

Mr Stephen Dunshea, CEO  
Shoalhaven City Council

By email: [council@shoalhaven.nsw.gov.au](mailto:council@shoalhaven.nsw.gov.au)

Attention: Gordon Clark, Manager  
Strategic Planning

Dear Mr Dunshea

**Planning proposal PP\_2020\_SHOAL\_010\_00/ PP-2021-837 Moss Vale Road North URA  
Planning proposal – Public Exhibition**

I refer to Council's request of 8 April 2022 to commence exhibition of the above planning proposal to amend and add provisions to the Shoalhaven LEP 2014 to facilitate residential development and environmental protection of lands within the Moss Vale Road North Urban Release Area, Cambewarra. I note that Council has revised the planning proposal to reflect completed studies for the site.

I have reviewed the updated proposal and supporting information provided on 3 May 2022 in response to requirements of Condition 1 of the Gateway determination and am satisfied most of these requirements have been addressed. I note the explanation of provisions section and proposed LEP maps provided in the planning proposal do not clearly identify the proposed minimum lot size controls for the R3 Medium Density Residential zone and the application of Clause 4.1H to RE1 Recreation zones. I also note the revised planning proposal has not provided advice on consistency with the Shoalhaven Local Strategic Planning Statement.

I am, however, agreeable to Council proceeding to place the planning proposal, technical reports and the Moss Vale Road North Urban Release Area Riparian assessment on public exhibition subject to the explanation of the provisions, draft LEP maps and relationship to strategic planning framework being updated to address this matter.

I strongly encourage Council to address the issue of when an Aboriginal Cultural Heritage Assessment Report (ACHAR) should be prepared with Heritage NSW as a priority to avoid potential delays in progressing the planning proposal.

I have agreed as the Minister's delegate that the revised planning proposal remains consistent with the Section 9.1 Directions 1.1 Implementation of Regional Plans, 4.3 Planning for Bushfire Protection, 4.4 Remediation of Contaminated Land, 5.1 Integrating Land Use and Transport, 6.1 Residential Zones and 7.1 Business and Industrial Zones. I also agree that the revised planning proposal is justifiably inconsistent with the S9.1 Directions 1.4 Site Specific Provisions and 9.1 Rural Zones and no further approval is required

Council may still need to obtain agreement of the Department's Secretary to comply with the requirements of the Section 9.1 Directions 3.1 Conservation Zones, 3.2 Heritage Conservation, 4.1 Flooding, and 9.2 Rural Lands prior to the plan being finalised.

If you have any questions in relation to this matter, I have arranged for Ms Lisa Kennedy to assist you. Ms Kennedy can be contacted on 02 4247 1827.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Thompson', on a light blue background.

**Daniel Thompson**  
**Director, Southern Region**  
**Local and Regional Planning**