

Gleniffer Brae - permit use as function centre

Proposal Title : **Gleniffer Brae - permit use as function centre**

Proposal Summary : **The proposal will permit, with development consent, the use of the Gleniffer Brae site - as a function centre.**

PP Number : **PP_2015_WOLLG_011_00**

Dop File No : **15/12056**

Proposal Details

Date Planning
Proposal Received : **23-Nov-2015**

LGA covered : **Wollongong City**

Region : **Southern**

RPA : **Wollongong City Council**

State Electorate : **KEIRA**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **Murphys Ave**

Suburb : **Keiraville**

City : **Wollongong**

Postcode : **2500**

Land Parcel : **Lot 3 DP 252694**

DoP Planning Officer Contact Details

Contact Name : **Louise Myler**

Contact Number : **0242249463**

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RPA Contact Details

Contact Name : **Rebecca Jardim**

Contact Number : **0242277111**

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DoP Project Manager Contact Details

Contact Name : **Graham Towers**

Contact Number : **0242249467**

Contact Email : **graham.towers@planning.nsw.gov.au**

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy : **Illawarra Regional Strategy**

Consistent with Strategy : **Yes**

Gleniffer Brae - permit use as function centre

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings : 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting

Notes :

External Supporting

Notes :

It is proposed to permit function centres with consent on the lot which contains Gleniffer Brae - a State heritage listed manor house.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : **The statement of objectives clearly explains the intended outcome of the proposal.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : **The proposal clearly identifies the changes to the Wollongong LEP that will result from the proposal.**

Specifically, the subject land will be added to Schedule 1 of the LEP to permit development for the purpose of a function centre, with consent.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

5.1 Implementation of Regional Strategies

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Section 117 Directions

Council has identified the following Section 117 Directions that are relevant to this proposal:

2.3 Heritage Conservation

The proposal is consistent with this Direction as the use of the site for a function centre will need to be consistent with the heritage listing and controls that apply to the site. Commercial use of the site will provide a funding stream for maintenance of the heritage item and will increase usage and appreciation of the item.

Council will prepare a revised Conservation Management Plan to be exhibited with the planning proposal.

The Secretary's approval is not required in relation to this Direction.

5.1 Implementation of Regional Strategies

The proposal is consistent with the the objectives of the Illawarra Regional Strategy (IRS).

The Secretary's approval is not required in relation to this Direction.

6.2 Reserving Land for Public Purposes

The proposal is consistent with this Direction as the land will remain zoned RE1 Public Recreation and remain in public ownership. It will provide increased opportunities for the public to access the site.

The Secretary's approval is not required in relation to this Direction.

6.3 Site Specific Provisions

This Direction applies when a proposal will allow a particular development to be carried out.

To be consistent with this Direction, a Planning Proposal must 'allow that land use on the relevant land without imposing any development standards or requirements'.

This proposal is consistent with this Direction.

The Secretary's approval is not required in relation to this Direction.

The following Directions apply to all planning proposals and are not relevant to this proposal. The proposal is not inconsistent with:

2.1 Environment Protection Zones

2.4 Recreation Vehicle Areas

3.2 Caravan Parks and Manufactured Homes Estates

3.3 Home occupations

6.1 Approval and Referral Requirements

The proposal is consistent with all relevant s117 Directions and no further approval is required while the proposal remains in its current form.

Environmental Planning Policies (SEPPs)

The Planning Proposal is not inconsistent with relevant SEPPs.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping provided identifies the subject land and is adequate for the exhibition purposes.**

The proposal does not involve changes to LEP mapping.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed a public exhibition period of 28 days. This is considered appropriate.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Wollongong LEP 2009 is in operation.**

Assessment Criteria

Need for planning proposal :	Council has identified that the Gleniffer Brae Manor - a state heritage listed property - is currently under utilised, with limited community use and appreciation of this asset. A planning proposal to permit the use of the building for functions(subject to development consent) is considered to be the most appropriate approach. Council has identified that the outcome could also be achieved through using the Heritage Conservation Incentive Clause 5.10 in the LEP. Council considers that the current planning proposal provides a more transparent and appropriate way to consider the use of the site.
Consistency with strategic planning framework :	The proposal is consistent with all relevant strategic plans.
Environmental social economic impacts :	The proposal will increase the usage of the site, allowing the community to enjoy this historic building and surrounds. The proposal will increase the tourist use of the site - and the adjoining Botanic Gardens. The use of the site will also provide a source of income to assist in maintaining the heritage building.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **DDG**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **Council has not requested to use delegations as it owns the land.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

No studies are necessary

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Gleniffer Brae - Council Meeting Minutes and Report.pdf	Proposal Covering Letter	Yes
Gleniffer Brae - Draft Planning Proposal Report.pdf	Proposal	Yes
Draft Planning Proposal for Lot 3 DP 252694 - Gleniffer Brae_.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
5.1 Implementation of Regional Strategies
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions

Additional Information : **It is RECOMMENDED that the Acting General Manager, Southern Region as delegate of the Minister for Planning, determine under section 56(2) of the EP&A Act that an amendment to the Wollongong Local Environmental Plan 2009 to: add Lot 3 DP 252694 to Schedule 1 to permit the use of the Gleniffer Brae site for functions (with development consent), should proceed subject to the following conditions:**

Gleniffer Brae - permit use as function centre

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal is to be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing local environmental plans (Department of Planning and Infrastructure 2013).

2. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

* Office of Environment and Heritage (NSW Heritage Branch)

Heritage Branch is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal, or to indicate that it will require additional time to comment on the proposal.

3. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

SECTION 117 DIRECTIONS

5. The Secretary's delegate can be satisfied that the planning proposal is consistent with all relevant s117 Directions, or that any inconsistencies are of minor significance.

Supporting Reasons :

This proposal will allow the community to access a State heritage listed manor, will provide income to assist in the maintenance of the building and surrounds and encourage greater usage of the site.

Signature:



Printed Name:

Graham Towers

Date:

26/11/15.