla IN2 Light Industrial zoned precinct, but only if they are in association with places of public worship.

See Attachment 3: Planning Proposal 13 Maps.

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

To be decided as part of the gateway determination. It is anticipated that there will be a 28 day exhibition period.

**Part 6 Project timeline**

**Project timeline**

- Anticipated gateway determination – unknown
- Anticipated timeframe for completion of required technical information - not applicable
- Commencement and completion of public exhibition – month 2 and 3 after gateway determination
- Timeframe for government agency consultation – during and after public exhibition – month 2, 3, 4, 5
- Dates for public hearing - Not applicable
- Timeframe for consideration of submissions – if no public hearing - month 5 and 6 after gateway determination
- Timeframe for consideration of proposal post exhibition - report to Council month 7 and 8 after gateway determination (Council meeting - 3 week cycle)
- Date of submission to the Department to finalise LEP – month 9 after gateway determination
- If delegated, anticipated date Relevant Planning Authority (RPA) will make the plan – month 10 and 11 after gateway determination
- If delegated, anticipated date RPA will forward to the Department for notification - month 11 or 12 after gateway determination

**Attachments**

1. Summary of Planning Issues Checklist
2. Council report and resolution of 11 November 2014
3. Planning Proposal 13 Maps