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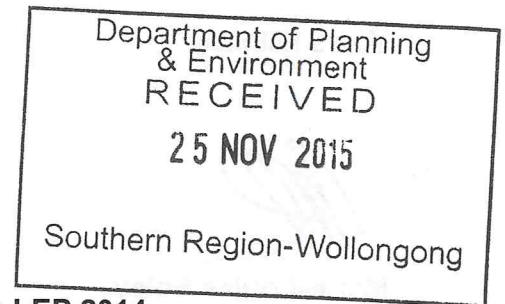
File 16443

Council Reference: 50828E (D15/348335)
Your Reference: 15/16443

Department of Planning & Environment - Southern Region
Mr Graham Towers

Email: Wollongong@planning.nsw.gov.au

Dear Graham



**Planning Proposal (PP011) Shoalhaven LEP 2014
Housekeeping Amendment – Stage 3**

Thank you for your letter dated 19 November 2015. Please find following the additional information and justification as requested.

Item 9: Clause 4.2E Exceptions to minimum subdivision lot sizes for certain rural and environmental protection zones

Clause 4.2 allows land in rural zones to be subdivided to create a lot smaller than the minimum lot size shown on the Lot Size Map but not where an existing dwelling house will be located on the lot. Clause 4.2E allows land in rural zones to be subdivided to create a lot smaller than the minimum lot size shown on the Lot Size Map where there is an existing development consent on the land (other than a dwelling house or dual occupancy). Clause 4.2E also allows for a dwelling house to be located on the lot being created which makes it more flexible than Clause 4.2. However, the wording 'existing development consent' excludes any exempt development that may be undertaken on the land such as extensive agriculture.

Item 11: Clause 7.13 Short term rental accommodation

Your concerns in relation to duplication of provisions in the land use table are appreciated. An advisory note in the clause that notes that function centres are not permissible in residential zones is acceptable. The Planning Proposal has been amended accordingly and is included as Attachment 1.

Item 12: Clause 7.14 Permanent occupation in mixed use developments

Your advice in relation to the proposed wording being unacceptable to Parliamentary Counsel is noted. A Schedule 1 Additional Permitted use provision would adequately address our issues. The Planning Proposal has been amended accordingly.

Item 13: Bonus building heights in Huskisson Town Centre

The approach taken in the Planning Proposal to allow the bonus building heights contained in the Huskisson Town Centre chapter in the Shoalhaven Development Control Plan (DCP) 2014 is based on Amendment 1 to Ryde LEP 2014.

A copy of this amendment is included as Attachment 2. The proposed clause is based on the criteria outlined in the DCP for achieving bonus heights.

If you need further information about this matter, please contact me on (02) 4429 3559. Please quote Council's reference 50828E (D15/348335).

Yours faithfully

A handwritten signature in dark ink, appearing to be 'MLF' or similar, written in a cursive style.

Marie-Louise Foley
Team Coordinator - Strategy Planning City
25 November 2015

Attachment 1	Amended Planning Proposal
Attachment 2	Amendment 1 – Ryde LEP