



The Hon. Rob Stokes MP
Minister for Planning and Public Spaces

Ref: IRF19/5178

Dr Catherine Dale
General Manager
Eurobodalla Shire Council
PO Box 99
MORUYA NSW 32537

Dear Dr Dale

Eurobodalla Local Environmental Plan 2012 (Amendment No 11)

I refer to the proposal to amend the Eurobodalla Local Environmental Plan 2012 to implement recommendations of the Eurobodalla rural lands strategy and address other matters.

I am pleased to advise that I have made the plan under section 3.36(2)(a) of the *Environmental Planning and Assessment Act 1979*, and under section 3.24(5) it will take effect when published on the NSW Legislation website.

In finalising the plan, the Department of Planning, Industry and Environment consulted with the NSW Rural Fire Service (RFS) and Council to address outstanding concerns with the proposal. As a result of these discussions and the provision of additional information from Council, RFS was able to focus its objection to seven sites/areas where it considered the level of bushfire hazard and risk associated with potential additional dwellings was unacceptable. The relevant sites are identified in RFS's submission to Council dated 31 May 2019. The draft plan has been amended to increase the minimum lot sizes in these seven areas to prevent further subdivision.

I note that several agency and community submissions did not support the removal of terrestrial biodiversity mapping and controls from the LEP. In considering this issue, I understand Council proposes to achieve environmental protection outcomes through a development control plan (DCP) that includes similar mapping and criteria.

I note that Council has adopted a DCP for these matters. It is important that the DCP includes objectives to:

- protect native fauna and flora;
- protect the ecological processes necessary for their continued existence;
- encourage the recovery of native fauna and flora and their habitats; and
- maximise connectivity, and minimise fragmentation, of habitat.

Should you have any enquiries about this matter, I have arranged for Ms Sarah Lees, Director, Southern Region, of the Department of Planning, Industry and Environment to assist you. Ms Lees can be contacted on 4247 1810.

Yours sincerely



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