

PLANNING PROPOSAL – PP005

Shoalhaven Local Environmental Plan 2014

Rezoning of land - Warrah Road, Bangalee

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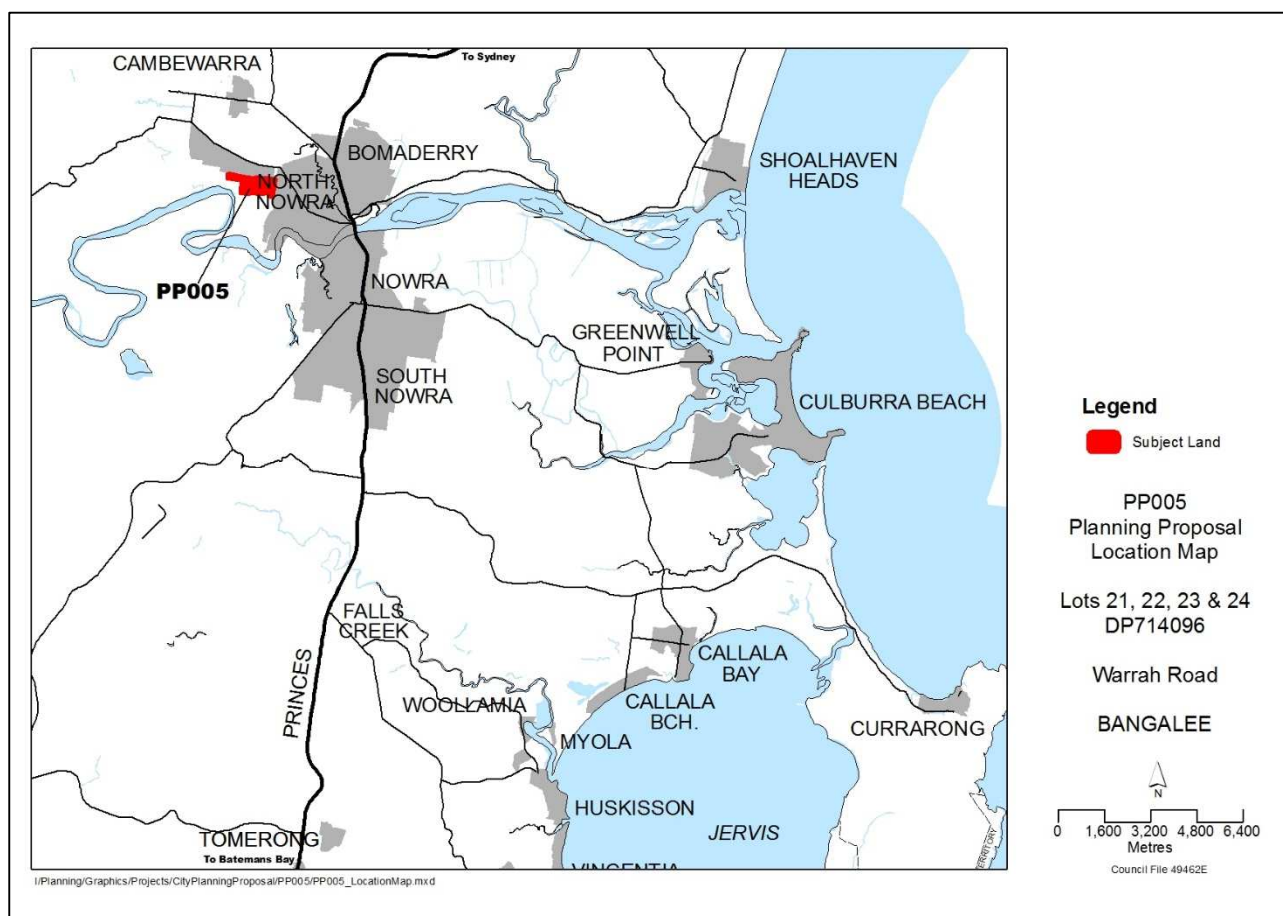
Planning Proposal Maps

1 Introduction

This Planning Proposal (PP) seeks to resolve the biodiversity significance of land at Warrah Road, Bangalee, and to rezone the non-high conservation value (HCV) land for residential purposes. The subject land is currently 'deferred' from Shoalhaven LEP 2014, and the PP seeks to resolve the deferral by rezoning HCV land to an E2 Environmental Conservation Zone and the non-HCV land to an appropriate residential zone under the LEP. As part of this process, the Department of Planning and the Environment (DP&E) is asked to determine the appropriateness of further biodiversity investigations over the site to support a possible increase in residential zoned land.

1.1 Subject Land

The subject land is located at Bangalee, approximately 3.5 kilometres North West of the Nowra town centre, within Shoalhaven LGA. The PP primarily relates to Lot 24 DP 714096, however the PP seeks to resolved the zoning of the entire deferred area including the adjoining Lots 21-23 DP 714096 as shown in Figure 2 below



The subject land is bordered by existing large lot residential development to the north (R2 Low Density Residential), small lot residential to the east (R2 Low Density Residential) and small rural holdings (E2 Environmental Conservation and E3 Environmental Management) to the south and west. The subject land covers an area of approximately 80 hectares, and is shown in Figures 2 and 3 below.

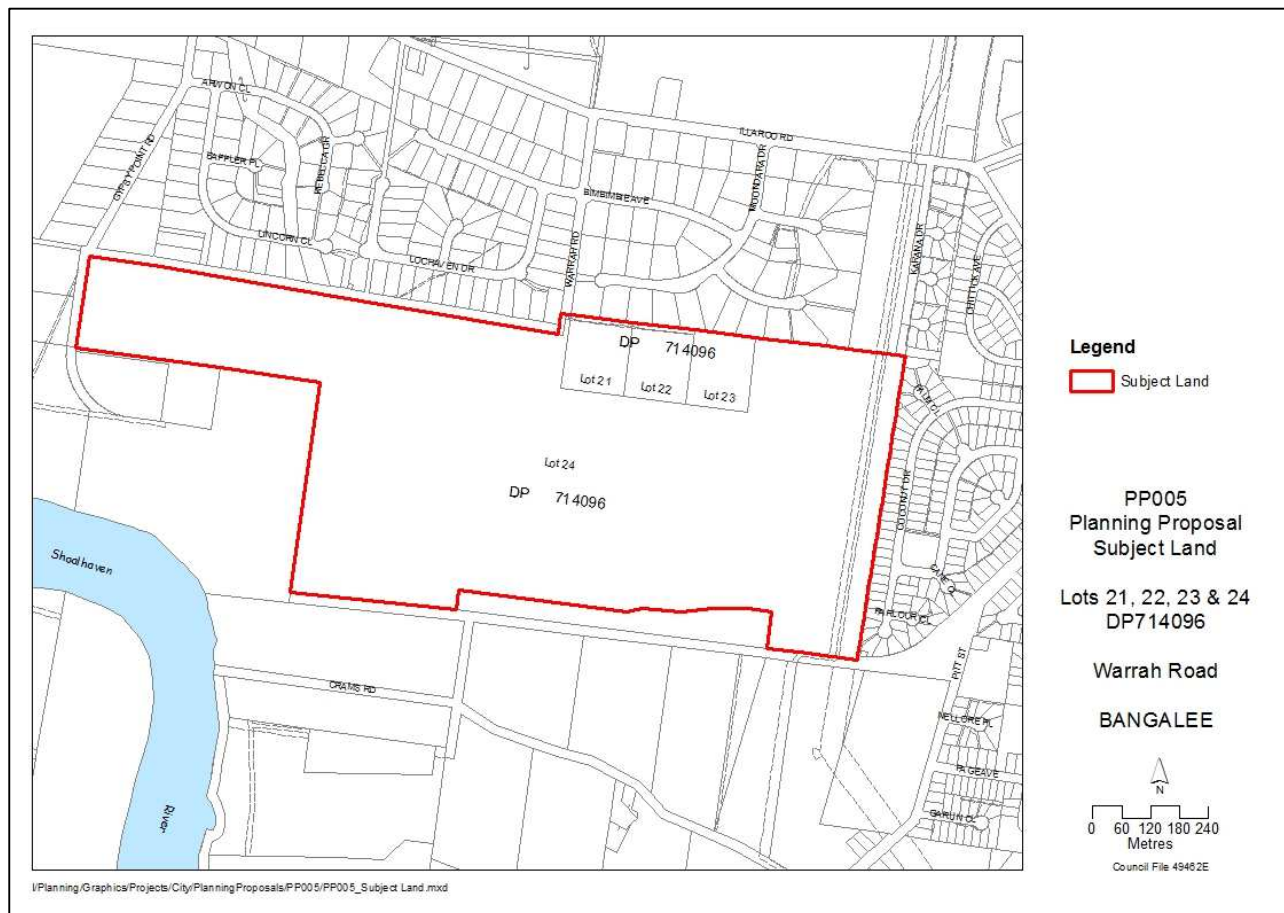


Figure 2 - Subject Land

The subject land is primarily vegetated with the exception of some cleared and partially cleared areas in the east as shown in Figure 3 below. The land is a deferred matter in Shoalhaven LEP 2014, as shown in Figure 4 below, and as such the provisions of Shoalhaven LEP 1985 continue to apply. Under Shoalhaven LEP 1985, the site is currently zoned Rural 1(d) (General Rural).



Figure 3 - Aerial Photo

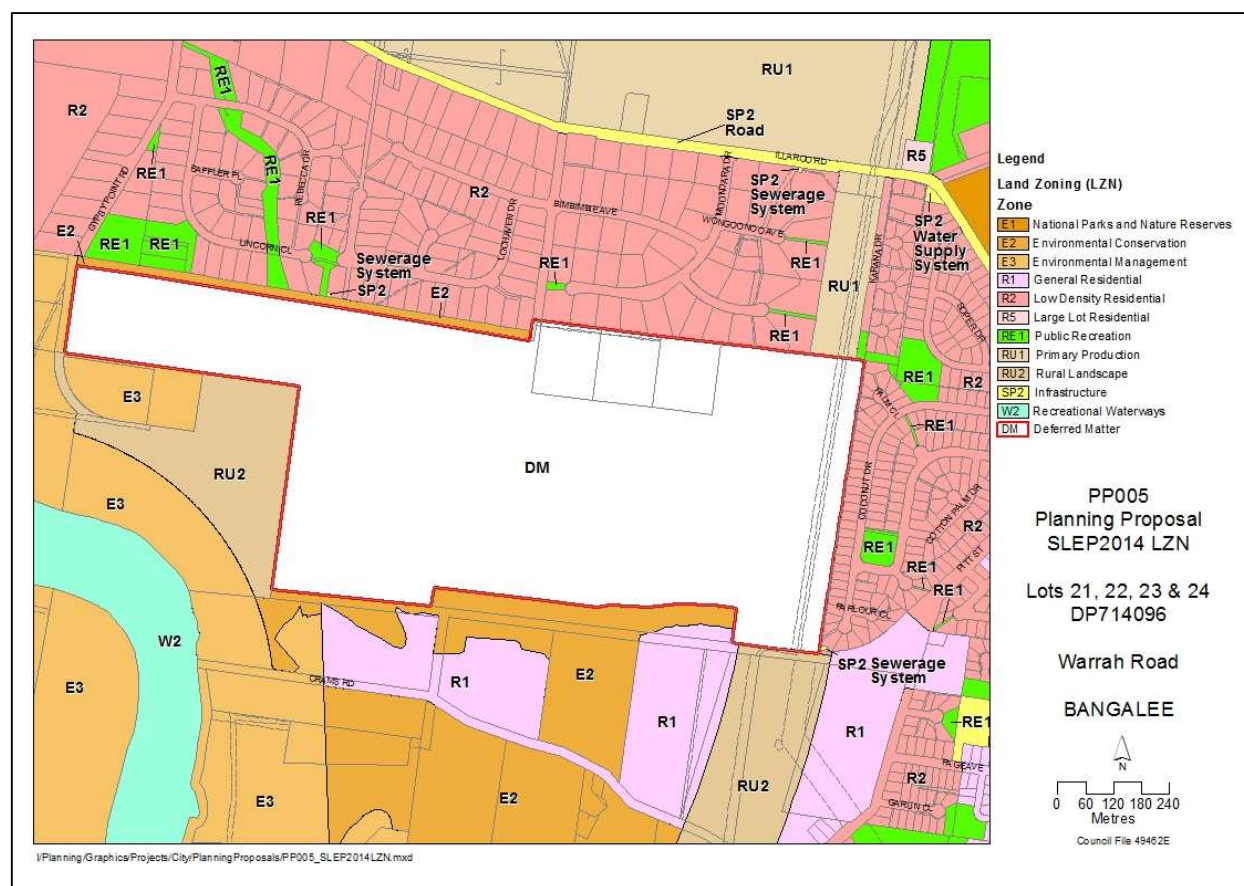


Figure 4 - Current Land Use Zones

1.2 Background

The Crams Road investigation area was initially identified as one of seven (7) potential Urban Release Areas (URAs) in the Nowra-Bomaderry Structure Plan (NBSP) which was adopted by Council in 2006 and endorsed by DP&E in 2008. The NBSP identified an area of ninety (90) hectares for potential rezoning, as shown in Figure 5 below, subject to further studies, including a threatened species and biodiversity assessment.



Figure 5 - Extract from NBSP - Crams Road Future Living Area

In 2008 Council engaged Allison Hunt and Associates (AHA) to undertake a comprehensive biodiversity assessment of the Crams Road investigation area in accordance with the requirements of the NBSP, as part of a broader assessment that considered possible bio-certification of the Structure Plan area. This led to a significant reduction in the proposed Crams Road URA that was proposed to be rezoned under the initial version of the then draft Shoalhaven LEP 2014 as shown in Figure 6 below.

During the exhibition of the draft Shoalhaven LEP 2014, parts of the subject land were cleared, and it is noted that a Remediation Order currently applies to parts of the site. The proponent made a submission of the then draft Shoalhaven LEP 2014 that requested additional areas outside the exhibited zone boundaries be considered for rezoning to R1 General Residential as shown in Figure 7 below.

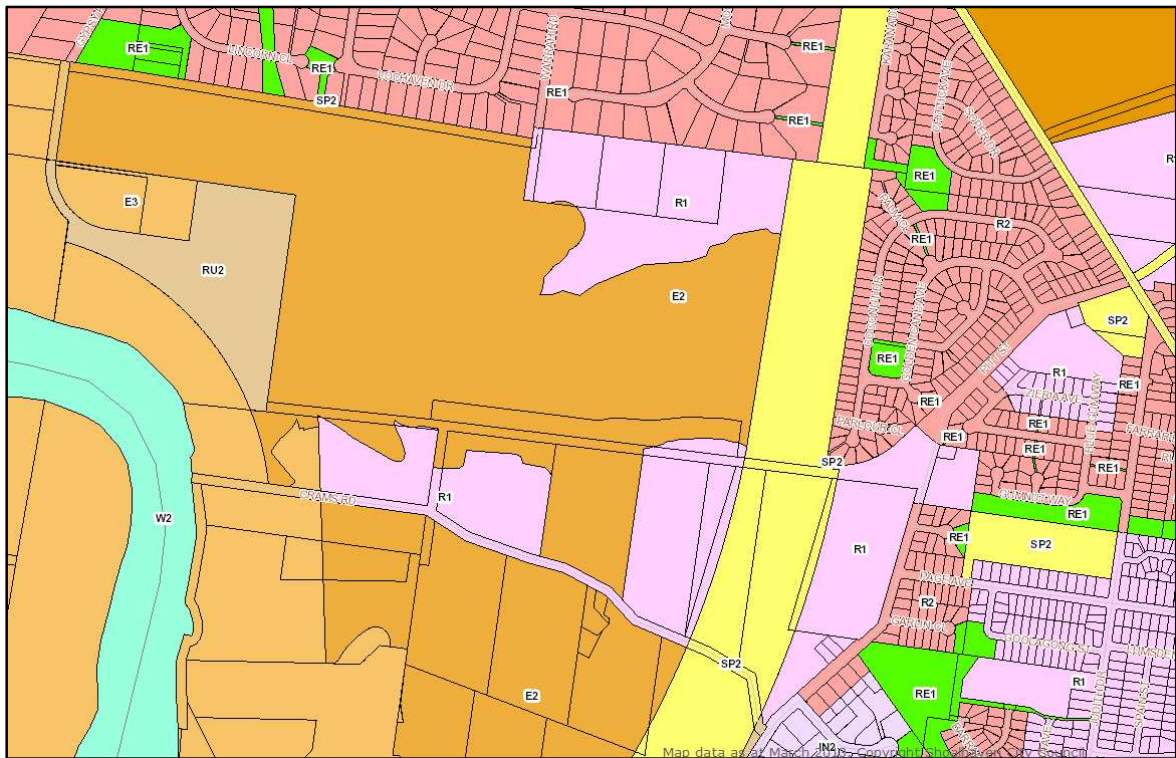


Figure 6 - Extract from draft Shoalhaven LEP 2014 as exhibited - Crams Road URA

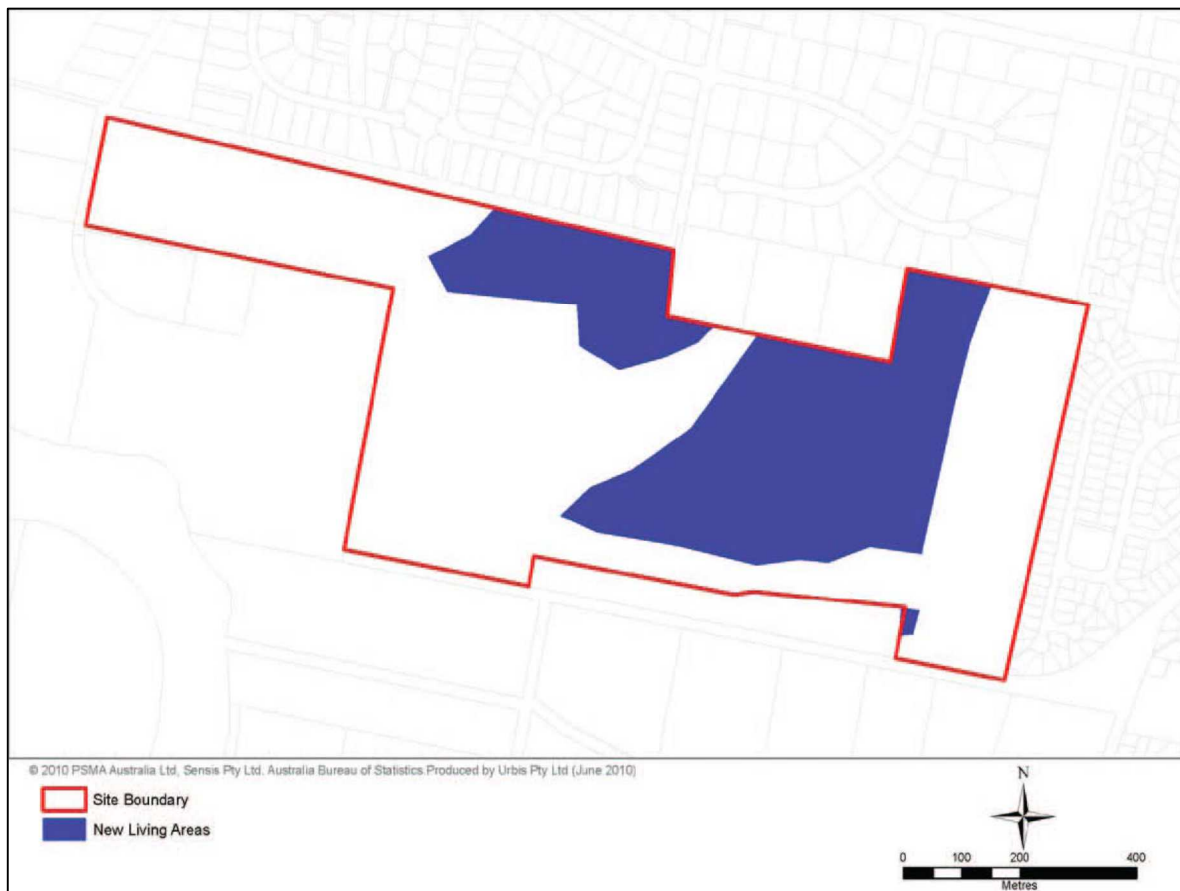


Figure 7 - Extract from proponent submission - proposed 'New Living Area'

- a) *Defer the area identified as Lots 21, 22, 23, 24 DP 714096 from the Draft LEP 2013 to enable further specific consideration;*
- b) *Remove the deferred area from all relevant overlays; and*
- c) *Consider a planning proposal for the site after the completion of the investigations into alleged illegal clearing.*

Planning Proposal

The proposed increase in the requested residential zoned area is based on detailed ecological work that was completed on the proponents' behalf in 2010 and 2011. This includes a flora and fauna analysis that differed from the findings of the AHA Report that was prepared on Council's behalf and informed the draft zones in Shoalhaven LEP 2014. A copy of the proponent's biodiversity studies is provided in the PP in Attachment B to this report.

Figure 8 - Extract from the proponent's PP - Proposed land use zones

The proponents submitted PP was considered at Council's Development Committee meeting on 7 October 2014 and it was resolved that:

- a) *Council support the draft Warrah Road, Bangalee Planning Proposal in principle, pending an independent peer review of the conflicting threatened species and biodiversity assessments that exist over the site – prior to submitting the proposal for Gateway determination;*
- b) *Council engage an independent consultant (to be funded by the proponent) to peer review the existing threatened species and biodiversity assessments related to the site of the Warrah Road, Bangalee Planning Proposal and make recommendations on the biodiversity significance of the site;*
- c) *A report of the findings of the peer review be reported back to Council with recommendations on the preferred approach to continue the proposal; and*
- d) *Council advise the proponent of the above resolution.*

Biodiversity Studies - Peer Review

Following the October 2014 resolution, Council engaged NGH Environmental to undertake an independent peer review of the biodiversity studies (Councils and proponents) related to the site and make recommendation on its biodiversity significance. NGH were asked to review the existing studies, not to undertake further surveys/studies over the site.

The key findings of the NGH Peer Review is shown graphically in Figure 9 below. NGH applied the 'precautionary principle' and determined that without more detailed surveys it was not possible to rule out areas as HCV. The NGH Report also outlined the survey requirements and level of information that would be required to consider reducing the HCV land and increasing the residential zoned land. A copy of the NGH Peer Review is provided as Attachment F to this report.

It is noted that the proponent is currently undertaking additional site survey works as outlined in the NGH report, and it is anticipated that this work will be completed by April 2016. These additional surveys were not requested by Council, however the proponent has advised that the work was commenced to ensure surveys could be completed at the appropriate times of the year.



Figure 9 - Extract from NGH Report - High Conservation Value Land

Nowra-Bomaderry Land Supply

Between 2011 and 2036 the population of the Nowra-Bomaderry area is forecast to grow by an additional 12,352 persons, which translates to 5,228 households and a demand for an additional 5,533 private dwellings (Table 1). This represents an average increase of 221 dwellings per annum.

Table 1: Nowra-Bomaderry Population, Household & Dwelling Forecasts

	2011	2016	2021	2026	2031	2036
Population	34,036	34,823	36,664	39,319	42,798	46,388
Population in Private Dwellings	32,644	33,431	35,272	37,897	41,336	44,926
Households	13,025	13,601	14,439	15,498	16,843	18,253
Average Household Size	2.51	2.46	2.44	2.45	2.45	2.46
Dwellings	13,645	14,263	15,144	16,274	17,696	19,178
Dwelling Occupancy Rate	95.5	95.4	95.3	95.2	95.2	95.2

Source: .id, the population experts February 2015

The Nowra-Bomaderry area is identified as one of two priority growth areas in the Illawarra-Shoalhaven Regional Plan and will continue to be the long term focus for greenfield housing in the region.

Nowra-Bomaderry Residential Capacity

In theory there is an existing capacity for an additional 10,165 residential lots in the NBSP area including the URAs identified in the NBSP. Currently zoned residential land has the potential to yield some 4,086 lots and the designated URAs have a notional yield of some 6,079 lots. More detailed evaluations of the areas potential new residential areas indicate a possible significant reduction in yield.

For instance, the Mundamia URA had a notional yield of 720 lots, but it is now anticipated that this would be reduced to 511 lots. Similarly, the Worrigeer URA had a notional yield of 380 lots, now reduced to an anticipated 115 lots. Likewise, Warrah Road's optimistic notional yield of 1,080 lots under the NBSP has declined drastically to well below 500 lots, noting that its actual capacity is yet to be determined. Principal factors contributing to this reduction include: biodiversity conservation, bushfire hazard; flood inundation; and land tenure issues (i.e. Crown Lands/National Park/Aboriginal Land Council).

Studies indicate that a majority of the 411.9 hectares of underutilised or vacant land parcels zoned for residential uses, contain one or more of these significant constraints on development. These have the effect of reducing notional residential yields significantly. Furthermore, it is anticipated that the majority of these areas are unlikely to achieve their development potential in the foreseeable future, due to the land not being in the ownership or control of individuals or entities that are likely to proceed with development.

Local House Building

Council's records indicate an average of 271 dwelling completions per year (houses and units) between 2006 and 2014 (Table 2). This demonstrates the need for between 200 and 300 dwelling completions per year in the Nowra-Bomaderry area. However, while the local building industry has been producing this level of development, suitable developable land is now diminishing and is in short supply.

Table 2: Nowra-Bomaderry Dwelling Completions: 2006-2014

District	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total	Av/Year
Bomaderry	12	26	35	10	45	6	10	30	39	213	23.7
North Nowra	9	6	6	8	22	16	24	16	13	120	13.3
Nowra	43	26	37	17	26	40	3	26	35	253	28.1
South Nowra	37	12	42	56	54	35	40	24	97	397	44.1
Worrigeer	151	119	146	157	124	79	40	66	71	953	105.9
Main Urban Areas	252	189	266	248	271	176	117	162	255	1936	215.1
Area Balance	62	69	34	34	73	58	38	99	32	499	55.4
Total	314	258	300	282	344	234	155	261	287	2435	270.6

Source: SCC Dwelling Completion Records 2015

2 Part 1 -Intended Outcome

The intended outcome of this PP is to resolve the biodiversity significance of land at Warrah Road, Bangalee, and to then enable the non-HCV land to be rezoned for residential purposes. The subject land is currently 'deferred' from Shoalhaven LEP 2014, and the PP seeks to resolve the deferred area by rezoning HCV land to an E2 Environmental Conservation Zone, the non-HCV land to an appropriate residential zone (dependent on potential development area extent) and the Western Bypass Corridor to an RU2 Rural Landscape zone.

3 Part 2 – Explanation of Provisions

The subject land is currently zoned Rural 1(d) (General Rural) under Shoalhaven LEP 1985. The intended outcome will be achieved by amending Shoalhaven LEP 2014 to rezone the non-HCV land to an appropriate residential zone, the HCV land to an E2 Environmental Conservation zone and the Western Bypass Corridor to an RU2 Rural Landscape zone.

The area of land to be rezoned for residential development, is dependent on the biodiversity significance of the land and whether additional biodiversity investigations are completed. The potential zone boundaries, based on the outcomes of the NGH report, are shown in Figure 10 below. It is noted that the residential zoned area may potentially increase if further biodiversity studies determine that additional areas are suitable for residential development.

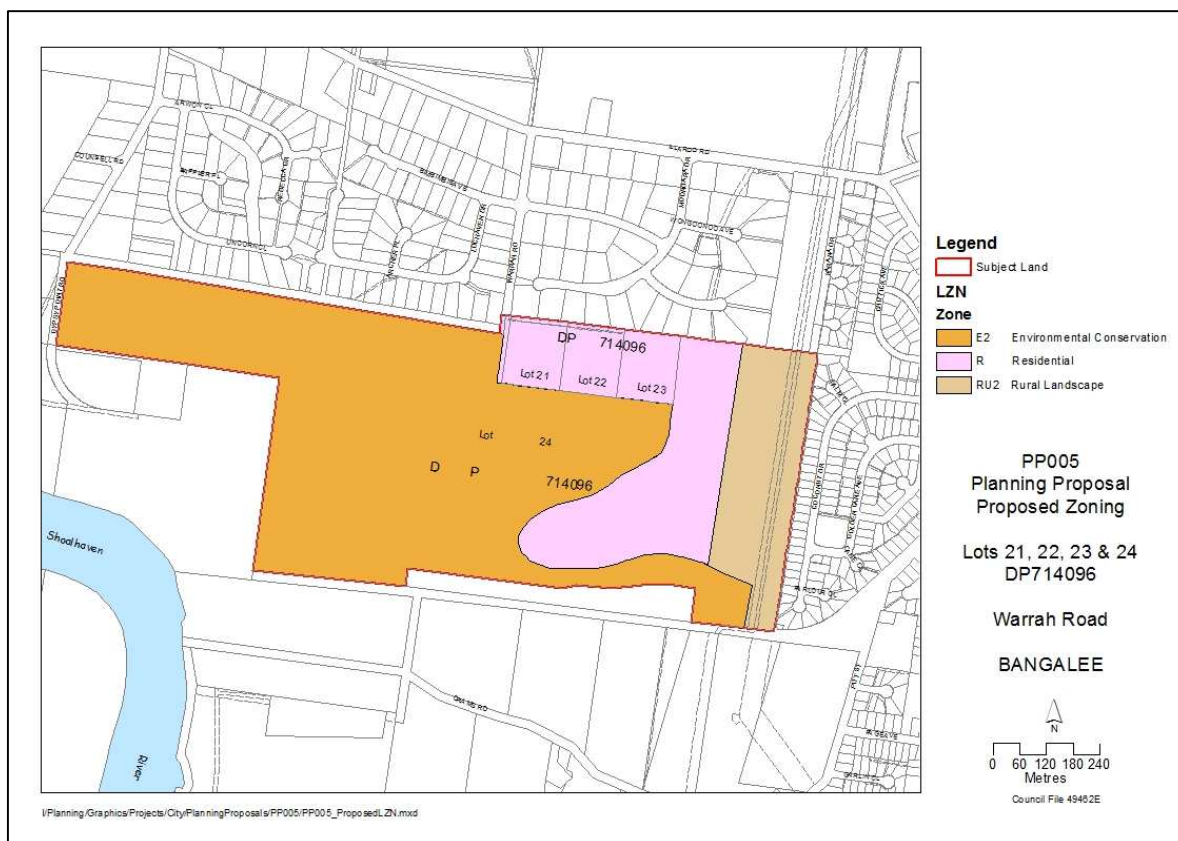


Figure 10 - Possible Zone Boundaries

It is intended that the Gateway determination will be the umpire in the process and determine the appropriateness of further biodiversity investigations over the site to support a possible increase in residential zoned land. The most appropriate residential zone will depend on the size of the area being rezoned. If DP&E support an increase in residential zoned land, then an R1 General Residential zone will potentially be the most appropriate, consistent with other URAs in the NBSP. However, if DP&E do not support a substantial increase in the residential zone, then an R2 Low Density Residential or R5 Large Lot Residential is considered more appropriate for the site.

The PP also seeks to amend the following map overlays that were deferred from Shoalhaven LEP 2014:

- Minimum Lot Size Overlay (LSZ) (to be determined prior to public exhibition)
- Urban Release Areas Overlay (URA) (to be determined prior to public exhibition)
- Biodiversity Overlay (BIO) (to be determined prior to public exhibition)
- Riparian Lands and Watercourses Overlay (WCL)
- Acid Sulphate Soils Overlay (ASS)
- Clauses Overlay (CLS) (subject to change prior to public exhibition)

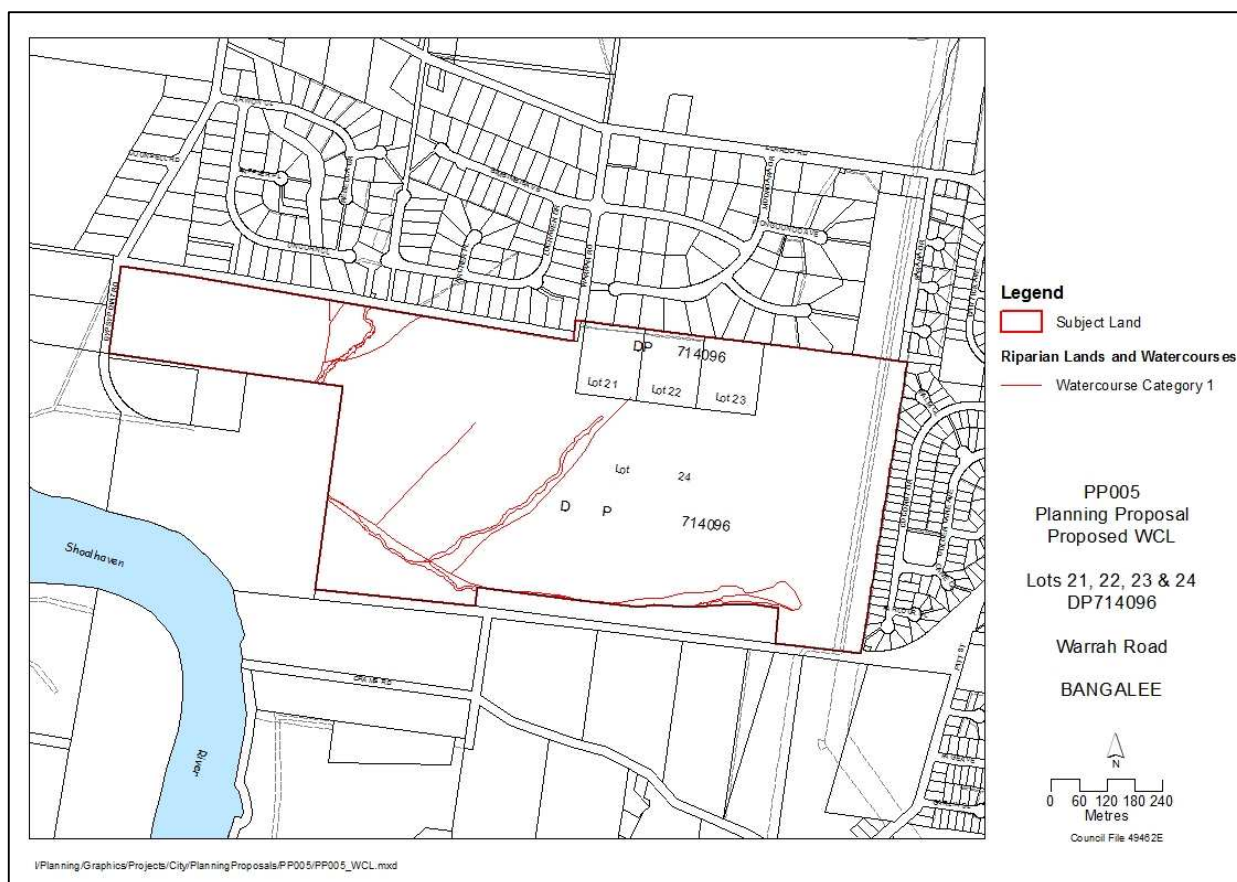


Figure 11 - Proposed Riparian Lands and Watercourses Overlay

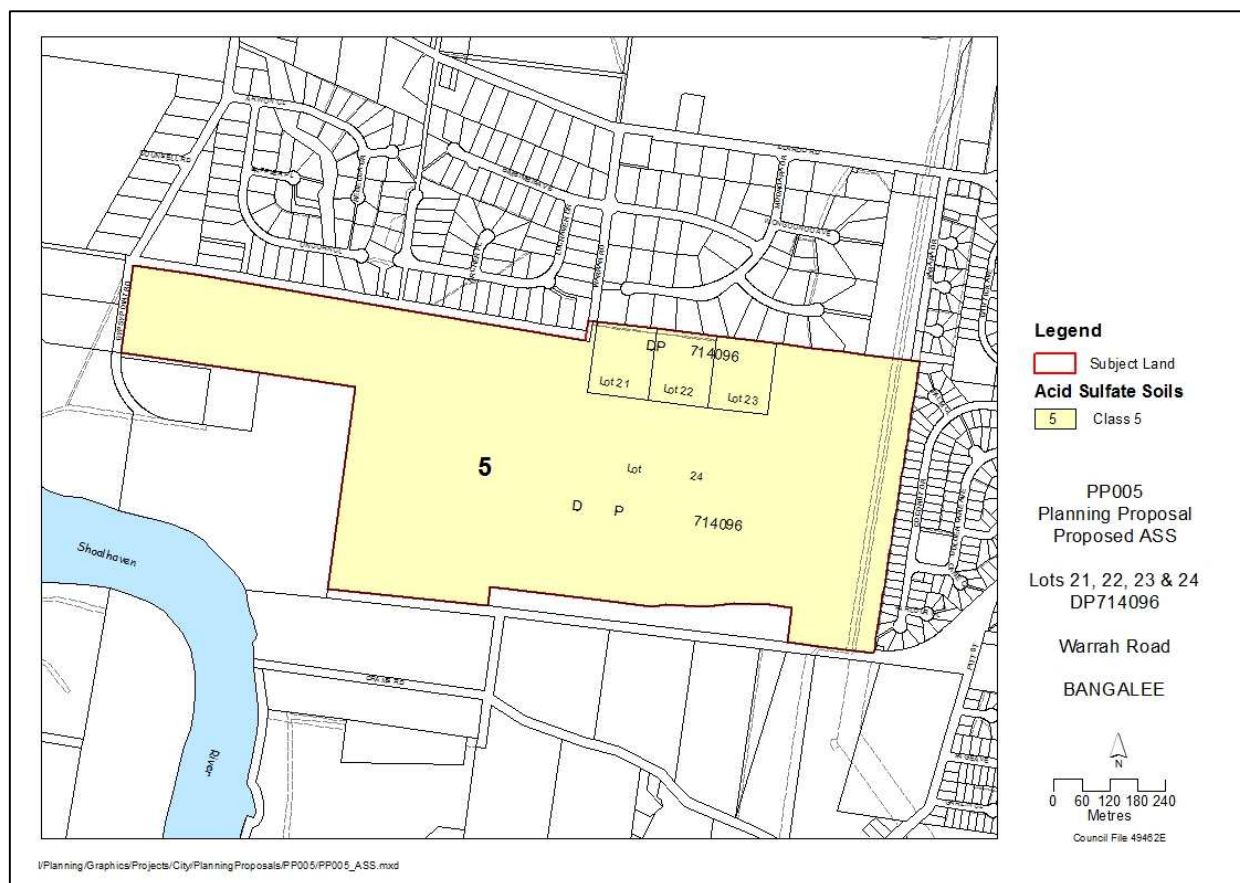


Figure 12 - Proposed Acid Sulphate Soils Overlay

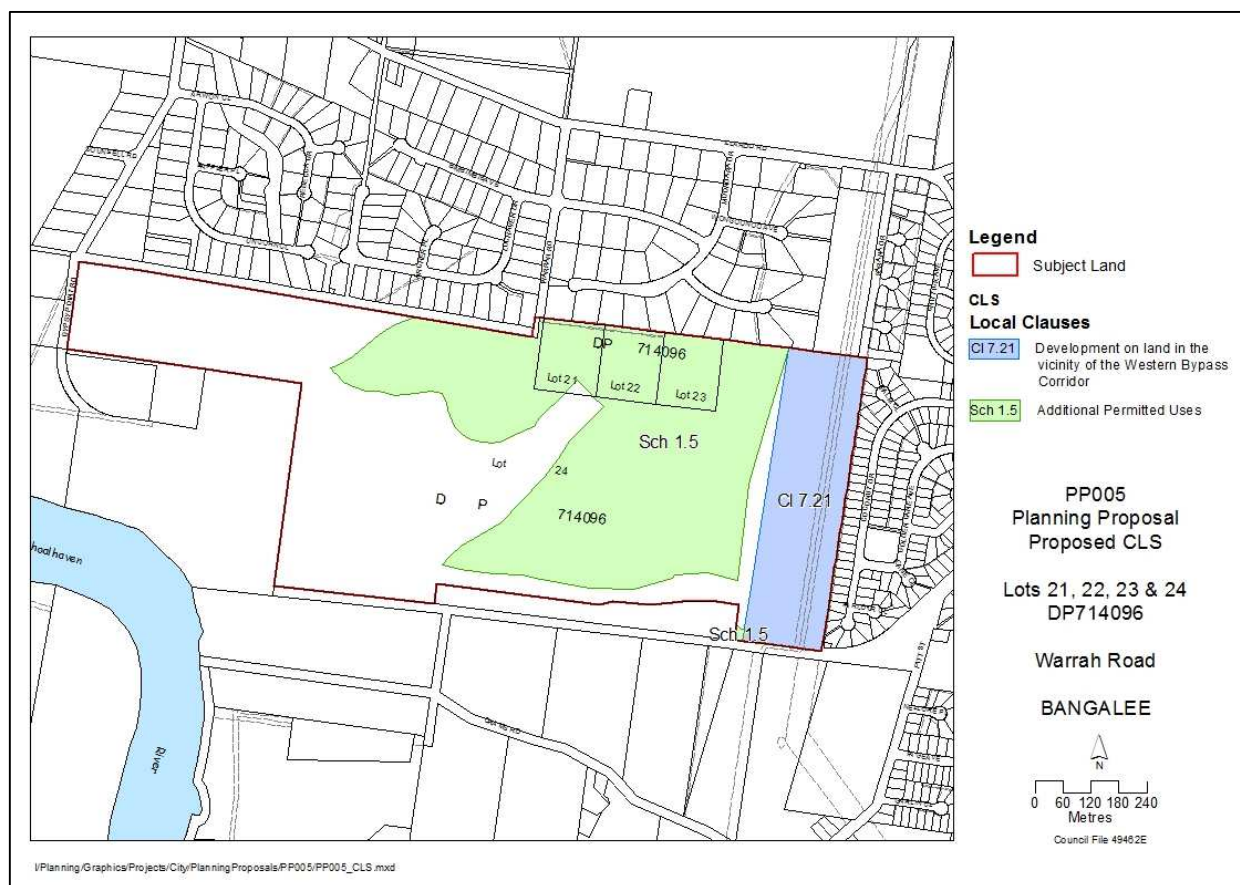


Figure 13 - Proposed Local Clauses Overlay (subject to change prior to public exhibition)

4 Part 3 – Justification

4.1 Need for the Planning Proposal (Section A)

4.1.1 Is the Planning Proposal a result of any strategic study or report?

The subject land is identified as one of seven identified URAs in the endorsed NBSP. Council deferred the zoning of the site as part of the finalisation of Shoalhaven LEP 2014 to consider a site specific PP to resolve the differences between the biodiversity studies related to the land.

4.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

A PP is the only means of amending Shoalhaven LEP 2014 and resolving the issues raised. The NBSP identified the land as a New Living Area and thus in principle suitable for urban development. The scale and type of urban development will largely depend on the biodiversity significance of the site. Council considered two alternative development options.

Option 1: More Extensive Site Development

If DP&E support an increase in residential zoned land, then an R1 General Residential zone will potentially be the most appropriate zoning, consistent with other URAs in the NBSP, acknowledging that there are character and consistency issues with the adjoining large lot development to the north.

Option 2: Large Lot Residential Development

If DP&E do not support an increase in the residential zone, then an R2 Low Density Residential or R5 Large Lot Residential is considered more appropriate for the site given the limited development area and existing adjacent development.

4.2 Relationship to strategic planning framework (Section B)

4.2.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Relevant regional strategies include: the Illawarra Shoalhaven Regional Plan and the South Coast Regional Strategy.

Illawarra Shoalhaven Regional Plan

The Illawarra Shoalhaven Regional Plan (ISRP) applies to the whole Shoalhaven LGA including the subject land and was released in late 2015.

The plan seeks to provide a framework for provision of well-located, more diverse and more affordable housing. The plan identifies this area as one of a number of regionally significant release areas, which will continue to make a contribution to housing supply throughout the Illawarra Region. At present the plan shows the reduced area that was originally exhibited in the draft Shoalhaven LEP 2014.

South Coast Regional Strategy

The South Coast Regional Strategy (SCRS) is a high level strategic planning document which still applies to Shoalhaven until the relevant Section 117 direction is revised. It also provides key regional level guidance applying to the site in relation to the provision of suitable land to address the employment and housing needs of the South Coast Region.

The proposal is considered consistent with the overall aims and objectives of both the ISRP and the SCRS in that it is an identified priority growth area and assists in accommodating housing demand and utilises existing infrastructure and services.

4.2.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Community Strategic Plan – Shoalhaven 2023

The PP is broadly consistent with Council's Community Strategic Plan (CSP). The relevant objectives and strategy are detailed below.

Objective 2.2	Population and urban settlement growth that is ecologically sustainable and carefully planned and managed.
Objective 2.6	Settlements that are resilient to the unexpected impacts of natural hazards.
Strategy 2.4.2	Develop land use and related plans for the sustainable growth of the city which use the core principles of the Growth Management Strategy and ESD principles, also carefully considering community concerns and the character of unique historic townships.

Nowra-Bomaderry Structure Plan

The subject land was originally identified as one of seven URAs in the NBSP that was adopted by Council in 2006 and endorsed by DP&E in 2008. The NBSP identified an area of ninety (90) hectares for potential rezoning subject to further studies, including a threatened species and biodiversity assessment.

4.2.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

The PP is generally consistent with the applicable State Environmental Planning Policies (SEPPs), except for where specified. A full list of the SEPPs is provided at **Attachment C**. The most relevant SEPPs are discussed below.

Deemed SEPP – Illawarra Regional Environmental Plan No 1

The Illawarra Regional Environmental Plan No 1 (IREP) still applies to the subject site given that it was deferred from Shoalhaven LEP 2014. The IREP has a range of objectives in relation to residential development. The IREP requires that urban expansion be orderly and efficient having regard to environmental constraints; only occur where adequate services are available or are to be provided; provide for a range of lot sizes and dwelling types; and avoid development in hazard prone areas including those at risk of bush fire. The PP is considered to be consistent with this SEPP.

SEPP 44 – Koala Habitat Protection

The SEPP requires that land is conserved and managed to provide habitat for koalas. The biodiversity field surveys conducted did not identify Schedule 2 feed trees nor did they discover evidence of koalas inhabiting the area. Therefore this proposal is considered not to be inconsistent with this policy.

SEPP 55 – Remediation of Land

The SEPP aims to promote the remediation of contaminated land. Its purpose is to reduce the risk of harm to human health or any other aspect of the environment. It seeks to achieve this by specifying certain considerations applicable to development applications in general and by requiring that all remediation work meet certain standards.

A Stage 1 Contamination Assessment was undertaken by the proponent. It found the site to be of low to medium risk of contamination in certain areas where illegal dumping of rubbish had occurred. Other potential sources of contamination derive from the possibility that at one stage an abattoir operated on the site as well as potential contamination resulting from building material stockpiles. Nevertheless, the majority of the site was assessed to be 'greenfield'.

The assessment concluded that a targeted Stage 2 Contamination Assessment is required for the site. SEPP 55 provides a statutory framework for further investigations and suitable remediation through the rezoning and application process.

SEPP (Infrastructure) 2007

The PP could result in development classed as traffic generating development in accordance with the SEPP. In order to consider the aims and objectives of the SEPP, the

Roads and Maritime Services (RMS) will be consulted as required after the Gateway determination.

SEPP (Rural Lands) 2008

The Rural Lands Ministerial Direction requires that PPs which affect land within existing or proposed rural or environmental zones be consistent with the principles of the SEPP. The proposal does not contradict the objectives of the SEPP since the site does not currently accommodate major agricultural uses or provide sustainable economic activities. Accordingly the loss of a portion of the site as rural and would not be detrimental to the rural economy of the district.

4.2.4 Is the Planning Proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Ministerial Directions are summarised in **Attachment D** and those that are most relevant are discussed below.

Direction 1.2 Rural Lands

The objective of this direction is to protect the agricultural production value of rural land. The primary use of the site although identified as a rural zone is not for agricultural production and is of minimal value as rural land. The subject land is an identified URA in the NBSP and the use of the land for residential development forms a natural extension of the existing residential uses immediately to the north and east. Therefore, any inconsistency with this direction is considered minor in nature.

Direction 2.1 Environmental Protection Zones

The PP does not seek to reduce the environmental protection standards that apply to the land. The subject land is currently zoned Rural 1(d) (General Rural) under Shoalhaven LEP 1985 and the PP specifically includes provisions that facilitate the protection and conservation of environmentally sensitive lands. The PP proposes to determine the boundary of the HCV land and rezone all HCV land to an E2 Environmental Conservation zone and restricts any potential residential zoning to non-High Conservation Value land. The PP is therefore considered consistent with this direction.

Direction 2.3 Heritage Conservation

This direction requires that items of aboriginal and other cultural heritage be identified in a study of the area's environmental heritage. An aboriginal cultural heritage assessment was provided by the proponent which determined that the PP would not impact on items of aboriginal cultural significance, and based on this, the PP is therefore considered consistent with this direction.

Direction 3.1 Residential Zones

This Direction applies as the PP proposes the rezoning of land for residential purposes. The subject land is proposed to be identified as a URA under Shoalhaven LEP 2014, which contains requirements for residential development to provide appropriate public utility infrastructure under Part 6 Urban Release Areas (URA). The PP is considered to be consistent with this direction.

Direction 3.4 Integrating land use and transport

It is acknowledged that the PP may be considered inconsistent with this direction in that it does not increase the choice of available transport or reduce car dependency. However, the consistency or otherwise is considered minor in nature in that the subject land is an identified URA in the NBSP which was adopted by Council and endorsed by the State Government in 2008.

The PP was supported by a traffic assessment that was prepared to support the proposal submitted by the proponent, for a 397 dwelling subdivision. The assessment investigated existing traffic conditions, travel modes, traffic generation, road network performance; potential traffic impacts; and access and internal road design issues.

Consultation with RMS will be undertaken after the Gateway determination in relation to the required transport infrastructure associated with the proposal. Specific consultation will be required in regard to the Western Bypass Corridor that forms part of the site.

Direction 4.4 Planning for bushfire protection

The majority of the area to which this PP applies is bushfire prone. A bushfire constraints assessment was included with the material submitted by the proponent and makes the following conclusions:

- The vegetation within the development site and on adjoining land is recorded on the Shoalhaven Bushfire Prone Map as constituting Category 1 Bushfire Prone vegetation.
- The characteristics of the site, together with the fire protection measures recommended, provide that the rezoning and subsequent subdivision of the land for residential development is suitable in terms of its intended land use.

The assessment recommends a number of mitigation measures to ensure development is consistent with the 117 direction and the Planning for Bushfire Guidelines. The outcome in this regard will be somewhat determined by the eventual development footprint.

Council will consult with the Commissioner of the NSW RFS following receipt of Gateway determination as required by this Direction.

4.3 Environmental, Social and Economic Impact (Section C)

4.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Detailed consideration has been given to assessing the likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal. Conflicting biodiversity studies exist over the site, which were the subject of a peer review, and there is a need to resolve the issue of the biodiversity significance of the site via the PP process.

The existing studies recorded eight threatened fauna species (6 mammal and 2 bird species). Based on habitat assessments, the presence of key indicator habitat elements and the number and distribution of previous records, there is a moderate to high probability that a further 15 species would occur within the area.

No threatened plant species, plant populations or ecological communities were recorded on the site during field surveys. On the basis of habitat assessments and the number and distribution of previous records, there is a medium to high likelihood for six threatened plant species to occur in the area.

Both the proponent's study and Council's study identified areas of HCV land, however, the extent of HCV land and the planning implications differ significantly between the studies. The NGH peer review of the existing studies applied the precautionary principle and found that without more detailed surveys, it was not possible to rule out areas as HCV.

The peer review also outlined the survey requirements and level of information that would be needed to consider reducing the HCV land and increasing the residential zoned land. As part of the PP process, Council is seeking direction from the Gateway determination about the most appropriate way to progress this matter and also possibly the appropriateness of further biodiversity studies to possibly increase the residential zoned land.

4.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Traffic

The proponent's traffic impact assessment (based on 397 dwellings) indicates a peak hour generation of 258 vehicles and a daily traffic volume of 2,580 vehicles. The assessment indicates that all intersections on the road network would operate within acceptable Levels

of Service (LOS). Nevertheless, the proposed development is not currently supported by a logical external road hierarchy. Particular areas of concern include the following:

- The single point of access via Warrah Road, which does not connect directly with Illaroo Road, the principal collector road in North Nowra;
- The household vehicle trip generation rates used in this analysis tend to be on the low side;
- Increased traffic on quiet residential roads (Bimbimbi Avenue and Moondara Drive); and
- Traffic impact on Illaroo Road's intersection with Princes Highway and the river crossing.

Consideration will need to be given to the creation of an additional point of access. The proposed development would also need to take into account the anticipated timing of road proposals to improve access into/out of North Nowra, which would enhance the road hierarchy of the area.

4.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

Aboriginal cultural heritage

As noted above, the subject land is moderately to highly disturbed and it is not considered likely to retain any extensive or intact aboriginal cultural remains or archaeological potential. An Aboriginal Archaeological report was submitted with the information provided by the proponent.

Social infrastructure

Consultation with the community after Gateway determination will consider/identify social and economic issues.

4.4 State and Commonwealth Interests (Section D)

4.4.1 Is there adequate public infrastructure for the Planning Proposal?

There are major impediments to the provision of infrastructure for the subject land. Council has concerns regarding the build-up of traffic flows on Illaroo Road, in particular its intersection with Princes Highway and the consequences for the river crossing (discussed in 4.3.2). However, the subject land will be subject to Part 6 of Shoalhaven LEP 2014 which requires the State Government to sign off on the satisfactory provision of infrastructure and allows Council to prepare a contributions plan for essential infrastructure prior to the land being released.

4.4.2 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

It is intended that Council will consult with the following public authorities and any additional public authorities identified in the Gateway determination (Table 3).

Table 3: Public Authorities to be consulted

Public Authority	Reason
OEH / NPWS	Biodiversity studies
NSW Office of Water	Riparian corridors – Shoalhaven River
Commissioner of NSW Rural fire Service	As per s.117 Direction 4.4
Roads & Maritime Services	Traffic impact on Princes Highway & Shoalhaven River crossing.

5 Part 4 – Mapping

This PP is supported by the following maps:

- Land Zone Overlay (LZN)
- Minimum Lot Size Overlay (LSZ)
- Urban Release Areas Overlay (URA)
- Biodiversity Overlay (BIO)
- Riparian Lands and Watercourses Overlay (WCL)
- Acid Sulphate Soils Overlay (ASS)
- Clauses Overlay (CLS)

6 Part 5 - Community Consultation

Council proposes to exhibit the PP in accordance with the requirements of Section 57 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and any other requirements as determined by the Gateway process. It is intended that an exhibition period of 28 days apply, acknowledging the extensive exhibition/consultation that went into Shoalhaven LEP 2014.

Public notification of the exhibition would include notification in the local newspapers, and a notice on Council's website. Hard copies of the PP would be made available at Council's Administrative Building in Nowra.

Council has received representation from a number of landowners in the Bangalee area and it is intended that all surrounding landowners would be notified of the public exhibition.

7 Part 6 – Project Timeline

The following milestone timeframes are anticipated and will be revised if any significant delays are encountered during the process.

Table 4: Projected Timeline

Task	Anticipated Timeframe
Commencement date (date of Gateway determination)	March 2016
Completion of Gateway determination requirements (studies, government agency consultation etc.)	March - April 2016
Public exhibition (minimum 28 days)	April 2016
Post exhibition consideration of PP	May – June 2016
Finalisation and notification of Plan	August 2016

Note: provisional timing

Attachment A – Development Committee Reports and Resolutions

Attachment B – Proponent’s Planning Proposal Document

Attachment C – State Environmental Planning Policies

Attachment D – Ministerial Directions

Attachment E – NGH Environmental Biodiversity Peer Review

Attachment A: Development Committee Resolution

MINUTES OF THE DEVELOPMENT COMMITTEE MEETING HELD ON TUESDAY, 1 DECEMBER 2015 IN THE COUNCIL CHAMBERS, CITY ADMINISTRATIVE CENTRE, BRIDGE ROAD, NOWRA COMMENCING AT 4.00 PM

1. Item 3 - Planning Proposal (Rezoning) - Warrah Road, North Nowra (Huntingdale Developments Pty Ltd and Southbank Land Pty Ltd) File 49462e (PDR)
-

RESOLVED that, in accordance with the Committee's delegated authority from Council, that the Committee:

- a) Prepare a Planning Proposal to rezone the non High Conservation Value areas on the site, as identified in the NGH Environmental Report, to an appropriate residential zone;
- b) Include an assessment of residential land supply in the Nowra-Bomaderry Structure Plan area, particularly north of the Shoalhaven River in the Planning Proposal;
- c) Submit the Planning Proposal for Gateway determination and request the NSW Department of Planning and Environment determine the appropriateness of further biodiversity investigations over the site, to support the possible increase in residential zoned land; and
- d) Notify the proponent and adjoining landowners of this resolution.

CARRIED

Attachment C: State Environmental Planning Policies

Table 1: SEPP Consistency Summary

SEPP	Subject	Inconsistent	Not Inconsistent	Not Applicable
IREP1	Deemed SEPP Illawarra Regional Plan No.1		✓	
1	Development Standards			✓
4	No Consent, Exempt & Complying Development			✓
6	Number of Storeys in a Building			✓
14	Coastal Wetlands			✓
15	Rural Landsharing Communities			✓
19	Bushland in Urban Areas			✓
21	Caravan Parks			✓
22	Shops and Commercial Premises			✓
26	Littoral Rainforests			✓
30	Intensive Agriculture			✓
32	Urban Consolidation (redevelopment of urban land)			✓
33	Hazardous and Offensive Development			✓
36	Manufactured Home Estates			✓
44	Koala Habitat Protection		✓	
45	Permissibility of Mining			✓
50	Canal Estate Development			✓
52	Farm Dams & Other Works			✓
53	SEPP 53 Transitional Provisions 2011			✓
55	Remediation of Land		✓	
60	Exempt and Complying Development			✓
62	Sustainable Aquaculture			✓
64	Advertising and Signage			✓
65	Design Quality of Residential Apartment Development			✓
70	Affordable Housing (revised schemes)			✓
71	Coastal Protection			✓
--	Housing for Seniors or People with a Disability 2004			✓
--	BASIX : 2004			✓
--	Major Projects : 2005			✓
--	Mining, Petroleum & Extractive Industries 2007			✓
--	Temporary Structures 2007			✓
--	Infrastructure 2007		✓	
--	Rural Lands 2008		✓	
--	Exempt and Complying Development Codes 2008			✓
--	Affordable Rental Housing 2008			✓
--	Sydney Drinking Water Catchment 2011			✓
--	State and Regional Development 2011			✓
--	Urban Renewal			✓

Attachment D: Ministerial Directions

Table 2: Ministerial Directions (s.117) Consistency Summary

MD	Subject	Applies	Relevant	Consistent
1. Employment & Resources				
1.1	Business & Industrial Zones			
1.2	Rural Zones	✓	✓	✓
1.3	Mining, Petroleum & Extractive Industries			
1.4	Oyster Aquaculture			
1.5	Rural Lands	✓	✓	✓
2. Environment & Heritage				
2.1	Environment Protection Zones	✓	✓	✓
2.2	Coastal Protection			
2.3	Heritage Conservation	✓	✓	✓
2.4	Recreation Vehicle Areas			
3. Housing Infrastructure & Urban Development				
3.1	Residential Zones	✓	✓	✓
3.2	Caravan Parks & Manufactured Home Estates			
3.3	Home Occupations			
3.4	Integrated Land Use & Transport	✓	✓	✓
3.5	Development Near Licensed Aerodromes			
3.6	Shooting Ranges			
4. Hazard & Risk				
4.1	Acid Sulphate Soils	✓	✓	✓
4.2	Mine Subsidence & Unstable Land			
4.3	Flood Prone Land			
4.4	Planning for Bushfire Protection	✓	✓	✓
5. Regional Planning				
5.1	Implementation of Regional Strategies	✓	✓	✓
5.2	Sydney Drinking Water Catchments			
5.3	Farmland of State & Regional Significance Far North Coast			
5.4	Commercial & Retail Development – Pacific Hwy North Coast			
5.5	Development in Cessnock LGA (revoked)			
5.6	Sydney to Canberra Corridor (revoked)			
5.7	Central Coast (revoked)			
5.8	Second Sydney Airport: Badgerys Creek			
5.9	North West Rail Link Corridor Strategy			
6. Local Plan Making				
6.1	Approval & Referral Requirements			
6.2	Reserving Land for Public Purposes			
6.3	Site Specific Provisions			
7. Metropolitan Planning				
7.1	Implementation of A Plan for Growing Sydney			
7.2	Implementation of Greater Macarthur Land Release			