



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Shoalhaven Local Environmental Plan 2014 (Amendment No 7)

Your ref: Rebecca Kell 49237E (D15/311660)
Our ref: FHG e2015-319.d07

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in black ink, appearing to read 'D Colagiuri'.

(D COLAGIURI)

Parliamentary Counsel

9 December 2015



New South Wales

Shoalhaven Local Environmental Plan 2014 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Gordon Clark 11 December 2015

Gordon Clark, Strategic Planning Manager, Shoalhaven City Council

As a delegate for the
Minister for Planning

Shoalhaven Local Environmental Plan 2014 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Shoalhaven Local Environmental Plan 2014 (Amendment No 7)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to land to which *Shoalhaven Local Environmental Plan 2014* applies.

4 Maps

The maps adopted by *Shoalhaven Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

Schedule 1 Amendment of Shoalhaven Local Environmental Plan 2014

- [1] Land Use Table**
Insert “Light industries;” in alphabetical order in item 3 of the matter relating to Zone RU5 Village.
- [2] Land Use Table, Zone B2 Local Centre, Zone B3 Commercial Core and Zone B4 Mixed Use**
Omit “Restricted premises;” wherever occurring in item 4.
- [3] Schedule 5 Environmental heritage**
Omit “homestead, cemeteries and Victorian sandstone homestead” from the matter relating to item no 4 in Part 1.
Insert instead “Victorian sandstone homestead and cemeteries”.
- [4] Schedule 5, Part 1, item no 6**
Omit “26B Cavan Road”. Insert instead “30 Cavan Road”.
- [5] Schedule 5, Part 1, item no 6**
Omit “Lot 8”. Insert instead “Lot 7”.
- [6] Schedule 5, Part 1, item no 32**
Omit “Pine-1”. Insert instead “Pine”.
- [7] Schedule 5, Part 1, item no 32**
Omit “Pine-2”. Insert instead “Pines”.
- [8] Schedule 5, Part 1, item no 32**
Omit “(Eucalyptus tree)”. Insert instead “(Eucalyptus trees)”.
- [9] Schedule 5, Part 1, item no 32**
Omit “(Magnolia)”. Insert instead “(Magnolias)”.
- [10] Schedule 5, Part 1, item no 32**
Omit “(Camellia)”. Insert instead “(Camellias)”.
- [11] Schedule 5, Part 1, item nos 39, 49, 108, 136, 268, 299, 297, 285, 286, 304, 319 and 487**
Omit the items. Insert in appropriate order:

Berry	Victorian school and trees	1 Clarence Street	Lot 12, DP 882716	Local	108
Bomaderry	“Illohra”—Federation timber Berry Estate residence and garden	125 Brinawarr Street	Lot 2, DP 792770	Local	136

Coolangatta	Coomanderry Swamp drainage channel	Coolangatta Road and Shoalhaven Heads Road	Lot 6, DP 786106; Lot 12, DP 1047067; Lot 12, DP 630628; Lot 1, DP 1196368; Lot 1, DP 706777; Lot 22, DP 1028714; Lot 2, DP 836097; Lot 1, DP 1148057; Lot 3, DP 805443; Lot 5, DP 860111; so much of DP 623346 and DP 615003 that comprises drainage reserves	Local	39
Milton	“Eyrie Bowrie”— two storey Victorian Regency residence	17 Eyrie Bowrie Drive	Lot 3, DP 1124431	Local	285
Milton	Rendered masonry commercial store including residence and trees	61 Princes Highway	Lots 1–3 and CP, SP 66659; Lots 5–8, SP 76002	Local	299
Milton	Late Victorian brick residence	133 Princes Highway	Lot 1, DP 1171562	Local	297
Milton	Victorian Georgian residence and former dispensary	133 Princes Highway	Lot 1, DP 1171562	Local	286
Milton	Victorian rendered masonry school and schoolmaster’s cottage	Thomas Street	Lot 1, DP 861814	Local	304
Milton	“Mudges Corner”— Federation weatherboard residence including outbuildings, garden and fence	79 Wason Street	Lot 1, Section B, DP 192188	Local	268
Mollymook	Sandridge General Cemetery	45 Ocean Street	Lots 7313 and 7314, DP 1167265	Local	319
Ulladulla	“Springfield”— ornate late Victorian weatherboard farmhouse	41 Kanuka Drive	Lot 146, DP 1122896	Local	487

[12] Schedule 5, Part 1, item nos 55, 58 and 70

Omit “Pine-2” wherever occurring. Insert instead “Pines-2”.

[13] Schedule 5, Part 1, item no 58

Omit “tree-3”. Insert instead “trees-3”.

- [14] **Schedule 5, Part 1, item no 87**
Omit “Pilly-2”. Insert instead “Pillies-2”.
- [15] **Schedule 5, Part 1, item no 97**
Omit “Poplar-23”. Insert instead “Poplars-23”.
- [16] **Schedule 5, Part 1, item no 109**
Omit “Lot 1, DP 925241”. Insert instead “Lot 10, DP 1188080”.
- [17] **Schedule 5, Part 1, item no 101**
Omit “Bark-2”. Insert instead “Barks-2”.
- [18] **Schedule 5, Part 1, item no 112**
Omit “Poplar-9”. Insert instead “Poplars-9”.
- [19] **Schedule 5, Part 1, item no 118**
Omit “bolong carpenter Gothic style Union Church”.
Insert instead “Carpenter Gothic style Bolong Union Church”.
- [20] **Schedule 5, Part 1, item no 127**
Omit “14 Coomea Street”. Insert instead “12–14 Coomea Street”.
- [21] **Schedule 5, Part 1, item no 127**
Omit “Lot 14”. Insert instead “Lots 14 and 15”.
- [22] **Schedule 5, Part 1, item no 141**
Omit “Lot 12, DP 1098617”. Insert instead “Lot 81, DP 1188079”.
- [23] **Schedule 5, Part 1, item no 143**
Omit “350A Broughton Vale Road”. Insert instead “350 Broughton Vale Road”.
- [24] **Schedule 5, Part 1, item no 151**
Insert “; Lot 7300, DP 1130978; Lot 7301, DP 1131110; Lot 7302, DP 1131111; Lots 7305 and 7306, DP 1154007; Part Lot 252, DP 720937; Part Lot 2, DP 223819; Lot 3, DP 221288; Lot 103, DP 739867; Lot 1, DP 1116520 (road reserve); Lots 5 and 6, DP 1117580 (road reserve)” after “Reserve No 57023”.
- [25] **Schedule 5, Part 1, item no 169**
Omit “; Lot 64B, DP 7851”.
- [26] **Schedule 5, Part 1, item no 186**
Insert “; Part Lot 34, DP 755971” after “Lot 7004, DP 1059066”.
- [27] **Schedule 5, Part 1, item no 190**
Omit “Bimberamalla River”. Insert instead “Bimberamala River”.
- [28] **Schedule 5, Part 1, item no 190**
Insert “Part of Bimberamala National Park” under the heading **Property description**.

- [29] Schedule 5, Part 1, item no 192**
Omit “Adjacent to”.
- [30] Schedule 5, Part 1, item no 216**
Insert “245” before “Croziers Road”.
- [31] Schedule 5, Part 1, item no 216**
Omit “Lot 148”. Insert instead “Lot 149”.
- [32] Schedule 5, Part 1, item no 231**
Omit “168–170 Moss Vale Road”. Insert instead “170 Moss Vale Road”.
- [33] Schedule 5, Part 1, item no 231**
Omit “Lot 8, DP 1940; Lot 2, DP 554307”. Insert instead “Lot 1, DP 1182201”.
- [34] Schedule 5, Part 1, item no 260**
Omit “Part Lot 10”. Insert instead “Lot 1”.
- [35] Schedule 5, Part 1, item no 267**
Omit “DP 109732”. Insert instead “DP 1097329”.
- [36] Schedule 5, Part 1, item no 269**
Insert “residence” after “weatherboard”.
- [37] Schedule 5, Part 1, item no 307**
Omit “Part”. Insert instead “Lot 1,”
- [38] Schedule 5, Part 1, item no 338**
Omit “Former Numbaa red cedar flood boat and”.
- [39] Schedule 5, Part 1, item no 360**
Omit “between Berry and West Streets”.
- [40] Schedule 5, Part 1, item no 351**
Omit “Lot 9, DP 237126”. Insert instead “Lot 91, DP 1182460”.
- [41] Schedule 5, Part 1, item no 355**
Insert “and adjacent road reserve” after “Lots 2 and 3, DP 363266”.
- [42] Schedule 5, Part 1, item no 361**
Insert “Local” under the heading **Significance**.
- [43] Schedule 5, Part 1, item no 391**
Omit “Lot 2, DP 1047926”. Insert instead “Lot 23, DP 1190551”.
- [44] Schedule 5, Part 1, item no 405**
Omit the property description.
Insert instead “Lot 374, DP 755952; Lot 702, DP 1024852; Lot 7302, DP 1134093;
Lot 7323, DP 1164817”.

[45] Schedule 5, Part 1, item no 406

Omit the property description.

Insert instead "Reserve No R70802; Reserve No R6754; Lot 7036, DP 1068935; Lot 7326, DP 1166983; Lot 701, DP 1025652; Lot 7005, DP 1023875; Lot 7301, DP 1134093; Lot 704, DP 1024834; Part Lots 94 and 95, DP 755952; Part Lots 1 and 2, Section 31A, DP 758794; Lot 703, DP 1024833; Part Lot 1, Section 15, DP 758794; Part Lot 4, DP 1136269; Lot 3, DP 585626; Lot 701, DP 1024852; Part of Lot 7018, DP 1024840; Lot 7322, DP 1164817; Lot 7019, DP 1016688; Lot 392 and Part Lot 391, DP 755952; Crown roads".

[46] Schedule 5, Part 1, item no 410

Omit "Part Lot 1". Insert instead "Lot 2".

[47] Schedule 5, Part 1, item no 418

Omit "RANS Albatross—Military Defence Complex and Aviation Museum".

Insert instead "HMAS Albatross—military defence complex and aviation museum".

[48] Schedule 5, Part 1, item no 419

Omit "Part Lot 2, DP 755953". Insert instead "Lot 591, DP 1137949".

[49] Schedule 5, Part 1, item no 450

Omit "Lot 2, DP 1110521". Insert instead "Lot 6, DP 1185885; Lot 8, DP 111636".

[50] Schedule 5, Part 1, item no 468

Omit "62 Millbank Drive". Insert instead "62 Millbank Road".

[51] Schedule 5, Part 1, item no 475

Omit "3 Holmes Street". Insert instead "3 Holme Street".

[52] Schedule 5, Part 1, item no 479

Omit "DP 725848". Insert instead "DP 725948".

[53] Schedule 5, Part 1, item no 501

Omit "Lot 308, DP 24263; Part of Reserve No R64234".

Insert instead "Lot 7021, DP 1117368".

[54] Schedule 5, Part 1, item no 502

Omit the property description. Insert instead "Lot 7023, DP 1117371".

[55] Schedule 5, Part 1, item no 527

Omit the property description.

Insert instead "Part Lots 1 and 2, DP 252335; Part of Reserve No R3167; Part of Reserve No R3168; Lot 7314, DP 1147788; Lot 7 and Part Lots 1–6, Section 5, DP 759129; Part Lots 12 and 13, DP 755931; Lot 7016, DP 1039312; Lot 7018, DP 1039313; Lot 7017, DP 1039315".

[56] Schedule 5, Part 1, item no 537

Insert "and 67B Skye Farm Lane" after "Princes Highway".

[57] Schedule 5, Part 1, item no 537

Omit "Part of".

[58] Schedule 5, Part 1, item nos 530 and 531

Omit "Lot 1, DP 725960" wherever occurring.

Insert instead "Part Lot 189, DP 755923; Lot 3, DP 1193328".

Environmental Planning and Assessment Act 1979
Shoalhaven Local Environmental Plan 2014
(Amendment No 7)

Shoalhaven City Council
 PO Box 42
 NOWRA NSW 2541

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Terrestrial Biodiversity Map	
BIO_020I	6950_COM_BIO_020I_020_20140129
Clauses Map	
CLS_013D	6950_COM_CLS_013D_020_20150803
CLS_014E	6950_COM_CLS_014E_020_20150803
Floor Space Ratio Map	
FSR_016D	6950_COM_FSR_016D_020_20140129
Heritage Map	
HER_012	6950_COM_HER_012_080_20140129
HER_012A	6950_COM_HER_012A_020_20140129
HER_013	6950_COM_HER_013_080_20140129
HER_013E	6950_COM_HER_013E_020_20140129
HER_015	6950_COM_HER_015_080_20140129
HER_016C	6950_COM_HER_016C_020_20140129
HER_016D	6950_COM_HER_016D_020_20140129
HER_018	6950_COM_HER_018_080_20140129
HER_019A	6950_COM_HER_019A_020_20140129
HER_019D	6950_COM_HER_019D_020_20140129
HER_019E	6950_COM_HER_019E_020_20140129
HER_019F	6950_COM_HER_019F_020_20140318
HER_019G	6950_COM_HER_019G_020_20140318
Height of Building Map	
HOB_014F	6950_COM_HOB_014F_020_20140129
HOB_016D	6950_COM_HOB_016D_020_20140312
HOB_019F	6950_COM_HOB_019F_020_20140129
Land Application Map	
LAP_001	6950_COM_LAP_001_450_20141121
Land Reservation Acquisition Map	
LRA_019E	6950_COM_LRA_019E_020_20140129
LRA_020J	6950_COM_LRA_020J_020_20140129
Lot Size Map	
LSZ_013A	6950_COM_LSZ_013A_020_20140129
LSZ_014F	6950_COM_LSZ_014F_020_20140129
LSZ_015B	6950_COM_LSZ_015B_020_20140530
LSZ_016C	6950_COM_LSZ_016C_020_20140129
LSZ_019E	6950_COM_LSZ_019E_020_20140129
LSZ_019F	6950_COM_LSZ_019F_020_20140129
LSZ_020H	6950_COM_LSZ_020H_020_20140129
Land Zoning Map	
LZN_014E	6950_COM_LZN_014E_020_20140129
LZN_014F	6950_COM_LZN_014F_020_20140129
LZN_019E	6950_COM_LZN_019E_020_20140129
LZN_019F	6950_COM_LZN_019F_020_20140129
LZN_020H	6950_COM_LZN_020H_020_20140129
LZN_020I	6950_COM_LZN_020I_020_20140129
LZN_020J	6950_COM_LZN_020J_020_20140129
Urban Release Area Map	
URA_013D	6950_COM_URA_013D_020_20140317

Map Sheet	Map Identification Number
Riparian Lands and Watercourses Map	
WCL_020I	6950_COM_WCL_020I_020_20140129

The following map sheets are adopted:

Map Sheet	Map Identification Number
Terrestrial Biodiversity Map	
BIO_020I	6950_COM_BIO_020I_020_20151118
Clauses Map	
CLS_013D	6950_COM_CLS_013D_020_20151118
CLS_014E	6950_COM_CLS_014E_020_20151118
Floor Space Ratio Map	
FSR_016D	6950_COM_FSR_016D_020_20151118
Heritage Map	
HER_012	6950_COM_HER_012_080_20151118
HER_012A	6950_COM_HER_012A_020_20151118
HER_013	6950_COM_HER_013_080_20151118
HER_013E	6950_COM_HER_013E_020_20151118
HER_015	6950_COM_HER_015_080_20151118
HER_016C	6950_COM_HER_016C_020_20151118
HER_016D	6950_COM_HER_016D_020_20151118
HER_018	6950_COM_HER_018_080_20151118
HER_019A	6950_COM_HER_019A_020_20151118
HER_019D	6950_COM_HER_019D_020_20151118
HER_019E	6950_COM_HER_019E_020_20151118
HER_019F	6950_COM_HER_019F_020_20151118
HER_019G	6950_COM_HER_019G_020_20151118
Height of Building Map	
HOB_014F	6950_COM_HOB_014F_020_20151118
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LSZ_014F	6950_COM_LSZ_014F_020_20151118
LSZ_015B	6950_COM_LSZ_015B_020_20151118
LSZ_016C	6950_COM_LSZ_016C_020_20151118
LSZ_019E	6950_COM_LSZ_019E_020_20151118
LSZ_019F	6950_COM_LSZ_019F_020_20151118
LSZ_020H	6950_COM_LSZ_020H_020_20151118
Land Zoning Map	
LZN_014E	6950_COM_LZN_014E_020_20151118
LZN_014F	6950_COM_LZN_014F_020_20151118
LZN_019E	6950_COM_LZN_019E_020_20151118
LZN_019F	6950_COM_LZN_019F_020_20151118
LZN_020H	6950_COM_LZN_020H_020_20151118
LZN_020I	6950_COM_LZN_020I_020_20151118
LZN_020J	6950_COM_LZN_020J_020_20151118
Urban Release Area Map	
URA_013D	6950_COM_URA_013D_020_20151118
Riparian Lands and Watercourses Map	
WCL_020I	6950_COM_WCL_020I_020_20151118

Certified

Gordon Clark . [Date] 11. 12. 15

Gordon Clark
Strategic Planning Manager
signed under delegation for Shoalhaven City Council

As delegate for the Minister for Planning

Attachment 5 – Delegated plan making reporting template

Reporting template for delegated LEP amendments

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP_2015_SHOAL_004_00
Date Sent to DoP&E under s56	04/06/2015
Date considered at LEP Review Panel (if applicable)	
Gateway determination date	16/06/2015

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited	12/08/2015 – 28/08/2015	
Date of public hearing (if held)	n/a	
Date sent to PCO seeking Opinion	21/10/2015	
Date Opinion received	09/12/2015	
Date Council Resolved to Adopt LEP	06/10/2015	
Date LEP made by GM (or other) under delegation	11/12/2015	
Date sent to DoP&E requesting notification	11/12/2015	

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information: