# Explanatory Document

Shoalhaven Local Environmental Plan (LEP) 2014 2020-21 Housekeeping Planning Proposal (PP044)

## Affected Land

The proposed changes affect land situated across the whole of Shoalhaven Local Government Area (LGA) – refer to the PP for further detail.

## Background & Overview

Shoalhaven Local Environmental Plan (LEP) 2014 commenced on 22 April 2014. The LEP consolidated previous planning controls into the one plan and transitioned existing controls into the NSW Government’s Standard Instrument LEP format.

As part of the completion, and since Shoalhaven LEP 2014 has been in force, Council has undertaken a number of “housekeeping amendments” to improve the operation and accuracy of the Plan. Council continuously reviews Shoalhaven LEP 2014 to ensure it aligns with strategic documents, is improved where necessary and delivers positive outcomes for the community.

In May 2021, Council resolved (MIN21.248) to submit the Housekeeping 2020-21 Planning Proposal (PP) to the NSW Department of Planning, Industry and Environment (DPIE) for initial Gateway determination. The Gateway determination was received in June 2021 to enable the progression of the PP to exhibition.

## Proposed Changes

The following amendments are proposed to Shoalhaven LEP 2014:

* Ten (10) items have been identified that require administrative amendments to the written instrument of Shoalhaven LEP 2014. These amendments include (but are not exclusive to) the insertion of ‘*Secondary Dwellings*’ as permitted with consent in certain residential zones, insertion of ‘*Artisan and Food Industry’* as permitted with consent in certain business zones and additional provisions for certain split zoned industrial land.
* Twenty-nine (29) items have been identified that require amendments to the Shoalhaven LEP 2014 maps, covering a variety of minor mapping issues relating to land zoning, lot size, height of building, buffer, urban release area, clauses and heritage.
* One (1) item has been identified for amendment that relates to both the instrument (Schedule 5 of Shoalhaven LEP 2014) and the associated heritage mapping.

Refer to the PP for further detail.

## Public Agency Consultation

Condition 2 of the Gateway determination required consultation with the following public authorities:

* NSW Rural Fire Service,
* DPIE – Environment, Energy and Science Division – Biodiversity and Conservation Division,
* DPIE – Crown Lands, and
* National Parks and Wildlife Service.

Following receipt of the Gateway determination, the draft documents and relevant supporting material were provided to the public authorities who were given a period of at least 21 days to comment. Consultation has now concluded, and the responses are provided at **Attachment G** of the PP and are summarised below:

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| **Agency** | **Response Summary** |
| NSW Rural Fire Service | Raised no objection to the proposal. |
| DPIE – Environment, Energy and Science Division – Biodiversity and Conservation Division | Nil response from Environment, Energy and Science (i.e., Biodiversity Conservation Division South East Branch (Planning (Illawarra) team)). Noted that NPWS has provided comment on relevant mapping changes. |
| DPIE – Crown Lands | Raised no objection or comment to the planning proposal. |
| National Parks and Wildlife Service | Supportive of the proposed amendments detailed in Mapping Changes 5, 7 and 16.  Rezone Lot 241 DP 8769 to E1 National Parks and Nature Reserves; and not proceed with the rezoning of part of Road UPN’s 106875, 106876 and 114695 as these paper roads potentially provide access to lands that are not reserved under the *National Parks and Wildlife Act 1974* and should remain as E2 Environmental Conservation.  The Public Exhibition document has been updated to reflect these changes. |

## Exhibition Documents

The Housekeeping 2020-21 PP is on public exhibition from **Wednesday 13 October** – **Friday 12 November 2021** (inclusive) and is available for viewing online at [www.shoalhaven.nsw.gov.au/MyCouncil/Public-exhibition/Documents-on-exhibition](http://www.shoalhaven.nsw.gov.au/MyCouncil/Public-exhibition/Documents-on-exhibition). Depending on the NSW Public Health Orders at the time, electronic copies of the exhibited package may be available at Council’s City Administration Centre (Bridge Road, Nowra) and at the Ulladulla Administration Building (Deering Street, Ulladulla) during business hours (9am-5pm) for the duration of the exhibition period.

The exhibition package includes:

1. Explanatory Document
2. Housekeeping 2020-21 PP (PP044)
3. Public Notice
4. Gateway Determination (22 June 2021)

## Request For Comment

Submissions relating to Housekeeping 2020-21 PP are invited during the exhibition period and should be made in writing, and addressed to:

**Post:** The Chief Executive Officer, Shoalhaven City Council, PO Box 42, Nowra NSW 2541

**E-mail:** [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

**Website:** via the form on the Exhibition page at:

<http://shoalhaven.nsw.gov.au/My-Council/Publicexhibition/Documents-on-exhibition>

All submissions must be received in writing by **5pm Friday 12 November 2021**, quoting Council’s reference **59409E.**

Please note that correspondence submitted to Council on this matter may be open to public inspection without notifying the correspondents. Pre-printed form letters, which have been individually signed will be considered but not formally acknowledged. All persons who lodge a submission are required to declare any relevant political, donations and/or gifts in accordance with Section 10.4(5) of the Environmental Planning and Assessment Act 1979.

Enquiries should be directed to Emma Kell on (02) 4429 3213, quoting Council’s reference **59409E**.