



Planning & Environment

Shoalhaven City Council

Our Ref 16/07243 (16/07243)
Your Ref: 52163E (D16/166239)

Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

Received

- 3 JAN 2017

File No. _____

Referred to: G. Clark

Dear Mr Pigg

Pre-Gateway Review – 510 Beach Road, Berry (PGR_2016_SHOAL_001_00)

I refer to the request for a pre-Gateway Review in respect of a proposal to amend the *Shoalhaven Local Environmental Plan 2014* to rezone Lot 4 DP 834254, 510 Beach Road, Berry to permit rural residential development and conservation of Coomonderry Swamp.

I have considered the request for review, the recommendations of the Southern Joint Regional Planning Panel (JRPP), advice provided by Council and other relevant considerations.

As delegate of the Minister for Planning, I have determined that an amended planning proposal should be prepared consistent with the JRPP recommendations and should ensure:

- lands around Jim's Forest and south of the ridge are zoned E2 Environmental Protection to ensure limited and restricted use;
- the area as proposed Lot 47 to be transferred to National Parks and Wildlife Services is zoned appropriately as E1 or E2;
- controls are drafted to promote a variety of lot sizes greater than a minimum of 1 hectare, to appropriately reflect the rural character; and
- controls to maintain all vegetation on site and limit changes to land levels are considered.

The JRPP also recommended that there should be clarity around the transfer of lands within Coomonderry Swamp into public ownership and the mechanism for this should accompany the planning proposal. I understand the JRPP has provided Council with a copy of its report.

Council is asked to formally accept the role as Relevant Planning Authority and to prepare an amended planning proposal under section 55 of the *Environmental Planning and Assessment Act 1979* and submit it for a Gateway determination. If Council advises that it does not wish to progress this matter, an alternate Relevant Planning Authority (RPA) may be appointed.

The JRPP also recommended that Council develop a rural residential strategy which considers regionally important agricultural lands prior to any further consideration of rezoning proposals for rural residential development. The Department supports this recommendation and has previously raised the importance of a strategic approach to the identification of rural residential land. Preparation of a strategy will balance the potential for primary production and innovation with the demand for small rural holdings close to Nowra, Berry and Ulladulla.

Should you have any questions about this matter please contact Mr Graham Towers of the Department's Southern Region, on (02) 4224 9467.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

19/12/2016