



# STUDY IN SUPPORT OF STATE SIGNIFICANT SITE

## 2.1 Introduction

The Major Projects SEPP provides for the Minister to declare an area to be a SSS and when declaring a site to establish a planning regime on that site. These provisions have been developed to deliver the State's planning objectives on major sites which are considered to be important in the implementation of regional strategies and to facilitate major investment in economic and employment generating development.

On 31 August 2006, Delmo Albion Park Pty Ltd provided a preliminary report on the proposed development of the Illawarra Regional Business Park at 78 Tongarra Road Albion Park, and requested that the matter be listed as a SSS and that a Concept Plan be prepared for the development of the site. On 28 September 2006, the Minister formed the opinion that under clause 6 of the Major Projects SEPP the proposal was a Major Project to which Part 3A of the Environmental Planning and Assessment Act applied. The Minister concurrently authorised the request to submit a Concept Plan for the proposal. On 20 November 2006, the Director General forwarded his Requirements (DGRs) for the Environmental Assessment for the Concept Plan (Appendix 1)

With regard to the nomination of the Illawarra Regional Business Park as a SSS, SSS Study requirements were provided in the DGRs. A single document which combines the Concept Plan, EAR and the SSS Study was required to be submitted to the Department of Planning.

## 2.2 State Significant Criteria

Before deciding whether to list a site under Schedule 3 of the major Projects SEPP, the Minister may require a study to be undertaken to assess the State and regional planning significance of the site and the suitability and implications of the land uses proposed. The SSS Study requirements were listed as part of the DGRs for the Illawarra Regional Business Park development. They were as follows:

"A State significant site Study will need to include (but not be limited to) the following:

- (1) Address the criteria at Clause 8(2) of the Major Projects SEPP;
- (2) Address the Criteria for State Significant Sites in the attached Draft Guideline dated July 2006, with particular focus on criterion (a), (b) and (d)
- (3) Proposed land uses and suitability of the site for the proposed land uses taking into consideration environmental, social and economic factors, the principles of ecologically sustainable development and any applicable State or regional planning strategy;
- (4) The implications of any proposed land use for local and regional land use, infrastructure, service delivery and natural resource planning;
- (5) Detail the proposed land use controls (including zoning) and justify the necessity for these controls against the existing planning instruments; and
- (6) Indicate the future approval regime for development on the site you are seeking by identifying the circumstances when part 3A or Part 4 (including exempt or complying development) would apply"

The criteria included in Clause 8(2) of the Major Projects SEPP are as follows:

- "(a) the State or regional planning significance of the site, and
- (b) the suitability of the site for any proposed land use taking into consideration environmental, social and economic factors, the principles of ecologically sustainable development and any State or regional planning strategy, and
- (c) the implications of any proposed land use for local and regional land use, infrastructure, service delivery and

natural resource planning, and  
(d) any other matters required by the Director-General.

The Draft Guideline dated July 2006, Criteria for State Significant Sites are as follows:

“A State Significant Site (SSS) must be of State or regional planning significance because of its social, economic or environmental characteristics.

When considering whether a site can be categorised as being of State significance, the Minister will consider whether the site meets one or more of the following criteria:

- (a) be of regional or state importance because it is in an identified strategic location (in a State or regional strategy), its importance to a particular industry sector, or its employment infrastructure, service delivery or redevelopment significance in achieving government policy objectives; or
- (b) be of regional or state environmental conservation or natural resource importance in achieving State or regional objectives. For example protecting sensitive wetlands or coastal areas; or
- (c) be of regional or state importance in terms of amenity, cultural, heritage, or historical significance in achieving State or regional objectives. For example sensitive redevelopment of heritage precincts; or
- (d) need alternative planning or consent arrangements where:
  - (i) added transparency is required because of potential conflicting interests
  - (ii) more than one local council is likely to be affected”

## 2.3 Statement of Significance and Project Justification

The site is situated at 78 Tongarra Road Albion Park adjacent to the Illawarra Regional Airport. The site has an area of approximately 74ha and is currently used for cattle grazing with ancillary dairy farming. The site is close to the residential settlements at Albion Park and the new urban release area at West Dapto. There is a rail station close to the site and the site is accessible to the major settlements in the region at Wollongong and Shellharbour. The site, which is within the coastal zone, also contains significant natural conservation areas including a wetland which is listed of State significance and protected under State Environmental Planning Policy 14 – Coastal Wetlands.

The redevelopment of this site for Business Park purposes will provide a major new employment resource in the Illawarra Region. If the Illawarra is to continue to thrive it needs to attract economic opportunities. The availability of suitable land, which is accessible to a work force, is a major requirement to enable economic growth to take place. Currently over 15% of the workforce in the Illawarra Region commutes to Sydney to work and the provision of jobs within the region which would reduce the need to commute would achieve ecologically sustainable development principles. Further, the provision of jobs in the region will lead to investment in the region and economic growth.

The Business Park site has the added advantage of its proximity to the Illawarra Regional Airport which has been identified as an employment hub for the area. The development of industrial and business uses adjacent to the airport will strengthen the region's links to Sydney and other regional areas in economic terms and allow freight transport and the development of the tourist industry in the region.

The site is of regional and State importance because of its strategic location in relation to the population centres in the Illawarra and the transport networks of road, air and rail. Further, the development of the site will deliver public benefits in relation to the provision of employment and the restoration of the significant wetland and conservation areas on the site and the provision of public access to these areas.

Sites with such locational advantages are rare, and because of its size and access to infrastructure and services the redevelopment of the Illawarra Regional Business Park site can make a significant contribution

to the future growth and development of the Illawarra Region.

The Major Projects SEPP has the following aim in clause (2) (c) for State Significant Sites:

“to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State”

The Illawarra Regional Business Park site is an urban site which is within the coastal zone and has been identified as a site of economic and environmental significance in various planning instruments and policy documents. As the proposed development would have an investment value of up to \$376 million, and would employ up to 1650 people on completion, it is considered that the proposal for the development of the site as a Business Park is of State significance. Recognition of this will enable the orderly and economic use of the site and will facilitate its development. At the same time there will be conservation and recreational advantages to the Illawarra Region.

The Draft Guidelines for State Significant Sites also need to be considered and the Illawarra Regional Business Park proposal is considered to meet these as follows;

#### Identified Strategic Location

The location of the site is identified in the Illawarra Regional Strategy as a specific and strategic employment area which needs to be protected and supported to attract investment.

#### Importance to Industry Sector

The site is of importance to the transport industry sector because of its location adjacent to the Illawarra Regional Airport. There is a need for additional land for industry in the Illawarra Region and this site is large, and well located to fulfil this need.

#### Employment Infrastructure and Service Delivery

The site is well located in relation to road and rail transport and as a result has great advantages for the development of industrial and business uses which are dependant on accessibility to transport and to a workforce. There is a large workforce in the Illawarra Region and currently over 15% of the workers commute to Sydney. The development of employment land in the region will reduce the need for commuting.

#### Significance in Achieving Government Policy Objectives

The NSW State Plan: A New Direction for NSW sets out the Government Policy objectives for the State and these are to be implemented through Action Plans. The Illawarra Regional Strategy implements the policy objectives and identifies the need for employment uses in the region. The Illawarra Business Park site is identified as a strategic location for such development.

#### Importance for Environmental Conservation

There is a State significant wetland on the Business Park site and it is intended that this will be conserved and enhanced as part of the development proposal for the site. Additionally, once the development is completed the conservation areas on the site will be handed over to Shellharbour Council to be administered by the Council but funded by the Business Park.

#### Amenity and other Cultural, Heritage Significance

The proposal to develop the site will be based on the outcome of studies of amenity in the area and the cultural and heritage significance of the site.

#### Need for Alternative Planning and Consent Arrangements

The future planning of the site is a complex matter with the need to introduce new zones and to amend SEPP14. The proposed use as a Business Park is currently prohibited on the site and there are no appropriate zones in the current LEP to provide for the uses. As a result there is a need for new planning and consent arrangements for the site. Further, land adjacent to the site is owned by Shellharbour Council and as a result, added transparency is required in relation to the assessment of any new planning proposals for the site.

## **2.4 Regional Significance and Economic Growth**

The Illawarra Regional Strategy is the strategic planning document for the Illawarra Region and sets out the Government's policy directions for development within the area. The development of the Illawarra Regional Business Park proposal implements relevant major policies in the strategy as follows:

**Table 2.1 Implementation of the Illawarra Regional Strategy**

STRATEGY PROPOSAL	IMPLEMENTATION
Major Elements	
<ul style="list-style-type: none"> <li>Ensure an adequate supply of strategically located land to support economic growth</li> </ul>	Site is located adjacent to the Illawarra Regional Airport and close to residential areas supplying a workforce. Site is also strategically located in relation to road and rail transport
<ul style="list-style-type: none"> <li>Protect existing and proposed transport corridors</li> </ul>	Development of the site will encourage use of rail and air transport. Road reservation on the site will be protected and access to major highways will be controlled
<ul style="list-style-type: none"> <li>Strengthen Wollongong City Centre</li> </ul>	Development of this site will provide alternative employment opportunities for residents and will not detract from the development of the city centre
<ul style="list-style-type: none"> <li>Protect high value environments</li> </ul>	The development of the site includes a strategy for the conservation and future use of state significant wetland and associated areas
<ul style="list-style-type: none"> <li>Limit development in areas constrained by natural processes</li> </ul>	Site is subject to flooding and contains wetlands and development has been carefully planned to generally exclude the constrained areas and to enhance and protect them
<ul style="list-style-type: none"> <li>Protect cultural heritage</li> </ul>	Studies will be carried out to ensure that any heritage values on the site will be protected
Economic Development and Employment Growth	
<ul style="list-style-type: none"> <li>Illawarra Regional Airport identified as key employment area</li> </ul>	Development of the site will provide employment land adjacent to the airport
<ul style="list-style-type: none"> <li>30,000 new jobs required within the region</li> </ul>	Development of this site will provide up to 1650 jobs on completion
<ul style="list-style-type: none"> <li>270ha of employment lands needed in region</li> </ul>	Site will provide 43.53ha of serviced employment land
<ul style="list-style-type: none"> <li>Demand for larger parcels of land</li> </ul>	Site will provide 27 parcels of up to 5000sqm, and 34 parcels over 5000sqm.
<ul style="list-style-type: none"> <li>Ensure appropriate zoning of employment lands</li> </ul>	Proposal enables the appropriate zoning of the site
<ul style="list-style-type: none"> <li>Encourage clustering of synergistic businesses</li> </ul>	Site is large and will enable businesses to cluster around the infrastructure provided by the Regional Airport
Regional Transport	
<ul style="list-style-type: none"> <li>Protect major transport corridors</li> </ul>	Corridor on the site will remain and will be protected. Access to major roads will be controlled
<ul style="list-style-type: none"> <li>Land use decisions to consider transport access and minimise need to travel</li> </ul>	Proposal considers access and provides for controlled access to the site. Site is near to airport and rail. Workers will be encouraged to use public transport to access the site and freight can be moved by air, rail or road to and from the site offering alternative means of transport
<ul style="list-style-type: none"> <li>Land use decisions to protect Illawarra Regional Airport recognising the link it provides to and from the region</li> </ul>	The provision of the proposed Business Park adjacent to the airport recognises the importance of the airport and the contribution it makes to the region. The development of the Park will ensure that the airport is protected and that it is used by the new development around it. This will strengthen its ties to the region

Natural Environment	
<ul style="list-style-type: none"> <li>Maximise protection of Indicative Corridors</li> </ul>	Indicative Corridor identified on the site will be protected and managed as part of the development of the Business Park site. Corridor will be part of area given to Shellharbour Council for future care and management as part of an overall scheme for the region
<ul style="list-style-type: none"> <li>Apply water sensitive urban design</li> </ul>	Proposal has been designed to implement water sensitive urban design
<ul style="list-style-type: none"> <li>Strategic assessment of riparian corridors</li> </ul>	Corridor has been assessed as required and conservation measures developed to protect and enhance the Corridor
<ul style="list-style-type: none"> <li>Retain native vegetation and rehabilitate disturbed areas</li> </ul>	A Vegetation Management Plan has been developed for the riparian lands which will implement this policy
<ul style="list-style-type: none"> <li>Zone all SEPP14 Wetlands appropriately as E2 or W1</li> </ul>	SEPP 14 Wetland will be appropriately defined and zoned
<ul style="list-style-type: none"> <li>Development to indicate no net impact on hydrology, water quality or ecology of wetlands</li> </ul>	Studies have shown that there will be no net impact on these areas
Natural Hazards	
<ul style="list-style-type: none"> <li>Development in areas of natural hazard to be assessed in relation to the Floodplain Development Manual and the Coastal Zone Management Manual</li> </ul>	The proposed development of the site has been assessed in relation to these provisions
Water, Energy and Waste	
<ul style="list-style-type: none"> <li>Measures to be introduced to reduce demand for potable water</li> </ul>	A water recycling scheme will be implemented and non potable water will be used for many purposes
<ul style="list-style-type: none"> <li>Water and energy conservation measures to be provided for</li> </ul>	The design guidelines for the site include measures in relation to energy and water conservation to be adopted by future development on the site.
<ul style="list-style-type: none"> <li>Waste avoidance and disposal measures to be introduced</li> </ul>	Provisions relating to waste disposal are included in the design guidelines for the site
Rural Landscapes and Rural Communities	
<ul style="list-style-type: none"> <li>The value of primary industries is to be recognised and resources protected</li> </ul>	The proposal represents a change of use from a rural use on a site which is no longer viable for such uses because of site constraints and the size of the site
Cultural Heritage	
<ul style="list-style-type: none"> <li>Aboriginal cultural and community values are to be considered in the future planning and management of the area</li> </ul>	These matters have been considered in the preparation of the Concept Plan for the site and further appropriate action will be undertaken
Sustainability Criteria	
<ul style="list-style-type: none"> <li>The strategy also includes a list of threshold sustainability criteria against which proposals will be assessed.</li> </ul>	The proposal has been assessed in relation to these criteria and has been found to generally comply with them (Section 9.2)



The proposed development of the Illawarra Regional Business Park implements economic development, transport and conservation policies in the Illawarra Regional Strategy while at the same time providing for the continued economic growth of the region and encouraging investment in the region. It also adopts sustainability criteria in the development proposal. This fulfils the criteria for a State Significant site.

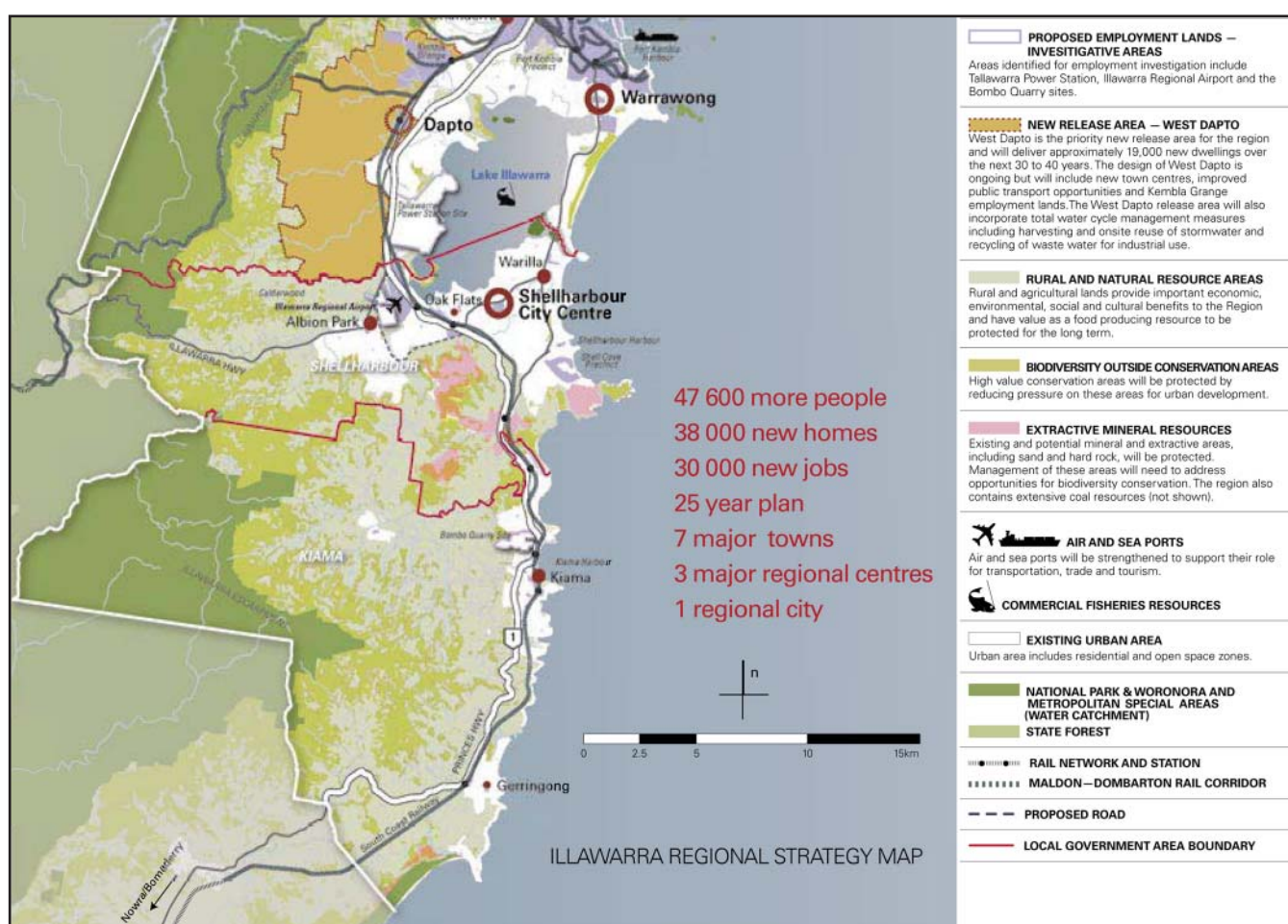


Figure 2.1 Illawarra Regional Strategy Map

## 2.5 Natural Resource Outcomes

The site proposed for the Business Park is strategically located to provide employment for the region, but it also plays a significant role in natural resource conservation. There is a wetland on the site which is identified and protected under the provisions of SEPP 14, and its conservation and rehabilitation is an important element in the proposed development of the site. The wetland and surrounding areas of riparian significance will be rehabilitated and managed. The precise boundaries

of the wetland have been defined, and as a result an amendment will be required to SEPP 14 to identify correctly the boundaries of the wetland.

It is intended that these areas of conservation importance on the site will be protected by appropriate zoning and will be handed over to Shellharbour Council, once rehabilitated, for management. Special funding arrangements will be developed to enable this to happen

at no cost to the Council.

As a result, it can be seen that there will be significant natural resource benefits from the nomination of this site as a State Significant Site.

## 2.6 Planning Implementation

There is a need for alternative planning and consent arrangements for the site to enable its development to take place in a timely and comprehensive manner. The proposed uses are currently prohibited on the site and the applicable planning instrument, the Shellharbour Rural Local Environmental Plan, does not contain satisfactory zones which could apply to the site to permit the proposed use. The Illawarra Regional Airport is owned and administered by Shellharbour Council and as this is adjacent to the site there could be a conflict if it were to be consent authority for the overall development concept for the site. Additionally, the proposal will require the amendment of SEPP14 to correctly identify the wetland on the site and it is preferable that this be done by way of another SEPP.

As a result it is considered the new planning arrangements should be added to schedule 2 of the Major Projects SEPP.

The new planning controls for the site are set out in Appendix 2.

Once the Concept Plan has been approved it is intended that the detailed approval of development of a value of less than \$20 million on the site be handed to Shellharbour Council.

Detailed Design Guidelines and Controls, a WaterCycle Management Plan, and a Landscape Management Plan for future development within the Business Park have been prepared and these are included in Appendices 3.4 & 5.

A Vegetation Management Plan has been prepared for the Environmental Management Area and a copy of this is included in Appendix 6 .

## 2.7 Public Outcomes

The following public outcomes will be achieved by the development of the Illawarra Regional Business Park site:

- Implementation of major objectives and policies in the Illawarra Regional Strategy
- Attraction of investment to the Illawarra Region
- Provision of jobs in the Region
- Protection and enhancement of the role of the Illawarra Regional Airport
- Rehabilitation and protection of State Significant Wetland areas and other areas of conservation significance
- Dedication of the Environmental Management Areas to Shellharbour Council at no cost to the Council now or in the future
- Provision of public access to these Environmental Management Areas