



Mark Carlon

File Ref: LP/06/529816

12 April 2013



Juliet Grant - Regional Director
Sydney East Region
Department of Planning and Infrastructure
GPO Box 39

SYDNEY NSW 2001

Dear Juliet

Planning Proposal - Waterways Zoning

[In response, please quote File Ref: LP/06/529816]

On the 25th March 2013 Council resolved (See Mayoral Minute No 29/12-13):

"1. That appropriate steps be taken to prepare a Planning Proposal and obtain Gateway approval to amend the draft Sutherland Shire Local Environmental Plan 2013 in the following ways:

a) Extend the boundaries of Zone W2 Recreational Waterways to include those waterways where a broader range of uses should be permitted to include:

- i) Gunnamatta Bay, Burraneer Bay, Dolans Bay and Yowie Bay; and*
- ii) Georges River from Tom Ugly's Bridge to the north-western point of Kangaroo Point.*

b) For clarity add the uses permitted in with consent in the W1 zone "mooring pens" and "boatsheds".

c) Replace the final objective for the W1 Natural Waterways Zone with the following objective that addresses cumulative impact to ensure that a development control plan can adequately establish guidelines to avoid clutter and conflict.

To allow permitted water based structures where appropriate having regard to:

- a) The cumulative impact of man-made structures and their concentration within a section of the waterway*
- b) The natural character and natural scenic quality of the waterway; or*
- c) The established recreational use and functionality of the waterway; or*
- d) The views of the waterway and land/waterway interface from the public and private domain.*

e) Appropriate water based facilities to serve private properties.

d) Insert an additional objective within Zone W1 and W2 Recreational Waterways to ensure that a development control plan can adequately establish guidelines for mooring pens:

To allow a suitable mooring facilities having regard to the established character of an area, recreational uses, the functionality of the waterways and the cumulative impact of man-made structures or the concentration of development within a section of the waterway.

e) Insert an additional objective within zone W1 "To allow for multiple mooring pens to be attached to a water recreation structure in Zone W1 Natural Waterways."

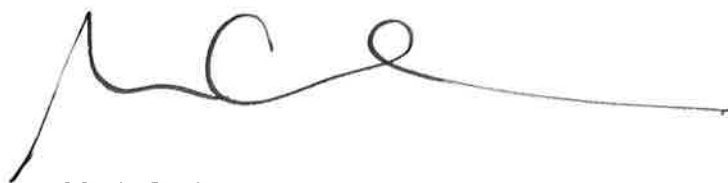
2. That the Department of Planning and Infrastructure be advised of Council's intention for these amendments to be incorporated into Sutherland Shire Local Environmental Plan 2013 when that plan is made by the Minister, and the Mayor be delegated authority to take steps to that end having regard to advice received from the Department about exhibiting and processing the Planning Proposal.

A planning proposal to amend the Draft Sutherland Shire Local Environmental Plan 2013 to give effect these resolutions is attached.

Draft Sutherland Shire Local Environmental Plan 2013 is on public exhibition until 1 May 2013. On 6 March 2013, Council submitted a revised planning proposal for Draft Sutherland Shire Local Environmental Plan 2013. It is not Council's intent to proceed with this revised planning proposal, but rather to obtain a Gateway Determination for the waterways planning proposal. Council is anxious to ensure that the intent of the waterways planning proposal be incorporated into the Draft Sutherland Shire Local Environmental Plan 2013 when that plan is made.

Should you wish to discuss this request, please contact Mark Carlon on 9710 0523.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Mark Carlon', with a long horizontal line extending to the right.

Mark Carlon
for J W Rayner
General Manager