

COUNCIL REFERENCE: 1787E, 26448E & 4248E
CONTACT PERSON: Susan Edwards
YOUR REF:

4 July 2011

Department of Planning & Infrastructure - Southern Region
PO Box 5475
WOLLONGONG NSW 2520

Attention: Brett Whitworth

Dear Brett

**Draft and Finalisation – Gateway Process - Planning Proposal
Draft Local Environment Plan (LEP) No. LP 225
(Amendment No. 191 to Shoalhaven LEP1985)
Seascope Close, Narrawallee**

I refer to your letter dated 30 June 2010 regarding conversion of Draft LEP No.LP225 to a Planning Proposal, and now submit the Planning Proposal for drafting and finalisation under Section 59 of the NSW Environmental Planning and Assessment Act 1979.

This planning proposal has been moved over to the Gateway process and therefore the original exhibited draft LEP contained the following clause:

40N Development in the vicinity of Narrawallee:

- (1) This clause applies to land shown edged heavy black on the map marked "City of Shoalhaven Plan 1985 (amendment no)
- (2) The consent authority shall not consent to an application to subdivide or otherwise carry out development of land to which this clause applies unless:
 - a) It has considered a plan of management showing how the fire management issues are conducted as a result of carrying out development in the allotments to be created by the proposed subdivision or from carry out other development
 - b) It has taken into consideration a landscape management plan that is of a standard satisfactory to the Council. The landscape plan must show how the visual quality of the land is to be protected through the retention of existing vegetation;
 - c) It is satisfied that issues relating to visual quality, drainage control, building bulk and scale, threatened species fan habitat and contour of erosion are adequately addressed and provided for as part of any development;
 - d) All building above the 35 metre contour are no higher than 8.5 metres above natural ground level; and,
 - e) A road is located on the western edge of any subdivision within the Residential 2(a1) zone.

As this clause was in the exhibited version of Draft LEP No.LP 225, we are keen to see its inclusion in the finalisation of Planning Proposal. The Seascope Close land that is proposed to be rezoned adjoins existing residential land and this clause limits the impact of the rezoning on these properties and land to the west of the rezoning. Without its inclusion in the LEP amendment it may appear to be misleading to the public, therefore Council would appreciate your consideration of inclusion as part of the amendment.

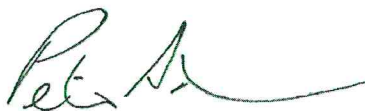
As required please find the following information for the finalisation of draft LEP No.LP225 (Amendment No 191 to Shoalhaven LEP1985):

- A copy of the relevant reports to Council and Minutes (outlining exhibition information and submissions)
- A copy of the planning proposal; and
- Copies of the relevant maps.

It would be appreciated if this planning proposal can now be finalised. Council would appreciate being kept informed of the progress of this matter.

Should you require further information, please contact Susan Edwards, Strategic Planning & Infrastructure Group on (02) 4429 3553. Please quote Council's reference 1787E, 26448E & 42484E in any correspondence.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Peter Adams', with a long horizontal flourish extending to the right.

Peter Adams
Director Strategic Planning & Infrastructure