

The Planning Proposal is not the result of a strategic study or report. For Sites 1-10 the Planning Proposal is the result of concerns raised with the E3 zone under draft LEP 2013 and the removal of 'caravan parks' as a permitted use from that zone. For Site 11, it is a site specific rezoning request that arose during the exhibition of Council's draft LEP 2013.

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

In regard to Sites 1-9, changing the land zone map to SP3 Tourist will mean 'caravan parks' remain a permitted use and will satisfy the objectives and outcomes of the planning proposal. The proposed zoning will secure the future of these existing caravan parks.

Considering the disturbed/developed nature of a majority of the subject sites, the proposed change of zone achieves the intended outcome of the planning proposal. However, the proposed rezoning is somewhat inconsistent with the draft LEP 2013 transfer approach and could in turn widen the range of permissible uses for these particular sites including some that are incompatible with the existing locations e.g. serviced apartments. It is however noted that most of the sites have physical or locational constraints that would limit this form of development.

Further, two (2) sites discussed in *Section C - Environmental, Economic and Social impact* (Sites 1 & 9) of this proposal do have existing environmental value. These values will need to be recognised by ensuring the Terrestrial Biodiversity map overlay and other relevant environmental map overlays are produced for these.

Other options may be for the caravan parks to retain the exhibited E3 zone and continue under existing uses or alternatively retain the exhibited E3 zone and include a clause in *Schedule 1 Additional permitted uses* to allow for caravan parks on the sites. This latter option provides more certainty to the landowners than relying on 'existing uses' and retains the environmental objectives of the zone. The owners do not support this approach as they are concerned that it will limit their ability to obtain finance given the overlying environmental protection zoning. Council shares the owners concerns and has resolved to pursue the requested SP3 zoning.

For Site 10, (Wairo Beach Bush Missionary Society Caravan Park), a more appropriate zone may be RE1 Public Recreation to reflect the Crown Land tenure of the site and a previous request to rezone the site to RE1 by Crown Lands in their submission to the draft SLEP 2013 (see Attachment D).

In regards to Site 11 (Ethel Street Sanctuary Point), the planning proposal would allow continuation of the adjoining zone (SP3 Tourist) and facilitate continued use as a caravan park and is therefore the most appropriate means of achieving this objective.

4.2 Relationship to strategic planning framework (Section B)

Given the various locations of the subject sites across the Shoalhaven LGA, some or all of the following strategic plans and strategies will apply.

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)?

➤ South Coast Regional Tourism Plan (2003-2006)

The South Coast Regional Tourism Plan 2003-2006 provides clear and achievable priorities for tourism development and marketing activities on the South Coast of New South Wales. It aims to improve the yield from tourism and its contribution to the future development of the South Coast of New South Wales in economic, social, cultural and environmental terms. Caravan parks play an important part in Shoalhaven's tourism sector.

➤ South Coast Regional Strategy

The South Coast Regional Strategy aims to support economic growth in the region including tourism, while limiting development constrained by coastal processes, flooding, wetlands and significant and cultural landscapes. It identifies councils requirements with zoning land and making provision for natural environments and natural hazards through implementing applicable natural resource policies, plans and guidelines.

➤ South Coast Regional Conservation Plan (2010)

The South Coast Regional Conservation Plan provides direction to local government on planning and development decision-making so that the biodiversity of the South Coast can be maintained or improved.

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

➤ Shoalhaven City Council's Community Strategic Plan, Shoalhaven 2020

The Proposal is consistent with Council's Community Strategy Plan and the relevant objective, strategy and action below:

Objective 2.4 Population and urban settlement growth that is ecologically sustainable and carefully planned and managed

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.

Action 2.4.2.3 Implement appropriate land use zones and planning controls that reflect endorsed strategic plans and strategies

5.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

➤ State Environmental Planning Policy No. 71 – Coastal Protection

This policy aims to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast through ensuring that development in the NSW Coastal zone is appropriate and suitably located. Most of the lots within the planning proposal area fall within a sensitive coastal location and this will need to be considered in agreeing on a suitable zoning.

➤ Jervis Bay Regional Plan (deemed SEPP)

The Jervis Bay Regional Plan aims to protect the natural beauty and species diversity of Jervis Bay while allowing development that is compatible with this aim to proceed. The plan includes provisions to protect water quality, landscape attributes, cultural heritage, natural habitats, and identifies and provides for the acquisition of a future National Park. It also identifies opportunities for urban development and encourages appropriate tourism developments.

5.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

Given the various locations of the subject sites across the Shoalhaven LGA, some or all of the Ministerial Directions apply as per Attachment C.

5.3 Environmental, Social and Economic Impact (Section C)

5.3.1 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?

There is no declared critical habitat in Shoalhaven. However, given the range of known threatened species, consideration of their habitat generally is a key issue when a zone change is being considered. With regard to the eleven caravan parks being assessed for a change of zone, a desktop assessment indicates that there are only two which have elements that could provide habitat to threatened species. The remaining eight have effectively removed all habitat features from their land. Mitigation measures could ensure that the two parks with some environmental value avoid any adverse impacts. Each is discussed below:

Site 1 - Shoalhaven Ski Park – Contains a small wetland area to the north of the block. This wetland would most logically retain the E3 Environmental Management zone or be added to the Biodiversity overlay to ensure that consideration of the environmental values of the wetland in any future development assessment process.

Site 9 - Racecourse Beach Tourist Park - This is a relatively degraded site, however, it still retains some habitat value in key areas, predominantly around the creek. Should the site be rezoned to SP3, provision of an environmental zone such as E3 Environmental Management around the creek would mitigate impact to threatened species habitat. The site is however predominantly under scrubbed.

5.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

A wider range of uses and structures are permissible under an SP3 zone compared to an E3 zone so consequently greater impact is possible. If sensitive areas are included in the biodiversity overlay then this would assure that adequate consideration of environmental values would occur during any future development assessment.

Several of the caravan parks are within the 1 in 100 year flood area. All are susceptible to some bushfire risk. Although the planning proposal is not anticipated to increase the overall nature of the parks, consideration of these hazards is relevant.

5.3.3 How has the planning proposal adequately addressed any social and economic effects?

The social and economic impacts related to the planning proposal are considered minimal, however, it is envisaged that the proposal has a positive impact by ensuring the ongoing use and evolution of the existing caravan parks, hence supporting tourism and its economic and social input to the region.

The sites do not contain any known European or Aboriginal cultural heritage significance that could potentially be impacted by the proposal.

5.4 State and Commonwealth Interests (Section D)

5.4.1 Is there adequate public infrastructure for the planning proposal?

The Planning Proposal does not require additional public infrastructure given the existing nature of the parks it covers.

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

The nature of this Planning Proposal is such that Council does not consider that any State or Commonwealth public authorities are required to be consulted in relation to this Planning Proposal at this time.

6 Part 4 – Mapping

The maps included in this Planning Proposal are provided for information purposes. The maps identify each site, the draft LEP 2013 exhibited zone, the proposed zone, aerial views and any other relevant overlays from the draft LEP 2013. Council will prepare relevant maps for exhibition purposes, as directed by the Department of Planning and Infrastructure through the Gateway Determination.

7 Part 5 - Community Consultation

Council proposes to exhibit the Planning Proposal in accordance with the requirements of Section 57 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and/or any other requirements as determined by the Gateway process.

It is submitted that the Proposal fits the definition of a “low impact planning proposal” requiring an exhibition period of 14 days. Public notification of the exhibition will include a local newspaper notifications and a notice on Council’s website. Hard copies of the Planning Proposal will be available at Council’s Administrative Buildings. Council will write to all owners adjoining the subject land.

8 Part 6 – Project Timeline

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

Table 4 - Planning Proposal Project Timeline

Task	Anticipated Timeframe
Commencement date (date of Gateway determination)	November 2013
Completion of Gateway determination requirements – e.g. studies, Government agency consultation.	December 2013 – January 2014
Public exhibition (14 days)	January 2014 – February 2014
Consideration of submissions	February 2014
Post exhibition consideration of Planning Proposal	February – March 2014
Finalisation and notification of Plan	March – April 2014