

APPENDIX F. ENVIRONMENTAL PLANNING INSTRUMENTS CONSIDERATION

The proposal is subject to the following planning instruments and strategies:

State Environmental Planning Policy (Major Projects) 2005

The Major Projects SEPP outlines the types of development declared to be a Major Project for the purposes of Part 3A of the Act.

For the purposes of the SEPP certain forms of development may be considered a Major Project if the Minister (or his delegate) forms the opinion that the development meets criteria within the SEPP.

On 16 December 2005, the Director-General as a delegate Minister for Planning formed the opinion pursuant to Clause 6 of State Environmental Planning Policy (Major Projects) 2005 that the proposal is a Major Project and subject to Part 3A of the *Environmental Planning and Assessment Act, 1979*.

State Environmental Planning Policy No.11—Traffic Generating Developments

State Environmental Planning Policy No.11 (Traffic Generating Developments) aims at ensuring that the Roads and Traffic Authority is aware of major traffic generating developments. Developments of the types listed in Schedule 1 and 2 of the SEPP require referral to the Roads and Traffic Authority. The proposal triggers Schedule 1 of SEPP 11 (development of greater than 200 lots). As part of the agency consultation process, the proposal was referred to the RTA. However, the Department did not receive a submission from the RTA within the statutory timeframe. Upon the Department's request, the RTA provided the Department with a submission on 11 January 2007. The RTA does not raise any issues in its submission associated with this proposal, in relation to SEPP 11. However, its submission specifies that if future development proposals associated with the rezoning meet the criteria under SEPP 1 then these applications should be referred to the RTA for comment.

Draft State Environmental Planning Policy No 66—Integration of Land Use and Transport

Draft State Environmental Planning Policy No 66—Integration of Land Use and Transport seeks to ensure that the location of land uses are designed to support transport (including freight) and vice versa. This draft SEPP is intended to guide both the preparation of environmental planning instruments and the assessment of development.

This draft SEPP is applicable to the Concept Plan by virtue of the proposed rezoning process, the Concept Plan, and the provision of new residential land. An assessment indicates that the proposal is consistent with the draft SEPP.

State Environmental Planning Policy No 71—Coastal Protection

State Environmental Planning Policy No 71—Coastal Protection aims to ensure development assists in protecting, preserving, and managing the coast of NSW.

This SEPP applies as the Vincentia Coastal Village site is within the Coastal Zone. The Concept Plan, though, is not Significant Coastal Development within the meaning of Part 3 of that SEPP.

The SEPP requires the Vincentia Coastal Village development to be subject to a master plan. The SEPP identifies certain matters for consideration to be addressed during the preparation of this master plan and includes specific matters that the development application would need to address. For the purposes of this SEPP, it is considered that a Concept Plan satisfies the requirement for a master plan. Future development consistent with the Concept Plan should not be bound by this requirement.

State Environmental Planning Policy (Seniors Living) 2004

State Environmental Planning Policy (Seniors Living) 2004 establishes standards (including design standards) for housing to service the needs of seniors and people's with disabilities.

This SEPP applies to the component of Concept Plan proposed by the Proponent insofar as the Concept Plan seeks to contain adaptable housing. This is located both adjacent to the Bay and Basin Leisure Centre and in land northwest of the proposed commercial centre

The provisions of the SEPP, though, focus on detailed matters needed for seniors living facilities, as well as architectural design. The SEPP is therefore more relevant to future development proposals consistent with the Concept Plan.

Having said this, the SEPP is important in assisting to establish future development controls for the site to ensure that the Concept Plan is not inconsistent with the need to provide housing for seniors and people with disabilities.

Jervis Bay Settlement Strategy 2003

The Jervis Bay Settlement Strategy 2003 contains a vision for the Jervis Bay Region and a number of principles for managing growth. Vincentia Coastal Village site has been identified in the Jervis Bay Settlement Strategy 2003 as proposed Urban Expansion (zoned).

Jervis Bay Regional Environmental Plan 1996

The Jervis Bay Regional Environmental Plan 1996 identifies aims that development should address when assessing development applications under Part 4. The planning instrument identifies that responsibility for these actions are principally with the applicant proposing the development.

The planning matters in this REP affect Council only. However, it is appropriate to consider this REP in order to ensure that future development in the Concept Plan and Project Application are not inconsistent with that REP.

The Concept Plan and Project Application have been the subject of discussions with DEC. On this basis, the provisions within the REP related to environmental conservation matters are considered to have been met.

In regards to landscape quality provisions of the REP, the Concept Plan and Project Application the retention of significant trees is considered to be an acceptable method to satisfy the requirement to let tree canopies dominate the landscape.

Shoalhaven Local Environmental Plan 1985

Shoalhaven Local Environmental Plan 1985 identifies the local planning controls applicable to the Shoalhaven LGA. This involves land use zones and special provisions.

The Concept Plan and Project Application are not consistent with the Shoalhaven LEP as it proposes land uses that are prohibited. These prohibitions arise from

- part of the residential subdivision and concept commercial development area being within the Zone 7(d2) Environmental Protection "D2" (Special Scenic) Zone and which does not permit subdivision, and
- the Concept Plan as it relates to the commercial development being a prohibited land use as it is partly within the Zone 9(a) Natural Hazards "A" (Urban Flooding) Zone.

The inconsistencies between the Shoalhaven LEP and both the Project Application and Concept Plan are the subject of the rezoning process via the Major Projects SEPP.

Draft South Coast Regional Strategy 2006-2031

The Draft *South Coast Regional Strategy 2006-2031* outlines a plan for the region's new housing, employment growth, natural resources and cultural heritage over the next 25 years.

The Concept Plan and Project Application are generally consistent with the draft Strategy in providing employment opportunities, new housing, and protecting and rehabilitating areas of environmental importance.